

*Version Nov 9, 21, 5:16 PM*

**CONSTITUTIONAL AFFAIRS COMMITTEE**

**Ordinary meeting**

**Tuesday 09 November 2021,**

**09.00 - 12.00**

**Brussels, room : Paul-Henri Spaak (1A002)**

**And**

**Tuesday 09 November 2021,**

**16.45 - 18.45**

**Brussels, room : József Antall (6Q2)**

# **Chair's Note**

For legal reasons, it is strongly advised to inform the participants at the beginning of the meeting that the meeting will be web-streamed.

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**9 November 2021, 9.00 - 09.10**

## **1. Adoption of agenda**

The draft agenda was circulated on 2 November 2021.

If there are no objections, I declare the draft agenda adopted.

## 2. Chair's announcements

- Interpretation:

**Interpretation is available today in the following languages:**

– Language profile **AM** session, **ICM** (from **9:00 to 12:00**):

**DE EN FR IT NL DA EL ES PT FI SV CS ET LV LT HU  
MT PL SK SL RO BG HR**

– Language profile **PM** session (from **16:45 to 18:45**):

**DE EN FR IT NL ES PT FI HU PL RO**

Interpreters for these languages rely on the quality of the sound and video of remote participants (only for Members of National Parliaments and other guests) in order to get the message across.

It is therefore very important that they follow connection and speaker's guidelines sent to them. Please be aware that phone interventions or only audio connections will not be interpreted.

Speakers are invited to speak their mother tongue if it is one of languages for which interpretation is available.

It is also strongly recommended to avoid reading out a speech: please use your speaking notes as a background material and speak freely and at a natural pace. DG LINC Interpreters thank you in advance for your cooperation.

- **Use of masks**

As you all know, the decision of the President Sassoli of 14 October on extraordinary circumstances lapsed on the 2nd November. This means that, since last Tuesday 3 November, the Parliament is functioning in the normal mode, meaning that meetings and votes take place with physical presence in the meeting room. No remote participation facilities will be provided, except for external invitees, should they not be able to attend physically our meetings. Neither remote voting facilities will be available. All votes will take place during physical meetings and according to the usual rules provided in our Rules of Procedure.

I would like to remind you also that, as provided for in the decision of the President of the EP of 28 October, social distance measures are still in force in all parliament, notably in what concerns the use of capacity of meeting rooms, which is reduced by half and the use of community masks, which is mandatory in all the premises of the EP, including during meetings.

According to the latest decisions, **the use of masks is even mandatory while taking the floor**, except for the person chairing the meeting.

I repeat, the use of masks is mandatory even during committee meetings and while taking the floor.

- **Information to Members intervening remotely**

➤ **Members wishing to speak should click the “RAISE HAND” button**

➤ ~~If the light is yellow, your hand is raised and the information is passed on to me as Chair~~

➤ ~~Please wait until you are given the floor. When the moderator gives you the floor, the **SPEAK** button turns blue.~~

➤ ~~Press the **SPEAK** button once and wait 3 seconds to be connected. The **SPEAK** button turns red and you can start speaking.~~

**9 November 2021, 9.10 – 12.00**

*Meeting European Parliament – National Parliaments*

**3. Interparliamentary Committee Meeting on "The expectations of National Parliaments for the Conference on the Future of Europe"**

AFCO/9/07506

- Debate in committee with Members of National Parliaments and Members of the European Parliament

09:10 – 09:50 Introductory statements by the AFCO Chair and the three Co-Chairs of the Executive Board of the Conference on the Future of Europe

09:50 – 10:10 Presentations by two Members of National Parliaments

10:10 – 11:40 Debate with Members of National Parliaments and Members of European Parliament

11:40 – 12:00 Closing remarks

(see separate draft agenda)

- AD in charge: Ewelina Błaszczuk-Adamowicz

Formattato: Polacco (Polonia)

Dear colleagues,

I would like to welcome to our interparliamentary meeting our guests, the Members of national Parliaments (**X Members from Y chambers and Z Member states** have confirmed their presence).

