

**Reply of the European Commission
to the Contribution of the LXXI Conference of Parliamentary Committees for Union
Affairs of Parliaments of the European Union (COSAC) plenary meeting,
held in Brussels from 24 to 26 March 2024**

1. The 2019-2024 legislature

When the current Commission took office in 2019, the promise made to Europeans was that the EU would lead the transition to a healthy planet and a new digital world while bringing people together and promoting its unique social market economy and values.

To deliver on this promise, the Commission framed and steered the work alongside six headline ambitions: the European Green Deal, a Europe fit for the digital age, an economy that works for people, promoting our European way of life, a stronger Europe in the world and a new push for European democracy. The headline ambitions have been inspired and informed by the 2019-2024 strategic agenda.

Two historical events which occurred after the start of the term of office, namely the COVID-19 pandemic and Russia's brutal and illegal war of aggression against Ukraine, have profoundly shaken deeply anchored certainties, including on the role of the EU, on economic and solidarity models, and on the rules-based multilateral international order.

The Commission has decisively adapted and responded to these dramatic circumstances, and managed to achieve already close to a full delivery of the initial set of ambitions. Not only has the Commission continued to deliver on the green and digital transitions, but it has also accelerated and further integrated them at the centre of EU policies.

The Commission has not only adopted a vast majority of proposals stemming from the initial priorities and new pressing challenges, but it has also actively fostered agreements by the co-legislators in a large array of initiatives that it has already tabled. This is valid both for emergency response measures, such as NextGenerationEU and the Recovery and Resilience Facility, and for landmark strategic initiatives, such as the Climate Law and the Fit for 55 package; the Digital Services, Digital Markets and AI Acts; and the New Pact on Migration and Asylum.

2. The 2024-2029 strategic agenda

The Commission is actively contributing to the ongoing work to define key priorities for the next term of office.

The Commission presented its initial input to the reflection on future priorities ahead of the Granada meeting of the Leaders in October 2023 (where the discussion on the 2024-2029 strategic agenda kicked off). This included the Communication 'Towards a more resilient, competitive and sustainable Europe' of September 2023 and the 2023 strategic foresight report 'Sustainability and people's wellbeing at the heart of Europe's open strategic autonomy', which was complemented by the 'Resilient EU2030' report, prepared by the Spanish Presidency as part of the EU-wide cooperation on foresight.

Before that, the Commission had already done some relevant forward-looking groundwork. It had for example published its Communication on long-term competitiveness (March 2023) and the European economic security strategy (June 2023). Further recent contributions from the Commission so far include the outcomes of the Val Duchesse Summit organised with the Belgian Presidency in January 2024 on the challenges facing the EU labour markets, workers

and businesses, and the Annual Single Market and Competitiveness Report published in February 2024.

On the green transition, the Commission agrees with COSAC that meeting the EU ambitious climate goals requires further sustained efforts, and that the focus needs to be on helping businesses, workers and individuals to adjust, so that nobody is left behind. This also entails the need to accompany the clean transition with a collaborative approach and intensive dialogue with Member States, regional and local authorities as well as industry and stakeholders. The Commission has just concluded the clean transition dialogues with industry with a stock-taking communication on 10 April 2024 and it has also launched the strategic dialogue on the future of EU agriculture that will deliver concrete recommendations by summer 2024.

As regards security and defence, the Commission agrees on the need to boost the EU's defence readiness. The Commission's first-ever European Defence Industrial Strategy (March 2024) sets a clear, long-term vision to achieve this. It goes together with a legislative proposal for a European Defence Industry Programme as a first immediate and central means to deliver the Strategy. In this context, the Commission is also looking forward to the forthcoming Niinistö report on how to enhance Europe's civilian and defence preparedness and readiness.

Concerning enlargement, the Commission agrees with COSAC on the need for a well-managed, merit-based enlargement. The Commission believes that – despite the inevitable challenges – enlargement is clearly in the EU's own strategic interest, and that a well-managed enlargement process will lead to benefits and more effective policies in many areas, including security, migration and border management. The Commission's Communication on pre-enlargement reforms and policy reviews (March 2024) charts the way for that, as well as outlines the implications for a larger EU in terms of values, policies, budget and governance.

