

TUESDAY, 7 OCTOBER 2014
BRUSSELS

Open Conference of Presidents

HEARING OF FRANS TIMMERMANS
FIRST VICE-PRESIDENT-DESIGNATE

2-002

VORSITZ: MARTIN SCHULZ
Präsident

(Die Sitzung wird um 14.30 Uhr eröffnet.)

2-003

Der Präsident. – Die Sitzung der Konferenz der Präsidenten, die heute allen Mitgliedern offensteht, ist eröffnet. Ich heiße den designierten Vizepräsidenten der Europäischen Kommission, Herrn Frans Timmermans, herzlich willkommen!

Wie Sie wissen, bereitet das Parlament eine Abstimmung zur Wahl der neuen Kommission gemäß Artikel 118 und Anlage XVI der Geschäftsordnung vor. Dafür haben wir die designierten Kommissionsmitglieder aufgrund ihrer allgemeinen Befähigung, ihres Einsatzes für Europa und hinsichtlich ihrer persönlichen Unabhängigkeit zu bewerten. Auch die Kenntnis des künftigen Geschäftsbereichs und die Kommunikationsfähigkeiten sind zu bewerten. Dazu dient auch die heutige Anhörung. Diese Anhörung ist die letzte Anhörung vor der Evaluierung durch die Konferenz der Ausschussvorsitze.

Herr Timmermans wird zunächst eine einleitende Erklärung von höchstens 15 Minuten abgeben. Dann folgt die Befragung von Herrn Timmermans mit insgesamt 45 Fragen, die von Ihnen, verehrte Kolleginnen und Kollegen, gestellt werden. Für jede Frage ist maximal eine Minute Redezeit vorgesehen. Herr Timmermans hat für die Beantwortung der Fragen zwei Minuten Redezeit.

Da wir nur begrenzt Zeit zur Verfügung haben, bitte ich Sie, sich an die Redezeiten zu halten. Ich bitte Sie auch, sich in Ihren Fragen auf die wesentlichen Inhalte zu konzentrieren.

Diese Anhörung wird live auf der Internetseite des Parlaments übertragen und kann dort verfolgt werden.

Noch ein technischer Hinweis: Sie kennen mich, meine Damen und Herren! Ich bin ein sehr freundlicher und liebenswerter Mensch, außer wenn es um die Überschreitung der Redezeiten geht. Das ist heute in einer besonderen Form notwendig, weil wir ansonsten Herrn Timmermans und Ihnen selbst auch nicht in ausreichendem Maße Zeit geben können. Das heißt: Nach 50 Sekunden blinken bereits die Sternchen auf – Sie kennen das aus dem Plenum –, nach 60 Sekunden beende ich Ihre Fragezeit. Es tut mir leid, dass ich Ihnen das jetzt in dieser Klarheit sagen muss, aber ich meine das auch so, wie ich es sage. Herr Timmermans, das gilt auch für Sie. Sie haben eine Minute mehr, aber nach zwei Minuten würde ich Sie bitten, wirklich zum Ende zukommen. Sie erkennen ebenfalls – ich weiß nicht, ob Sie das auf dem Bildschirm vor Ihnen sehen können – an diesen zwei roten Sternchen, dass Ihre Redezeit zu Ende geht.

Gibt es noch Fragen zu diesem Prozedere? Das ist nicht der Fall.

Herr Timmermans, Sie haben das Wort!

2-004

Frans Timmermans, First Vice-President-designate. – Mr President, honourable members, it is a great honour and pleasure for me to appear before you today, at the end of an intensive ten days in which European democracy has been at its best. If confirmed, this will be the first Commission truly and entirely born in the European Parliament. We will see the start of five years of cooperation, partnership and real political dialogue.

2014 is a very special year for Europe. One hundred years ago marked the beginning of the first of two suicidal wars that would cripple European nations and wipe away the best and brightest of two generations. Seventy years ago saw the beginning of the liberation of Western Europe, leading to this unique project we call 'European integration': the choice of nations to no longer seek security and prosperity by brute force and domination, but by embracing the idea that, only if my neighbour shares my fate, will I be able to live and prosper in peace and security. It was not until exactly 25 years ago that this idea would be open to all Europeans.

When the Berlin Wall came down, so did the brute force and domination that had continued to prevail east of the Iron Curtain. As Vaclav Havel put it: only then could 'East' and 'West' become geographical qualifications, rather than political or even moral categories.

Looking back at the past 25 years, I can only be amazed by the level of transformation European nations have been capable of. My oldest daughter was born in 1986, when the end of the European divide was unthinkable, my oldest son in 1989, when the unthinkable became reality, my youngest son in 2004, when ten nations had used this new reality to transform their societies and embrace EU membership.

It is important for me to point to these facts, because I believe they are too often overlooked when we focus on Europe's shortcomings. Do not get me wrong; there are serious shortcomings and if confirmed the Juncker Commission will have to show that we are able to tackle them.

But our starting point is perhaps not as bad as is sometimes portrayed. Europe has been capable of the fundamental transformation of whole societies. Europe has avoided meltdown and fragmentation, has maintained its single currency and has defied the doomsayers despite the worst crisis since the 1930s, even though the costs of the necessary measures are high and painful for millions of Europeans who are left without a job, with too little opportunity, with less social protection than they had expected. Europe is and will be put to the test as a result of global political, economic and social challenges. It is our duty, as politicians and public servants, to make sure that the instruments our constituents, European citizens, have put in our trust are better used to fulfil their expectations.

If confirmed by you, I will use my energy, my experience and my convictions to support President-elect Juncker in making a success of his agenda for jobs, growth, fairness and democratic change. We need to restore our citizens' confidence in the capacity of the EU to deliver. We need to show by very practical results that the EU and its institutions are not self-serving but are there to serve our citizens and Member States. The EU should do what can only be done by the EU and should leave to Member States what can be done better by them.

The Commission should no longer be doing the things that are perhaps 'nice' to do; the Commission should focus on doing the things it needs to do. The things set out in President-elect Juncker's Political Guidelines, because that agenda is a result of a political programme that can count on the support of a majority in the European Parliament and has a sound basis in the strategic orientations set out by the European Council in June.

Better regulation, a focus on strengthening interinstitutional relations, constant and comprehensive attention for all aspects of the rule of law and fundamental rights, are in my view all necessary to do better things and to do things better.

That starts with a dialogue about what should be our shared political priorities and how we should go about achieving them. If you confirm me, by the beginning of next year, I will propose to the College a list of pending proposals which should be withdrawn, after consulting this Parliament. Within a year from now I would present a better regulation review and by the end of next year I hope to conclude an

Interinstitutional Agreement on better law-making that will hopefully align and reinforce our efforts to better serve Europe's interests. If we get this right, I am convinced we can have a thorough political debate on multiannual programming between our institutions and thus give meaning to Article 17 of the Treaty.

If confirmed, I will improve the Commission's impact assessment system and will encourage the Council to follow the European Parliament's lead in making sure that the impact of proposals is not only assessed by the Commission and not only at the beginning of the legislative procedure. It is essential that the impact of changes to draft legislation is also taken into account. Furthermore, it is important that the Commission's Impact Assessment Board is composed of people who can act independently of vested interests and bring in outside expertise. And I will personally express my view on the quality of impact assessments when they are brought to the College and will not be silent where I find them lacking.

It is important that the dialogue with national parliaments is strengthened. When a yellow or orange card is used, the Commission should consider this carefully and must give a motivated reply. I believe Commissioners should engage more directly in dialogues with national parliaments in such cases. If confirmed, I see it as part of my role to encourage colleagues to take the discussion directly to national parliaments and listen to remarks and provide justified replies. The results of these debates should also be shared with this European Parliament. A better shared understanding among us all of the real, political meaning of subsidiarity will help the Commission avoid unnecessary proposals and help us find the best form of intervention when action is necessary, to reach goals that can only be attained by a common approach.

The European Union is a community of nations and citizens who in the last decades have come ever closer to each other, without putting into question national identities or the importance of nation states. I firmly believe that the EU can only be strong if Member States are strong and that the strength of Member States depends on the strength of the Union. My personal experience tells me that it is only together that we can make an impact on global issues like climate change or terrorism, or stand up for the sovereign choices of countries such as Ukraine. States and citizens remain the two essential constituents of the EU. The European Union will fail if we try to build it at the expense of one or the other.

It is in the nature of political bodies to pay more attention to new initiatives than to the evaluation of existing legislation. We will need to change that. We will need to do a better job at listening to our citizens and businesses who are at the receiving end of legislation; we will have to be brutally honest about what does not work or delivers unintended results. We must be ready to make changes where necessary. To be successful we will have to connect better with stakeholders in Member States and not just consult with the stakeholders represented here in Brussels. And we need greater transparency within the Brussels bubble, which is why I will promote an interinstitutional agreement on a mandatory lobby register.

Better regulation is not deregulation; it is not ideologically driven. It is about reducing unnecessary 'red tape', especially for SMEs. It is about making it easier for people to start a business, to hire more staff, to create more jobs. It is about removing administrative burden, duplications, unnecessary or outdated legislation. And it will fail if it is an attack on social rights or environmental protection. If we are able to deliver on better regulation, we will reconnect with stakeholders who have become disenchanted with the EU because they feel they are not heard and they see Europe as a source of ever greater burden.

As I said, I am not ideological about this; I am practical and willing to be eclectic. If confirmed, I will support my colleagues in proposing whatever works and will speak up against what does not. What matters to me is that we focus on results that are tangible for our citizens.

To a vast majority of our constituents, we are all seen as ‘Brussels’ and we are all held accountable for failures or disappointments, regardless of who is responsible. Let me assure you: pointing the finger at other institutions will not help, on the contrary. We will only succeed if we find common ground and understand we will need to change. We will fail if this sense of urgency is not felt by all of us.

And we will only succeed if we hold true to our European values and our principles – the things that make us united in our diversity. We need to be consistent, thorough and scrupulous in the application of the rule of law by EU institutions and by all Member States. Here again: failure by one of us affects the credibility of all of us. The Commission, as guardian of the Treaty including the Charter of Fundamental Rights, has a particular responsibility to ensure their full respect.

I would see it as my responsibility, if confirmed, to give priority to this essential Commission competence. I will not hesitate to use all instruments at the Commission’s disposal to ensure the application of the rule of law and respect for fundamental rights, in close cooperation with my colleagues in the College of Commissioners who also bear responsibility for these issues. And once the opinion of the European Court of Justice is received, I will swiftly take the necessary steps to conclude the European Convention on Human Rights accession by the EU.

I will work closely with all national, European and international organisations dedicated to the promotion and protection of fundamental rights. The success of one is the success of all, since we all serve the promotion of the same fundamental rights. Here, there really is scope for improvement of our mutual cooperation and an urgent need for greater political engagement, as this Parliament has also stressed. To that end I will organise an annual colloquium on the state of play of fundamental rights in Europe, with the full participation of all relevant institutions, obviously including the European Parliament.

By way of introduction, I hope to have shared some thoughts on why this matters to me and the things I would work for if confirmed by you: fundamental rights that protect and empower Europeans; better laws that work for Europeans; a new Commission that serves Europeans.

This is by no means an exhaustive list. I look forward to your questions, so that we can find common ground and start a truly political dialogue. I am fully aware that what we are proposing is by no means easy and certainly not a done deal. No change is more difficult than changing the culture by which organisations operate. No change is more difficult than breaking with long established practices and attitudes.

But the change the Juncker Commission proposes is essential if we are to return jobs, growth, fairness and hope to Europe. If we are to succeed, we will need not just your support, but your full engagement. This task might seem daunting and at times we might lose heart. But one look at the unthinkable challenges our grandparents and parents overcame and we know that Europe has seen far worse and still survived and prospered.

We owe it to those who built this unique construction, to innovate, adapt, modernise and improve it. To make sure their legacy is not confined to the history books but is relevant today and tomorrow. This is our Europe, and we have a collective duty to take care of it. The fact that this is difficult gives us the opportunity to show what we are made of. Let us make our parents proud, let us make our children proud and let us get Europe back on track for a brighter future.

(Applause)

2-005

Esteban González Pons (PPE). – Bienvenido en nombre del Partido Popular Europeo, señor Timmermans.

En primer lugar, quiero decirle que compartimos los valores que están detrás de su primera intervención. Los Estados europeos también compartimos el compromiso de proteger una serie de derechos y libertades que consideramos y son fundamentales: la dignidad humana, la libertad, la igualdad, la solidaridad conforman un principio nuclear, esencial, irrenunciable para los europeos, como se desprende de su propio discurso.

La Unión Europea debe velar por la protección de estos derechos fundamentales frente a todos, también frente al terrorismo y frente al crimen organizado, y debemos poner en marcha todos los recursos que estén a nuestro alcance dentro del Estado de Derecho para defender el espacio de libertad, de seguridad y de justicia que aspiramos a que sea, a que continúe siendo la Unión Europea.

En este momento, tanto en Siria como en Irak hay decenas, cientos de europeos practicando terrorismo, y en cualquier momento pueden volver a Europa para matar en casa.

Por eso, mi primera pregunta es: ¿qué propuestas o medidas va a desarrollar, siendo miembro de la Comisión, para proteger de manera adecuada a los ciudadanos europeos contra el terrorismo y la violencia organizada?

2-006

Frans Timmermans, First Vice-President-designate. – This is one of the most thorny, most difficult issues that nations and the European Union have to face today. It is mind-boggling that some of our brightest young people should be enticed to go to other countries to fight the most fundamental values we cherish as Europeans and to then come back and be a direct threat to our societies. It goes without saying that societies have the full right to protect themselves against this form of terrorism. We will need to cooperate more closely, as nations, to make sure that we have answers to this direct threat to our security.

This is a clear and present danger to the security of all Europeans. This is obviously a primary responsibility of our Member States. As far as the European Union and the Commission are concerned, fighting terrorism cannot allow us to disregard the fundamental rights we want to protect. In fighting terrorism we also need to make sure that we do not limit the fundamental rights that should be applicable to all our citizens. If we were to do that, if we were to compromise our fundamental rights, we would hurt the very issues we are trying to protect against nihilist terrorists.

In fighting terrorism – and I do believe this is a very important duty – we also need to make sure that every single European institution and Member State adheres to the principles enshrined in the Charter and the Treaty on European Union.

2-007

Gianni Pittella (S&D). – Vorrei esprimere innanzitutto, a nome del gruppo dei Socialisti e democratici che presiedo, la mia gratitudine, la nostra gratitudine per la bella e autorevole introduzione che ha fatto il Vicepresidente Timmermans.

