



# HOUSE OF LORDS

European Union Committee

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President Juncker  
European Commission  
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11 February 2015

*Dear President Juncker,*

## Commission Work Programme 2015

I am writing in response to the Commission Work Programme for 2015, published in December 2014, and to the letter from First Vice-President Timmermans which accompanied it. We warmly welcome the overall approach adopted in the work programme, and thank you for it. In particular we welcome the Commission's focus on growth, which is apparent in the substantial reduction in the number of new proposals, and the equally substantial increase in the number of proposals to withdraw dossiers or subject them to the REFIT programme, thereby simplifying and reducing the burden of compliance.

We have considered the Work Programme in detail over the past month, and in line with the political dialogue, seek your response to the questions and observations in the annex, attached to this letter. We have consulted the devolved administrations in the United Kingdom, and our questions also reflect some of their concerns.

We have asked for a lot of information from you, but I hope this is indicative of our willingness to work closely with you in the preparation and agreement of proposals for EU-level action.

Looking ahead, I hope that the Commission Work Programme for 2016 will be published in enough time for national parliaments to consider the proposals contained within it in more depth; I also trust that it will include an outline of the Commission's planned work in future years, which will be enormously helpful to national parliaments in engaging earlier in the process of policy formation and legislation.

I look forward to your response.

I copy this letter to First Vice-President Frans Timmermans; Danuta Hübner, chair of AFCE in the European Parliament; the chairpersons of all European Affairs Committees of national parliaments in the EU; Jacqueline Minor, head of representation for the Commission in the UK; the Rt Hon David Lidington MP, Minister for Europe; and the chairs of the relevant committees in the Scottish Parliament and the Welsh and Northern Irish Assemblies

*Your sincerely  
The Boswell*

Lord Boswell of Aynho  
Chairman of the European Union Select Committee

## Annex A – Commission Work Programme 2015 questions and observations

Annex I – New Initiatives		
No.	Initiative	Questions and observations
<i>A New Boost for Jobs, Growth and Investment</i>		
1	The Investment Plan for Europe	We believe that the European Fund for Strategic Investments will have to be carefully implemented in order to mitigate its possible effect on the EU budget. What steps will be taken to ensure that this risk is avoided?
2	Promoting integration and employability in the labour market	During our follow-up work to our report <i>Youth unemployment in the EU: a scarred generation?</i> , published in April 2014, we have been disappointed to learn of the slow disbursement so far of the Youth Employment Initiative funds. We sincerely hope that the actions foreseen under the heading, 'promoting integration and employability in the labour market', will address this problem.
<i>A Connected Digital Single Market</i>		
4	Digital Single Market (DSM) Package	The Digital Single Market (DSM) Package will be of significant interest to us, and all Member States. We welcome the proposals, and, in relation to the modernisation of copyright, ask that you share the results of the July 2014 review on copyright rules with national parliaments.
<i>A Resilient Energy Union with a Forward-Looking Climate Change Policy</i>		
5	Strategic Framework for the Energy Union	In relation to the proposals under the Energy Union, we note that the focus is likely to be on implementing current initiatives more effectively. As appropriate governance will be key, have you assessed what level of oversight national energy policies will be subject to? An important aspect of any successful Energy Union is the development of infrastructure, for which it is clear that huge investment is required, as we found in our 2013 Report on EU energy policy. We therefore trust that the forthcoming Energy Union Strategy will recognise the links with the Investment Plan for Europe.
<i>A Deeper and Fairer Internal Market with a Strengthened Industrial Base</i>		
8	Labour Mobility Package	While we support the aims of the Work Programme's 'labour mobility package', we would like to know how far, in developing this package, you have taken into account the fact that many Member States are increasingly hostile to the idea of more migrant EU workers within their borders?

