

ADDITIONAL QUESTIONNAIRE
TO THE COMMISSIONER-DESIGNATE
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NEIGHBOURHOOD and ENLARGEMENT

1) Do you feel bound or influenced in the exercise of your forthcoming duties as a Commissioner by the statements that your Prime Minister has made about your role, including a statement made at the Turkic Council in Baku on 15 October 2019 and how would you evaluate if any EU government granted asylum to any convicted former Prime Minister of a candidate country?

As Commissioner, my only objective is to implement the political priorities of the European Union towards all the Enlargement and Neighbourhood partners, elaborating and implementing policies in the Western Balkans as well as in the Eastern and Southern Neighbourhood, under the guidance of the High Representative/ Vice-President and in full collegiality and a truly European spirit.

Therefore, I will neither be bound nor influenced by any statement or position of any Prime Minister of any country or any other representatives of any government.

Commissioners must promote the general interest of the European Union as a whole, must ensure the application of the law of the European Union and are completely independent from any government or other institution.

Commissioners are not the representatives of any government or any Member State. They are neither accountable to the government of their Member State nor to their Member State as a whole.

They are accountable to the President of the Commission and the European Parliament.

This is clearly set out in the Treaties and the Code of Conduct for the Members of the Commission.

I am fully aware of this, and I am fully determined to live up to these high expectations in the daily performance of my tasks as Commissioner, if you decide to confirm me.

I will not be the envoy of a specific country, but the representative of the European Commission towards our neighbouring countries.

It will be an honour and a great responsibility to perform these tasks.

Therefore, my answer to the question is very clear: I will neither be bound nor influenced by any statement or position of any Prime Minister of any country or any other representatives of any government.

The European political priorities mentioned above reflect the interest of the European Union as a whole and are based on the contributions from the European Parliament, the Council and Member States and the European Commission. Relations with Azerbaijan and Turkey will, of course, be a relevant part of my portfolio. The EU is a key trade partner of Azerbaijan, provides

support to economic diversification and promotes reforms to improve the business climate. We also have a mutual interest in energy cooperation. However, I will not shy away from clearly addressing the human rights situation in Azerbaijan and raise relevant issues, e.g. political prisoners and freedom of assembly and speech, both publicly and directly with the Azerbaijani authorities at the highest levels. The same applies to Turkey. Turkey is an important partner for the EU and we have a strong interest in cooperating effectively with Turkey. However, this will not prevent me from giving unambiguous messages on issues such as the serious backsliding on rule of law and fundamental freedoms, the illegal drilling in the Mediterranean or the military incursion in Syria. I will also continue our strong support to civil society.

It is for Member States to examine and decide on individual asylum requests, in full accordance with EU legislation and international conventions. The rule of law is a fundamental principle of the European Union, for Member States and candidate countries alike. I expect all parties concerned to act strictly in line with the relevant rules, without any politicisation.

I stand ready to discuss any relevant matter with the AFET committee as part of a regular and fluid exchange, which I intend to nurture throughout my mandate. I will appear before the committee regularly and as often as necessary.

2) What are your views on the European Parliament's recommendation to adopt a targeted human rights sanctions regime, currently under discussion in the Council and how will you contribute to its swift adoption?

I welcome the Parliament's Resolution and the ongoing discussion within the Council on a global EU Human Rights Sanctions Regime. This is an important topic. The EU has already adopted two important horizontal sanctions regimes in recent years, namely the regime for restrictive measures against the use and proliferation of chemical weapons and the restrictive measures against cyberattacks threatening the Union or its Member States. A horizontal human rights sanctions regime could be a further step, giving the EU an additional tool to address human rights violations, beyond the possibilities that already exist in geographic sanction regimes.

However, the key objective of such an approach must be that it adds value and strength to the Union's external relations and helps to promote human rights worldwide while deterring violations. Therefore, for any sanctions regime to be efficient, it needs to be well targeted and legally robust. Various parameters and criteria would need to be considered. The ongoing process in the Council allows for a careful reflection and a detailed assessment of the value-added and impact of such regimes, as well as their interaction with other external relations instruments. The Commission is fully involved in this process and will continue to contribute actively to the discussions.

I understand that at this stage there are still significant divergences amongst Member States, which is critical given that, for the moment, the adoption of such a regime would require unanimity in the Council.