Le ultime elezioni hanno mostrato un distacco tra cittadini e istituzioni europee; benché l'astensione non abbia vinto, il progetto europeo è sotto minaccia e l'antidoto è una maggiore partecipazione dei cittadini. Questa Commissione deve ribaltare la piramide, non più decisioni dall'alto verso il basso, ma condivisione e partecipazione. C'è un istituto previsto dal trattato di Lisbona: il diritto dei cittadini ad assumere iniziative e a proporre iniziative sui grandi temi: dall'acqua all'aria, all'ambiente e al lavoro. È un ottimo strumento nelle nostre mani.

Come intende portare avanti questa sfida? Come intende la nuova Commissione dare un contributo per sanare la frattura democratica?

2-008

Frans Timmermans, *primo vicepresidente designato*. – Io stesso ho sostenuto, durante il dibattito sul trattato di Lisbona, il diritto di iniziativa dei cittadini europei.

Tale iniziativa riveste una notevole importanza politica. Negli ultimi anni si è visto che la Commissione ha reagito in maniera a volte strettamente giuridica, cosa che io capisco molto bene. L'iniziativa dei cittadini risponde a ragioni politiche e non a ragioni giuridiche o legali. Io propongo di adottare un atteggiamento più politico nei confronti delle future iniziative dei cittadini. Credo che la Commissione debba considerare queste iniziative come iniziative politiche. So cosa dice il trattato e so che dobbiamo, ovviamente, osservarlo. Il trattato ci dirige ma non ci dà la possibilità di avviare sempre un dibattito politico su tali questioni.

Quando i cittadini hanno incertezze su iniziative della Commissione o del Parlamento europeo e chiedono un dibattito politico, facciamo un accordo tra Commissione e Parlamento europeo, ossia cercare questo dibattito con i cittadini e non soltanto con i soggetti già rappresentati qui a Bruxelles ma con la gente negli Stati membri, che vuole anch'essa vedere i Commissari e il Parlamento europeo.

2-009

Peter van Dalen (ECR). – Veel burgers zijn kritisch over Europa. Dat zie je bijvoorbeeld bij het opkomstpercentage van de Europese verkiezingen: dat daalt sinds 1979 gestaag, helaas. Bij bedrijven en instellingen is Europa ook niet zo erg geliefd behalve als het gaat over subsidies, want te vaak hoor ik bij hen: "Europa legt ons te veel regels op". Wie beter dan de commissaris voor regelgeving kan Europa ombuigen van irritatie naar inspiratie? En ik heb u geholpen door u onlangs in een reeks voorstellen aan te wijzen hoe de regeldruk kan verminderen en Europa efficiënter kan werken. Met name de door Europa opgelegde drempel van 34.000 EUR voor sociale huur en de omslachtige Europese aanbestedingsprocedure zijn velen een doorn in het oog. Ik wil van u concreet weten welke maatregelen u concreet gaat nemen om Europa efficiënter te maken en om te vormen van irritatie naar inspiratie.

2-010

Frans Timmermans, *kandidaat-eerste vicevoorzitter*. – Als u met mij vorig jaar rond deze tijd op het Maidanplein in Kiev was geweest, dan had u kunnen zien hoe Europa nog steeds inspireert. Europa is nog steeds voor vele miljoenen Europeanen een bron van inspiratie en een baken in een wereld die veel onzekerheden inhoudt. Dus aan inspiratie geen gebrek.

Maar tegelijkertijd geef ik u groot gelijk als u zegt dat Europa ook irriteert, dat Europa ernstige tekortkomingen heeft bij het maken van regelgeving, bij het omzetten van die regelgeving. Dat moeten we allemaal uitpluizen en daar heb ik uw Parlement ook voor nodig. Dat zal de Commissie doen. Ik heb in mijn inleiding al een aantal maatregelen aangekondigd en daar heb ik ook het Parlement voor nodig. Het Parlement moet ook serieus werk maken van de effectbeoordeling die het Parlement zelf heeft aangekondigd. Wij moeten ook samen de Raad overtuigen dat die eveneens een effectbeoordeling doet van de maatregelen die hij weer verandert.

Op korte termijn moeten we al die kleine zelfstandigen en kleine ondernemers die op de vraag wat ze van Europa vinden, nu nog antwoorden dat ze er last van hebben, overtuigen. We moeten dat doen door die last van hen af te nemen, ook al is het maar een beetje. Zo moeten we ze de ruimte geven om meer mensen aan te nemen, om beter te ondernemen. Ik kan u concrete voorbeelden geven, bijvoorbeeld in de bakkerijsector in - toevallig - het land dat ik het beste ken. Daar heeft het Ministerie van Economische Zaken een analyse gemaakt en het is tot de conclusie gekomen dat zelfs een kleine vermindering van de administratieve lastendruk ertoe kan leiden dat een bedrijf meer mensen in dienst kan nemen. Als Europa ergens behoefte aan heeft op dit moment dan is het wel meer banen in het

mkb. 85% van de Europeanen werkt in het mkb. Dáár moeten we de maatregelen nemen. Dat leidt meteen tot positieve resultaten.

2-011

Sophia in 't Veld (ALDE). – The ALDE Group welcomes the new innovative organisation of the European Commission with a cabinet of Vice-Presidents. However, some candidates have indicated that they will not accept the new two-tier system. What powers and what means do you have as First Vice-President to direct and discipline the other Commissioners? If the Vice-Presidents have no real powers, do you not think that Juncker's Cabinet system is dead on arrival?

Secondly, for ALDE, European values are a key priority, as they are to you, I think. In the face of fanatics worldwide, Europe should respond by making our democracy and fundamental rights more robust. You state you will enforce fundamental rights firmly, but then in your written text you add a disclaimer: 'taking due account of constitutional and cultural diversity'. Does this mean that you will tolerate fundamental rights violation as a cultural tradition, and will you turn a blind eye if a Member State systematically undermines democracy, the rule of law and fundamental rights in the name of national tradition? In other words, Mr Timmermans, will you be the lapdog of the governments or the champion of citizens' rights?

2-012

Frans Timmermans, First Vice-President-designate. – I love leading questions, I have to say to Ms in't Veld. Let me start on the second question, because it is an essential issue. I will try and cooperate with everyone in Europe involved in the promotion of fundamental rights. I want to create a network of institutions that strengthen each other's actions. I want to work closely with the Council of Europe. I want to work closely with the Fundamental Rights Agency. I want to work closely with the Venice Commission and human rights activists in NGOs, and certainly I will not compromise on fundamental rights. There is no cultural excuse for fundamental rights, there is no cultural context which would justify violation of human rights and every single Member State of the European Union has subscribed to the Charter. This was adopted by the European Parliament and by all Member States.

Now, all I can do is hold Member States – every individual Member State – to the commitment they went into. That is their obligation, and I will use every instrument at the disposal of the Commission to enforce those ideas and those rules the Member States themselves have subscribed to.

On the organisation of the Commission, no worries there. We will make sure that the Commission focuses on the priorities set by President-elect Juncker and discussed and agreed by a majority of this Parliament. We will make sure that the way we organise the Commission concentrates us on the primary issues we need to tackle. And yes, the Treaty is the basis and the Treaty gives a Commissioner his or her position. At the same time, the Treaty also gives the President of the Commission the right to organise his Commission, and he has done this in a way that will make it easier for us to perform on the priorities. We will show you that we can do this.

2-013

Gabriele Zimmer (GUE/NGL). – Herr Timmermans, ich habe verstanden, dass Sie nicht das Schoßhündchen sein wollen. Vielleicht ist es besser, wenn Sie die linke Hand von Herrn Juncker werden, denn dann könnten Sie das, was Sie eben von den Mitgliedstaaten eingefordert haben – nämlich dass es keine Kultur der Verletzung von Menschenrechten und Grundrechten geben darf –, in Bezug auf die Kommission anwenden. Das Krisenmanagement, die Troika-Politik, die Austeritätspolitik haben zur Verletzung von Menschenrechten und der europäischen Grundrechtecharta geführt.

Wie wollen und werden Sie verhindern, dass im Rahmen der Folgeabschätzung von Rechtsakten und von Politiken genau diese Verletzung von Menschenrechten künftig unterbleibt?

Zweitens: Wie werden Sie über den Dialog mit den nationalen Parlamenten dazu beitragen, dass die Bereitschaft der Mitgliedstaaten steigt, für die groß angekündigten Investitionsprogramme auch die notwendigen Gelder zur Verfügung zu stellen?

2-014

Frans Timmermans, *designierter erster Vizepräsident*. – Wir werden diese Grundrechte verteidigen – in den Mitgliedstaaten und auch in den Institutionen der EU. Sie haben vielleicht auch gehört, dass Kommissionspräsident Juncker in seinem Bericht schon versprochen hat, dass er dafür sorgen wird, dass bei neuen Maßnahmen die soziale Komponente auch besser mit erwogen wird. Das ist für uns unheimlich wichtig, dass wir sicherstellen, dass die sozialen Folgen der neuen Maßnahmen auch einbezogen werden bei der Bestimmung der Maßnahmen. Das hat Herr Juncker versprochen, und wir werden das auch tadellos so machen.

Was den Dialog mit den nationalen Parlamenten angeht: Ich glaube, wir müssen dafür sorgen, dass wir Geld mobilisieren, wo es zu finden ist, damit wir in die europäische Wirtschaft investieren können, damit es wieder mehr Jobs gibt, damit es wieder mehr Hoffnung gibt für eine europäische Bevölkerung, die tatsächlich viel gelitten hat in dieser Krise. Und ich glaube – Herr Juncker hat es auch schon angedeutet –, das hat mit unserem hiesigen Budget zu tun, das hat mit nationalen Möglichkeiten zu tun, das hat mit Investitionen der Europäischen Investitionsbank zu tun. Das sind die Sachen, die wir machen werden. Ich glaube, wir werden das schaffen, denn die Wirtschaft – wie auch der Kollege Dombrovskis gestern gesagt hat – braucht wirklich jetzt Investitionen. Das werden wir auch schaffen. Ich bin davon fest überzeugt.

2-015

Philippe Lamberts (Verts/ALE). – Monsieur le Président, Monsieur le Commissaire désigné, je vais vous donner l'occasion de parler français. Je commencerai par une citation de Lacordaire que je reformule à ma guise: dans un monde où les inégalités explosent, c'est clairement la loi qui libère et c'est la dérégulation qui opprime!

Vous nous arrivez ici avec une réputation qui nous dérange un peu et je voudrais vous demander de préciser vos idées sur la *better regulation* et en particulier sur deux points.

Premièrement, vous vous êtes exprimé clairement contre l'idée d'une harmonisation fiscale de l'impôt des sociétés en Europe. Or, c'est parce que nous avons vingt-huit régimes de fiscalité pour les entreprises que la réelle souveraineté est détenue par les entreprises multinationales plutôt que par les démocraties. Estimez-vous avoir fait erreur en disant cela?

Deuxièmement, que pensez-vous du mécanisme ISDS – que l'on est en train d'intégrer dans les accords commerciaux – puisqu'il s'agit clairement d'un dispositif qui vise à dissuader les États de réguler? Considérez-vous que cela est également à l'ordre du jour de la *better regulation*?

2-016

Frans Timmermans, *premier vice-président désigné*. – Monsieur le Président – si vous insistez, M. le président et moi-même pouvons aussi parler le patois de notre région –, sur la demande d'harmonisation fiscale, je vois là simplement des limitations dans le traité.

La Commission ne peut faire que des propositions basées sur le traité; elle ne peut pas agir en dehors du traité. Si vous proposez des modifications au traité, ce sera là une autre chose. La Commission fondera ses propositions sur le traité dans son état actuel. C'est pour cette raison que je ne vois pas, pour l'Union européenne, de compétence dans ce domaine précis que vous avez évoqué.

En ce qui concerne l'accès aux tribunaux, je crois que ma collègue Mme Jourová a été très claire à ce sujet, de même que les autres candidats commissaires à qui vous avez posé cette question. Il ne peut

pas être question de limiter les droits de recours des citoyens européens aux tribunaux européens en cas de litige.

Je ne vois donc pas là la possibilité – dans des traités que nous allons négocier – de limiter l'accès aux recours tel qu'il prévu est à l'heure actuelle. Ce sera, dans les négociations qui auront lieu avec d'autres pays, notamment les États-Unis, une des contraintes très précises de l'Union européenne.

2-017

David Borrelli (EFDD). – Signor Commissario, dato che Lei è responsabile della *better regulation* e del coordinamento nonché del portafoglio per la giustizia e gli affari interni e poiché sappiamo, e ne siamo fortemente preoccupati, che una parte importante dei fondi comunitari finisce purtroppo nelle casse della criminalità organizzata, Le chiediamo come intende lavorare e quali iniziative concrete ritiene di dover adottare in entrambi i settori per rispondere alla necessità di bloccare l'afflusso di finanziamenti provenienti da Bruxelles ad imprese ed enti facenti capo alla criminalità organizzata?

2-018

Frans Timmermans, primo vicepresidente designato. – Qui c'è una responsabilità per le istituzioni europee, in quanto prendiamo decisioni a livello europeo che hanno un effetto negli Stati membri. Ma, nel contempo, per quanto riguarda i fondi cui si riferisce l'onorevole Borrelli, c'è una grande responsabilità degli Stati membri e anche, a volte, di entità che non sono a livello dello Stato centrale ma a livello delle collettività o di altre organizzazioni.

Credo che dobbiamo fare un lavoro molto più preciso con gli Stati membri per essere sicuri che i fondi in questione siano erogati per le azioni che intendiamo intraprendere in tali paesi. Questo lo lasciamo forse troppo spesso alla responsabilità degli Stati membri. Qui c'è una responsabilità degli Stati membri e delle istituzioni europee nei confronti dei cittadini europei che hanno pagato le tasse per tali contributi.

Credo quindi che dobbiamo fare un lavoro di ricerca, anche con la Corte dei conti, per essere certi di conoscere meglio, in futuro, la destinazione di tali fondi che vengono spesi negli Stati membri.

2-019

Danuta Maria Hübner (PPE). – Vice-President-designate, you mentioned that you would present – I think next year – the interinstitutional agreement on better law making. You might remember that back in 2003, the Council, the Commission and the Parliament decided to improve the coordination of their legislation work through the interinstitutional agreement, precisely on better law making. We also have, in the Treaty, Article 17 which is a provision on legislative programming and interinstitutional agreement, which unfortunately has not been used by the Commission. I can imagine that citizens expect us to work better and more effectively together. If we had joint legislative programming in international agreement then, of course, we would argue less about the form of cooperation and would focus more on the substance.

So my question to you is: do you plan to prepare a completely new interinstitutional agreement where the legislative programming will be included? Or do you want to update the 2003 interinstitutional agreement, adding this new dimension of legislative programme? Or are you thinking of something very different? Do you think the Council is ready?

