

QUESTIONNAIRE TO THE COMMISSIONER-DESIGNATE**Maroš ŠEFČOVIČ****Trade and Economic Security, Interinstitutional Relations and
Transparency****1. General competence, European commitment and personal independence**

What aspects of your personal qualifications and experience are particularly relevant for becoming Commissioner and promoting the European general interest, particularly in the area you would be responsible for? How will you contribute to implementing the political guidelines of the Commission? How will you implement gender mainstreaming and integrate a gender perspective into all policy areas of your portfolio? How will you implement youth mainstreaming?

What guarantees of independence are you able to give Parliament, and how would you make sure that any past, current or future activities you carry out could not cast doubt on the performance of your duties within the Commission?

2. Management of the portfolio and cooperation with the European Parliament

Can you commit to duly informing Parliament about your actions and those of your departments? In what respect do you consider yourself accountable to Parliament?

What specific commitments are you prepared to make in terms of your engagement with and presence in Parliament, both in committee and in plenary, transparency, cooperation and effective follow-up to Parliament's positions and requests for legislative initiatives? In relation to planned initiatives or ongoing procedures, are you ready to provide Parliament with timely information and documents on an equal footing with the Council?

Questions from the Committee on International Trade**3. The Union trade, investment and competitiveness strategy for the next five years**

A strong trade and investment agenda is indispensable for stimulating economic growth and sustainable development, creating jobs and increasing the attractiveness and competitiveness of our single market. Please elaborate on your trade and investment strategy:

➤ On the plurilateral and multilateral fronts, how will you build a coalition for the modernisation of the WTO, overcoming the challenges to its rule-making function and ensuring we have a fully functioning dispute settlement system? How do you plan for the Union to lead preparations for a successful 14th Ministerial Conference? Will you initiate and advance negotiations for multilateral and, if necessary, plurilateral agreements on gaps in the WTO rule book, including state intervention in support of industrial sectors, the establishment of a multilateral investment court and the implementation of agreements already reached?

➤ On the bilateral front, which bilateral trade negotiations will you prioritise and according to what timelines? How will you ensure a level playing field with non-EU countries and address China's unfair trading practices? How will you address trade irritants with the US, and safeguard and strengthen the Trade and Technology Council to promote transatlantic leadership in trade and key technologies?

➤ How will you ensure that the common commercial policy (CCP) effectively remains an area of exclusive competence for the Union? Will you decisively tackle any form of circumvention or unilateral practices by Member States and how will you do this? How will you ensure that the ratification of trade and investment agreements containing only provisions falling within the EU's exclusive competence is determined solely at EU level? Will you commit to ensure that no provisional application of trade and investment agreements, including trade chapters of broader agreements, is requested before Parliament has given its consent on those agreements?

Will you promote sectoral agreements as an option when comprehensive agreements are not feasible? How will you promote digital trade to the benefit of companies and consumers?

➤ How will you ensure that the CCP promotes fundamental values, international conventions, and global climate, environmental and labour standards and that it defends the interests of consumers and workers, including with regard to digital trade? How will you implement the new approach on trade and sustainable development in existing and future agreements, in particular with regard to the SDGs, the Paris Agreement, ILO Conventions and the Kunming-Montreal Global Biodiversity Framework?

4. Economic security

Economic security aims to minimise risks while preserving the highest possible level of economic openness and competitiveness and should never be used as an instrument to restrict trade unduly. In this regard:

➤ How will you ensure that economic security, trade and investment are all part of an integrated approach? What steps will you take in designing and implementing the economic security agenda? How do you see the role of trade within the concept of a ‘new foreign economic policy’ and how will you ensure that trade is used as a geostrategic tool?

➤ How do you intend to use the toolkit of trade defence measures adopted during the ninth and previous legislative terms as part of a new economic security doctrine? Do you see any gaps in the existing toolkit? What will be your next steps with regard to export control and outbound investments?

➤ How will you reinforce the partnering pillar of the economic security strategy? What will Clean Trade and Investment Partnerships consist of? How will you ensure consistency and synergies with the Global Gateway? Will Parliament be in a position to provide consent following the conclusion of such agreements? How will you promote access to critical raw materials from non-EU countries in a mutually beneficial way and how will you ensure more scrutiny for Parliament?