Regarding COSAC's encouragement for the EU institutions to continue listening to its citizens, the Commission wants to underline that the Commission Work Programmes for 2023 and 2024 were mainly inspired by the recommendations of the Conference on the Future of Europe. The involvement of citizens and the consideration of their feedback is a key part of EU policy-making and has been considerably strengthened by means of the European Citizen Panels and the revamped Have Your Say online portal.

3. Open strategic autonomy: competitiveness and resilience

The Commission welcomes the support of COSAC in highlighting the importance of reinforcing the EU's open strategic autonomy to sustain the EU's long-term competitiveness. Indeed, although it has and will continue to gain resilience from being open and integrated into global value chains, there is an urgency for the EU to address its asymmetric economic dependencies, which have recently been weaponised to our disadvantage by ill-intentioned actors for geopolitical purposes.

In addition, the Commission welcomes COSAC's support to reinforce the EU's economic and industrial base. The EU is promoting its industrial and technological base in strategic areas, with the Critical Raw Materials Act and the Net-Zero Industry Act. These aim to address the challenges and will shape the EU's competitiveness – namely by addressing slow permitting procedures, financing, and skills necessary for the green and digital transition. The EU also presented the Strategic Technologies for Europe Platform (STEP) to boost, leverage and steer EU funds towards more investments in critical technologies.

Furthermore, when trade is not fair and the EU's single market is being distorted by foreign subsidies, the Commission will continue to protect itself and the single market to safeguard the global level-playing field. When necessary, it will respond rapidly and robustly to deal with

unfair practices, foreign subsidies distortion or economic coercion. For example, this is notably reflected in the Commission's recent in-depth investigation under the Foreign Subsidies Regulation in the context of a public procurement procedure launched in Romania in the field of solar, and in the launch of new inquiries on wind turbine operations in Spain, Greece, France, Romania and Bulgaria. As part of the European Economic Security Strategy, the Commission has also announced a comprehensive package of five initiatives to address certain gaps in our trade defensive toolbox, including a new legislative proposal to address shortcomings in our current screening of foreign direct investment.

The Commission acknowledges the support of COSAC on the need to strengthen cooperation with international partners in an increasingly competitive world. Indeed, the EU is partnering with international countries, including at the G7 level, to coordinate our policies on strengthening supply chains. The EU is diversifying and de-risking its sources of supply also by finalising free-trade agreements and negotiating mutually beneficial strategic partnerships, such as on critical raw materials.

4. Ukraine

The Commission appreciates COSAC's reiteration of its strong and unequivocal condemnation of the unprovoked, unjustified and illegal full-scale invasion of Ukraine by Russia, which constitutes a blatant violation of the UN Charter and international law, as well as COSAC's call for an unconditional and immediate cease of Russia's illegal military actions and the withdrawal of all its force and military equipment from the entire territory of Ukraine within its internationally recognised borders.

The EU has confirmed its unwavering commitment to continue to provide strong political, financial, economic, humanitarian, military and diplomatic support to Ukraine and its people for as long as it takes. In response to Russia's war of aggression, the overall assistance made available to Ukraine and its people by the EU, its Member States and the European financial institutions to date amounts to around EUR 100 billion. It includes economic, military, financial, humanitarian aid, and aid in other sectors. Over the next four years, the Ukraine Facility will provide EUR 50 billion to support Ukraine's recovery, reconstruction and modernisation. The facility will cater both for short-term state and recovery needs and medium-term reconstruction and modernisation of Ukraine linked closely with EU accession.

As a result of the implementation of EU restrictive measures, unexpected and extraordinary revenues generated from immobilized Russian assets are accruing to central securities depositories in the EU. On 21 May, the Council adopted a set of legal acts ensuring that the net profits stemming from these unexpected and extraordinary revenues will be used for further military support to Ukraine, as well as its defence industry capacities and reconstruction.

The EU and its Member States made it also clear that they would continue to address Ukraine's pressing military and defence needs, notably through the European Peace Facility and the EU Military Assistance Mission, as well as through direct bilateral assistance by the Member States. Also, the new European Defence Industrial Strategy offers a platform for Ukraine's participation in EU initiatives. The EU has collectively delivered around EUR 35 billion of military support so far, comprising lethal and non-lethal military equipment and training, and focusing on increased joint procurement from the EU defence industry, which has already increased its production capacity by more than 40% – and this is still growing. But more is needed, and work continues with the Member States to get ammunition to Ukraine – be it from the national stocks or be it by diverting other orders or making new orders. By the end of 2024, Member States will have delivered more than 1 million shells to Ukraine, according to current estimates. More will be coming in 2025-2026.