I also cordially welcome our key note speakers - Co-Chairs of the Executive Board of the Conference on the Future of Europe: **Mr Guy Verhofstadt** - Chair of the Parliament's Delegation to the Conference Plenary; **Mr Gašper Dovžan**, State Secretary at the Ministry of Foreign Affairs of the Republic of Slovenia, representing Council Presidency and **Ms Dubravka Šuica**, Commission Vice-President (responsible for Democracy and Demography).

I would also like to welcome Members of the Parliament's Delegation to the Conference Plenary that are not Members of AFCO, who have joined us today for this interesting debate.

In our meeting today, we will discuss the expectations [of national Parliaments](#) towards the Conference on the Future of Europe, which has already taken shape with all its bodies and fora like the plenary, Citizens' Panels, working groups and the digital platform, being put in place and working at full steam. It is thus, highly appropriate and timely to hold a debate between national parliaments and the European Parliament on their expectations for the Conference at this early stage, in order to listen to their views on the structure, the roll out and the expected outcome of this unique exercise.

The Conference on the Future of Europe is a one of a kind opportunity for a debate on how the EU should develop in the future, identify where it is rising to the challenges of current times, and enhance those areas that need reform or strengthening. It constitutes an unprecedented pan-European forum for discussion, where citizens of all Member States can debate the EU's priorities and make recommendations to be taken into account by the political and institutional powers and ideally translated into practical measures.

The European Parliament has continuously supported proper engagement of the national parliaments, which together with the European Parliament should drive the Conference with the aim of providing meaningful results. As the European Parliament has consistently reiterated, cooperation and political dialogue between the national Parliaments and the European Parliament should be enhanced, and in particular on issues of our common vested interests like the future of our Union. Such enhanced dialogue obviously contributes to reinforce parliamentary democracy in the European Union.

As the representatives of the directly elected parliamentary bodies of the European Union and of the Member States, we the European and national parliamentarians bear special responsibility for advocating the meaningful engagement of the Union's Citizens in the Conference on the Future of Europe, so that their voice is heard and proper follow up is provided to the conclusions of their work.

Before starting our substantial debate, I would like to inform you of some important practical details of our meeting, as the colleagues from the national parliaments are participating remotely:

- in order to allow the maximum of our national Parliaments' colleagues to intervene, we will organise the discussion in a way that, after the intervention of the key note speakers and of a Member of the Parliament of Slovenia and a Member of the French Parliament, we will have ~~two~~ one interventions of a Member of a national Parliament followed by one intervention of a Member of the European Parliament, in accordance with the established speakers' list established.

- following the interventions as listed in the speakers' list, and depending on the time available other Members of national Parliaments and of the European Parliament may also have the possibility to indicate their wish to intervene for one minute by clicking the "RAISE HAND" button - for the Members of national Parliaments and by raising the hand - for the Members of the European Parliament.

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- If the light is yellow, your hand is raised and the information is passed on to me as Chair.

- Please wait until you are given the floor. When the moderator gives you the floor, the **SPEAK** button turns blue.

- Press the **SPEAK** button once and wait 3 seconds to be connected. The **SPEAK** button turns red and you can start speaking.

*Allow me to now give the floor to the Co-Chairs of the Executive Board of the Conference for an introduction to our debate.*

*Let me start by giving the floor to Mr Guy Verhofstadt - Chair of the EP delegation to the Conference Plenary for **10 minutes**.*

(...)



*Thank you to Mr Verhofstadt.*

*I will now ask for the floor Mr. Gašper Dovžan, State Secretary at the Ministry of Foreign Affairs of the Republic of Slovenia for **10 minutes***

(...)

*Thank you Mr State Secretary.*

*Now I have the pleasure to give the floor to Vice-President of the Commission Ms Dubravka Šuica for **10 minutes**.*

(...)

*Thank you Vice-President.*

*I now give the floor to our distinguished guest from the Slovenian Parliament, Branko GRIMS, Chair of the Committee on the Interior, Public Administration and Local Self-Government in the Slovenian National Assembly, Head of Delegation of the Slovenian National Assembly to the Conference on the Future of Europe Plenary for **5 minutes**.*

Formattato: Giustificato

(...)