➤ How will you support and cooperate with other Commissioners on the economic recovery of Ukraine and other partner countries affected by Russia’s war of aggression, notably through an ambitious review of the EU-Ukraine DCFTA, macro-financial assistance, vigorous enforcement of the sanctions regime against Russia and the avoidance of any form of circumvention?

5. Implementation, enforcement and communication

A good policy that is poorly implemented, enforced and communicated can lead to pushback, both internally and externally, against the Union and its trade policy. To ensure the success of the CCP:

➤ How will you ensure that trade and economic security policies are front and centre in your role as Commissioner, also given your double portfolio? How will you break down the silos in which the CCP and other Union internal and external policies operate, as well as the silos of DG Trade and other parts of the Commission and the EEAS?

➤ How will you foster cooperation, ownership and uptake by companies and non-EU countries notably with respect to CBAM, EUDR, CSDDD, the Forced Labour Regulation, revised ETS as well as the regulation on packaging and packaging waste? How will you help ensure that all these new instruments are applied fully and consistently and that the trade aspects of our internal legislation are sufficiently taken into account when instruments are designed, implemented and revised? What measures will you take to render the Union’s customs system more efficient, thus contributing to the effective implementation of some of the Union’s recent trade-related instruments? How will you continue to ensure that any future Union measures are compatible with WTO rules?

➤ What concrete actions will you take to ensure that EU trade policy is better communicated and explained to stakeholders, the general public, Member States’ institutions and non-EU countries, including with the support of the Commission’s representations and EU delegations around the world?

➤ How will you strengthen the participation of SMEs in the global market? How do you plan to support companies, especially SMEs, in the implementation of newly adopted legislation with the objective of easing the regulatory burden, streamlining procedures and ensuring they reap the benefits of increased market access in trade agreements? Will you ensure that all major trade-related initiatives are accompanied by an impact assessment that also covers the external impact of potential Union measures?

➤ How do you intend to engage with and take into account the views of business representatives, trade unions and NGOs, including via Domestic Advisory Groups that have been set up to advise on the implementation of EU trade agreements?

6. Framework agreement and Treaty changes under Article 48

The Framework agreement on relations between the European Parliament and the European Commission has been in force for more than 13 years and there is a need for certain provisions to be added or adjusted in view of developments that have taken place after the last revision.

Could you indicate which concrete commitments you are ready to take to implement fully the principle of equal treatment and the Commission's role of honest broker in line with Article 13(2) TEU, notably concerning trilogues, urgent procedures, budget and access to information and expert meetings? How do you intend to strengthen the political responsibility and accountability of the Commission to the European Parliament, specifically the individual responsibility of each Commissioner?

Can you commit that the use of Article 122 TFEU and recourse to Parliament's urgent procedure will be limited to what is strictly necessary and be properly justified explaining the reasons for the choice of the legal basis, the main objectives and elements of the proposal as well as the potential budgetary implications so that Parliament can exercise proper scrutiny? What steps will be taken to improve access to information for the European Parliament regarding expert meetings and budgetary decisions?

Can you commit to ensure that the Parliament and its relevant committees are immediately and fully informed, on an equal footing with the Council, on all aspects of international agreements, at all stages, from the earliest preparatory steps to implementation, especially through full and early access to negotiating texts and documents and that Parliament's position is duly taken into consideration when drafting the negotiating mandates? Moreover, whenever the Commission negotiates a 'non-binding' agreement, including Memoranda of Understanding or "clubs" with third countries, can you commit to provide Parliament with full and immediate information and that Parliament's views on them are duly taken into account?

Moreover, with its resolutions of 9 June 2022 and of 22 November 2023, the European Parliament voted to invoke Article 48 submitting proposals for amendments to the Treaty. What is your position on the need to update the framework of the Lisbon Treaty? In light of the Commission President's expressed support for targeted Treaty amendments, to what extent are you prepared to commit your support and what would you practically do to enable treaty change? In light of the Commission President's expressed support for targeted Treaty amendments, to what extent are you prepared to commit your support, specifically also to qualified majority voting in Council, including but not limited to foreign policy? Which Treaty provisions do you consider as absolutely necessary to modify in the current EU configuration, and which ones should be modified in view of enlargement? How would you assure that EU accession is a horizontal issue taking on board the possible EU reform process, rather than an issue often seen through the foreign policy angle?