9	Capital Markets Union	On 2 February, we published a report, entitled <i>The post-crisis EU financial regulatory framework: do the pieces fit?</i> This is a considered and in-depth review of the impact of the financial crisis on the EU institutions. We note in this report that the Capital Markets Union provides an ideal opportunity to review the Prospectus Directive, and we hope to make a contribution to the REFIT programme in relation to this Directive. We will also be publishing a short report focusing on the Capital Markets Union in March, following a useful meeting with Lord Hill of Oareford on 3 February.
10	Framework for resolution of financial institutions other than banks	The Work Programme refers to a framework for resolution of non-financial institutions. This has previously been flagged as an area of systemic financial risk, and the UK has already put in place a domestic framework. We are concerned that this could be an area of tension should an overly burdensome regulatory proposal be put forward. Have you considered the UK's domestic framework and those of other Member States, and how you will introduce a framework which complements the various frameworks already in place in Member States?
11	Aviation Package	The issue of Gibraltar has been prominent in discussions on EU aviation in recent months, for example, Single European Sky II Plus. Our view is that Gibraltar must be included within the scope of EU aviation legislation. What are the Commission's plans vis-à-vis Gibraltar in the forthcoming aviation package?
<i>A Deeper and Fairer Economic and Monetary Union</i>		
14	Action Plan on efforts to combat tax evasion and tax fraud, including a Communication on a renewed approach for corporate taxation in the Single Market in the light of global developments	Our recommendations on the Financial Transaction Tax are set out clearly in our report, entitled <i>Financial Transaction Tax: Alive and Deadly</i> , published on 3 December 2013. We are particularly concerned that the FTT, as currently designed, could be damaging not only for participating Member States but for non-participants such as the UK.
<i>Trade: A Reasonable and Balanced Free Trade Agreement with the U.S.</i>		
15	Trade and Investment Strategy for Jobs and Growth	The Transatlantic Trade and Investment Partnership is hugely significant, and we have maintained our interest in its successful completion since the publication of our report on TTIP in May 2014. We urge you to reflect on our recommendations in relation to the Investor State Dispute Settlement, and on communicating the benefits of TTIP more effectively, as you continue the negotiations on TTIP.

<i>An Area of Justice and Fundamental Rights Based on Mutual Trust</i>		
16	Proposals to complete EU accession to the ECHR	We appreciate the frustration that must be felt following the European Court of Justice's opinion on the EU's accession to the ECHR. We ask for your assessment of this opinion, particularly with regard to the timescale for completing accession to the ECHR and your plans for remedying the agreement to the satisfaction of the Court.
17	European Agenda on Security	On the European Agenda for Security, we draw your attention to our report, published in 2011, on The EU Internal Security Strategy. The Strategy has five objectives: the disruption of international crime networks, the prevention of terrorism, security in cyberspace, improved border management, and increased resilience to crises and disasters. We believe these objectives are sensible, practical and achievable, and in our report we stated that "all future proposals in this area should be developed on a sound evidential base, with priority given to tackling identifiable threats, and with full impact assessments and cost-benefit analyses." We reaffirm this belief, and seek an assurance that these recommendations will be taken into account.
<i>Towards a New Policy on Migration</i>		
18	European Agenda on Migration	In relation to the European Agenda on Migration, in December 2012 we published a report on <i>The EU's Global Approach to Migration and Mobility</i> . This report stated that the current approach in the GAMM "is too diffuse", and that in reforming it the EU should adopt "a more focused approach, concentrating on the EU's geographical and strategic priorities", as well as focusing on "a smaller number of key objectives and instruments, which have a sound evidence base." Again, we reiterate these conclusions, and invite you to take them into consideration as the Agenda is progressed.
<i>A Stronger Global Actor</i>		
20	Communication on the post 2015 Sustainable Development Goals	We welcome the move towards a Communication on a common approach to financing the post-2015 Sustainable Development Goals, and support the Council conclusions in June 2013, that "the mobilisation of all resources, public and private, domestic and international and their effective and innovative use will be vital for the successful development and implementation of the framework. The new framework should reflect the existing commitments to improve aid and development effectiveness agreed at the High Level Forums in Rome, Paris, Accra and Busan.

