



## The European Union institutions

### 1. The European Commission and its President

The European Commission is the EU's executive body and represents the interests of Europe as a whole (as opposed to the interests of individual countries). The term 'Commission' refers to both the college of commissioners and the institution itself – which has its headquarters in Brussels, Belgium.

**The Commission is composed of a college of "Commissioners" of 28 members, including the President and vice-presidents. Even though each member is appointed by a national government, one per state, they do not represent their state in the Commission (however in practice they do occasionally press for their national interest).**

Once proposed, the President delegates portfolios between each of the members. The power of a Commissioner largely depends upon their portfolio, and can vary over time. For example, the Education Commissioner has been growing in importance, in line with the rise in the importance of education and culture in European policy-making. Another example is the Competition Commissioner, who holds a highly visible position with global reach. Before the Commission can assume office, the college as a whole must be approved by the Parliament. Commissioners are supported by their personal cabinet who give them political guidance, while the Civil Service (the Directorate General) deal with technical preparation.

#### **Appointment**

**The President of the Commission is first proposed by the European Council taking into account the latest Parliamentary elections; that candidate can then be elected by the European Parliament or not. If not, the European Council shall propose another candidate within one month.** The candidate has often been a leading national politician but this is not a requirement. In 2009, the Lisbon Treaty was not in force and Barroso was not "elected" by the Parliament, but rather nominated by the European Council; in any case, the centre-right parties of the EU pressured for a candidate from their own ranks. In the end, a centre-right candidate was chosen: José Manuel Barroso of the European People's Party.

**There are further criteria influencing the choice of the candidate, including: which area of Europe the candidate comes from, favoured as Southern Europe in 2004; the candidate's political influence, credible yet not overpowering members; language, proficiency in French considered necessary by France; and degree of integration, their state being a member of both the Eurozone and the Schengen Agreement.**

**Portugal has occupied the place, via Barroso, for 10 years in a row. There is very little chance for Portugal to occupy the post in the forthcoming legislature.**

Following the election of the President, and the appointment of the High Representative by the European Council, **each Commissioner is nominated by their member state (except for those states who provided the President and High Representative)** in consultation with the Commission President, although he holds little practical power to force a change in candidate.

**Let us remind you that if a country holds the position of either President of the Commission or High Representative, there will not be any other Commissioner coming from this country in the Commission.**

The more capable the candidate is, the more likely the Commission President will assign them a powerful portfolio, the distribution of which is entirely at his discretion. The President's team is then subject to hearings at the European Parliament which will question them and then vote on their suitability as a whole. If members of the team are found to be too inappropriate, the President must then reshuffle the team or request a new candidate from the member state or risk the whole Commission being voted down. **As Parliament cannot vote against individual Commissioners there is usually a compromise whereby the worst candidates are removed but minor objections are put aside so the Commission can take office. Once the team is approved by parliament, it is formally put into office by the European Council.**

Following their appointment, the President appoints a number of Vice-Presidents (the High Representative is mandated to be one of them) from among the commissioners. For the most part, the position grants little extra power to Vice-Presidents, except the first Vice-President who stands in for the President when he is away. Since 2009 the First Vice-President has gained further power by also being the High Representative.

## **2. The Presidency of the European Council**

**The President of the European Council is a principal representative of the European Union (EU) on the world stage, and the person presiding over and driving forward the work of the European Council. This institution comprises the college of heads of state or government of EU member states as well as the President of the European Commission, and provides political direction to the European Union. The current president is the former Belgian Prime Minister Herman Van Rompuy.**

From 1975 to 2009, the head of the European Council was an unofficial position held by the head of state or government of the member state holding the semiannually rotating Presidency of the Council of the European Union at any given time. However, since the Treaty of Lisbon, article 15 of Treaty on European Union states that the European Council appoints a full-time president for a two-and-a-half-year term, with the possibility of renewal once. Appointments, as well as the removal of incumbents, require a double majority support in the European Council.

On 19 November 2009, the European Council agreed that its first president under the Lisbon Treaty would be Herman Van Rompuy (European People's Party). Van Rompuy took office when the Lisbon Treaty came into force on 1 December 2009.

## Permanent post

The first president is expected to "set the job description" for future office holders as there is no clear idea of how the post would evolve. One body of thought was that the President would stick to the administrative role as outlined by the treaty, a standard bearer who would simply chair meetings and ensure the smooth running of the body and its policies. This would attract semi-retired leaders seeking a fitting climax to their career and would leave most work to the Commission rather than wield power within the institutions. However another opinion envisages a more pro-active President within the Union and speaking for it abroad. This post would hence be quickly fashioned into a *de facto* "President of Europe" and, unlike the first model, would be seen on the world stage as speaking for the EU. Persons connected to this position would be more charismatic leaders. The appointment of Herman Van Rompuy indicated a desire to see the former style of president.