7. Improve follow-up to Parliament's initiatives

How would you ensure that Parliament's right of initiative under Article 225 TFEU is strengthened, providing detailed information and giving substantial follow-up, and not only complying with formal deadlines for replies? Could you indicate which other concrete commitments you are ready to take to strengthen Parliament's right of initiative - in general terms or in specific policy areas - in particular as regards proposals to amend or revoke existing law and a new interinstitutional agreement between the three institutions devoted to procedures relating to Parliament's own composition, the election of its Members and their Statute, as well as Parliament's right of inquiry to avoid files being institutionally blocked? In particular, what are you ready to do to favour the negotiations within the Council on Parliament's proposal for the reform of the European Electoral Law of May 2022? How do you plan to engage with Member States to facilitate this process?

As national parliaments have developed a practice of reviewing the proportionality of EU legislative initiatives, along the subsidiarity review currently allowed under Protocol II of the Lisbon Treaty, would you consider a reform of the current system needed so as to allow national parliaments a more effective way of engaging with the (EU) legislative procedure?

8. EP right of inquiry

What tools do you consider indispensable for a meaningful right of inquiry for the Parliament?

Should the Council refuse relaunching the stalled negotiations and since there is not a specific order in providing consent by Council or Commission, can you commit to initiate a bilateral legislative negotiation with Parliament on a new Regulation on its inquiry powers, in accordance with the obligation enshrined in Article 226 TFEU? In parallel, will you engage with Member States to encourage their support for advancing the right of inquiry?

Moreover, in case the Council continues to refuse to enter into legislative negotiations with Parliament and Commission on the Right of Inquiry, and if Parliament decides to apply Article 265 TFEU, would you propose to

the College of Commissioners to bring an action before the Court of Justice of the European Union because of the failure to act of Council?

Question from the Committee on Foreign Affairs

9. The Political Guidelines for the next European Commission 2024–2029 set out, inter alia, that the EU's new foreign and security policy must be designed with the current global reality in mind. Furthermore, your mission letter specifies that you will work on managing and deepening our partnerships around the world, particularly leading the work on relations with the UK, Switzerland and other partners in Western Europe. Without prejudice to the Commission's decision-making processes, what would be your concrete priorities and objectives/goals in the short, medium and long term for the duration of your mandate in regards to:

- strengthening relations with the United Kingdom on issues of shared interest, and mirroring the same level of commitments as those undertaken by President von der Leyen in Plenary on 27 April 2021 in relation to the parliamentary scrutiny of the implementation of the EU-UK Agreements? In particular, in regards to preparing for the review of the Trade and Cooperation Agreement and fully associating the Parliament to the process, and finalizing the agreement between EU and the UK in respect of Gibraltar?
- advancing in the negotiations with Switzerland to secure a modernised relationship based on a package agreement that creates stability, trust, and a level playing field?
- ensuring that Parliament is immediately and fully informed of the activities of different bodies under an Agreement or future Agreements with partners in Western Europe within your area of responsibility, including briefing and debriefing before and after their meetings as well as sharing all documents pertaining to these joint bodies at the same time as the Commission shares them with the Council; that Parliament is involved as appropriate and necessary when important decisions are taken under an Agreement (amendment, termination, etc.), including taking into account its possible comments or explaining the reasons for not doing so; and that the European Parliament is sufficiently informed in advance of the Commission's intentions to propose new decisions linked to the implementation of an Agreement?

Question from the Committee on Development

10. The trade and development nexus means inter alia that trade is one of the most important tools to help partner countries on their path to sustainable development. How will you ensure that the EU's trade with developing countries contributes to this goal, against the backdrop of a strengthened focus on the EU's own economic interests and economic security, so as to achieve a win-win situation for both sides? In that context, the Generalised Scheme of Preferences (GSP) Plus instrument is meant to give developing countries a special trade incentive to pursue sustainable development and good governance, but it seems that the number of countries making use of that possibility is so far rather limited. What, if any, are the plans to make this incentive work better? Similarly, Economic Partnership Agreements (EPAs) have enjoyed rather limited popularity among partner countries so far, for fear that they could put pressure on import-competing industries. EPAs are also criticised for being too narrow to foster sustainable development (not covering trade in services, investment, public procurement, competition, digital trade, or climate change). How do you plan to ensure that EPAs are more comprehensive and that they become more attractive for partner countries?