I expect the response in Polish, Vice-President!

2-020

Frans Timmermans, First Vice-President-designate. – I have to tell you I am a bit ashamed I do not speak Polish. I should, as a son of a man who was liberated by Polish soldiers exactly seventy years ago in Breda. But to answer your question very precisely: what I intend to do, the ideas I have about better regulation and better law-making, is to start with a dialogue with the European Parliament, because the European Parliament has taken steps for better law-making – for instance, its own impact

assessment – that are very helpful to create a new and better system. We will then jointly have to go to the Council because, I am afraid, we still need to do a lot of convincing at Council level, so that the Council follows the same approach.

I believe this is essential, because we are at this stage very good at checking and preparing legislation at the outset, but once the legislation goes into this unique procedure, I think there is nowhere else in the world you have two readings and two co-legislators. The Council has members who at home are part of the Executive, and once they go to Brussels they are law-makers. This is a unique system and therefore has different elements than at a national level, and we need to take that into account.

But there are doubts about how we do things. There are doubts about our impact assessment. There are doubts about the composition of our expert groups. There are doubts about the participation of Parliament in all this. I want to be Parliament's partner in creating a better system. If it needs to be a completely overhauled system, I certainly would propose to do that. If we can make precise changes in a dialogue with Parliament and introduce that in the existing system, fine. But let us start a dialogue as soon as we can to make sure that what Parliament wants and the Commission wants is also then brought to the Council, because we really need to convince the Council to join our efforts.

2-021

Mercedes Bresso (S&D). – Signor futuro Vicepresidente, considerando il suo vasto portafoglio e il suo chiarissimo impegno a legiferare meglio, come pensa di garantire che il fondamentale dibattito sul futuro dell'Europa non venga trascurato?

Dal suo punto di vista, un'impostazione che preveda anzitutto l'esplorazione di tutto il potenziale degli attuali trattati e solo in un secondo tempo affronti il tema della loro revisione è un'impostazione adeguata? Inoltre collocherebbe la piena integrazione del trattato sulla stabilità e il coordinamento e la governance dell'Unione europea nella prima o nella seconda fase?

2-022

Frans Timmermans, primo vicepresidente designato. – Credo che non abbiamo ancora sfruttato appieno il potenziale del trattato di Lisbona: ci sono ancora molti aspetti cui possiamo ricorrere per fare ciò che vogliamo fare. Quando saremo assolutamente sicuri di non poter fare di più, allora potremo aprire un dibattito sulla modifica del trattato.

Non voglio andare troppo veloce in questo dibattito, perché mi ricordo molto bene le difficoltà che abbiamo avuto in passato volta per volta per far passare una modifica dei trattati; ne avevamo bisogno ma non eravamo in grado di convincere tutti i nostri cittadini. Ho fatto questa esperienza personale nel mio paese, che mi ha fatto molto male, nel 2005.

Credo quindi che dobbiamo incominciare a sfruttare il potenziale inutilizzato del trattato attuale. Per quanto riguarda l'integrazione del *fiscal compact*, credo che non ci siano difficoltà ad integrarlo nel sistema dei trattati europei. Non credo sia necessario modificare i trattati per fare questo.

2-023

Timothy Kirkhope (ECR). – Mr Timmermans, in your mission statement and your written answers you state that you will ensure that every proposal of the Commission respects the principles of subsidiarity and proportionality as well as the Charter of Fundamental Rights. Could you, as Commissioner for better regulation, also ensure that every proposal also complies with common sense? After all, common sense and balance is essential in providing effective solutions in highly-nuanced and often politically-polarised areas such as migration, security and justice. What concrete initiatives do you intend to instigate in order to restore balance and confidence so EU citizens feel that not only does the EU provide individual data rights but it also provides them with safety, that the EU grants freedom of movement, but it also combats abuse and that the EU provides fundamental

rights but also delivers justice and respect for national legal systems? Please do not bother to reply in a Yorkshire dialect!

2-024

Frans Timmermans, *First Vice-President-designate*. – The country you know best is the birthplace of common sense, and sometimes, following the political debates in your country, I wonder whether everybody is still fully in touch with common sense. We will certainly go back to that at some stage.

I am a very pragmatic person. I do not want to be ideological about this, but you raised a very fundamental issue, which is going to be one of the most difficult issues this Parliament, this Commission and the Member States will have to deal with in the next couple of years. Our societies are under very, very direct threat by people who sometimes were born in our societies who want to destroy our fundamental values, who do not like the way women have equal rights in our societies, who do not like the way we have guaranteed equal rights for LGBTI communities, who do not like the way we run our societies.

We have the rule of law here. We will need to protect our societies against that external threat. If we do this, we need to make sure that we do not hurt our own fundamental rights by doing this. I would consider it naive to believe that security can be obtained only by looking at fundamental rights. We can protect our fundamental rights and at the same time provide the first thing any government needs to provide for its citizens – and that is security. I do believe that we need to have a dialogue with the Member States about how we go best about this so that the fundamental rights are respected but our citizens feel safe at home in the streets, in the schools, in their workplace.

2-025

Jean-Marie Cavada (ALDE). – Monsieur le Président, Monsieur le Commissaire désigné, je vais vous donner une autre occasion de parler français comme mon collègue, M. Lamberts.

Il en est de l'élan de la construction européenne comme de l'amour: il n'y a que des preuves. Un État membre, la Hongrie, a bafoué trois fois en quatre ans les traités européens: atteinte aux libertés de la presse et des médias, avec la fermeture récente d'une station qui s'appelle RTL Klub, au motif qu'un reportage avait déplu au gouvernement, perquisitions récentes dans quatre ONG hongroises au motif qu'elles avaient reçu une petite aide norvégienne – comme si la Norvège était un État impérial envahissant qui menaçait la Hongrie –, atteinte à la législation de l'Union en matière économique par la taxation des entreprises européennes non hongroises et, dernier point – sans doute le plus inquiétant –, réforme de la justice entièrement politisée, qui a d'ailleurs conduit à la neutralisation de la Cour constitutionnelle.

Ma question est assez simple: considérez-vous que la situation actuelle en Hongrie constitue une atteinte systémique à la règle des droits fondamentaux de l'Union européenne et, si oui, quel sera votre moyen d'action: l'article 7 ou des dispositifs intermédiaires?

2-026

Frans Timmermans, *premier vice-président désigné*. – Monsieur le Président, c'est une question qui a été soulevée très souvent, ces dernières années, vis-à-vis de la Hongrie. Ne nous le cachons pas! Nous avons vu que les mesures de la Commission ont aussi contribué à résoudre des cas précis, en dialogue avec la Hongrie.

Je vous assure, qu'avec ce pays – comme avec tous les autres États membres –, je m'engage à avoir un débat, à essayer de trouver des solutions précises à des problèmes précis, en dialogue avec tous les États membres concernés. Ceci dit, je n'hésiterai pas à recourir à tous les moyens à la disposition de la Commission pour assurer le respect plein et entier des traités et des dispositions auxquels tous les États membres ont souscrit.

La Commission prendra donc toutes les mesures nécessaires pour assurer l'application intégrale des obligations qui découlent directement des traités et des autres documents relatifs aux droits fondamentaux de tous nos citoyens. Tout citoyen européen et toute citoyenne européenne a droit à l'application intégrale de ses droits dans tous les États membres.

2-027

Κώστας Χρυσόγονος (GUE/NGL). – Κύριε Αντιπρόεδρε, η Ευρωπαϊκή Επιτροπή Κοινωνικών Δικαιωμάτων με σειρά αποφάσεών της έκρινε ότι μέτρα λιτότητας που επέβαλε στην Ελλάδα η Τρόικα παραβιάζουν κοινωνικά δικαιώματα κατοχυρωμένα στον Ευρωπαϊκό Κοινωνικό Χάρτη αλλά με παρόμοια διατύπωση και στον Χάρτη Θεμελιωδών Δικαιωμάτων της Ένωσης. Οι αποφάσεις αυτές δεν εκτελούνται και μάλιστα η Τρόικα ζητά ολοένα και σκληρότερα μέτρα λιτότητας.

Σε σχετική μου ερώτηση, ο Επίτροπος Katainen απάντησε ότι τα έγγραφα του ελληνικού προγράμματος δεν αποτελούν δίκαιο της Ένωσης, υπονοώντας έτσι ότι τα θεμελιώδη δικαιώματα δεν ισχύουν σε σχέση με το πρόγραμμα αυτό.

Σας ρωτώ λοιπόν αν, κατά τη γνώμη σας, η Επιτροπή, όταν ενεργεί ως μέλος της Τρόικας, δεσμεύεται από τον Χάρτη Θεμελιωδών Δικαιωμάτων και αν σκοπεύετε να προχωρήσετε σε ενέργειες για να συμμορφωθεί η Ελλάδα προς τις αποφάσεις της προαναφερθείσας επιτροπής.

2-028

Frans Timmermans, First Vice-President-designate. – First of all, let me just say that if you look at the situation in Greece today, it is almost miraculous how Greece has been able to overcome the worst difficulties of the crisis. Apparently, what was agreed between Greece and the Troika has had a positive effect on the state of the Greek economy.

I do not shy away from the fact that this has come at a great expense to many Greeks, who have lost their jobs and sometimes their homes and property, and still many people in Greece are suffering. The Plan developed by the Troika in strict accordance with the Greek Government is based on the Treaties and is based on Community law and the national responsibility of Greece. I do believe, as President-elect Juncker said, it will be necessary, in future measures to be taken by the European Union, to have a thorough analysis about the social impact of measures taken in structural reform programmes. I think this is absolutely essential, but I would not go so far as to say that the Troika, or Greece, have violated fundamental rights by imposing and agreeing on a reform package for Greece. Having said that – let me be very clear about this – the Charter is something all Member States have subscribed to. So the Charter is applicable in all Member States and is applicable to all citizens of the European Union.

2-029

Josep-Maria Terricabras (Verts/ALE). – Mr Timmermans, it has been said before that European wealth should be mainly based on the protection of fundamental rights, but we know that some of them are being neglected or forgotten – as happens very often with a very basic right, namely the right to non-discrimination on the basis of active use of one's own language. In fact, one of the great European treasures is multilingualism, a treasure which is not valued enough and is not protected by the states of the European Union.

Allow me to say that, last week I ended my service as Chair of the Translation and Linguistic Rights Committee of PEN International, where we approved the Girona Manifesto on Linguistic Rights, which has already been translated into more than 70 languages. You know – and we know – that linguistic rights are extremely important and very often infringed. My question is to ask what you are going to do to protect fundamental rights, not only through the enunciation of those from third countries, but also within the European Union. Are you determined to mention by name those states which have infringed them and to take seriously better regulation within the EU?

2-030

Frans Timmermans, *First Vice-President-designate*. – Like you I am really very fond of many languages and multilingualism is something I hold very dear. I was fortunate enough to be raised in a number of European countries and therefore I had the opportunity to learn several European languages and I think this is a treasure. I think it would be very sad if 20 or 30 years from now all of us would all be speaking bad English. Let us cherish our own languages and let us learn good English and make sure that we teach our children to speak their language to the best of their ability.

Having said that, I know that there are problems with minority languages all across Europe, in the EU and outside of the EU and I will work very closely with instruments already in existence to look at problems of minority languages and to see where we can contribute, on the basis of the legal documents we operate with, to make sure that minority languages are respected.

I am talking about the Council of Europe. I am talking about the Human Rights Commission of the Council of Europe. I am talking about the High Commission on National Minorities of the OSCE. I am talking about instruments – like I think in Flensburg there is an institute that looks at minority rights – all these instruments we have in place, the Charter on Minority Language by the Council of Europe – I am not sure that is the exact name, but there is a Charter on Minority Languages in the Council of Europe – looking into national legislation if they do not observe those rights. I will be your partner if you wish to look at these issues, because I know how closely related the use of your language is to your identity and the way you feel as a person and as part of a community.

2-031

Roger Helmer (EFDD). – I wonder if you are aware of the great anger and resentment in the United Kingdom at the perverse consequences of the European Convention on Human Rights. We have criminals, terrorists, murderers and rapists whom we cannot deport. Often they base their case on the so-called right to a family life but his concept has been stretched beyond parody. There was the case of Lionel Hibbert, a 50 year old Jamaican criminal who fathered three children by three mothers within four months of each other and yet he successfully claimed he should not be deported because of his right to a family life. This situation has brought the ECHR and the European Project into disrepute.

What I would like to know is what action you will be able to take, assuming you are confirmed in your post, to sort this mess out and to reassure the British people that people who are a danger to our society can in fact be removed back to their country of origin?

2-032

Frans Timmermans, *First Vice-President-designate*. – If you go back to the very inspiration, to the man who brought about the Council of Europe, to the man who brought about the European Convention, I think we owe a tremendous amount to Winston Churchill. He is the one who inspired this idea that there should be rights at a level above the nation state that could be applied directly to citizens of that nation state.

This has been an invaluable instrument in creating rights for people all across the European area. Yes, there are downsides and I think we need to discuss those downsides. I think there is a fair point when the British Government and other governments say ‘we see downsides and we want that to be brought into the debate’. I think we need to try to find solutions for this.

But let me also state very clearly: be careful what you wish for. If you want to take away the primacy of the European Court of Human Rights, consider what the implications will be for those countries where human rights are not observed to the extent that they are observed in the United Kingdom. They will see a pretext, in the debate that might be held in the United Kingdom, to do exactly the same thing and say we no longer feel that these rights should be applied to our citizens.

So I think we have a responsibility towards all citizens in the European area, and also outside of the European Union, to make sure that what we do at national level does not infringe on their possibility to have access to human rights, which in some cases is still, in those countries – talking about Russia – extremely difficult to obtain on an individual basis. Russia is working with the Court and is working in the Council of Europe, one of the few places where they do actually accept the rule of law. Be careful that we do not hurt that when we discuss the problems you rightfully raise and the shortcomings in the system of human rights observation.

(Applause)

2-033

Marcel de Graaff (NI). – Mijnheer Timmermans, u heeft op 24 september in een brief aan het Nederlandse parlement gezegd dat de Islamitische Staat niets met de islam te maken heeft. Maar tegelijkertijd heeft de Nederlandse inlichtingendienst ervoor gewaarschuwd dat Nederlandse jihadisten die afreizen naar Syrië, alleen te begrijpen zijn vanuit de ideologie die gefundeerd is in de islam. Waar denkt u dan dat de Islamitische Staat haar oorsprong vindt, in het boeddhisme, hindoeïsme of christendom? Ontkent u de bevindingen van de Nederlandse inlichtingendienst? Ontkent u dat de toenemende stroom van immigranten met een islamitische achtergrond een potentiële bron van jihadisten zijn? Gisteren zijn nota bene in Duitsland moslims en jezidi's massaal met elkaar in gevecht gegaan.