*Thank you Mr. Grims.*

*Next is our distinguished guest from the French Parliament, Ms. Sabine THILLAYE, Chair of the Committee on European Affairs of the French National Assembly. You have the floor for **5 minutes**.*

(...)

*Thank you Ms. Thillaye.*

*I now open the floor for a debate between Members of the National Parliaments and Members of the European Parliament.*

*(See Speakers List provided)*

*At the end of the interventions of Members of the National Parliaments and of the European Parliament, the Chair gives the floor to Mr ~~Guyot~~ Verhofstadt - Chair of the EP delegation to the Conference plenary for the closing remarks - for **10 minutes**.*

*After the closing remarks by Mr Verhofstadt the Chair closes the debate.*

\* \* \*

**9 November 2021, 16.45**

**\*\*\* Voting time \*\*\***

**4. Engaging with citizens: the right to petition, the right to refer to the European Ombudsman and the European Citizens' Initiative**

AFCO/9/04949 2020/2275(INI)

Rapporteur for the opinion: Helmut Scholz (The Left) PA – PE697.604v01-00  
AM – PE699.084v01-00  
Responsible: PETI\* Marie-Pierre Vedrenne (Renew) PR – PE695.340v01-00  
AM – PE697.540v02-00

- Adoption of draft opinion
- Deadline for tabling amendments: **19 October 2021, 17.00**
- **ADs in charge: Inke Kalb, Ewelina Błaszcyk-Adamowicz, Petr Novak**

We will now proceed to the vote on the amendments to the AFCO opinion of Helmut Scholz to the PETI report on “**Engaging with citizens: the right to petition, the right to refer to the European Ombudsman and the European Citizens' Initiative**”, where AFCO is associated under rule 57.

In total Members have tabled 18 amendments. The Rapporteur has proposed 54 compromise amendments. 2 Amendments were out of scope of the AFCO competences, however one of them (AM 6 referring to the duties of the Ombudsman) was reworded to form a compromise amendment (preserving the powers and competences of the Ombudsman under the Treaties and the statute) which falls within the scope of AFCO remit. Another one (AM 16 referring to the follow up mechanism of the ECIs) was exceptionally admitted by the Chair at the request of the Rapporteur, and included in compromises, with understanding that constitutes a “suggestion” [where rule 56 would be applicable] as it does not pertain to AFCO exclusive competence.

[The voting list has been circulated on Friday 5 November. The Chair proceeds to the vote.](#)

## **5. Implementation of the common foreign and security policy - annual report 2021**

AFCO/9/07274 2021/2182(INI)

Rapporteur for the opinion: Gerolf Annemans (ID) PA – PE699.061v01-00  
AM – PE699.244v01-00  
Responsible: AFET David McAllister (PPE) PR – PE696.543v02-00  
AM – PE699.177v01-00  
AM – PE699.089v01-00

- Adoption of draft opinion
- Deadline for tabling amendments: **28 October 2021, 17.00**
- **AD in charge: Ewelina Błaszczuk-Adamowicz**

Let's now pass to the vote on the amendments to the draft opinion of Gerolf Annemans on **“Implementation of the common foreign and security policy - annual report 2021”**.

In total 25 amendments have been tabled within the deadline. The Rapporteur in cooperation with the shadow rapporteurs has drafted 8 compromise amendments.

The voting list has been circulated on Friday 5 November. The Chair can proceed to the vote.

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## 6. Implementation of the common security and defence policy - annual report 2021

AFCO/9/07275 2021/2183(INI)

Rapporteur for the opinion: Gerolf Annemans (ID) PA – PE699.060v01-00  
AM – PE699.247v01-00  
Responsible: AFET Nathalie Loiseau (Renew) PR – PE695.312v03-00  
AM – PE699.230v01-00  
AM – PE699.204v01-00

- Adoption of draft opinion
- Deadline for tabling amendments: **28 October 2021, 17.00**
- **AD in charge: Ewelina Błaszczuk-Adamowicz**

Now we will vote on the amendments to another opinion of Gerolf Annemans on the ‘**Implementation of the common security and defence policy - annual report 2021**’.