The Commission appreciates COSAC's acknowledgment towards the 13 packages of sanctions adopted so far by the EU as a response to Russia's war of aggression against Ukraine. Preparations for a next package of sanctions are ongoing. The EU will continue coordinating its efforts with its partners and it is continuously stepping up its efforts in implementing and enforcing sanctions.

The EU has firmly reiterated its condemnation of the illegal holding of the so-called 'elections' by Russia in the territories of Ukraine that Russia has temporarily occupied. It expressed that it does not and will never recognise either the holding of these so-called 'elections' in the territories of Ukraine or their results and reiterated the unequivocal condemnation and firm rejection of the illegal annexation by Russia of Ukraine's Donetsk, Luhansk, Zaporizhzhia and Kherson regions. As in the case of Crimea and Sevastopol, the EU announced it will never recognise this illegal annexation.

Furthermore, the EU underlined its determination to ensure that Russia and its leadership are held fully accountable for war crimes and crimes against humanity that have been committed in Ukraine, as well as for the massive damage caused by this war. In this context, the Commission sees the decision by the International Criminal Court to issue an arrest warrant against the President of the Russian Federation, Vladimir Putin, as a beginning of the process of accountability and holding Russian leaders accountable for the crimes and atrocities they are ordering, enabling or committing in Ukraine. The EU is encouraging further efforts, including in the Core Group, to establish a tribunal for the prosecution of the crime of aggression against Ukraine that would enjoy the broadest cross-regional support and legitimacy, and a future compensation mechanism. The EU has already made an important step with the setting up of the International Centre for the Prosecution of the Crime of Aggression against Ukraine, launched officially in July 2023 at Eurojust in The Hague, within the existing Joint Investigation Team on Ukraine. The EU has reiterated its support for the Council of Europe's 'Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine' as a first tangible step in this direction, as well as for the work of the International Criminal Court.

The EU has condemned Russia's attacks against Ukraine's civil and critical infrastructure and underlines the importance of security and stability in the Black Sea. It is vital that Ukraine's grain exports are sustainable and keep reaching global markets. Therefore, the EU continues strengthening the Solidarity Lanes, both in preparation for increased bilateral trade along the accession path, and as a back-up given persistent threats from Russia. The Solidarity Lanes enabled the export of over 68 million tons of Ukrainian grain and foodstuff so far.

The EU's position has always been that Russia must stop its military aggression and immediately and unconditionally withdraw all its troops and military equipment from the entire territory of Ukraine within internationally recognised borders. It also supports Ukraine's vision for peace, the Peace Formula, as the only basis to achieve a comprehensive, just and sustainable peace, guided by the principles of the UN Charter and international law.

Looking forward, the enlargement process with Ukraine is progressing well. On 12 March the Commission submitted to the Council the draft negotiating framework which was adopted by the Council on 14 June. The first Inter-Governmental Conference is taking place on 25 June. The Commission will continue to support Ukraine on its EU accession path. The future of the country is in the EU.

5. The Middle East

On 17-18 April 2024, the European Council called for an immediate ceasefire, the unconditional release of all hostages and provision of humanitarian assistance. The EU is

deeply concerned about the catastrophic humanitarian situation in Gaza and its disproportionate effect on civilians, particularly children, as well as the imminent risk of famine caused by the insufficient entry of aid into Gaza.

The Commission has allocated over EUR 290 million in humanitarian aid for Palestinians since the beginning of the crisis. The EU also launched a Humanitarian Air Bridge operation in aid to the people affected by the crisis. As of 21 May, the Humanitarian Air Bridge amounted to 51 flights to Al-Arish (Egypt). Over 2 233 tonnes of cargo supplies have been transported so far including medicines, medical supplies, shelter, water, sanitation and hygiene supplies and educational items. Furthermore, the Union Civil Protection Mechanism has been activated 11 times, including for humanitarian supplies for Gaza, support to countries affected by the spill-over of the crisis, facilitating repatriations from Israel and Gaza, etc.