Ontkent u dat er vanuit deze radicale islamitische stromingen een gevaar is voor de Nederlandse veiligheid? Zo neen, wat denkt u dan hieraan te kunnen doen nu kandidaat-commissaris Avramopoulos de instroom van asielzoekers verder wil bevorderen?

2-034

Frans Timmermans, kandidaat-eerste vicevoorzitter. – Op dit moment vindt een vreselijke strijd plaats bij de stad Kobani in Syrië aan de Turkse grens. Daar worden mensen uitgemord door IS, Daesh, of hoe je ze ook wil noemen. De mensen die zij uitmoorden zijn moslims, Koerden. Het is echt onzinnig om van IS het symbool van de islam te willen maken. Je doet meer dan een miljard mensen op deze wereld groot onrecht aan door ze in één hoek te schuiven met IS. Ik als katholiek wil ook niet verantwoordelijk worden gehouden voor wat de Spaanse Inquisitie een paar eeuwen geleden op zijn geweten heeft gehad. Dat is het soort vergelijking waar je in mijn ogen aan moet denken.

De enige manier waarop we de bedreiging van extremistische, nihilistische, obscurantistische organisaties als IS het hoofd kunnen bieden, is uitgaan van ónze waarden. En onze waarden, die gestoeld zijn op onze joods-christelijke, humanistische traditie, worden voor een heel groot deel, bijna helemaal, gedeeld door de wereldgemeenschap van moslims. In die zin zijn we geallieerden van elkaar. We hebben elkaar nodig en alleen als we samen optreden en niet denken in termen van godsdienstoorlogen kunnen we deze bedreiging voor de directe veiligheid van onze samenlevingen het hoofd bieden. Dát is fundamenteel Europese waarden uitdragen: respect voor diversiteit, respect voor de religieuze vrijheid en respect voor de rechten die door heel veel vechten door onze Europese burgers door de eeuwen heen verworven zijn.

2-035

Pavel Svoboda (PPE). – I have two questions, the first concerning the already mentioned interinstitutional agreement on better law-making. Would you be ready to start the negotiations this year, rather than next year as you indicated in your written answer, in order to make the institutional agreement fit the environment created by the Lisbon Treaty? This is an urgent matter in our view.

My second question concerns delegated and implementing acts. Your written answer does not bring too much comfort in terms of the concerns of the Parliament. In the absence of joint criteria, how will the Commission apply the criteria of the Treaty when drafting legislative proposals? Also, when, and

through what kind of concrete steps other than bringing the issue to the General Affairs Council, do you intend to make progress on the alignment questions?

2-036

Frans Timmermans, *First Vice-President-designate*. – On your first question, you ask whether I would be willing to start talking to Parliament on the Interinstitutional Agreement on Better Law-Making sooner rather than later. The only reason I referred to next year is because first President-elect Juncker has indicated we need to take stock of the existing legislation, and that would be my first priority. But if there is a wish in Parliament to start sooner, I am at your disposal. Let me answer it in that way. I share your sense of urgency, and if Parliament wants to start talking sooner rather than later, then obviously I would be, sir, at your disposal.

On delegated and implementing acts, I see your line. I remember that, when we drafted the Lisbon Treaty, it seemed very logical to have this distinction in Articles 290 and 291, and on paper it still looks very logical. But I can understand, from the perspective of Parliament, that the choice for one or the other has implications for the role of Parliament. I fully understand that. So, in the only way the Commission can operate – and vice-versa, if you make that choice – you have a problem with the Council, because the Council will want it the other way. It is a logical conflict of interest between two institutions and the Commission is in the middle.

Now, the only way the Commission can deal with that, and I firmly believe in this, is to be very rational and objective about the criteria we apply. The Court has not been very helpful. It just says, you know, ‘sort yourselves out’. No disrespect to the Court, but that seems to be the indication the Court has given us, and we will need to sort ourselves out. But my starting point will always be to have objective criteria to determine whether it is an implementing act or a delegated act.

2-037

Pedro Silva Pereira (S&D). – Senhor Comissário designado, a questão que quero colocar-lhe diz respeito às implicações institucionais da reforma da governação económica e à agenda de construção da União Económica e Monetária.

Na sua resposta escrita a este Parlamento, o Senhor Comissário designado afirmou, muito taxativamente, que não há necessidade de instituições paralelas para a zona euro e que a proliferação de instituições deve ser evitada. O que quero perguntar-lhe é se interpreto bem o seu pensamento ao concluir que a proposta que consta do debate europeu quanto à criação de um Parlamento para a zona euro não terá, portanto, a sua simpatia.

2-038

Frans Timmermans, *First Vice-President-designate*. – That is exactly my position. I do not have anything else to add. Can I say it in a few seconds, Mr President, because that is exactly my position?

(Light applause)

2-039

Kazimierz Michał Ujazdowski (ECR). – Ja mam dwa pytania. Mówił Pan o dobrej legislacji. Czy może Pan podać przykłady przepisów, które powinny być uchylone, dlatego że dzisiaj szkodzą przedsiębiorczości i rozwojowi gospodarczemu Europy?

Kwestia druga dotyczy europejskiej inicjatywy obywatelskiej. Mówił Pan o tym bardzo przychylnie, jednak największa z tych inicjatyw podjęta przez organizację „One of us”, która zebrała 2 miliony podpisów, dotycząca na pewno fundamentalnego prawa, jakim jest ochrona życia, została przez Komisję Europejską odrzucona. Mówił Pan, że Komisja nie powinna zajmować stanowiska suchego, jurydycznego, a szanować każdą inicjatywę obywatelską. Chciałbym zatem zapytać Pana czy oznacza to, że będzie Pan wobec takich inicjatyw bardziej przyjazny i bardziej otwarty?

2-040

Frans Timmermans, *First Vice-President-designate*. – On your first question, one of the biggest blows to the credibility of the European Union in the last year was actually, as a matter of fact, a very small matter, the oil cans. But it had a huge impact on the image of the European Union as being big in nonsense and small in important things.

I am not here to give you a guarantee that we will no longer see oil-can types of initiatives, but if we succeed in changing the culture of the way we develop initiatives and draft laws then everybody working in this organisation, in Parliament and in the Commission, everyone participating in expert groups, would have the common sense, to quote Mr Kirkhope, would have the intuitive reaction that this is a nonsensical approach of European legislation.

We can go into very concrete issues, but what I am proposing is to try and change the very culture by which proposals emanate from Commission structures and they are then discussed in Parliament. That has a huge amount of consequences in the way we organise our work, in the people we invite to contribute to our work, but it also has a potentially huge positive effect on European citizens.

As far as the European citizens' initiative is concerned, the Commission was absolutely right legally, formally, in its reaction to the initiative – the right of life – you mentioned. I think the Commission was A1 within its remit and within its obligations under the Treaty. But this does not mean that we cannot have a political debate about the issue and I think the Commission should use this sort of initiative, to use it as grounds for a political debate with those people who have taken the initiative, and also obviously involve Parliament in that debate.

2-041

Nathalie Griesbeck (ALDE). – Monsieur le Président, Monsieur le Vice-président désigné, vous vous êtes qualifié de pragmatique, de partenaire du Parlement européen, notamment face au Conseil, et vous vous êtes donc engagé à recourir à tout le potentiel à notre disposition.

À l'égard de la Hongrie notamment, il y a un débat appelant une réponse précise quant au recours à tous les articles des traités et à tous les documents ayant trait aux droits fondamentaux. Permettez-moi de revenir sur le passé, parce que je voudrais que vous me rassuriez! En effet, lorsque vous étiez ministre des affaires étrangères dans votre pays, vous vous êtes opposé, à l'époque, à toute sanction au sein du Conseil à l'égard de la Hongrie. Qu'en est-il aujourd'hui?

J'en viens à ma deuxième question. Vous avez indiqué – et je m'en réjouis – que le respect des droits devait être évalué et assuré dans tous les États membres. Or, cela ne peut être garanti que si la Commission s'engage à élaborer des indicateurs communs permettant de déclencher une réponse plus systématique et, éventuellement, l'activation de l'article 7, c'est-à-dire des indicateurs qui soient opérationnels pour tous les pays. Vous engagez-vous à élaborer de tels indicateurs en matière de respect et d'application de la charte?

2-042

Frans Timmermans, *premier vice-président désigné*. – Je crois qu'il n'est pas d'État membre qui, de temps à autre, n'ait rencontré de problème concernant les droits fondamentaux. Personne n'est à l'abri de cela. Nous en avons tous fait l'expérience: nous avons tous besoin que quelqu'un, à la Commission, au Conseil de l'Europe et dans toutes les agences actives dans le domaine des droits fondamentaux, surveillent tous les pays. Tout le monde est concerné. Tous les pays sont ciblés.

Sur la Hongrie, je crois – je l'ai dit à votre collègue – qu'il faut commencer par un dialogue en essayant, comme l'a fait la Commission, de résoudre concrètement des problèmes concrets. J'observe que, dans deux cas, la Commission est parvenue à résoudre des problèmes concrets qui se posaient en Hongrie. Ce n'est pas la fin de l'histoire.

Je vous ai aussi indiqué – et je le répète – que j'utiliserai toutes les mesures dont nous disposons si un pays membre n'est pas disposé à changer d'attitude et de législation lorsqu'elles vont à l'encontre des normes européennes.

En ce qui concerne les indicateurs pour tous les États membres, je vais commencer par ce colloque annuel. Je veux savoir ce que font toutes les autres organisations qui s'occupent de ces thèmes en Europe car je crois qu'il existe une somme immense d'expériences, de connaissances et d'analyses qui, à l'heure actuelle, n'est pas toujours à la disposition de la Commission ou du Parlement européen.

Le premier pas serait donc de voir ce qui existe déjà. Si l'on en conclut que ce n'est pas assez, je serai alors disposé à faire des propositions, mais déterminons d'abord si les instruments dont nous avons besoin ne se trouvent pas déjà à notre disposition!

2-043

Dennis de Jong (GUE/NGL). – Mijnheer Timmermans, toen mijn collega Zimmer u een vraag stelde, zei u dat u bij betere regelgeving de sociale gevolgen zult meenemen. Dat klinkt positief en daar ben ik blij mee.

Maar vervolgens, toen het over Griekenland ging, ging u toch wel erg makkelijk heen over de armoede en de werkloosheid die het beleid van de Europese Unie daar heeft opgeleverd. Vandaar dat ik graag twee concrete afspraken met u zou willen maken. Ten eerste, kunt u ons toezeggen dat u er alles aan zult doen, opdat niet alleen de lidstaten, maar ook de Europese Unie zelf partij worden bij het Europees Sociaal Handvest van de Raad van Europa, zodat wij een concreet toetsingskader hebben?

Ten tweede - dit komt eigenlijk door het bezoek dat ik gisteren bracht aan de Europese Rekenkamer in Luxemburg - kunt u toezeggen dat u de sociale doelstellingen uit het programma Europa 2020 over armoedebestrijding en werkloosheidsbestrijding als concrete toetspunten gaat inbedden in betere regelgeving?

2-044

Frans Timmermans, kandidaat-eerste vicevoorzitter. – Op dit moment wachten wij op de opinie van het Europees Hof van Justitie over het Europees Verdrag tot bescherming van de rechten van de mens (EVRM). Op het moment dat die opinie er is, zal ik zo snel mogelijk ervoor proberen te zorgen dat de Europese Unie partij wordt bij het EVRM. Ik denk dat dit van groot belang is op dit moment. Dat is mijn allereerste stap. Dit betekent dat ook de Europese instellingen vanaf dat moment gebonden zullen zijn aan alle regels van het EVRM en ik vind het hoog tijd dat dit ook gebeurt.

Wat betreft het Europees Sociaal Handvest geef ik eerlijk toe dat u mij op dit moment overvraagt. Ik kan niet overzien wat de benadering van de Commissie ten aanzien van het Europees Sociaal Handvest is en in hoeverre toetreding mogelijk is in het kader van de verdragsrechtelijke beperkingen die de Commissie nu eenmaal heeft.

Ik wil u wel graag toezeggen dat ik dat zelf zo snel mogelijk zal bestuderen en dat ik graag wil analyseren in hoeverre de Europese Unie, of ten minste de Commissie, zich zou kunnen relateren aan het Europees Sociaal Handvest van de Raad van Europa. Ik moet u eerlijk bekennen dat ik de juridische consequenties hiervan op dit moment onvoldoende kan overzien. De sociale doelstellingen in Europa 2020 maken uiteraard integraal onderdeel uit van het beleidsprogramma dat de Commissie-Juncker zal moeten ontwikkelen en dat wij dan ook met uw Parlement zullen moeten bespreken.

2-045

Judith Sargentini (Verts/ALE). – Ik wil graag doorgaan op de vraag die mijn collega Nathalie Griesbeck daarnet stelde over de grondrechten en Hongarije. Ik hoor u zeggen: “We moeten de dialoog aanknopen”. Dialoog kan nooit kwaad maar volgens mij zijn het Europees Parlement en de

Europese Commissie al een paar jaar in dialoog met Hongarije. Sterker nog, dit Parlement heeft vorig jaar in een verslag van een groene collega van mij gezegd dat we een artikel 2-dialoog moeten aangaan, met Commissie, Raad en Parlement. U heeft toen namens het Nederlands kabinet gezegd dat dat voorstel niet nodig was, omdat de situatie in Hongarije niet het punt had bereikt dat sanctiemaatregelen in beeld zouden komen. Twee maanden terug zei de Hongaarse president Viktor Orban dat hij graag een illiberale staat wilde hebben, een niet-liberale staat, en hij vergeleek het met China en met Rusland.

Bent u nu niet van oordeel dat hier sprake is van systeemdreiging en dat daar nu dus in de context van het EU-kader voor de rechtsstaat, actie moet komen van de Europese Commissie, zoals u ook stelt in uw voorstel voor dat EU-kader voor de rechtsstaat?

2-046

Frans Timmermans, *Kandidaat-eerste vicevoorzitter*. – Als ik op alle elementen in een politieke toespraak van Victor Orban zou moeten reageren had ik daar een dagtaak aan. Dat zal ik zeker niet doen. Wat wij moeten doen is heel precies kijken. Als ik iets geleerd heb van mijn politieke vader Max van der Stoep, dan is het dat je heel precies moet kijken naar wettelijke bepalingen, naar gedragingen van staatsinstellingen ten opzichte van hun burgers. Dat moet je precies in kaart brengen. Dan moet je bekijken in hoeverre dat in strijd is met Europese regels en Europese normen. Ik wil dat, op het moment dat u zou besluiten dat ik vice-voorzitter van de Commissie mag worden, meteen in gang zetten.