A Union of Democratic Change		
21	Proposal for an inter-institutional agreement on better law-making	We welcome the desire to improve the inter-institutional agreement for better law-making. What will the IIA seek to cover? Will the new IIA reflect the approach to policy formulation and changes to the use of impact assessments that are currently underway elsewhere in the Commission?
23	Review of the GMO decision-making process	With regard to the inclusion of a review of the GMO decision-making procedure as one of the 23 new initiatives, and given that agreement on changing the procedure for GMO decision-making has only just been agreed, following four years of challenging negotiations, we urge you to let the new arrangements settle in before undertaking a review.

**Annex II: List of withdrawals or modifications of pending proposals**

No.	COM reference	Title	Comment
<i>Environment, Maritime Affairs &amp; Fisheries</i>			
37	COM/2013/0920	Proposal for a Directive ... on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC	We welcome the emphasis that the Commission has placed on your intention to re-table revised texts of the existing initiatives on air quality and waste. We would like to draw your attention to our 2014 report entitled <i>Counting the Cost of Food Waste: EU Food Waste Prevention</i> , which contained a number of recommendations and suggestions that may be relevant to any proposal on a circular economy. We may seek to bring forward more specific proposals in this area, in partnership with other national parliaments, in coming months. The House of Lords Science and Technology Committee also published a report in February 2014, entitled <i>Waste or resource? Stimulating a Bioeconomy</i> , which details a number of useful recommendations in this area.
38	COM/2013/0920	Proposal for a Directive ... on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC	
39	COM/2014/0397	Proposal for a Directive ... amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic Equipment	

<i>Health and food safety</i>		
47	COM/2013/0262 Proposal for a Regulation...on the production and making available on the market of plant reproductive material (plant reproductive material law)	We believe that the animal and plant health package ought to be negotiated together where possible. We are concerned that the removal of plant reproductive material from the negotiations could have significant implications on the successful negotiation of these packages. What assessment have you made of the impact of this withdrawal?
<i>Justice, Consumers &amp; Gender Equality</i>		
60	COM/2011/0635 Proposal for a Regulation...on a Common European Sales Law	Under the proposal to withdraw the Common European Sales Law, you state that you want to "fully unleash the potential of ecommerce in the Digital Single Market." What does this mean? How do you intend to amend the existing proposal for the CESL?
<b>Annex III: REFIT actions</b>		
<b>No.</b>	<b>Title</b>	<b>Comment</b>
34	Natura 2000 (Birds and Habitats Directives)	We note that both a fitness check of the Habitats and Birds Directives and a Cumulative Cost Assessment of the regulatory costs incurred by forest based industries as a result of the most relevant EU legislation and policies are planned. As some would point to the Habitats and Birds Directives as sources of some of the costs incurred by forest-based industries, we would welcome a commitment by the Commission to ensure that the two exercises are aligned. We would also like to emphasise the need for the fitness check of the Habitats and Birds Directives to reflect synergies with other environmental legislation, including the Marine Strategy Framework Directive. Finally, we would hope that the fitness check will not weaken the EU's approach to protecting its biodiversity.
55	Forest-based industries	
62	Legislative framework related to consumer rights and advertising	We note with interest the intended fitness check on the legislative framework related to consumer rights and advertising. What instigated the check? What do you hope it will achieve? What are the timescales involved? Will you consult with national parliaments in

	the course of your evaluation?
	Alongside our comments against the 2015 work programme, we are aware that concern has been expressed by stakeholders about the difficulties of implementing the Plant Protection Products (pesticides) Regulation. <sup>1</sup> We advocate the inclusion of an evaluation of that Regulation in the REFIT Programme.

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<sup>1</sup> Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market