Full, rapid, safe and unhindered humanitarian access into and throughout the Gaza Strip via all routes, and in particular via land routes, is essential to provide civilians with life-saving assistance and basic services at scale.

The EU, with its Member States, remains the largest international donor of aid to the Palestinians. An assistance package of EUR 118.4 million was adopted in December 2023 to support the Palestinian Authority. For 2024, a wider mid-term package is being prepared to contribute to the economic and political stability of Gaza and the West Bank.

The EU remains firmly committed to a lasting and sustainable peace based on the two-state solution.

6. Gender policy and the representation of women and men in parliament

The Commission disseminates the latest data and analysis of trends on the representation of women and men in decision-making processes within the EU in collaboration with the European Institute for Gender Equality, notably through the annually updated Gender Equality Index report.

The report gathers quantitative data on women's representation across the EU, maps trends and the effectiveness of different tools (such as quotas and zipped lists)¹. Data concerning women's representation in regional, national and European political decision-making bodies is published in the Gender Statistics Database².

The European Equality Law Network carried out a study in 2023 on the promotion of gender-balanced political decision-making. It mapped the current legal and policy frameworks on the promotion of gender balance in decision-making in political life and identified a number of obstacles to women's participation in politics, referred to as the 'five Cs': care, cash, confidence, culture and candidate selection³. In 2024, the Commission's Joint Research Centre also published a research study on the barriers to retention for women in political decision-making, with a focus on the impact of gender-based violence⁴.

¹ <https://eige.europa.eu/publications-resources/publications/gender-equality-index-2023-towards-green-transition-transport-and-energy>

² <https://eige.europa.eu/gender-statistics/dgs/browse/wmidm>

³ <https://www.equalitylaw.eu/downloads/5824-promotion-of-gender-balance-in-political-decision-making>

⁴ <https://publications.jrc.ec.europa.eu/repository/handle/JRC136860>

The overall proportion of women members in unicameral parliaments or lower houses of parliaments currently stands at 33%. Only six Member States achieved a gender balance above 40% among their members of Parliament.

The Commission therefore supports COSAC's suggestion on concrete measures to ensure equitable access to political office by promoting gender parity in electoral lists, candidacies and appointments to political positions.

As regards the COSAC's statement related to expanding the scope of the Rule of Law Report to gender equality, the Commission would like to note that the Rule of Law Report represents one element of a broader endeavour at EU level to strengthen the founding EU values, including democracy, equality, and respect for human rights⁵. The Commission would like to clarify that the Rule of Law Report covers four pillars, namely justice systems, anti-corruption, media freedom and checks and balances. The fourth pillar on checks and balances includes the situation of national equality bodies and human rights institutions, as well as the situation of the civic space, which can cover also gender equality aspects. The scope of the Rule of Law Report is not extended to other equality issues. Furthermore, under the 'Union of Equality' strategies and action plans, the Commission issues regular reports and monitors Member States' actions in a number of relevant areas (gender equality, the fight against racism, Roma equality, LGBTIQ, disability). This includes an annual report on gender equality.

7. The future of democracy and the rule of law in Europe

• The future of democracy in Europe

In recent years, a wide range of new initiatives and measures on democracy have been proposed or agreed on. Finalising negotiations and supporting the implementation of new rules and policies will be crucial.

The European Democracy Action Plan of 2021 and the Defence of Democracy package of December 2023 have put forward a comprehensive policy framework addressing issues such as disinformation, media freedom and pluralism, political advertising, foreign interests' representation, the protection of electoral processes, or reinforcing the protection of the democratic space and its resilience.

To strengthen media freedom and media pluralism, the Commission adopted a series of initiatives: the European Media Freedom Act, which entered into force on 7 May 2024, a Recommendation on Safety of Journalists, and a package of measures to curb the abusive use of strategic lawsuits against public participation ('SLAPPs') comprising a Directive, which entered into force on 6 May 2024, and a Recommendation which started to apply straightaway after its adoption in April 2022.

The Commission welcomes COSAC acknowledgement of the expected positive effect of the recently adopted regulation on the transparency of political advertising, which stipulates that from autumn 2025 political advertisements will need to be clearly labelled as such and will be required to indicate who paid for them, how much, to which elections, referendum or regulatory process they are linked and whether they have been targeted.