Natuurlijk doe je dat met een lidstaat - Hongarije is een lidstaat - op basis van dialoog. Ik heb ook als minister van Buitenlandse Zaken, samen met drie andere ministers van Buitenlandse Zaken, het initiatief genomen opdat er ook in de Raad een basis zou zijn om problemen inzake mensenrechten en fundamentele rechten in lidstaten politiek bespreekbaar te maken. Dat instrument heeft de Raad niet. Vier lidstaten, waaronder Nederland, hebben dat initiatief genomen.

Nogmaals, het begint bij het aangaan van een dialoog. Ik zal niet aarzelen om, wanneer die dialoog niet de resultaten oplevert die wij wensen, vervolgens tot maatregelen over te gaan. Die kunnen gaan van infractieprocedures tot en met de mogelijkheden die artikel 7 van het Verdrag ons biedt, als daartoe de noodzaak bestaat. Ik zal daarvoor niet terugschrikken. Als één ding mij heeft geërgerd in de afgelopen tien jaar, is het dat de Europese Unie heel stoer kan zijn en veel kan zeggen over landen die nog geen of geen lid zijn van de Europese Unie, maar vaak wat timide, wat terughoudend kan zijn als het om onze eigen situatie gaat.

Daarin moet de Commissie samen met het Europees Parlement verandering zien aan te brengen op basis van concrete politieke instrumenten.

2-047

Roger Helmer (EFDD). – Mr Timmermans, I wonder if you would agree with me that the European Arrest Warrant is causing great injustices. It overturns basic principles which have been treasured by British citizens for centuries, for example Habeas Corpus and trial by jury.

I have personally dealt with a case when two of my constituents were sent to another Member State and held in atrocious conditions for three months. During that time they were not given a trial date, they were not assured that they would have translation at their trial, they were not even given details of the charges they would face. This was done on the strength of minor allegations which should never have justified extradition. These two men suffered intolerable and wholly undeserved damage to their personal lives and their careers.

This is just one example, but there are many more. Today any British citizen can be shipped abroad at the whim of a foreign magistrate with no appeal, no safeguards, no checks and balances. What will you do, Mr Timmermans, to end this injustice?

2-048

Frans Timmermans, *First Vice-President-designate*. – Thank you for your second question, it sort of mirrors your previous question where you said that Europe gives too many rights to citizens of your country and now you are saying Europe is not giving enough rights. OK.

I think, frankly, that the European Arrest Warrant is a great success. If we really want to combat crime in this wider European area we desperately need this European Arrest Warrant. It is obvious that we need sound legal guarantees and sound respect for the human rights of those who are arrested on the basis of a European Arrest Warrant and obviously I cannot go into the merits of the case you raise. The way you raise it it sounds horrible, I have to admit. I cannot, from my position, pass judgment on that specific case.

But I do maintain that given the threats we face, given the great ability of organised crime to operate on a global scale, let alone European scale, fighting crime in Europe desperately needs a European Arrest Warrant and I would see this as one of the big successes of our cooperation in the field of combatting crime.

2-049

Gilles Lebreton (NI). – Monsieur le Président, Monsieur le Commissaire désigné, le président Juncker vous a désigné comme son bras droit. À ce titre, vous serez un super-commissaire, qui disposera d'un droit de veto sur toutes les initiatives des autres commissaires. Vous devez cette promotion inattendue à la défiance que plusieurs nations, au premier rang desquelles la nation française, viennent de manifester à l'encontre de l'Union européenne.

Votre véritable mission est en effet de rassurer les peuples européens: vous êtes le diplomate courtois, chargé de faire oublier que la Commission est présidée par l'ancien gérant d'un paradis fiscal. À ce titre, vous êtes bien, comme l'a déclaré M. Juncker, la dernière chance de sauver l'Union européenne. Ceci dit, vous échouerez, Monsieur Timmermans, car l'opération de communication à laquelle vous vous livrez ne trompera personne!

Comment pouvez-vous faire croire à une vraie subsidiarité quand l'Union s'apprête à placer les nations européennes sous le diktat d'une austérité renforcée? Comment pouvez-vous prétendre améliorer le respect des droits de fondamentaux en vous souciant davantage des lobbys LGBT que des millions d'hommes et de femmes que votre politique d'oligarque plonge dans la précarité et la souffrance?

2-050

Frans Timmermans, *premier vice-président désigné*. – Monsieur le Président, sans avoir vraiment perçu de question dans votre intervention, je vous apporterai néanmoins une réponse, même si vous croyez que ce que je veux faire au cours des cinq prochaines années – si le Parlement m'en donne la charge – est inutile.

Je me souviens de l'Europe telle qu'elle était à l'époque de mes grands-parents – et même de mes parents –, des membres de ma famille qui n'osaient pas s'exprimer parce qu'ils étaient gays, qui n'osaient pas afficher ouvertement leur orientation sexuelle, qui étaient battus dans la rue par des idiots d'extrême droite.

Aujourd'hui, le fait que, dans la plupart des États membres de l'Union européenne, les personnes du même sexe aient le droit de se marier, est pour moi l'expression d'une culture des droits de l'homme essentiellement européenne, qui résulte de la Révolution française, qui repose sur les fondements jetés par des pays comme la France – les droits de l'homme pour tous, hommes et femmes – et qui rappelle aussi le discours de cet homme courageux, tué il y a cent ans par des nationalistes idiots, à savoir Jean Jaurès.

C'est lui qui a indiqué cette voie! La France devrait en être fière et ne pas la combattre! C'est grâce à des pays comme la France que l'Europe vit dans le respect des droits fondamentaux. Soyez-en fier, Monsieur le député!

2-051

Esther de Lange (PPE). – Ik zal mijn vraag voor een keertje in mijn moedertaal stellen. Dat is ook wel eens leuk. Er is vaak gezegd dat deze hoorzittingen partijpolitiek getouwtrek zijn. Laat ik ermee beginnen te zeggen dat, ook al behoor ik niet tot uw politieke familie, mijnheer Timmermans, ik van ganser harte hoop dat u het heel erg goed gaat doen.

U heeft het zelf gezegd: Europa lijdt aan een gebrek aan vertrouwen bij de burgers en dat vertrouwen win je alleen maar terug door jezelf te laten zien als een geloofwaardige Europese Unie. En ik zie het als uw taak om ook erover te waken dat de Europese Commissie zich richt op kerntaken, die taken waarvan burgers terecht zeggen “energie, banen, groei, dat zijn dingen die Europa moet doen en niet allerlei detailniveaus”. We hebben vandaag gezien dat u op basis van uw charme en uw talenkennis heel erg veel voor mekaar gaat krijgen bij uw collega's. Maar ik wil graag van u weten of u, als puntje bij paaltje komt en er liggen voorstellen waarvan u zegt “die kunnen er niet door”, dan ook de macht heeft om deze voorstellen tegen te houden? En op welke concrete punten mag ik u straks, over 5 jaar, afrekenen? Dank u wel en veel succes.

2-052

Frans Timmermans, kandidaat-eerste vicevoorzitter. – Mijn eerste opdracht is het om natuurlijk ervoor te zorgen dat iedere commissaris commissaris betere regelgeving wordt. Want alleen als elke commissaris voor haar of zijn terrein helder voor de geest heeft dat wij echt toe moeten naar een andere manier van regelgeving en betere regelgeving, wordt het een succes.

Dit zal niet werken als van mij verwacht wordt als een soort *sheriff* door de Commissie heen te gaan en collega's te dwingen iets te doen wat zij niet willen. Waar het om gaat is dat wij als college ervoor zorgen dat het voor iedereen een succes is om minder regelgeving tot stand te brengen waar die niet nodig is, om ervoor te zorgen dat Europa alleen maar die dingen doet die nodig zijn en niet dingen doet die alleen maar leuk zijn.

De structuur van de Commissie is juist gericht op collegiaal bestuur. Collegiaal bestuur! De voorzitter van de Commissie heeft het recht om de agenda van de Commissie te bepalen. Hij heeft gezegd dat hij in nauw overleg met mij en met de andere vicevoorzitters van de Commissie zal bepalen wat rijp is om op de agenda gezet te worden. Natuurlijk zal ik daarbij erg kijken of een maatregel wel nodig is en of, als hij nodig is, dit wel de juiste vorm is om die maatregel voor te stellen.

Veto is een raar ding. Veto werkt niet als je erover praat en ermee dreigt. Een veto is iets dat je wel moet hebben, maar je moet er nooit mee dreigen en je moet het zeker ook nooit inzetten. Ik geef u een voorbeeld dat u, met uw achtergrond, zal aanspreken.

Ik heb in Nederland deel uitgemaakt van twee coalitieregeringen in verschillende samenstellingen. Formeel neemt een Nederlandse regering ook besluiten op basis van meerderheid van stemmen. Wij hebben twee coalitieregeringen gehad waarin wij niet één keer gestemd hebben, omdat wij collegiaal bestuur hadden. Dus ik kan mij heel goed voorstellen dat de manier waarop de Commissie nu georganiseerd wordt, het ons mogelijk maakt - ook met de mensen die erin zitten - om via collegiaal bestuur dat te bereiken wat Jean-Claude Juncker in zijn *mission statement* met uw Parlement heeft afgesproken.

2-053

Jo Leinen (S&D). – Lieber Frans Timmermans, Sie haben in der Einführung gesagt, dass diese Hearings eine Sternstunde für die europäische Demokratie sind. Genauso waren die Spitzenkandidaten vor der letzten Wahl eine Sternstunde für die europäische Demokratie. Leider gibt es die

Spitzenkandidaten ja nicht in allen 28 Ländern, sondern nur dort, wo Sie herkommen. Was haben Sie für Ideen, wie wir diese Spitzenkandidaten für 2019 sichern können? Würden Sie mit uns ein europäisches Wahlrecht ausarbeiten, so dass wir das irgendwie verankern?

Zweitens: Das Parlament hat viele Rechte, nur nicht das Recht zur Gesetzesinitiative. Da liegt das Monopol bei der Kommission. Wie würden Sie bei legislativen Initiativakten, die wir einbringen, vorgehen? Bei der Bürgerinitiative haben Sie gesagt, das muss breit diskutiert werden. Bei unseren Berichten bekommen wir eine einfache Mitteilung, und dann ist das im Schrank versunken. Wie stellen Sie sich das vor?

2-054

Frans Timmermans, designierter erster Vizepräsident. – Man kann vieles über Spitzenkandidaten sagen. Ich habe darüber auch mit dem Herrn Präsidenten schon mal eine Debatte geführt. Eines weiß ich ganz genau: Ohne Spitzenkandidaten wäre diese Kommission nie nur hier in diesem Parlament geboren. Es ist zum ersten Mal, dass dieses Parlament mit den politischen Parteien dazu imstande war, zu bestimmen, wer Kommissionspräsident wird. Ich glaube, das ist eine demokratische Erneuerung, die es jetzt gegeben hat. Sie wissen genau, Herr Leinen, wie das hier geht: Wenn das einmal so geschehen ist, kann man das nicht mehr zurücknehmen.

Hinsichtlich der demokratischen Folgen der Spitzenkandidaten habe ich allerdings so meine Zweifel: es ist nämlich nicht so, dass unheimlich viel mehr Europäer zur Wahl gegangen sind, aber auf die Art und Weise, wie wir hier operieren, hatte dies einen ganz großen Einfluss. Ich glaube, das ist sehr wichtig. Ob das jetzt dazu führen muss, dass es ein europäisches Wahlrecht gibt? Ich glaube nicht, dass die Kommission imstande wäre, in diesem Bereich eine Initiative zu ergreifen. Ich glaube, das ist doch eher Sache des Europäischen Parlaments, und insbesondere Sache der Mitgliedstaaten. Dazu gibt der hiesige Vertrag keine Möglichkeiten.

Artikel 225 – Sie haben gefragt, wie die Kommission auf Vorschläge des Europäischen Parlaments in diesem Bereich reagiert, und Sie sagten: „Ich weiß das eigentlich nicht ganz genau.“ Aber Sie sagten, die Reaktionen sind oft sehr dürftig. Wir könnten mal sehen, ob die Kommission mit einer Mitteilung darauf reagieren könnte. Damit haben wir natürlich eine mehr inhaltliche Reaktion auf diese Initiativen. Ich weiß nicht, ob das etwas hilft, aber vielleicht ist das eine Prozedur, die dann hilfreich sein kann.

2-055

Der Präsident. – Vielen Dank, Herr Timmermans! Das Europäische Parlament allein hat ja ein Vorschlagsrecht, was das europäische Wahlrecht angeht. Herr Timmermans ist ja jetzt gerade konvertiert. Da können wir darauf zurückkommen.

2-056

Branislav Škripek (ECR). – I have questions on behalf of my voters and my colleagues in the European Christian Political Movement. The European Citizens' Initiative was introduced as a new instrument to allow citizens to participate in European decision making. In reality, we can see that it fails.

You have just said that the Commission was right to reject the One of Us initiative, but the legal ground of the European Court of Justice decision in case C34/10 has been approved by the Commission, so why were they right to reject it? What steps will you take to start the political debate which you have just said is necessary? What will you do personally in the interest of the One of Us initiative?

2-057

Frans Timmermans, First Vice-President-designate. – The nature of the European Citizens' Initiative is that the Commission can be asked to bring forward a proposal. The citizens' initiative you

were referring to did not ask the Commission for a proposal within its remit. Therefore, on formal grounds, the Commission had to react in the way it reacted to this initiative.

Now, an initiative has not failed when the Commission reaction is based on the Treaty as it is. An initiative succeeds when many people come together because they feel strongly about an issue. My point is that if such an initiative is taken and the Commission, on formal grounds, has to say no, it still enables the Commission and the European Parliament to have a dialogue on the issue with the people who have taken the initiative. I believe we should try and use that possibility more often in the future.

However, I want to reiterate that European Citizens' Initiative procedure, as enshrined in the Lisbon Treaty, clearly provides for an initiative to ask the Commission to come forward with a proposal, but that has to be based on the legal framework within which the Commission needs to work, and the Commission's rights of initiative are defined by the provisions of the Treaty.

2-058

Charles Goerens (ALDE). – Monsieur le Président, Monsieur le Vice-président désigné, en ce qui concerne la représentation externe de la zone euro, vous ne niez pas la nécessité d'y parvenir mais vous soulignez que nombre d'États membres se montrent habituellement peu disposés à s'engager dans cette voie. Comment entendez-vous surmonter cette réticence et renforcer la représentation externe de la zone euro?