Within the College, and in line with their respective Mission Letters, the specific responsibility for sanctions policy will fall under High-Representative/Vice-President Borrell and Executive Vice-President Dombrovskis. However, I stand ready as a Member of the College to support a proposal for a Council Regulation under Article 215 TFEU, should there be support in the Council for a Decision establishing an EU Human Rights sanctions regime.

3) In case an enlargement country limits the space of opposition parties, almost completely controls the national media outlets, forces judges into early retirement and restricts academic freedom and does not combat organised crime and corruption, what would you recommend in the Progress Report as the responsible Commissioner?

As a Commissioner, my only objective is to implement the policy of the European Union. In accordance with the EU's enlargement policy, I will ensure that we continue to give priority to the "fundamentals first" principle. This means continuing to focus on supporting the enlargement countries in their efforts to strengthen the rule of law, including judicial reform and fundamental rights, in tackling corruption and organised crime, in working towards the proper functioning of democratic institutions and carrying out public administration reform.

I will urge governments to ensure that the opposition has the possibility to fully perform its role and engage in the democratic processes. Equally, I would urge opposition parties to fulfil their constitutional role and act as the representative of their electorate within that framework.

Regarding the issue of forcing judges into early retirement, the European Court of Justice has ruled that this contravenes EU law. I will therefore call on enlargement countries to take all necessary steps to ensure alignment with the *acquis*.

Safeguarding freedom of expression and the media is a key challenge. Political interference in the media, economic pressure and worst of all violence and intimidation are on the increase. I will insist with the authorities on these important issues, be it publicly, in our political dialogue, in the country reports, and by supporting concrete reforms.

International law also requires States to respect academic freedom, a principle based on a series of basic and widely accepted human rights. I will use the tools at the Commission's disposal so that enlargement countries respect this important principle.

Enlargement countries continue to show instances of widespread corruption and organised crime. As Commissioner responsible, I will insist that enlargement countries undertake comprehensive and determined efforts to tackle these phenomena. Building solid track records of investigations, prosecutions and convictions in organised crime and corruption cases, including at high level, will be key to progress on the European path.

Progress in all of these areas remain crucial for meeting the Copenhagen accession criteria and are essential cross-cutting issues that, if properly addressed, will allow candidate countries to take on and fully respect the obligations of membership. We should continue to provide support, financial and political, to our partners in the region in line with our strong policy commitments. I will ensure that we continue to closely monitor all rule of law issues in our country reports and in the case of insufficient progress, urge enlargement countries to undertake the necessary measures to address deficiencies. For countries negotiating chapter 23 (judiciary and fundamental rights) and chapter 24 (justice freedom and security), I will not hesitate to deploy the available tools to encourage reforms including, if necessary, activating the imbalance clause of the negotiating frameworks.

4) Following your statement prioritising economic development, foreign investment and migration management in relation to the Southern Neighbourhood, what support will you provide to the civil society in partner countries and do you commit to suspend the delivery

of assistance through budget support to governments which breach human rights, including, among others the rights of human rights defenders, the rights of migrants and refugees and religious minorities?

Civil society will remain a key partner in all Southern neighbourhood countries. In this regard, I will continue and strengthen our regional dialogue with civil society partners through the Southern Neighbourhood Civil Society Forum.

I will also advance our work to create an enabling environment for civil society organisations through our policy dialogue with partner governments, particularly in countries where space for civil society is the most limited.

Specific capacity building programs will continue to make a vital contribution to strengthening public accountability and advocacy, promoting resilience and participation at local level, as well as training of young leaders.

With this approach of continued dialogue and capacity building for civil society, we will tap into civil society's potential for developing a strategic vision for the region and promoting inclusive growth and economic development, stability, peace and democratic governance.

I will make use of the budget support modality, and its leverage in terms of policy dialogue, to ensure that our assistance remains consistent with our commitments to fundamental values. In the Southern neighbourhood and beyond, I believe that the EU should be ready to respond to any serious deterioration, including breaches of human rights, in a proportionate and progressive way. In very serious cases, an immediate suspension may be necessary. The aim should be to achieve the best possible outcome in terms of defending and promoting fundamental values.

Human rights commitments and their implementation by partner countries will remain a key parameter to inform our decisions on new budget support operations. I will continue to regularly monitor these, including by means of the political monitoring provided by our Delegations, together with our Member States.