In total 37 amendments have been tabled within the deadline. The Rapporteur in cooperation with the shadow rapporteurs has drafted **10** compromise amendments.

The voting list has been circulated on Friday 5 November. The Chair can proceed to the vote.

**\*\*\* End of vote \*\*\***

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7. **Modification of the Act concerning the election of the Members of the European Parliament by direct universal suffrage pursuant to Article 223(1) of the Treaty on the Functioning of the European Union**

AFCO/9/04472 2020/2220(INL)

Rapporteur: Domènec Ruiz Devesa (S&D) PR – PE693.622v03-00

Responsible: AFCO

- Consideration of amendments
- Deadline for tabling amendments: 5 November 2021, 17.00
- **AD in charge: Carla Carvalho**

In our meeting of 15 June 2021, the Rapporteur Domènec Ruiz Devesa (S&D, ES) presented a draft legislative initiative report on a proposal for a Council Regulation on the election of the members of the European Parliament by direct universal suffrage, repealing the Council Decision and the Act currently in force.

In that same meeting, Members were informed that the initial calendar for this procedure could not be followed, as it was rather tight in relation to the highly complex issues at stake in the reform envisaged by the Rapporteur. An updated calendar was proposed by the Rapporteur and communicated to the Shadow-Rapporteurs and political groups on 19 July. It was also impossible to follow the second calendar, following the cancellation of the AFCO meeting of 30 September 2021.

On 18 October, upon request of the Rapporteur, and in order to ensure a rapid resumption of the procedure, a deadline for tabling amendments was agreed and set for **Friday 5 November, at 17:00h**. It was also agreed that amendments were to be tabled in English, so as to allow their consideration in our meeting of today.

After the opening of the deadline for amendments, the Secretariat was informed that the version of the text available in the AT4AM was not the latest version of the draft report, for technical reasons beyond the responsibility of the Secretariat. In

view of this and in order to solve this problem, while not jeopardising the work that had already been done, Members were asked to continue using the AT4AM except for amendments to **paragraphs 15, 16 and 17 of Article 15** and the **Annexes**. Amendments to these parts had to be tabled through the traditional method. I wish to thank Members for their understanding and cooperation with regard to this difficulty.

779 amendments (TBC) in total were tabled (752 in AT4AM and 27 using the traditional method). We will now proceed to discussing the amendments as tabled.

- *The Chair gives the floor to the Rapporteur, Domènec Ruiz Devesa, for XXXX m.*
- *After the rapporteur, the Chair gives the floor to Members, following the order of the speakers list*

*[See separate speakers list]*

- *After the intervention of Members, the Chair again the floor to the Rapporteur (XXXm) to answer to colleagues*

## 8. 2020 discharge: General budget of the EU - European Council and Council

AFCO/9/06650 2021/2108(DEC) COM(2021)0381[03] – C9-0260/2021

Rapporteur for the opinion: Antonio Tajani (PPE) PA – PE699.205v01-00

Responsible: CONT Isabel García Muñoz (S&D)

- Consideration of draft opinion
- **AD in charge: Ewelina Błaszczyk-Adamowicz**

Next item on our agenda is the consideration of draft opinion on **the ‘2021 discharge: General budget of the EU - European Council and Council’**, under my rapporteurship as a Chair.

The draft opinion was circulated on 3rd November.

Our committee has drafted opinions on the Council discharge over the past years, since persistent difficulties in receiving answers from the Council - due to a lack of cooperation, on their part - have resulted in Parliament’s refusal to grant discharge to Council for the implementation of its section of the budget for more than 10 years.

Unfortunately, there is not much progress to date and the draft opinion outlines the traditional stance of our committee in this respect.