Question from the Committee on Internal Market and Consumer Protection

11. What would be your objectives to bring the Customs Union to the next level and ensure efficient and modern customs, in particular to tackle challenges as that of e-commerce platforms, as announced in the political guidelines of the President of the Commission and what further action would you envisage in this regard? Even though the customs reform would create a centralised Customs Data Hub with benefits for both customs authorities and businesses, how would the Commission aim to finalise the transition towards a fully digital customs environment and avoid further delays by Member States in the implementation of IT systems? In the meantime, do you intend to improve the cooperation between market surveillance authorities and to put forward targeted changes, such as additional financing to customs authorities, to address the challenges posed by e-commerce platforms established in third countries, including the circumvention of EU rules by parcelling of orders?

Question from the Committee on Legal Affairs

12. Third countries' accession to conventions and respect for Article 218(6) TFEU

Several international conventions to which the European Union is a party, in particular in the context of the Hague Conference, provide for the accession of third States by means of clauses establishing a 'silence/non-objection'

procedure at international level. In its Opinion 1/13 of 14 October 2014, the Court of Justice of the European Union held that the act of accession and the declaration of acceptance of such accession constitute an international agreement within the meaning of Article 218 TFEU. In its resolution of 15 June 2023 on supporting the accession of Ukraine to the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (2023/2689(RSP)), Parliament considered that the procedure set out in Article 218(6) TFEU should be followed in matters concerning the establishment of the EU position regarding the accession by third states to the Hague Conference Conventions. In this sense, for each accession of a third country to a Hague Convention falling under a non-objection mechanism, the Commission should submit a proposal for a decision to the Council, which would take such a decision with the assent of the Parliament. If the Council, with the assent of Parliament, decides to "object" to the establishment of relations under the Convention with a new Contracting State, the Commission would have to notify the Depository accordingly. Only such a procedure would allow the allocation of powers under the Treaties to be respected, in accordance with the case law of the Court of Justice on international agreements. However, the Commission has considered, notably in the debate on this issue in Plenary on 14 December 2023, that its obligations in this respect are merely information obligations: the Commission undertakes to inform Parliament and the Council and to take account of their views. The Commission would therefore, when deciding whether to propose an objection decision, inform Parliament of any intended accession of a third country to the relevant Hague convention, taking due account of the views expressed. If, following discussions in the Council and Parliament, it appears that there is no reason to object to the accession of the third State, the Commission does not formally take a position, as is the current practice. Given that this procedure is only triggered when the Commission decides to make a proposal and to raise an objection, the allocation of powers in the decision-making process as laid down in Article 218 TFEU is indeed distorted.

If your appointment as Commissioner were confirmed, how do you intend to ensure that the Commission, in case of the accession of third States to international agreements containing non-objection clauses, respects the procedure set out in Article 218(6) TFEU thereby ensuring that the correct decision-making procedure and the distribution of competences under the Treaties are observed?

Question from the Committee on Petitions

13. Transparency of the infringement procedures as well as communication to petitioners on the state of play of infringement procedures need to be improved for the benefit of the petition's process. In addition, infringement procedures remain open for years often without any progress. PETI Committee would appreciate more proactivity and automaticity in receiving summary information on the state of play of infringement procedures linked to petitions as part of the structured dialogue between PETI and the Commissioner responsible for petitions. With this in mind, what specific actions would you put in place to ensure improved handling, better coordination and regular and timely information on the state of play of infringement proceedings and EU Pilots linked to petitions; accelerate the resolution of related long-standing open infringements cases to ensure that citizens are not left waiting indefinitely for an outcome; implement a new inter-institutional IT tool between the Commission and the Parliament which would make easier the access for this latter to all relevant information linked to petitions and include these requirements for the Commission in the revision of the Framework Agreement?