

*The President
of the European Parliament*

11 -12- 1994

Dear colleague,

The Conference of Presidents has agreed the timetable for the vote of confidence on the new Commission and for hearings of the nominees from the Member States for the new Commission, and also guidelines for the conduct of the hearings. You will find attached the document I submitted to the meeting, which was agreed to by the Group Leaders.

The postponement of the vote of confidence from December to January was motivated by my determination that this decision, possibly the most important one which we will have to take in the next five years, should be taken by all of us, including our colleagues from the new Member States. During the last few weeks, I obtained the understanding and agreement to this change of the current Council Presidency, the next Presidency, the current Commission, and the future Commission President-designate, after, of course, that I had checked that such a proposal beyond the date envisaged in the Treaty, would not give rise to legal problems.

Postponement beyond January, however, would not be acceptable. It would block Community business and give a signal of indecision. By January 1st 1995, I hope all the Member States will have ratified the Accession Treaty; but we will stick to this new timetable, in any case.

During the course of my contacts in the last few months, I have advocated the new hearings system, in the face, if not, of hostility, at least of extreme reserve, in the other institutions. I believe we have now won widespread support for the hearings as an indispensable part of the information process leading up to the vote - the single vote - in Parliament on January 18th on the Commission as a whole and on the general political statement Mr SANTER will make on January 17th; a single vote laid down in the Treaty from which we should not deviate.

These hearings will, and must be, in public. They should be a real test for the nominees, establishing their political and professional qualifications for the very important jobs they will hold for the next five years.

They should also establish the independence of the candidates for office, in line with Art. 157(2) of the Treaty of the European Union.

Among the questions we ask, we should be paying particular attention to their views on the main challenges facing the Union over the next five years.

It is also quite legitimate for Parliament to be seeking the broad approach of nominees to the subjects for which they will be responsible over the next five years.

But we will all be mindful of the fact that the Commission is a college. Nominees will not be able to commit the new Commission to specific policies. We should not seek pledges from them which could undermine the collegiate nature of the Commission.

One final point; it is right that the nominee's general fitness for office should be tested. But committee chairs will bear in mind the need to avoid intrusive questions about the private and personal aspects of the persons being heard, beyond the necessary question of their independence, in line with the Treaty.

I am aware of some practical problems we face in the organising of the hearings. The dates agreed could pose difficulties for some members, but I know that you will wish to exercise your responsibilities to the full.

Certain committees inevitably will have a greater role than others in this process, but through the system of delegation which the Conference of Presidents agreed, everyone will be able to play a part.

These hearings will be public, as I have always insisted. They will attract very considerable interest. They will be a test for the nominees. They will also be a test for our Parliament as we try out our new responsibilities under Maastricht, and as we welcome in our ranks our new colleagues from the adhering countries, for the first time.

Our Committee Chairs will have an important role in the conduct of these hearings; and in demonstrating that Parliament is playing to the full its role in a responsible manner. Obviously, the way we organise this process now will set a standard for future procedures.

I know I can count on your cooperation to make this exercise a success for greater democracy and transparency in Europe.

Yours sincerely,

A handwritten signature in black ink, reading "Klaus Hänsch". The signature is written in a cursive, flowing style.

Klaus HÄNSCH

*The President
of the European Parliament*

Brussels, 10 November 1994

**Note for the Conference of Committee Chairmen and the Conference of Presidents
from the President of the European Parliament**

Subject: Investiture Vote of the new Commission; organisation of Parliamentary hearings for discussion at the Conference of Presidents, on Thursday, 17 November 1994.

1. The Conference of Presidents is invited to adopt a clear timetable leading to the vote of confidence in the new Commission.

In order to enable representatives from the new Member States to be able to play their full part in this most important decision, the vote should take place on Wednesday, 18 January 1995 during the Strasbourg part-session. The postponement of the vote to January has been discussed at two previous meetings of the Conference and appears now to have gained wide acceptance. The outgoing Commission and the incoming President, Mr SANTER, have been fully consulted and have come to understand Parliament's concerns fully.

The President-in-Office of Council formally informed Council at its meeting of 31 October 1994 and no objections were raised to the January timetable.

2. It should be understood however, that were, for one reason or another, enlargement not to take place for 1 January 1995, Parliament would still be obliged to hold its vote on 18 January 1995. Further delays would lead to serious disruption of Community business.

Once this date has been agreed, the timetable leading up to the vote should also be agreed. It is in the interests of all the institutions that there be a concentrated timetable.

The committee hearings, envisaged under our own Rules of Procedure, Rule 33 should take place from Wednesday, 4 January 1995 to Tuesday, 10 January 1995. A timetable of hearings should be established for the five working days concerned. The proposed schema for these hearings is annexed.

Each Commissioner should participate in one hearing only, even where his or her responsibilities do not neatly dovetail with committee attributions. The attached table suggests a way of overcoming this problem by indicating the committee mainly responsible for each Commissioner, but allowing that committee to invite delegations from other relevant committees to participate in the hearing in the main committee. These delegations could consist of the Bureaus of the committees plus relevant rapporteurs, and could be actively encouraged by the Committee Chairs to play a part in the hearings. In any case, it is worth bearing in mind that Rule 151(4) enables any member of Parliament to attend committee meetings, unless otherwise decided, so all MEP's will have the opportunity to attend hearings. The Conference of Committee Chairs could be invited to propose a precise timetable in such a way as to enable delegations from committees to attend the hearings in the main committee, without missing their own hearings.

After the hearings the political groups would hold their ordinary meetings on Wednesday, 11 January and Thursday, 12 January 1995.

3. In the subsequent session week, Mr SANTER could be invited to make his statement on the Commission's political programme on the morning of Tuesday, 17 January 1995, followed by a full debate in plenary. After the debate political groups could hold their meetings to determine their position, prior to the vote of confidence.

