

# The Constitutional Implications of the Different Scenarios for the Future of the Union

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European Research  
Centre for Economic and  
Financial Governance

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## Constitutional Implications of a Reform of the Eurozone Governance

with attention to the democratic scrutiny of the euro group and the possibility of an IIA on the European semester

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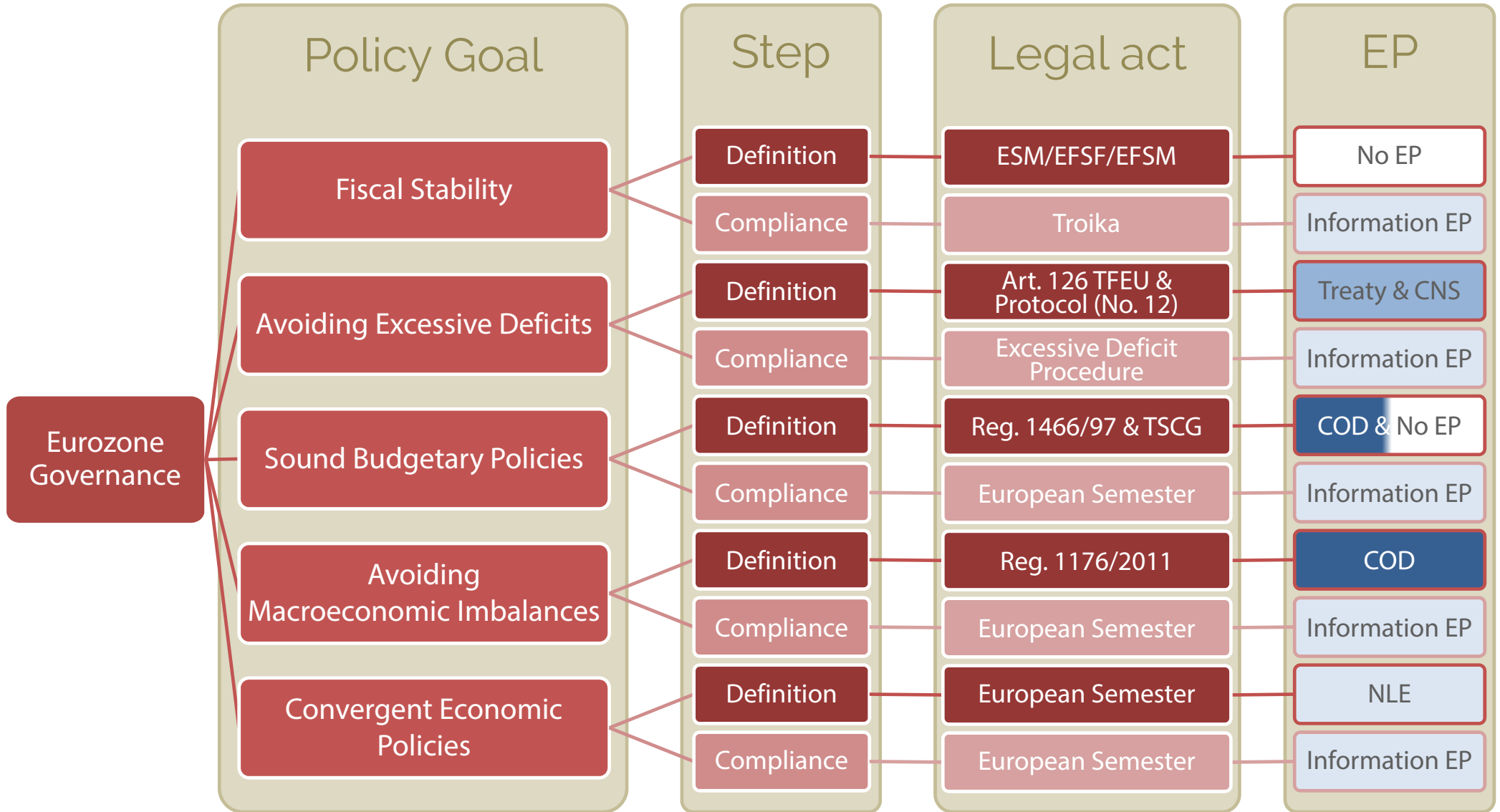
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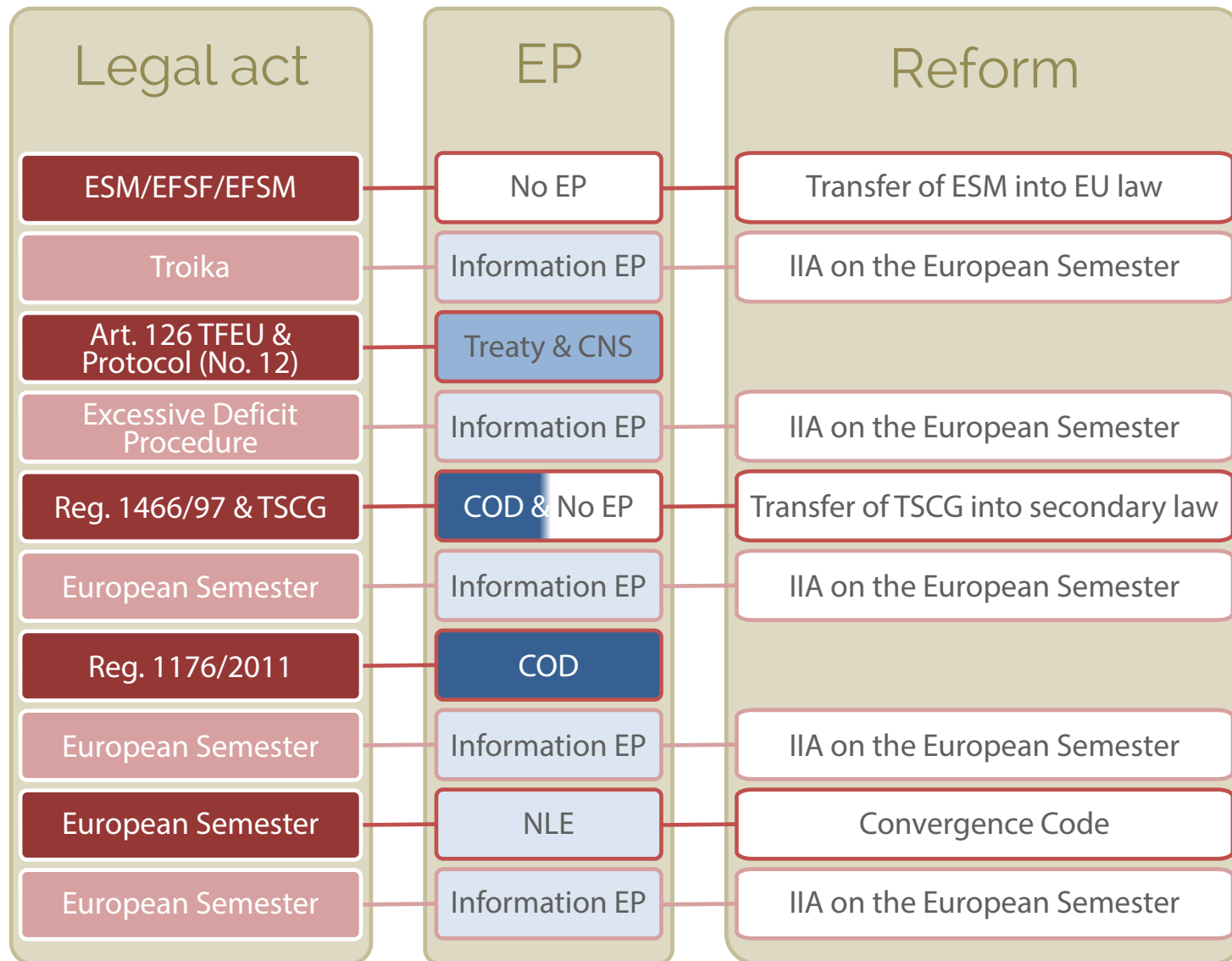
# Outline