⁵ Other initiatives in the areas of fundamental rights include the Strategy to strengthen the application of the Charter of Fundamental Rights in the EU with its thematic annual reports, and targeted strategies to address the needs and challenges of specific groups of rights holders.

The Commission also tabled a proposal to improve and modernise the framework related to the voting rights of mobile EU citizens.

A key element of the Defence of Democracy package is the proposal for a Directive on transparency of interest representation on behalf of third countries. It introduces common transparency and accountability standards in the internal market for interest representation activities of an economic nature seeking to influence the decision-making process in the EU and carried out on behalf of third countries.

Moreover, the Defence of Democracy package includes a Commission Recommendation on promoting the effective participation of citizens and civil society in public policy-making processes. This initiative is aligned with COSAC's conviction that participatory instruments and citizen involvement are essential for the future of our democracy.

The Commission agrees with COSAC that national Parliaments have a crucial role in strengthening democratic values. The Commission encourages national Parliaments' earlier involvement in the political process, already in the phase when new legislation at EU level is being considered and prepared. It stands ready to strengthen the dialogue with the national Parliaments through the established channels of communication and cooperation to facilitate their input to and feedback on the Commission's political and legislative initiatives.

- **Future of Rule of Law in Europe**

The Rule of Law is one of the EU's founding values set out in Article 2 of the Treaty on European Union and guarantees the protection of all other fundamental values, including democracy and fundamental rights. It also ensures the functioning of the EU as a community of law, and is the pre-condition for mutual trust, which is the foundation of cross-border cooperation in the EU, for example in civil and criminal justice. Respect for the rule of law is also a key determinant of a favourable business environment that fosters investments and innovation.

Over the past years, the EU has faced several crises that underlined the importance of protecting the rule of law and of having a well-functioning system of institutional checks and balances, particularly an independent justice system. In response, the Commission has consolidated and expanded its 'rule of law toolbox', with which it judges all Member States in the same way and responds to violations. The combination of dialogue and decisive action, when necessary, has proven effective and has led to concrete reforms at the national level, improving the independence and resilience of national institutions. Hence, the Commission is committed to making use of all tools at its disposal to promote and uphold the rule of law.

One of these instruments is the annual Rule of Law Report, which is at the centre of an annual cycle aimed at preventing problems before they emerge or deepen. Since 2022, the report also includes recommendations to Member States, which aim to assist and support their efforts to take forward reforms and to identify where improvements or follow-up to recent changes or reforms may be needed. As announced by President von der Leyen in the State of the Union address in September 2023, the Commission will also include in this report the most advanced enlargement countries as of 2024.

The debate with the European Parliament and with national Parliaments is also of crucial importance to the Commission. The Commission welcomes the call by COSAC that national Parliaments annually debate the Rule of Law Report. Since the adoption of the 2023 report, Commissioner Reynders and Vice-President Jourovà have had the opportunity to present the country chapters to several national Parliaments and to exchange more generally on the

situation of the rule of law in Europe. National Parliaments play a fundamental role in promoting and protecting the rule of law.

Democratic dialogue and national Parliaments' competence in the legislative process are essential for the system of checks and balances. The legislative process is one of the aspects to which the Commission pays particular attention in the Rule of Law Report. It is regularly covered in the country chapters and has been the subject of recommendations for several Member States. The targeted rule of law initiatives and actions that can be seen at the level of some national Parliaments also illustrate their contribution in promoting a culture of the rule of law.

The Commission is also considering further action as regards the suggestion to organise an annual rule of law conference to involve citizens besides stakeholders, as noted in the Commission's Communication responding to the proposals of the Conference on the Future of Europe.

8. Access to information on the Council's decision-making process

The Commission notes the points addressed to the Council regarding the transparency of its proceedings both in general and towards national Parliaments in particular. It is naturally for the Council rather than the Commission to comment on the detail of these matters. The Commission takes this opportunity to recall its own commitment to the transparency of the legislative process. To this end, it has worked with the European Parliament and the Council on a new joint legislative portal, to be known as the EU Law Tracker, which will gather in one place the information and documents which the institutions have so far published individually, with a clear timeline format for all files under the ordinary legislative procedure. The Commission also recalls its openness, should the European Parliament and the Council wish to do so, to the publication of more information relating to trilogues, such as indicative schedules or outline agendas.