The vote would take place in the morning on Wednesday, 18 January 1995, preceded by a round of statements by Group Leaders on the outcome of their Group meetings.

4. Rule 33(5) stipulates that Parliament shall vote its approval of the Commission by a majority of the votes cast. The vote of confidence should therefore be a single vote on the Commission as a whole. However, Rule 33(4) would seem to indicate that groups may table resolutions containing a statement justifying the parliamentary vote of approval or rejection.

It will be necessary to avoid a confused signal from this debate. The only vote which counts would be the vote of approval or rejection of the Commission in its entirety.

After the vote, the President notifies the governments of the Member States of the result; the Commission may then take office.

5. As regards the form and contents of the hearings, useful work has been undertaken by the Committee on Institutional Affairs. Its draftsman, Mr HERMAN, drew up a set of recommendations (PE 210.035/rev.3) which form a satisfactory basis for a decision of the Conference of Presidents.
 - i) The hearings should be in public; a very considerable press interest in them should be encouraged. The committee could then meet in camera to hold an exchange of views on the responses given by the nominee to questions.

- ii) Following the meeting the Chair could send a letter to the President of Parliament, summarising the main points which emerged during the hearing. There should be neither a negative nor a positive vote on the nominee. It is vital to "respect the collegiate character" of the Commission, which would be undermined were there to be votes on individual nominees at either the committee or plenary stage. The letters could be distributed to Group Leaders.
- iii) The hearings should be of limited duration. It is suggested that they last for two hours at a maximum, with a brief ten minute introductory statement by the nominee, followed by a quick-fire question and immediate answer session.
- iv) As regards the content of the hearings, the Conference of Presidents could confirm that questions should be posed with a view to establishing the political and professional experience of the nominees. Questions relating to their background should help to illustrate the necessary independence (both from a financial and national point of view) of the nominees. It would be up to Committee Chairs to ensure that the natural concern to establish the probity of nominees should not lead to excessive and exaggerated enquiries, of the kind that has sometimes characterised confirmation hearings in the United States.
- v) Questions should also be encouraged on the commitment for and general approach on portfolios attributed to the nominees, following the agreement at Senningen. It will again be for the Committee Chairs to ensure that there is no attempt to extract from nominees specific policy commitments which would undermine the collegiate nature of the Commission.
- vi) Finally, questions could also elicit the nominees views on the major issues confronting the Union over the next five years (progress towards Economic and Monetary Union, two-speed Europe, democratization of the Union, subsidiarity, the future of foreign and security policy, enlargement to Eastern and Central Europe). It is perfectly legitimate for Parliament to seek the views of nominees on these issues and to form a judgement as to the cohesiveness of the new Commission.
- vii) It may also be helpful, for written questions to be submitted to nominees in advance, enabling them to focus their introductory statements. However, this should in no way prevent members from being able to pose questions spontaneously in the course of the discussion.

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It is not just the nominees for the Commission who will be judged by these hearings. Parliament itself will be examined very critically in the media and every effort must be made to make these hearings a serious information element in the process leading up to the first exercise by Parliament of this important new responsibility.

SCHEMA POUR AUDITIONS

COMMISSAIRE	RESPONSABILITES	Commissions responsables pour les auditions	Commissions dont une délégation pourrait être invitée
Manuel MARIN	EX: Méditerranée, Moyen-Orient, Amérique Latine, Asie	POLI	REX DEVE
Martin BANGEMANN	Affaires industrielles - Nouvelles technologies	ECON	ENER
Sir Leon BRITAN	EX: Amérique du Nord, Australie, Asie Politique commerciale commune Relations avec OCDE et OMC	REX	POLI
Karel VAN MIERT	Concurrence	ECON	JURI
Hans VAN DEN BROEK	REX: PECO, pays ex-URSS, Turquie, Chypre, Malte, autres pays européens PESC - Service extérieur	POLI	REX DEVE
João de Deus PINHEIRO	Relations extérieures: ACP, Afrique du Sud Convention Lomé	DEVE	POLI REX
Padraig FLYNN	Emploi et affaires sociales Relations avec CES	SOCI	FEMM ENVI
Marcelino OREJA	Relations PE Relations Etats membres Culture, audiovisuel - Office des Publications Questions institutionnelles et CIG 1996	INST	CULT
Edith CRESSON	Science, recherche, développement - CCR Ressources humaines, éducation, formation, jeunesse	ENER	SOCI CULT

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Ritt BJERREGAARD	Environnement Sécurité nucléaire	ENVI	ENER
Monika WULF-MATHIES	Politiques régionales - Comité des Régions Fonds de cohésion	REGI	SOCI TRANS ENVI, BUDG
Neil KINNOCK	Transports (+ réseaux transeuropéens)	TRANS	ECON
Mario MONTI	Marché intérieur Services financiers Douane et fiscalité directe et indirecte	ECON	JURI
Emma BONINO	Politique des consommateurs Office humanitaire de la CE (ECHO)	ENVI	DEVE POLI
Yves-Thibault DE SILGUY	Affaires économiques, financières, monétaires Crédits, investissements - Office Statistique	ECON	
Christos PAPOUTSIS	Energie, Agence d'approvisionnement EURATOM : PME - Tourisme	ENER	ECON TRANS
Thorvald STOLTENBERG	Pêche	PECHE	
Anita GRADIN	Immigration, affaires intérieures et judiciaires Ombudsman Contrôle financier - Lutte anti-fraude	LIBE	PETIT COCOBU
Franz FISCHLER	Agriculture et développement rural	AGRI	
Erkki LIIKANEN	Budget Personnel, administration, traduction, informatique	BUDG	COCOBU