Enfin, le résultat du référendum sur l'indépendance de l'Écosse vous permet, pour l'instant, d'être évasif et de contourner le discours sur une éventuelle sécession de régions de l'Union européenne. Toutefois, en vue du référendum britannique de 2017, ne croyez-vous pas que le moment est opportun pour entamer la réflexion sur la possible indépendance ou l'éventuel retrait d'un État membre, plutôt que de rester dans le vague et de ne commencer l'évaluation de la situation qu'au moment où celle-ci s'avère imminente?

2-059

Frans Timmermans, premier vice-président désigné. – Pour ce qui est de la représentation externe, de la représentation internationale de la zone euro, je vous assure que cela prendra du temps étant donné que beaucoup d'États membres ayant l'euro comme monnaie disposent de leurs propres représentations, par exemple au sein du Fonds monétaire international, et font parfois aussi partie d'autres instances, aux côtés d'autres pays qui peuvent aussi être des pays extérieurs à l'Union européenne. Remodeler tout ce système prendra du temps.

De plus, on pourrait supposer qu'en changeant ce système et en disposant par exemple d'un représentant pour l'ensemble de la zone euro, cela diminuerait, à l'heure actuelle, l'influence de l'Europe à l'échelle internationale, au sein du Fonds monétaire international. Je serais, à cet égard, partisan d'une position pragmatique.

Au fur et à mesure que la zone euro acquerra une dimension plus large et regroupera la quasi-totalité des États membres, la question se posera avec d'autant plus de sérieux et je sais que l'Union devra y répondre.

Le droit de sécession de l'Union européenne est un droit inscrit dans le traité de Lisbonne. L'Union européenne n'est pas une prison: si un État membre estime qu'il est dans son intérêt de la quitter, il en a le plein droit. Je ne sais pas si c'est un argument raisonnable ou raisonné, mais je ne peux pas nier que tous les États membres ont le droit de quitter l'Union.

2-060

Barbara Spinelli (GUE/NGL). – Riprendo la domanda di due colleghi greci perché la risposta non mi è parsa del tutto sufficiente.

Capisco che ha bisogno di tempo per pensare ad un ingresso nella Carta sociale del Consiglio d'Europa, ma non c'è molto tempo per una decisione in proposito. I diritti sociali e del lavoro sono sotto attacco in molti paesi, a meno che non creda veramente che l'accordo con la troika abbia avuto un effetto positivo sulla Grecia.

Quanto ai diritti fondamentali, mi pare ci sia contraddizione, fra quello che dice Lei – il piano della troika era basato sul diritto comunitario – e quello che dice il Commissario Katainen, la Carta dei diritti non si applica a memorandum di questo tipo. Come vi metterete d'accordo?

2-061

Frans Timmermans, primo vicepresidente designato. – Forse posso dire che il nome Spinelli mi ispira sempre. Ho conosciuto da giovane Altiero Spinelli e non dimenticherò mai questa personalità che ha costruito questa Europa e che ha rivestito un'importanza incredibile per la nostra costruzione. Per quanto riguarda l'applicazione dei diritti umani fondamentali, si tratta di una cosa non molto difficile: questo è diritto europeo. Nelle azioni che intraprendono, le istituzioni europee devono osservare i diritti che sono iscritti nei trattati e nella Carta. Dunque, in questo ambito, non vedo altra possibilità nell'azione delle istituzioni europee.

Per quanto riguarda la Grecia, sono convinto che gli effetti sociali di queste misure siano tremendi. Questo paese soffre. Lo abbiamo visto tutti. Conosciamo greci che hanno perso il loro lavoro, che hanno difficoltà a sopravvivere e senza l'aiuto della famiglia non sarebbe neanche possibile. Dunque, su questo versante le nostre posizioni non sono contrapposte: anch'io vedo gli effetti sociali di queste riforme.

Ma queste riforme erano necessarie. Non si tratta di riforme che la Troika e la Grecia hanno introdotto perché volevano colpire la popolazione, bensì dettate dalla situazione economica orribile in cui versava la Grecia. Erano dunque riforme necessarie, di cui adesso constatiamo gli effetti positivi.

2-062

Pascal Durand (Verts/ALE). – Monsieur le Président, Monsieur le Commissaire désigné, l'Europe est malade de son rapport aux citoyens. Sa crédibilité est mise à mal, notamment en raison d'un excès d'opacité ou de faiblesses, avérées ou fantasmées, face à un certain nombre de lobbies. Retrouver la confiance des citoyens implique évidemment que l'ensemble des institutions européennes fassent preuve d'un comportement exemplaire.

Dans votre lettre de mission, M. Juncker vous a chargé de coordonner le travail de la nouvelle Commission sur la transparence, qui comportera naturellement la question des conflits d'intérêts. Le code de conduite des commissaires leur interdit d'être chargés de dossiers dans lesquels ils ont des intérêts personnels, y compris familiaux. Malheureusement, la déclaration d'intérêts ne porte que sur les intérêts directs, personnels, et sur ceux du conjoint.

Je souhaiterais vous poser deux questions intimement liées.

Premièrement, comptez-vous mettre en chantier une modification de l'annexe de ce code de bonne conduite, de manière à ce que la déclaration d'intérêts porte désormais sur les intérêts familiaux au sens large, comme le prévoit le code?

Deuxièmement, entendez-vous faire du Parlement européen, sur le modèle des assemblées de toutes les démocraties modernes, un espace où l'on dispose des éléments nécessaires pour pouvoir examiner sérieusement les déclarations d'intérêts des commissaires?

2-063

Frans Timmermans, *premier vice-président désigné*. – Monsieur le Président, le Parlement lui-même procède, si je ne m'abuse, à une analyse des déclarations d'intérêts de ses propres députés. Cette analyse est, je crois, comparable à celle nous menons au sein de la Commission.

En ce qui concerne la transparence, je veux moi aussi l'améliorer. Mais faisons-le ensemble, en tant qu'institutions. Procédons à une analyse des pratiques, au sein de la Commission, du Parlement européen et du Conseil, et nous verrons quelle institution est la mieux placée pour indiquer aux autres comment faire mieux, aujourd'hui.

Je crois que les intérêts du Parlement européen et de la Commission sont identiques. Il ne doit y avoir aucune équivoque en ce qui concerne l'intégrité personnelle des députés au Parlement européen ou celle des membres de la Commission européenne, et si l'on peut le faire exactement de la même manière, je suis disposé à discuter, avec le Parlement, de la façon d'y parvenir.

Cela dit, d'un point de vue juridique, il est difficile ne serait-ce que définir ce qu'est une famille, à quelle échelle. Entre les États membres déjà, il y a de grandes différences entre ce que les gens considèrent comme leur famille ou pas. Je ne sais donc pas si je peux vous donner une réponse tout à fait concrète en l'état actuel des choses.

En tout cas, je veux être le partenaire du Parlement européen pour montrer que nos deux institutions veulent instaurer la transparence la plus complète possible, à leur échelle, et pour utiliser cet argument pour convaincre le Conseil – qui a bien un travail à faire dans ce domaine – de faire ce que nous avons fait, vous, moi et nous.

2-064

David Borrelli (EFDD). – La Commissione europea nello svolgimento dell'attività normativa in senso proprio ha l'obbligo di agire nel rispetto delle prerogative riconosciute al Parlamento europeo. Tuttavia, per molte attività che riguardano la cosiddetta "soft law", le raccomandazioni, tale obbligo non sussiste, pur trattandosi di atti che hanno un impatto molto importante sui cittadini e sulle imprese.

Come intende la Commissione far sì che questi atti corrispondano all'orientamento anche del Parlamento europeo e siano approvati dopo un confronto costruttivo con quest'ultimo?

2-065

Frans Timmermans, *primo vicepresidente designato*. – Dovrò procedere a un'analisi di tutti questi atti, perché so che molti di essi sono di natura del tutto tecnica. Non hanno un'indicazione politica o finanziaria ma sono necessari per il lavoro della Commissione e dei suoi servizi. Ma nei casi in cui questi atti hanno un'incidenza, come dice Lei, su imprenditori e cittadini, dobbiamo essere sicuri che siano controllati in maniera democratica sia dal Parlamento europeo, sia dai parlamenti nazionali.

Intendo dunque procedere a un'analisi degli atti in questione per determinare quali hanno implicazioni che richiedono una verifica democratica del Parlamento europeo e dei parlamenti nazionali. Questo rientrerà nell'esercizio inteso a trovare un accordo interistituzionale sul tema "Legiferare meglio".

2-066

György Schöpflin (PPE). – The Government of the Netherlands has already declared that there will be no more Europe in 54 areas. My questions are: where should the dividing line be drawn between the EU and Member State competences? What should be the mechanism to ensure that neither party oversteps the line, and that both find mutually satisfactory solutions to what is, in essence, the key problem of European integration?

2-067

Frans Timmermans, *First Vice-President-designate*. – I think the way we legislate needs to be reviewed. I also believe we need to be more thorough in our impact assessment of our legislation. I

think if we bring to light what the effect is on small and medium-sized enterprises, on citizens, of EU regulation; if we can, at an early stage, know what the impact is, that would be very helpful in deciding whether we put forward that legislation or not. I also believe that impact assessment should be an integral part of the whole process of legislation because, as we know very well, as a consequence of the nature of European decision-making and legislation, the Commission might propose a horse and at the end of the process what Europe is left with is a camel, because of negotiation in the Council, because of requirements of Parliament. We need to make sure that if we order a horse, what we deliver to our population is indeed a horse and not a camel. So impact assessment is going to be of extreme importance.

I also believe we need to get other stakeholders to be part of the debate. I am not sure whether the interest groups that we talk to here in Brussels, either in the Parliament or in the Commission, always really represent the views of the interest at the level of the Member States. I think there is an element of institutionalising lobbying as well in Brussels.

Therefore I believe it is of the essence that we have a mandatory register of lobbyists in all institutions, so that we know exactly who talks to whom when preparing and amending legislation. But I also believe this is going to be a tough exercise, because it is a fundamental change of culture and the way we do business, both in Parliament and in the Commission.

2-068

Claude Moraes (S&D). – Mr Timmermans, your earlier answer on IS revealed, I think, something of your attitudes. You will be defending our values, which is extremely important. I just want to go a bit further and ask you about defending fundamental rights. What kind of Commissioner are you going to be when we strike down data retention, but we have the threat of IS, and when we have all sorts of other human rights problems. It is not just Hungary – it is anti-discrimination laws which are not being transposed, it is austerity and – a field you mentioned – LGBT rights and anti-discrimination. If Member States do not want to do these things, are you going to be the unpopular Commissioner and Vice-President who can court unpopularity and defend our fundamental rights? Are you willing to do this, or will you just go along with Member States? Perhaps I will put it more politely than Ms in ‘t Veld did, but are you going to be the person who defends our position in austerity and in difficult times?

2-069

Frans Timmermans, First Vice-President-designate. – We Europeans get into trouble, throughout our history. We look for someone to blame. It is part of human nature, and certainly in Europe. There is so much diversity in Europe, we will always find someone to blame: either Jews or Muslims or Christians or gays, or women, or Gypsies – Roma, Sinti – we always find someone to blame. The triumph of European civilisation is to curtail that reaction and to create a legal framework within which we control this inherently human reaction.

As we have learnt that it is not good to kill, we have also learnt that it is not good to discriminate against other people. In times of crisis, this always comes up again, and we always find someone to blame for our own trouble. If Europe is about anything, it is about combating that reaction to a crisis. If that makes me unpopular, so be it. But if I do not stand up for fundamental rights in Europe today, there will be no European community tomorrow, because we are in essence a community of values, and if we have grown ever closer in the last thirty to forty years – especially after the fall of the Berlin wall – it is in the field of values we share. If I had told my grandparents thirty years ago that, by the turn of the century, same-sex marriage would be law in the Netherlands, they would have called medical services to have me committed. Now, if I talk to my children, they cannot imagine that in the Netherlands it would not be possible for two men, if they love each other, to marry each other.

This is how our values develop, and I think this is a good thing and it needs to be protected by law.

(Applause)

2-070

Anthea McIntyre (ECR). – Mr Timmermans, from all you have said today, I think you are as convinced as I am that we can unlock so much more of Europe's potential if we relieve business of the unnecessary and burdensome costs that EU regulation can impose.

Parliament has consistently supported this agenda. In April this year we adopted a report from the Committee on Employment and Social Affairs which made a range of recommendations on creating a hospitable environment for job creation. This report calls for more EU action to reduce bureaucracy. We also adopted a resolution on the 'top ten' consultation process, where we insisted that the Commission establish a target to reduce regulatory burden by 30% by 2020. This has been backed by many business organisations – the CBI, Business Europe, the European Small Business Alliance – so, given this growing momentum, will you make a commitment to introduce a target to reduce the overall EU regulatory burden on business?

2-071

Frans Timmermans, First Vice-President-designate. – As I said, I am willing to be eclectic. Anything that works I will adopt, and if this is a proposal that has the propensity to yield results, I will do so. But I have a word of caution here: the Commission has done so before, and if you talk to businesses across Europe – especially small and medium-sized enterprises – I do not think they will be very enthusiastic about the results so far.

So I think we need to take a long and hard look at what we have done so far because, since Jean Claude Juncker has asked me to take on this charge if approved by you, I have been looking into the situation and I get so many people telling me: 'but we have already done so much'. But then if you talk to businesses, I get a completely different line. So what I want to do, with your help, is to start by providing some concrete relief for businesses so that the baker, the butcher, the people providing services to communities and households sense immediately that the burden on them is lessened.

Also – one thing I want to add – I think we need to have more honesty also in Member States about this. It is very easy to blame European regulations for this burden, but how often is it that the Commission is forced to come up with a proposal because a number of Member States want that proposal? How often is it that we think we need to come up with a proposal because we believe interest groups have formulated that proposal, and then at the end of the day those people these interest groups say they represent feel the burden of the proposal and say: 'whoever thought we needed this? We don't need this'. So perhaps we also have to look very carefully at how we communicate with those people we are trying to help.

2-072

Cecilia Wikström (ALDE). – I think that we can all agree that the European elections should be seen and perceived as a wake-up call to all of us. The citizens in Europe rightfully demand that we listen to their concerns. As Chair of the Committee on Petitions, I would like to draw your attention to the fact that my committee deals every year with thousands of submissions from citizens all over Europe regarding, not least, the application of EU law. These petitions are actually a gold mine that provides us with information from the ground on how the laws that we adopt in this House actually do affect people and business across our continent, and it gives us also ideas on how these laws should and could be improved.

As the First Vice-President and in charge of better law-making, let me ask you two questions. Firstly, how would you like to improve cooperation between our two institutions to make the best possible use

of the Petitions Committee and the petitions from EU citizens? And secondly, what actually does better law-making mean to you personally?