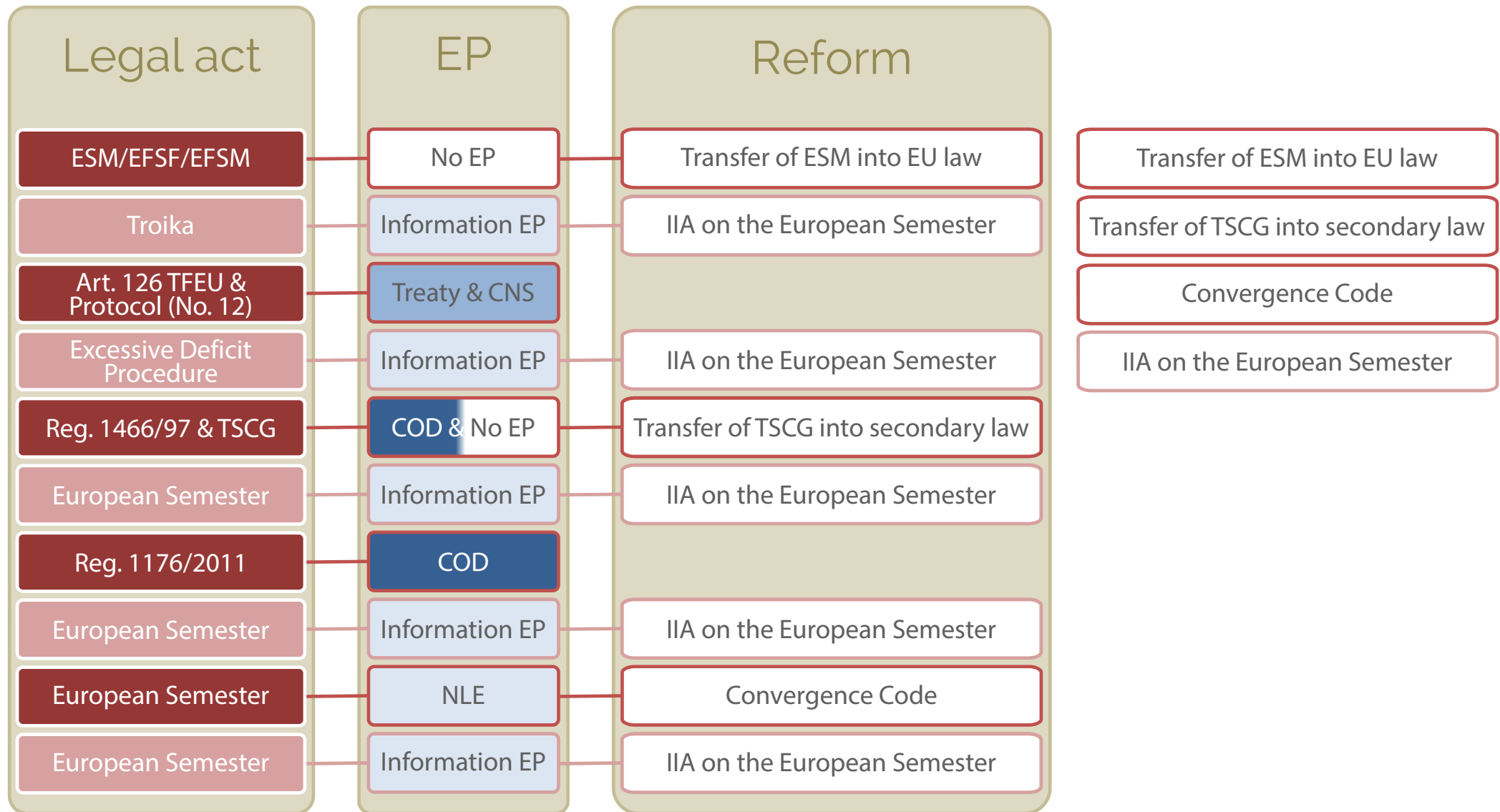
## **Reform of the Eurozone Governance**