For ongoing operations, I will consider the full range of contingency measures, which can be used to promote fundamental values and allow for a balanced response. Using the rights-based approach, including in budget support, will be at the heart of my action. When concerns arise, enhanced policy dialogue should be the first response, notably by agreeing on a potential roadmap with short-term conditions to restore confidence. Our response to non-compliant countries will remain gradual, ranging from a temporary 'freezing' of budget support disbursements, to the application of human rights suspensive clauses in the EU's financing agreements.

I look forward to discussing these matters in detail with the AFET committee as part of our regular and fluid exchange.

5) What do you believe shall be the level of IPA support for the Western Balkans? Do you commit to support the position that delegated acts should be used both for the updates of the annexes and the adoption of strategic programming documents under the future External Financing Instruments (NDICI/IPA)? Do you believe that the reduction of IPA

and other financial support for Turkey should take place? What are your plans in order to mitigate and reduce external influences in the Western Balkans?

I believe the Commission's proposal to devote substantial funding (EUR 14.5 billion) to the Instrument for Pre-accession III (IPA III) within the context of the new Multi-annual Financial Framework 2021-2027 will allow the Western Balkans to pursue and achieve the goals set out in the 2018 Western Balkans Strategy and support the evolving needs in relation with Turkey.

As stated in the course of the hearing, I am committed to engaging with the European Parliament in an open, transparent and constructive way. To achieve this, one of my main priorities as Commissioner will be to work, together with the High Representative / Vice-President and the Commissioner for International Partnerships, towards the most suitable arrangements with the other institutions, in full accordance with the Treaties. These arrangements should allow for proper parliamentary scrutiny in the governance of IPA III and of the Neighbourhood, Development and International Cooperation Instrument (NDICI). I would insist in particular on the need for proper and regular strategic discussions with the European Parliament on the situation of and EU support to all partners within my portfolio and will always stand ready to actively participate in any such discussions.

The EU has already reduced its assistance to Turkey considerably over recent years. Since 2017, over EUR 1.2 billion have been cut compared to initial plans. Our remaining assistance rightly focuses on supporting an independent and vibrant civil society, including human right defenders, and promoting people-to-people exchanges (including in particular students and researchers), as well as on key policies such as climate change or environmental protection. I consider the envelope the Commission included in its draft budget for 2020, i.e. EUR 250 million, adequate in this regard. However, if Turkey were to continue its serious backsliding on the rule of law and fundamental freedoms, I would be in favour of looking into further targeted IPA cuts together. In this context, I am of course fully aware of the resolutions passed by the European Parliament. At the same time, EU support to refugees in Turkey, currently implemented via a dedicated Facility, should continue to be separate.

In a changing world where some of the EU's key allies and partners are questioning the rules-based multilateral order, it is all the more important for the EU to forge a common vision and alignment of interests with its partners. To mitigate external influences in the Western Balkans, we need as a priority to drive forward implementation of the Commission's Western Balkans Strategy and, through a credible and merit-based enlargement policy, bring the Western Balkan partners closer to the EU's model and its values. Implementing fundamental reforms and aligning with EU rules, standards and policies will strengthen the resilience of the enlargement countries to external interference, including to ensure full adherence of any foreign-funded economic activity to the necessary rules and commitments vis-à-vis the EU.

It is crucial for the EU to be perceived as the strong political partner and by far the main economic investor and donor that we are in the region. Public opinion in the Western Balkans is in general positive towards the EU and further EU integration, but the presence of third countries and of disinformation in the public space is increasing. To mitigate and reduce such trends, the Commission will continue to work very closely with the three EEAS Strategic Communication Task Forces (East, South and Western Balkans) with a focus on improving EU visibility, providing support to media, and addressing disinformation. While the EEAS mandate focuses very concretely on the disinformation angle, the Commission, in the enlargement and neighbourhood regions, focuses its strategic communications on positive

messaging and thematic campaigns about the EU and its policies, showing the impact and benefits of our actions for citizens and businesses in the partner countries. The Commission also supports independent and professional media and finances actions in favour of media freedom and pluralism, like those implemented by the European Endowment for Democracy. Working closely with the High Representative/ Vice-President, I will step up our efforts to increase EU visibility, ensure a common branding of EU actions, and to engage with media since it has been effective in making citizens in the partner countries recognise better the EU and its activities.

I look forward to discussing these matters in detail with the AFET committee as part of our regular and fluid exchange.