2-073

Frans Timmermans, *First Vice-President-designate*. – On your first question: if you invite me to your committee, I will attend your committee. If you want me to study the results or the impact you have had or the reactions you have had, I will do so. If you want me to give a reaction in general terms on what people petition you about, I can do so – perhaps not in individual cases, because sometimes these individual cases need legal scrutiny and I am not at liberty to communicate about individual cases in public, but if there are general trends, I want to know about them, because they can help us to improve our regulation and we can see where problems arise and we can also then attribute blame perhaps. Perhaps it is the Commission, perhaps it is another institution, perhaps it is a Member State that is to blame for the regulation, but Europe usually gets the blame anyway. So there I believe we can actually profit from each other's experience, and I am willing if you invite me to be your partner in that work.

What does it mean to me? To me it means that somebody who has a bakery is no longer wasting half a day to fill in forms to do the same thing for three different instances. He or she can operate the bakery, make a bigger profit and hire two or three more people to work in that bakery. That to me is better regulation.

2-074

Tadeusz Zwiefka (PPE). – Szanowny Panie Timmermans! Chciałbym jeszcze na chwilę wrócić do procesu legislacyjnego, a właściwie do tych wszystkich działań, które razem będziemy, jak sądzę, podejmować, po to, by upraszczać system prawny, ale jednocześnie by respektować obowiązujące nas zasady: zasadę pomocniczości i zasadę proporcjonalności, w szczególności w odniesieniu do małych i średnich przedsiębiorstw, ale także do polityk środowiskowych i społecznych, w celu uniknięcia wykroczenia poza kompetencje unijne i zwiększania biurokracji. Mam konkretne pytanie: czy przewiduje Pan, lub czy może Komisja zaproponuje, utworzenie niezależnego systemu monitorującego przestrzeganie zasady pomocniczości? Pytam o ten niezależny pozakomisyjny system, ponieważ z zewnątrz jest chyba trochę jednak lepsze spojrzenie.

2-075

Frans Timmermans, *First Vice-President-designate*. – In my experience subsidiarity tends to mean all things to all people, and I believe the first step we need to undertake is to clarify what it actually means. I believe that there we can profit a lot from working closer together with national parliaments, where a subsidiarity and proportionality check is becoming a regular part of the way they work.

There is still room for improvements. I believe individual Commissioners should be going to national parliaments that have put forward a yellow or an orange card. They should argue with national parliaments and tell them why a proposal is necessary. They will get a lot of feedback from national parliaments and feed that back into the system. I believe that analysing precisely what subsidiarity is intended to achieve is going to be an integral part of working on a new interinstitutional agreement on better law-making.

Do we need an independent subsidiarity watchdog? I do not think that would be a contribution to this exercise. What I do believe is that we need greater interaction between national parliaments, and between national parliaments and the European Parliament, on the process, because in practice my experience is this:

I was elected to the Dutch Parliament six times; when I first was elected we did not have any system, and now the subsidiarity and proportionality check system is quite intricate. But to be very honest with you it is sometimes also used – not to say abused – because people do not like a proposal. We need to clarify that a subsidiarity check is intended to check whether Europe is competent to act in that

field, not whether it is a nice proposal or a proposal we like. So we really need also to clarify that with national parliaments.

2-076

Birgit Sippel (S&D). – Mr Timmermans, I welcome your commitment today, in connection with fundamental rights, to seeking complementarity with other international institutions such as the Council of Europe and its Venice Commission, but maybe you can give some more details on the following:

What steps will you take to ensure that the rule of law mechanism will be a mechanism for crisis situations with appropriate forms of intervention, more effective infringement proceedings, and the possibility of sanctions should systematic breaches of the principles of democracy and the rule of law occur and appropriate checks and balances fail in a Member State? Finally, how will you ensure that such a mechanism is applied to all Member States on a transparent, uniform and equal footing?

2-077

Frans Timmermans, First Vice-President-designate. – It is quite clear that if, by acting or not acting, I or the Commission, if approved, would create the impression that we pick on individual Member States but do not look at other Member States, the system will completely fail.

It can only work if we are seen as being objective and precise in the analysis of the problems – and not just because one country is in the news a lot, therefore let us unleash all the possibilities we have on that country, then neglecting other countries, perhaps because nobody talks about them or because they are too big to challenge. That would seriously undermine the Commission's or the European Union's credibility if that were to be our action.

So we need to be meticulous in our impartiality, we need to be precise in our analysis, and we need to base ourselves on very precise legal norms and standards.

We can profit from the work of other organisations, as I said; a lot of good work is done by different European organisations, NGOs as well, the Fundamental Rights Agency, etc. But at the end of day, the instruments are there; the possibility to have infraction procedures is there; the possibility to use Article 7 is there. What we need is not new procedures, new legislation; what we need is the political will to actually enforce what is already on the table.

We, as the European Union, will be tested in the next couple of years on whether we have the political audacity to ask our Member States to live up to the requirements, to the standards they have signed up to and have ratified in their national parliaments. If you have signed the Treaty, if you have ratified the Treaty, I will hold you to that Treaty.

2-078

Anna Maria Corazza Bildt (PPE). – Thank you, Mr Timmermans, for the commitment you have been showing us today to change course. Indeed, many European citizens associate the European Commission with bureaucracy – rightly or wrongly – and there is a need to deliver and show that the Commission can be trusted again.

So concretely, what are your plans to make sure that, when Member States apply directives, they are not adding more bureaucracy – gold-plating (you were referring to that before)? Is the REFIT programme of the European Commission going to be a priority for you and the rule one-in one-out?

Does your super-position mean more hierarchy or more political clout to stand up with Member States in implementing European legislation correctly and in full, not least when important issues like public access to documents, the Anti-Discrimination Directive are locked in the Council?

Last question: is your super-position going to mean that horizontal issues like children's rights, gender equality and transparency are truly going to be mainstream and part of the culture of the Commission?

2-079

Frans Timmermans, *First Vice-President-designate*. – This reminds me of a former Swedish colleague, but I shall not mention his name. We will have to change the way we work if we are to be successful. I mean the reputation we have as European Union as too bureaucratic and not delivering on results can only change if we adapt the way we work, and I want to be very transparent in how we are going to change the way we legislate. I want to have an interinstitutional agreement with this Parliament and the Council to make sure that we apply the principle of scrutiny of our proposals throughout the whole process, and I simply want to have concrete results. I want to hear small businesses say: 'Oh my goodness, this actually works! I have less of an administrative burden! This actually yields results!' As long as we do not have that, whatever we do will not be met with success.

In terms of defending fundamental rights, you know this is something that is part and parcel of every single Commissioner's responsibility. I have, with my horizontal position, the possibility to talk to individual Commissioners about their field of action – whether they have taken on board issues of fundamental rights in the right way. I have no doubt that this will be part and parcel of the way we work. We have had two days of talks, and I was really impressed by the quality and the determination of my colleagues to implement elements of fundamental rights.

As far as horizontal issues like children's rights are concerned, I believe that if we do not do better in assuring the protection of our children in the next couple of years, if we do not show concrete results in the way we protect our children, who are sometimes very vulnerable in this society, I believe we will do a great disservice to fundamental rights that should be applied, especially to the youngest in our society.

2-080

Tanja Fajon (S&D). – I would like to come to the question of human rights and immigration. What do you propose to do to ensure that all migrants who arrive in the European Union today, or who are already in the European Union, will have their fundamental rights respected, irrespective of their sex, race, colour, ethnic or social origin, language, religion, belief, disability or sexual orientation?

In the same context, how will you use your role as First Vice-President to tackle better in general the problems of discrimination against the most vulnerable groups in our societies, in particular the Roma?

2-081

Frans Timmermans, *First Vice-President-designate*. – Let me start with your second question. Years ago, when I worked for the OSCE on minority rights, we wrote a report on the situation of Roma and Sinti in the European area. It was really a disgrace what came out of that report: a combination of horrible discrimination, social exclusion, self-exclusion sometimes from education and other possibilities in society – and this is now twenty years ago. If I look at the situation today, I think there is very little that has improved for Roma and Sinti in Europe. I think all of Europe is to blame for that. We have really failed that European community in a horrible way.

It is a collective responsibility, since they cannot be seen as citizens of just one country. I am very committed to see how we, in collaboration with other European organisations, can improve the plight of Roma and Sinti across Europe. Sometimes, now in this day and age, when there is a lot of debate about the abuse of social systems in other Member States, at the receiving end of criticism or at the receiving end of harsh measures are very often Roma and Sinti, who sometimes simply do not have anywhere else to go. So I believe that using the Roma and Sinti community as an example for where we stand in Europe, there is still a tremendous amount of work we need to do to assure that everybody has full rights in our society in terms of protection of their fundamental rights.

But there is one element, and we have to be honest about that as well: there is too much of a temptation into illegality. Illegality can be a profitable situation for individuals or groups to be in, because it is better than starving elsewhere. But this illegality makes it impossible for instances, either national or European, to actually apply the rights people have on them. So we also need to fight illegality. And we need to be more critical of those entrepreneurs who know they are hiring people who are illegal, and still they continue doing this.

2-082

Paulo Rangel (PPE). – Mr Timmermans, I have read your speech, your articles and analysis. I understand you give major importance to the subsidiarity principle and to the role of national parliaments.

One first remark: the principle of subsidiarity, because it is associated with the concept of the best level of efficiency, may lead not only to a restriction of action by the Union but eventually to an extension of the activities of the Union. I am afraid you tend very frequently to forget this last dimension of the principle. Subsidiarity, if fully and correctly understood, can also mean more powers to the Union.

Having said this, I will put my question. What concrete steps do you intend to take in order to reinforce the role of national parliaments? Which measures do you envisage to ensure that the stronger role of national parliaments will not jeopardise the European Parliament's competences?

2-083

Frans Timmermans, First Vice-President-designate. – First of all, the powers of the European Union are enshrined in the Treaty on the European Union. They cannot be enlarged by subsidiarity. I know there is always a tendency, especially in the institution I might at some stage represent (if you approve), to also come up with proposals that are nice – we might like to do it – but they are not necessary. I want the Commission to come up with proposals in those fields identified as priorities by the Commission President-elect and do what needs to be done.

I have a different view on subsidiarity than you, Sir, and that is why I said that people can have different views with the same principle. Obviously in many areas, energy policy is an area that is enshrined in the Treaty. Action at the European level is the only action that will deliver the results for our citizens that will have any meaning in the future. Obviously you need European action there, but my principle of subsidiarity is that you will only take action on a higher level than the lowest level if the higher level is the only level that can yield results that are necessary to attain the goals you want to attain. That, of course, can mean that you need to come up with a European solution for a problem that can no longer be solved at the national level.

On your second question (and I might do you an injustice – I might have misunderstood what you said): I thought we had overcome – this was at the beginning of the Convention, I can remember there was still this fear that there must be competition between the European Parliament and the national parliaments. My impression in the last couple of years is that there is a real partnership – an increasing partnership – between the European Parliament and national parliaments that can still be improved – surely. But as I tried to say in my introductory remarks, this European Union will not be built against the will of the Member States, nor against the will of the citizens. So engage with national parliaments, because they are your partner in delivering better results for European citizens.

2-084

Evelyn Regner (S&D). – One more question on REFIT, Mr Timmermans. In its communication on REFIT, the European Commission has designated the social agreement for hairdressers as legislation which should not be pursued in terms of better regulation. The agreement is seen as a bureaucratic hurdle. This communication is an attack on the European social dialogue, as well as an attack on the

fundamental right to a safe and healthy workplace, as described in Article 31 of the Charter on Fundamental Rights. What will you do as Vice-President to ensure that better regulation will guarantee the fundamental right to a safe and healthy workplace and at the same time that associated social agreements are taken into account? What are you planning to do to reduce the administrative burden on SMEs without affecting social standards for employees and consumers? So, in short, what will you do to make sure that better does not mean less or none, particularly when social or environmental standards are at stake?

2-085

Frans Timmermans, *First Vice-President-designate*. – *[inaudible]* ... remarks that better regulation is not deregulation and cannot be attained at the expense of social protection and environmental protection. I was very clear about this. But I think you jumped to conclusions, in my view, as to the hairdressers' initiative. I understand that this was an idea born in social dialogue at European level, and therefore the Commission was asked to come up with a proposal.

But are not Member States in a position to assure protection in the workplace for people who work as hairdressers? Is this something that we absolutely need to do at a European level, or is this yet another example where people cannot get their way at a national level and then hope, via Europe, to get something done that cannot be done at a national level?

I am not sure this is the way we want to go forward. I think there is ample political room for political parties in the European Parliament to say: yes, this is the way we want to go forward. That is your prerogative. But in my possible future capacity as a Commissioner, I will have to see whether action at the European level is a necessary response to what is obviously a requirement of safety at the workplace at a national level. Is it really necessary for Europe to do this? Why do Member States not take care of this? Is there an internal market for hairdressers that asks for European action, or is this something we need to organise at a national level?

I think this is a question one can ask, and if the answer is – if the majority comes to the conclusion – that yes, we can only do this at a European level, I will certainly not stop it. I want to be practical about this. But I believe that the variety in cultures and in ways of operating at a national level would bring me to the conclusion that this is something that Member States are perfectly well capable of dealing with at the national level.

(Applause)

2-086

Peter Jahr (PPE). – Herr Präsident, Herr Timmermans! Als Mitglied des Petitionsausschusses habe ich eine Frage zur Charta der Grundrechte, die in den Mitgliedstaaten gemäß Artikel 51 ausschließlich bei der Anwendung von Unionsrecht zur Anwendung kommt. Seit die Charta der Grundrechte mit dem Vertrag von Lissabon rechtliche Verbindlichkeit erlangte, gehen immer mehr Petitionen beim Europäischen Parlament ein, die sich auf diese Charta beziehen. Eine große Anzahl dieser Petitionen erfüllt jedoch nicht das Kriterium des Artikels 51 und wird daher für unzulässig erklärt. Verfahren gegen Mitgliedstaaten können demzufolge auch nicht eingeleitet werden. Viele EU-Bürger halten den Artikel 51 für unklar und schwammig formuliert und fühlen sich durch diesen Artikel in ihrem Petitionsrecht eingeschränkt. Wie ist Ihre Meinung zu diesem bekannten Artikel 51 der EU-Grundrechtecharta? Wie kann man den Bürgern erklären, dass das Petitionsrecht, das seit 22 Jahren zu ihren Grundrechten zählt, hinsichtlich des Artikels 51 der EU-Grundrechtecharta Grenzen hat?

Zum Bürokratieabbau eine kurze Frage: Planen Sie, eine unabhängige Instanz zu schaffen, welche die Folgenabschätzungen auch wirklich kontrolliert?