- Democratic Accountability in the EMU Economic Policy Coordination
- Democratic Scrutiny of the Eurogroup

# Democratic Accountability in the EMU Economic Policy Coordination







# IIA for the European Semester

- Including a *quasi* co-decision
  - Currently: Treaties do not allow for a role of the European Parliament for being a co-decision maker in economic policy coordination
    - Commission drafts proposals or recommendations,
    - which the Council adopts
  - Treaty is silent as regards the Parliamentary involvement before the vote in the college of Commissioners
  - *Quasi* co-decision
    - Self-commitment of the COM to submit draft proposals or draft recommendations to the European Parliament before the vote in the college
    - EP can file amendments to these drafts
    - COM can include these amendments or explain their rejection

# IIA for the European Semester

- Proposal for a recital

The Commission shall commit itself to submit draft proposals or draft recommendations intended to be adopted under Articles 121, 126, 148 TFEU and under secondary legislating implementing these articles to the competent committee of the European Parliament.

Within in 1 month following the submission the competent committee may file amendments to the draft proposals or draft recommendations.

The Commission shall commit itself to report on the concrete follow-up of any request to amend draft proposals or draft recommendations within 1 month following adoption in the competent committee. The Commission shall accept the amendment. If the Commission does not accept the amendment, it shall give the competent committee detailed explanations of the reasons.



# Democratic Scrutiny of the Eurogroup

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- Formally: Eurogroup is mere forum of exchange of views
  - CJEU, Joined Cases C-105/15 P to C-109/15 P, *Mallis*: decisions of the Eurogroup are not intended to produce legal effects
- Strong *de facto* role
  - Six pack: Information obligation of the COM within MIP
  - Two pack: Submission of national draft budgetary plans and national debt issuance plans to the Eurogroup
  - Identical to the ESM Board of Governors: Deciding on financial assistance
  - Identical to ECOFIN deciding in matters concerning the multilateral surveillance procedure and the budgetary control

# Democratic Scrutiny of the Eurogroup

- More transparency: Including the Eurogroup into Regulation (EC) No 1049/2001 on public access to documents
- More personal accountability: Merging the president of the Eurogroup and the president of the Board of Governors of the ESM with Commissioner for EMU
  - President of the Eurogroup becomes personally accountable to the European Parliament as a member of the Commission
  - Maybe: Modifying the IIA with the Commission in order to oblige the president of the Commission to make use of his/her right to request resignation of single commissioners if the president of the Eurogroup is concerned (exception to the principle of collective responsibility)

# Thank you for your attention

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