

Committee Guide: AFCO has enormous responsibility in Brexit process

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Opinion

The constitutional affairs committee will have a crucial role to play in how Brexit unfolds and beyond, writes Danuta Hübner.



Danuta Hübner | *Photo credit: European Parliament audiovisual*

Parliament's constitutional affairs committee (AFCO) is responsible for the institutional aspects of the European integration processes. Shortly after the start of the current mandate, we therefore launched a reflection on the future institutional development of the Union.

This reflection resulted in two reports being adopted. One explored the unused potential of the current treaties, the other the potential evolutions of, and adjustments to, the current institutional set-up. This second report aims at identifying solutions that cannot be reached using the tools

currently available in the treaties and which can be achieved only through future treaty change.

We do not see a potential change of the treaties as an objective in itself, but as a tool to better deliver what people expect from the Union.

These reports represent the contribution of the European Parliament to the current debate on the future of the Union. This was enriched by the Commission's recent White Paper on the future of Europe and the declaration of Rome.

In preparing these two reports, AFCO led the debate for almost two years, exchanging views on the future of Europe with other institutions, members of national parliaments, representatives of national governments, representatives of the Committee of Regions and the Economic and Social Committee as well as experts and organisations in civil society.

We reflected in-depth on the constitutional evolution of the EU, on how to ensure the democratic accountability of the European decision-making process, on the institutional set up of the Union, interinstitutional relations and institutional aspects of economic governance, foreign and defence policy and justice and home affairs.

The Commission White Paper on the future of Europe and the 60th anniversary of the Rome treaties mark further steps in this process. National elections will certainly bring their influence to bear on these debates.

Problems are real, choices on how to address them are also real. I think people now realise this more than ever, and hopefully this should encourage citizens' engagement in the democratic process at national and EU levels.

At committee level, we recently adopted a report on eDemocracy that looked at the opportunities offered by information technologies to involve people more in the democratic process. Our committee will also soon kick off a legislative initiative report to improve the tool for improving the citizens' initiative for engaging citizens and stakeholders.

Another major achievement in the last two and half years was a thorough overhaul of Parliament's rules of procedure. We have made changes in the organisation of plenary sessions, updated Parliament's code of conduct for members, strengthened penalties against MEPs who use defamatory, racist or xenophobic language or behaviour, and enhanced the transparency of the legislative processes.

Our overall goal was the smoother conduct of parliamentary business and to make it more efficient. Moreover, we adopted the new interinstitutional agreement on better law making. This new agreement between the Parliament, Council and Commission aims both to improve the quality of new and updated EU legislation and to enhance public involvement in, and understanding of, how the EU makes its laws.

It provides for joint programming between the institutions, a new database, which makes it possible to follow all steps of the procedure of EU laws and offers more information for the press and public on negotiations among EU institutions.

The institutions also agreed to conduct more thorough and balanced impact assessments, which should include not only the economic, environmental and social impacts of planned legislation but also, where possible, competitiveness and administrative burdens, particularly focusing on small firms as well as digital and regional aspects.

We are committed to a more transparent decision-making process. Another step in this direction will be the negotiation of the mandatory transparency register that we will officially launch in the coming weeks.

Brexit will be the major challenge for the Parliament as a whole and for AFCO in particular, even beyond the end of the current legislature. The constitutional affairs committee has a determinant role to play in the process, as it is responsible for the institutional consequences of withdrawal from the EU.

AFCO is to provide a recommendation to plenary as to whether Parliament should provide consent to the withdrawal agreement that may result from the negotiations between the Union and the UK under article 50. This is an enormous responsibility.

The UK's withdrawal affects the lives of many EU citizens living in the UK and UK citizens living in other member states. At the same time, the decision also implies laying the foundations for the future relationship with the UK.

AFCO has been debating Brexit from the moment the referendum was announced. A special website was launched, where AFCO publishes the studies and contributions received, as well as links to key debates held in the committee. Currently, 14 debates, including hearings and workshops, have taken place, and the committee will proceed with further debates in the forthcoming meetings.

We also commissioned studies from our policy department to gather evidence on the options and approaches available both for the withdrawal agreement and for the future EU-UK relationship.

Finally, I have been holding regular exchanges of views with a wide variety of stakeholders, including: representatives of national parliaments' committees dealing with Brexit (France, Denmark, Ireland, Estonia); representatives of the United Kingdom's devolved and overseas territories (Scotland, Wales, Northern Ireland, Gibraltar) and various interests groups and civil society representatives.

All this is part of the broad effort of AFCO, and indeed of the whole Parliament under the aegis of the Conference of Presidents, to actively contribute to a successful outcome of the negotiations, in line with the treaties and in support of the interests of the Union.

Today, knowing that no member state on its own can tackle the challenges of the current globalised and complex world, we must prove on all levels (EU, national, regional, local) that we can deliver on the promises made to our citizens and we effectively address their concerns.

The workload of the Union and its institutions will not be less, but it may be different in nature.

As AFCO, we will continue to examine the capacity of the institutions to act and deliver. In addition, we may also need to start looking at the institutional capacities of EU member states to deliver on EU decisions, at best practices and at how we can cooperate for better results, in particular with national parliaments.

About the author

Danuta Hübner (EPP, PL) is Chair of Parliament's constitutional affairs committee

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