2-087

Frans Timmermans, *designierter erster Vizepräsident*. – Zu den Petitionen. Ich will mich gerne mit der Vorsitzenden des Petitionsausschusses im Europäischen Parlament ins Benehmen setzen, um zu sehen, wo es Probleme gibt mit Artikel 51. Ich will gerne darüber reden. Dass es aber Abgrenzungen gibt beim Petitionsrecht, das ist auch auf der nationalen Ebene logisch, und das geschieht auch dort. Ob es dort klar ist oder nicht, kann ich nicht beurteilen. Aber wenn es Schwierigkeiten mit dem Artikel 51 gibt, dann werde ich mich gerne überzeugen lassen, dass wir da etwas machen müssen.

Wenn wir beurteilen sollen, ob ein Vorschlag auch das bringt, was wir davon erwarten, dann müssen wir dafür sorgen, dass die Kommission auf eine Art und Weise beraten wird, die professionell und auch unabhängig ist. Deshalb müssen wir uns im Klaren sein, dass die Leute, die für uns tätig sind, auch genügend Abstand zu Interessen haben – da müssen wir uns auch klar darüber sein, welche Interessen sie haben – und dass sie auch genügend Sachverstand mitbringen, damit sie das professionell und auch unabhängig von der Kommission tun können.

Wenn es so eine Beurteilung gibt und die Kommission darauf reagiert hat, dann werde ich das gerne mit dem Parlament teilen. Dann können Sie sehen, welche Abwägung wir gemacht haben. Dann können Sie auch beurteilen, ob das richtig war oder nicht. Ich glaube, damit können wir auch unsere Transparenz vergrößern.

2-088

Mady Delvaux (S&D). – Monsieur le Président, Monsieur le Commissaire désigné, je voudrais revenir sur la question de la subsidiarité. Je vous remercie d'avoir indiqué que vous souhaitez préciser cette notion, ce qui s'avère – je crois – nécessaire après les échanges que nous avons eus.

Dans vos réponses écrites, vous nous avez aussi indiqué que vous souhaitez améliorer, dans ce contexte, l'interaction avec les parlements nationaux. Au sein du groupe "Socialistes et Démocrates", nous sommes favorables à un renforcement du rôle des parlements nationaux, notamment pour mener une politique plus proche des gens, mais nous souhaitons en même temps faire avancer le projet européen.

J'ai donc une crainte inverse à celle de mon prédécesseur et je voudrais vous poser la question suivante: comment comptez-vous garantir que le principe de subsidiarité ne serve pas de prétexte à tous ceux qui souhaitent l'échec du projet européen pour retarder, voire pour bloquer, des processus de décision dans l'Union?

2-089

Frans Timmermans, *premier vice-président désigné*. – Madame Delvaux, oui, le danger est évident, il est manifeste dans les États membres. Je viens d'indiquer que je connais des cas précis, même dans le pays que je connais le mieux, où on brandit l'argument selon lequel l'Union n'est pas compétente dans tel domaine simplement parce que l'on n'aime pas le fond de la proposition qui a été faite.

C'est en quelque sorte un détournement du pouvoir qu'ont les parlements nationaux de se prononcer sur le principe de la subsidiarité. La subsidiarité, cela revient à se demander: l'Union est-elle compétente pour formuler des propositions dans tel ou tel domaine? Et cette évaluation doit être basée sur le traité.

Puis, il y a bien sûr la proportionnalité, c'est-à-dire: l'instrument que l'Union propose pour agir dans le domaine en question est-il adéquat pour obtenir le résultat que l'on veut atteindre avec la proposition?

Ce sont les deux éléments de l'analyse faite par les parlements nationaux. Nous devons clarifier cela avec eux parce que, comme je l'ai dit, ils en usent trop souvent comme prétexte pour réfuter des initiatives européennes.

Le contrôle du fond, le droit de la Commission de faire des propositions et le droit du Conseil de légiférer, avec le Parlement européen, ne peuvent pas être diminués par une action des parlements nationaux sur la subsidiarité.

S'ils veulent contrôler ce que nous faisons dans le processus législatif, ils doivent s'adresser à leurs représentants au Conseil, qui sont les gouvernements des États membres qu'ils contrôlent chez eux.

2-090

Ingeborg Gräßle (PPE). – Vielen Dank für den kurzweiligen Nachmittag! Sie haben ja auch konkrete Kompetenzen, zum Beispiel für den internen Auditdienst, der sich bei Ihnen im Portfolio befindet. Der Haushaltskontrollausschuss sorgt sich, wie Sie die Unabhängigkeit des internen Auditdienstes sicherstellen, damit er seine eigenen Arbeitsschwerpunkte setzen kann. Das wäre die erste Frage.

Zweitens: Werden Sie denn auch einen *audit review panel* einrichten und diesem *panel* auch vorsitzen? Werden Sie Ihre für die Hauptausgabenbereiche zuständigen Kommissarskollegen dazu bringen – um das Wort zwingen zu vermeiden –, mit Ihnen zusammensitzen, um die Ergebnisse des internen Auditdienstes zu besprechen und dann auch regelmäßig zum Thema zu machen?

2-091

Frans Timmermans, designierter erster Vizepräsident. – Wissen Sie, die Kommission hat wirklich hervorragende Leute. Ich habe jetzt einige davon kennengelernt und ich bin davon sehr beeindruckt. Insbesondere bin ich sehr beeindruckt von den Leuten, die in diesem Auditdienst arbeiten. Das sind wirklich Hochkaräter, sie sind sehr gut, sie werden auch eine wunderbare Arbeit in der Zukunft leisten.

Ich garantiere komplette Unabhängigkeit des Auditdienstes. Wenn wir keine Unabhängigkeit haben, können die ihre Arbeit nicht machen. Ich werde auch darauf achten, dass sie mehr auf den Output hin kontrollieren, ob das, was geliefert wird, auch dem entspricht, was wir davon erwarten. Es ist jetzt ungefähr 40 % der Arbeit, aber das muss mehr werden. Da haben wir etwas davon, da können wir unsere Arbeitsweise stark verbessern. Ich glaube auch, dass wir diesen Auditdienst mehr unabhängig von den Generaldirektoren machen müssen. Die müssen ihre Arbeit unabhängig machen können, damit es keine Interferenz gibt mit ihren Urteilen und auch mit ihren Empfehlungen. Wenn es Empfehlungen gibt und die dann übernommen werden oder nicht, dann können Sie als Europäisches Parlament ja auch schauen, was die Kommission damit gemacht hat. Und ich hoffe, Sie werden das auch weiter machen. Damit können wir uns verbessern, damit haben Sie auch mehr Einsicht in das, was die Kommission tut.

Ja, ich werde diesen Vorsitz übernehmen. Ja, ich werde dafür sorgen, dass meine Kollegen in der Kommission, die zuständig sind für Bereiche, für die der Auditdienst Empfehlungen ausgesprochen hat, auch mit mir zusammenarbeiten, damit ich sicher weiß, dass diese Empfehlungen auch voll umgesetzt werden.

2-092

Victor Negrescu (S&D). – Domnule Timmermans, pentru a îmbunătăți procesul de luare a deciziilor, Comisia Europeană efectuează, după cum știți, o analiză de impact detaliată înainte de a lua noi inițiative politice majore. Comisia Europeană evaluează în prezent instrucțiunile privind modul în care se efectuează aceste evaluări de impact și și-a luat angajamentul de a publica noi instrucțiuni până la sfârșitul anului 2014. Una dintre preocupările care au fost ridicate în trecut a fost cu privire la lipsa de transparență - când și cum au fost evaluate aceste evaluări de impact, precum și independența lor.

Întrebarea mea pentru dumneavoastră, în calitate de vicepreședinte desemnat, este să ne spuneți care este punctul dumneavoastră de vedere, să ne explicați cum intenționați să îmbunătățiți procesul de luare a deciziilor și realizarea evaluărilor de impact și, mai ales, cum aveți de gând să separați procesul de colectare a datelor pentru evaluare de voința politică care generează propunerile de politici. Ca europarlamentar român, trebuie să spun că transparența este un element foarte important, fie că este vorba de fondurile europene sau de procesul de aderare la Schengen.

2-093

Frans Timmermans, First Vice-President-designate. – You know, impact assessment is not by nature the first impulse of a bureaucracy that wants to better the world and come up with ever better proposals to create results for citizens. So, by giving impact assessment my full attention and political attention, I will be sure that Commission services know full well they have to do their best and utmost to do the best possible impact assessments of any proposal.

Then the impact assessment will be reviewed by the Impact Assessment Board and I will make sure that the people on that Board have the expertise and the clout to be ruthless in their advice. Already now, I think, almost half of what they assess is then sent back to the Commission to be changed. So I truly believe that by doing this impact assessment better and giving it more political attention we can yield even more results.

Having said that, and I need to stress this time and again, what the Commission does is something at the outset, at the stage where we are devising legislation. We need to do better in the whole process of first reading, second reading, decision-making, what happens in the Council, what happens in Parliament. All of this needs to be scrutinised in terms of impact assessment, because very often what makes the negative impact bigger on citizens and businesses is what happens in political deal-making, in lobbying by interest groups, and that changes elements, or sometimes even the nature of the proposal.

We need to have full transparency in that whole process and we need all three institutions involved in law-making to take their full share of impact assessment. This cannot just be left to the Commission and Parliament; we need to bring the Council into the fold.

2-094

Der Präsident. – Vielen Dank, Herr Timmermans!

Meine Damen und Herren, die letzte Frage stellt Frau Gál.

Herr Timmermans, Sie können diese Frage wie alle anderen mit zwei Minuten beantworten. Danach haben Sie fünf Minuten Zeit – wenn Sie das wünschen – für eine Abschlusserklärung. Diese fünf Minuten können Sie dann unmittelbar im Anschluss an die Fragebeantwortung nutzen.

2-095

Kinga Gál (PPE). – Mr Timmermans, I myself have witnessed closely serious breaches of the fundamental rights of autochthonous national minorities while the Commission remained indifferent. I really appreciate that the Commission says it does not compromise on better protection of fundamental rights. But this can only function properly if it is based on facts and objective analysis, not on press cuttings and ideological pressure.

I have a good example, which is the Justice Scoreboard. According to its results this March – taking Hungary because it has been mentioned so often today – the independence of the judiciary in Hungary ranked six points higher than the previous year, being among the average of the Member States. Trust in the justice system has increased and is next to the ranking of France. This clearly shows that facts and objective analysis can give a different picture, even in the case of Hungary – different to the always repeated, unjustified, untrue accusations.

How will you ensure that all Member States are monitored objectively and treated on an equal basis in order to avoid double standards? Moreover, will you protect those who are attacked unjustly?

2-096

Frans Timmermans, *First Vice-President-designate*. – The biggest enemy of the promotion of fundamental rights and human rights is what I would call ‘what-aboutism’. I have had my full share of that in the last couple of years, in my debates with my Russian colleague Lavrov. Whenever you would say something about the situation in Russia, he would say: but what about this in the Netherlands, what about that in the Netherlands? It is a logical reaction to criticism, criticism which is very often perceived as unjustified.

The only remedy against that is, indeed, not to have a situation where you focus just on one situation or on one country. And I think the only way we can promote human rights and strengthen fundamental rights in the European Union is to be completely impartial as to the situation of the Member State that is the subject of scrutiny. I believe you need to look at the bare facts.

I said before, in the case of Prime Minister Orbán, if I had to react to every single political utterance of his, I would probably have an extra day job. This is in the nature of politics. What we need to do in the case of Hungary and all other cases is to look precisely at the legal facts, at the merits of the case, look into the complaints of citizens, look into the legal developments and the actual situation in society, talk to representatives of NGOs, talk to members of the press, and there you get a complete picture of the actual situation.

There can never be the excuse of: oh yes, you can come to my country, but what about over there, it is even worse. No, the only answer to that is we will analyse every single situation on its own merits. That is the only protection you have from criticism of using double standards.

Having said that, will you get criticism of double standards? You always get criticism of double standards whatever you do, but you have to be sure that this criticism is not justified and that with your actions you can demonstrate that you have not been in the situation of using double standards.

Mr President, having answered what I assume is the final question, I will not take much of your time in my conclusion. I have to share with you my profound sense of the urgency of the work we need to do in the next five years. I am deeply convinced that if we fail in the next couple of years to reconnect with the people we work for, that is the European citizens, the European project itself is threatened. If we do not reconnect with the people we say we represent and work for, the people will turn their backs on the European project.

Europe was man-made, it is beautifully made, it is an incredible success. It is probably the biggest and most successful peace project in human history. (When I say man-made, Mr Lamberts, I mean men or women, it is an element in the English language that ‘man’ can be generic. My wife always tells me when God created man she was only joking. No pun intended there.)

What I want to say is this. Perhaps the success of European integration has been so profound that we have lost the sense of its being able to unravel if we are not very careful. And I have had an increasing sense in the last couple of years, given the enormous challenges the European project faces today – this huge economic crisis we face, the worst crisis since the 1930s; this almost unbearable feeling of being threatened from the outside, either by ultra-nationalism in Russia or fundamentalism in the Arab world – it is an incredible feeling that, perhaps for the first time in European history since the Second World War, parents fear that their children will be worse off than they were when they were young.

This needs a European answer. There is no purely national answer to that challenge, but we will only get the mandate of our sovereign, which is the European citizen, if we prove that what we do is in the

interest of that European citizen. Perhaps you might see my portfolio as a technical operation, but I am profoundly convinced that delivering better concrete results for European citizens is one of the very few means we have to reconnect with our constituents, with our sovereign, with those people whose future is partly in our hands.

This continent has a bright future if we organise ourselves at the level of the continent, with full respect for national rights, with full respect for diversity, with full respect for everything that Europeans hold dear. But if we do not come together in the next couple of years, and organise the way we work differently, if we do not change the culture of the way we work, if we do not concentrate on the priorities set out by President-elect Juncker, this organisation, these institutions, will be perfect in the Brussels bubble but will be meaningless to European citizens.

This may never happen – and it will never happen because, if Europe has one quality that is bigger than any other continent in the world, it is our capacity to adapt to new challenges. And I am sure we will adapt. I am sure we will be a success. I am sure we can tell our children in a couple of years' time, we leave this continent in better shape than we found it ten years ago.

Thank you very much.

(Applause)

2-097

Der Präsident. – Vielen Dank, Herr Timmermans! Vielen Dank auch, meine Damen und Herren, für die sehr präzise Einhaltung des Zeitmanagements.

Für die Mitglieder der Konferenz der Präsidenten, die jetzt die Auswertung dieser Anhörung vornimmt: Ich berufe die Konferenz der Präsidenten auf 18.00 Uhr ein.

2-098

(Die Sitzung wird um 17.15 Uhr geschlossen.)