

Comitology

Recommendations

REPAIRING THE COMITOLOGY SYSTEM

1

Transparency

Cécile Robert highlights that one of the big flaws of the comitology process is its dire lack of transparency, both for Members of the European Parliament and the public at large.

TRANSPARENCY TOWARDS THE EUROPEAN PARLIAMENT

- Failure to comply with deadlines for providing information to the European parliament should lead to a postponement of the comitology proceedings
- Minutes should be complete
- Members of the Commission must attend comitology working and monitoring groups within parliamentary committees to update MEPs on progress and respond to their questions
- None of the comitology working documents should be confidential for the MEPs, even for protecting commercial interests
- A more systematic involvement of the European Parliament should be put into place: the chairs of the relevant European Parliament committee(s) should be invited systematically to the comitology (standing and appeal) committees relating to their work, as well as to the expert group meetings.

TRANSPARENCY FOR THE WIDER PUBLIC

- Transparency is necessary for accountability, as well as to ensure the possibility for citizens to get involved in the issues which have an impact on them.
- All relevant documents should be easily accessible, on a user-friendly website, in a timely manner.
- Minutes should be complete, including a summary of the arguments presented by the different participants, as well as information about which interests they represent. This last point is all the more important when representatives of private interests are invited.
- The detailed results of the votes by each Member State should be public in all comitology committees.
- Civil society should have an easier and systematic access to the committees and expert groups. Their expertise or point of view is as important as the industry representatives' who are regularly invited.

2

Approval of products and substances for the European market

Cécile Robert's report makes clear that many issues dealt with through comitology are actually political ones, in the sense that they reflect political choices (for example: about the food or farming system we want, the risks we are willing to take, the balance between economic or other interests).

For some of the more obviously political issues currently treated through comitology, the system has reached a deadlock - this is the case for example when it comes to GMO authorisations, but it was also evident for the glyphosate re-authorisation process.

In these cases, because the Member States cannot reach an agreement, the Commission decides alone, but this is not acceptable, especially when the European Parliament expresses strong concerns on the issue.

- It should not be possible for the European Commission to allow any product/substance on the market without a qualified majority of the member states proactively backing such an authorisation.
- Technical assessments should not only deal with health and the environment. Societal, social, economic and ethical issues should also have their place in the debate.

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REBALANCING THE POWERS

The comitology process is treating political issues as technical issues, robbing the European Parliament, and sometimes EU governments, from the influence they should have on decisions. Here are a few proposals to rebalance the powers.

WHEN THE COMITOLOGY PROCESS IS FAILING:

- In cases where the comitology process is failing because EU governments cannot reach an agreement, (like for GMOs or certain pesticides), especially if this is a repeated occurrence, it should be recognised that these issues are clearly of a political nature. In these cases, the issue should ultimately go back to the co-legislators, who should work once more on the original legislation to better define the political direction to be taken.

FAVOUR CONTENT IN THE BASIC ACTS

- Ultimately, the habit of postponing difficult or expert debates on regulations or displacing them to further delegated or implementing acts should stop.
- The original legislation - or basic act - should include the most content and detail possible, which should be drafted as a result of a thorough, balanced, inter-institutional debate.
- Adopting and systematically implementing the criteria proposed by the European parliament which aimed to define which issues should be dealt with via comitology, found in its own initiative report of 2013, could be a first step.

The issue should ultimately go back to the co-legislators, who should work once more on the original legislation to better define the political direction to be taken.

