



Committee on Budgetary Control
The Chair

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Mr David Maria SASSOLI
President of the European Parliament
Conference of Presidents
PHS 09B011
Brussels

Subject: Invitation to an exchange of views with Commissioners-designate Ms Kadri SIMSON and Mr Ioan Mircea PAȘCU on 11 September 2019

Dear President,

By e-mail of 4 September 2019, the Chair of the Conference of Committee Chairs invited all Committee Chairs to take part in an extraordinary meeting of the CCC on 11 September 2019. Regrettably, the extremely short notice made it impossible for Committees to discuss this matter thoroughly and appropriately; however I would like to raise a number of concerns in my capacity as CONT Chair.

If I recall correctly, the Conference of Presidents (CoP) decided on 11 July 2019 that the two Commissioners-designate to replace the Commissioners who have resigned should appear before the Conference of Committee Chairs (CCC) in a simplified format. On 12 July, the President of the Commission informed the European Parliament of the decision not to allocate to any of the two Commissioners-designate a portfolio given the short remainder of the term of office. The hearing initially foreseen on 17 July in the CCC has been postponed. It is now proposed to further simplify the procedure by organising a simple exchange of views during the CCC meeting of 11 September.

Please allow me to state my concerns on this way of proceeding:

From a budgetary control perspective, the filling of a vacancy without allocation of a specific responsibility and only for a couple of weeks cannot be justified under considerations of sound financial management. According to a statement by the Commission President in the media, the costs of the two vacancies filled until the end of the term will be of 1 mio EUR each. These costs are out of proportion considering, firstly, the extreme shortness of the remainder of the term of office, secondly, the lack of a proper portfolio and, thirdly, the announcement of the Commission President that the Commission will not present any new initiative until the end of term. From the point of view of the protection of taxpayers' money, the appointment of new Commission Members at that point in time and under these circumstances cannot be approved.

I take the opportunity to express also some questions with regard to the respect of the European Parliament's Rules of procedure:

Rule 125(3) of the EP's Rules of procedure states that the hearings of Commissioners designate *"shall be conducted by the committees. Exceptionally, a hearing may be carried out in a different format when the responsibilities of a Commissioner-designate are primarily horizontal in nature, provided that such hearing involves the committee responsible. The hearings shall be held in public."* Annex VII contains further details for the organisation of the hearings. These rules depart from the assumption that a commissioner designate will be responsible for a specific portfolio and has to demonstrate that he/she are able to carry out the particular duties that have been assigned to them.

In my view, Rule 125 allows to deviate from Annex VII only with regard to the format of the hearing. The Rules do not provide any form of "lighter" procedure; the proposed exchange of views seems therefore not to respect all the provisions of Rule 125 and Annex VII, notably the provisions regarding the publicity, timing and evaluation. Article 7 of Annex VII provides explicitly that *"when a vacancy caused by resignation is to be filled, Parliament, acting with dispatch, shall invite the Commissioner-designate to participate in a hearing under the same conditions as those laid down in in Part I" of Annex VII.*

Further, the Rules consider that the confirmation by the Legal Affairs Committee of the absence of any conflict of interest is an essential precondition for the holding of the hearing by the committee responsible (Article 2 (2) of Annex VII). However, the Committee concluded that, in the absence of allocation of a portfolio, the Committee on Legal Affairs lacks an essential element for the assessment of the existence of a potential or actual conflict of interest and is therefore not in a position to confirm whether there is an absence of conflict of interests in those two cases.

In conclusion, dear President, allow me to express my serious concerns to proceed by way of a simple exchange of views on the two Commissioners-designate. As to the substance of the consultation, it does not seem appropriate for the European Parliament - as a defender of the European taxpayers - to endorse the appointment of the two Commissioners-designate because such an appointment would contradict the principles of sound financial management and protection of the EU's financial interests.

Sincerely yours,

Monika Hohlmeier

Monika Hohlmeier

Copy: Antonio Tajani, Chair of the Conference of Committee Chairs
Chairs of EP Committees