At the end of 2019, the Council showed willingness to enter into negotiations. However, despite the letter sent by Parliament's Committee on Budgetary Control on 25 May 2020 to the secretary-general of the Council to inform that Parliament's Committee on Budgetary Control has been mandated by Parliament's Conference of Presidents to reopen negotiations with the Council on cooperation during the annual discharge procedure, these negotiations have not yet resumed.

Increased and proactive transparency on the side of the Council, would be conducive to a better informed discharge procedure from the outset. Council took some steps towards more transparency in general. This is to be welcomed but it is not enough. Citizens have a right to know that public money is well spent. All institutions,



bodies, agencies and offices should provide the necessary information on the implementation of their budgets to the European Parliament, who is the competent institution to give discharge.

All institutions, bodies and agencies have accepted that Parliament gives a discharge to each of them individually and cooperate in this regard, except the Council.

If the negotiations do not resume or do not succeed, then the Commission must come into play to ensure that Parliament receives the necessary information. Ultimately, under the Treaties as they stand, it is to the Commission that the Parliament shall give discharge.

The situation must be improved and the Conference on the Future of Europe provides an opportunity to discuss proposals to enhance transparency and democratic accountability with regard to the protection of the Union's financial interests.

Also as the last resort, the revision of the Treaties could be considered in order to review the discharge procedure and clearly task the Parliament with the explicit competence to grant discharge to all institutions and bodies individually.

- *I now give the floor to shadows and other speakers from the political groups  
(see separate speakers list)*
- *Thank you for your contributions. I look forward to receiving your amendments.*
- *I would like to propose to set the deadline for amendments on **22 November at 17.00.***
- *Our opinion will be voted on **9 December 2021.***

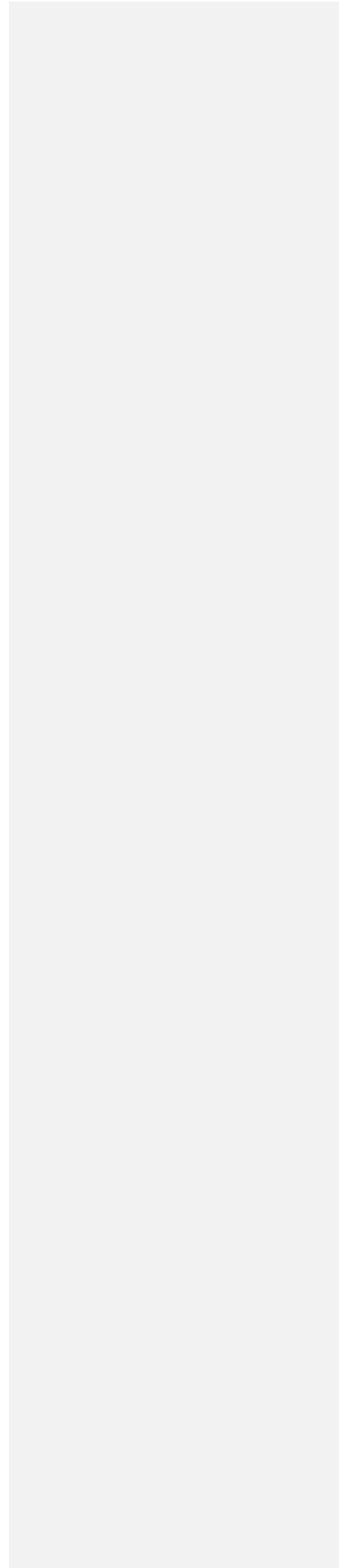
Timetable	
Event	Date
Presentation of the draft opinion	9 November 2021

Deadline for AMs	22 November 2021 at 17.00
Vote of the draft opinion in AFCO	9 December 2021

<b>Shadow rapporteurs</b>	
<b>Political group</b>	
S&D	Domènec Ruiz Devesa
Renew	Pascal Durand
Greens/EFA	Damian Boeselager
ID	
ECR	
The Left	

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**9. Any other business**



## 10. Next meetings

- 9 December 2021, 9.00 – 12.00 and 16.45 – 18.45  
(Brussels)