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Commissioner hearings: lessons to be taken from the 2014 process**European Parliament resolution of 8 September 2015 on procedures and practices regarding Commissioner hearings, lessons to be taken from the 2014 process (2015/2040(INI))**

(2017/C 316/02)

The European Parliament,

- having regard to Article 17(7) of the Treaty on European Union,
- having regard to Article 246 of the Treaty on the Functioning of the European Union,
- having regard to its resolution of 1 December 2005 on guidelines for the approval of the Commission ⁽¹⁾,
- having regard to its decision of 20 October 2010 on the revision of the framework agreement on relations between the European Parliament and the European Commission ⁽²⁾,
- having regard to its decision of 14 September 2011 on amendment of Rules 106 and 192 of, and Annex XVII to, Parliament's Rules of Procedure ⁽³⁾,
- having regard to the code of conduct for European Commissioners, particularly Articles 1.3 to 1.6 thereof,
- having regard to Rules 52 and 118 of, and Annex XVI to, its Rules of Procedure,
- having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism and the Committee on Legal Affairs (A8-0197/2015),

Whereas:

- A. hearings of Commissioners-designate, first used in 1994, are now a well-established practice which increases the democratic legitimacy of the European Union institutions and brings those institutions closer to European citizens;
- B. the hearings are indispensable in enabling Parliament to make an informed judgement on the Commission when it holds its vote of confidence allowing the Commission to take office;
- C. the hearing process gives Parliament and EU citizens the opportunity to discover and evaluate the candidates' personalities, qualifications, preparedness and priorities as well as their knowledge of their designated portfolio;
- D. the hearing process increases transparency and enhances the democratic legitimacy of the Commission as a whole;
- E. equality between women and men must be ensured in all areas, including employment; whereas this requirement must be reflected in the composition of the European Commission; whereas despite repeated requests from Jean-Claude Juncker in 2014 the governments proposed a far greater number of male rather than female candidates; whereas the women who were proposed primarily come from Member States with smaller populations and the larger Member States largely ignored this requirement; whereas the only fair solution is to ask each Member State to propose two candidates, one male and one female, so that the President-designate is able to propose a high quality College with an equal number of men and women;

⁽¹⁾ OJ C 285 E, 22.11.2006, p. 137.

⁽²⁾ OJ C 70 E, 8.3.2012, p. 98.

⁽³⁾ OJ C 51 E, 22.2.2013, p. 152.

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- F. the hearing process, while having demonstrated its effectiveness, can always be improved, in particular by means of more flexible and dynamic exchanges between the Commissioner and members of the committee responsible for the hearing;
- G. the hearing of Commissioner-designate for Vice-President, Frans Timmermans, highlighted the need to adapt Parliament's procedures in the event that future Commissions have a special status for one or more Vice-Presidents;
- H. Article 3(3) of the TEU states that the Union 'shall promote [...] equality between women and men' and Article 23 of the Charter of Fundamental Rights of the European Union states that 'equality between women and men must be ensured in all areas, including employment, work and pay';
1. Considers that public hearings of Commissioners-designate present an important opportunity for the European Parliament and EU citizens to assess the priorities of each candidate and their professional suitability for the role;
 2. Considers that it would be useful to set a deadline by which all Member States have to put forward their candidates, so as to leave adequate time for the Commission President-elect to allocate the portfolios taking into account the work experience and background of the candidate, and for Parliament to conduct its hearings and evaluations, and asks its President to enter into discussion with the other institutions with a view to achieving this objective;
 3. Considers also that each Member State should henceforth put forward at least two candidates — male and female on a footing of equality — for consideration by the Commission President-elect; considers it important that the Union should also attain within its own institutions the gender equality objectives which it has set;
 4. Considers that checks on declarations of the financial interests of Commissioners designated by the Committee on Legal Affairs should be improved; considers that, to this end, declarations of financial interests should include family interests as provided for by Article 1.6 of the code of conduct for Commissioners; considers that confirmation by the Committee on Legal Affairs of the absence of any conflict of interests, based on a substantive analysis of the declarations of financial interests, constitutes an essential precondition for the holding of the hearing by the committee responsible;
 5. Recalls that it is the committees which are responsible for conducting the hearings; considers, however, that when a vice-president of the Commission has responsibilities which are primarily horizontal, the hearing could exceptionally be carried out in a different format such as a meeting of the Conference of Presidents or a meeting of the Conference of Committee Chairs, provided that such a meeting enables dialogues and includes the respective committees responsible in order to allow them to hear its Commissioner-designate;
 6. Considers that the written questionnaire sent ahead of each hearing should allow for 7 questions instead of 5, but that there should not be several sub-questions under each question;
 7. Considers that it would be better to have around 25 questions, but with each questioner allowed immediate follow-up, so as to enhance the effectiveness and inquisitorial nature of the hearings;
 8. Considers that procedures for monitoring replies by Commissioners-designate during hearings could help improve control and increase the responsibility of the Commission as a whole; calls therefore for a periodic review of the priorities referred to by Commissioners-designate following the start of their term of office;
 9. Considers that the following guidelines should apply for the coordinators' evaluation meeting after the hearings:
 - if the coordinators unanimously approve the candidate — letter of approval;
 - if the coordinators unanimously reject the candidate — letter of rejection;

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- if coordinators representing a clear majority approve the candidate — letter stating that a large majority approve (minorities may request that it be mentioned that their group does not share the majority view);
 - if there is no clear majority, or there is a majority (but not a consensus) against the candidate, and if the coordinators consider it necessary:
 - first request additional information through further written questions;
 - if still dissatisfied — request for a further 1,5-hour hearing, with the approval of the Conference of Presidents;
 - if there is still no consensus or overwhelming majority among the coordinators — vote in committee;
 - a clear majority in this context should be coordinators who together represent at least two-thirds of the committee membership;
10. Notes that the 2014 hearings generated more media and public interest than previous hearings, partly because of the evolution of social media; believes that the impact and influence of social media is likely to grow in the future; considers that provision should be made to use social media and networks to include EU citizens more effectively in the hearing process;
11. Considers that:
- there should be a specific section of Parliament's website where the CVs of the Commissioners-designate and responses to written questions are made available, in advance of the public hearings, in all the official languages of the Union;
 - there should be a specific and visible place on Parliament's website where the evaluations are placed within 24 hours;
 - the rule should be changed to refer to 24 hours after the evaluation, given that some evaluations are completed only following further procedures;
12. Considers that horizontal issues affecting the composition, structure and working methods of the Commission as a whole, which cannot be adequately addressed by an individual Commissioner-designate, are a matter for the Commission President-elect; considers that such issues should be addressed at meetings between the President-elect and the Conference of Presidents (one before the hearing process has started and one after it has ended);
13. Considers that the scrutiny of Commissioners' declarations of interests should remain the competence of the Committee on Legal Affairs; considers, however, that the current scope of Commissioners' declarations of interests is too limited, and invites the Commission to revise its rules on this as soon as possible; considers it important, therefore, that the Committee on Legal Affairs should, in the coming months, issue guidelines in the form of a recommendation or initiative report, with a view to facilitating reform of the procedures relating to Commissioners' declarations of interests; considers that the declarations of interests and financial interests of the Commissioners should also cover family members living with them in the same household;
14. Instructs its President to forward this resolution to the Council and the Commission.
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