## Current President

The Treaty of Lisbon doesn't define a nomination process for the President of the Council and several official and unofficial candidates were proposed. On 19 November 2009, Herman Van Rompuy, at that time Prime Minister of Belgium, was chosen to be appointed as the first full-time President of the European Council. The formal decision on the appointment was made after the Treaty of Lisbon came into force, which was on 1 December 2009. The British Prime Minister, Gordon Brown, said that he had unanimous backing from the 27 EU leaders at the summit in Brussels on the 19th November 2009.

## Duties and powers

The president's role is largely political, preparing the work of the European Council, organising and chairing its meetings, seeking to find consensus among its members and reporting to the European Parliament after each meeting; the president will also *"at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security"*. **Some overlap between the roles of the President of the European Council, the President of the Commission, and the High Representative—notably in foreign policy—leaves uncertainty about how much influence the President of the European Council will acquire.**

## Democratic mandate

The lack of accountability to MEPs or national parliamentarians has also cast doubt as to whether national leaders will in practice stand behind the President on major issues. Under the rotational system, the presidents simply had the mandate of their member states, while the new permanent president is chosen by the members of the European Council.

There have been calls by some for direct elections to take place to give the President a mandate, this would strengthen the post within the European Council allowing for stronger leadership in addition to addressing the question of democratic legitimacy in the EU. However, this might cause conflict with Parliament's democratic mandate or a potential mandate for the Commission. To give a mandate to the European Council's president would signify a development of the Union's governance towards a presidential system, rather than a parliamentary system.<sup>7</sup>

## **Relationship with Commission**

There has been disagreement and concern over competition between the President of the European Council Van Rompuy and the Commission President Barroso due to the vague language of the treaty. Some clarifications see Van Rompuy as the "strategist" and Barroso as a head of government. In terms of economic policy, Van Rompuy saw the European Council as dealing with overall strategy and the Commission as dealing with the implementation. Despite weekly breakfasts together there is a certain extent of rivalry between the two yet-defined posts.

Although the President of the European Council may not hold a national office, such as a Prime Minister of a member state, there is no such restraint on European offices. For example, the President may be an MEP, or more significantly the Commission President (who already sits in the European Council). This would allow the European Council to concurrently appoint one person to the roles and powers of both President of the European Council and President of the European Commission, thus creating a single presidential position for the Union as a whole.

**The President of the European Council is not a member of the Commission. Therefore, a country can have both the Presidency of the European Council and a Commissioner. The only example so far is Belgium. Herman Van Rompuy is the current President of the European Council and Karel De Gucht is Commissioner for Trade.**

## **3. The Presidency of the European Parliament**

### **Election of the President of the European Parliament**

The President of the European Parliament is elected by the new 751 MEPs for a renewable term of two and a half years, meaning there are two elections per parliamentary term; hence two Presidents may serve during any one Parliamentary term. The candidate who obtains an absolute majority of the votes cast in a secret ballot is elected President. **If an absolute majority cannot be obtained after three ballots, the President is elected on the fourth ballot. The fourth round shall be confined to the two Members who have obtained the highest number of votes in the third ballot.**

The first session of the New Parliament will be held from the 1<sup>st</sup> to the 3<sup>rd</sup> of July 2014. This EP Constitutive session will be the occasion for MEPs to officially take up their seats in the Parliament. They also will elect the new President, Vice-Presidents (14) and quaestors. Four days after this EP constitutive session, official political group meetings will take place.

### **Role of the President of the European Parliament**

The President supervises all the work of the Parliament and its constituent bodies (Bureau and Conference of Presidents), as well as the debates in plenary.

The President ensures that Parliament's Rules of Procedure are respected and, through his arbitration, guarantees that all the activities of the institution and its constituent bodies run smoothly. He is also the representative of Parliament in legal affairs and in all external relations. S/he

delivers an opinion on all major international issues and makes recommendations designed to strengthen the European Union.

Furthermore, the President of the European Parliament sets out Parliament's point of view at the beginning of every European Council summit and its concerns as regards the items on the agenda and other subjects.

Last but not least, both Presidents of the Parliament and of the Council sign all legislative acts adopted under ordinary legislative procedure.

#### **4. The High Representative of the Union for Foreign Affairs and Security Policy**

The High Representative of the Union for Foreign Affairs and Security Policy (HR) is the main co-ordinator and representative of the Common Foreign and Security Policy (CFSP) within the European Union (EU). The position is currently held by Catherine Ashton. The post has been likened to a "foreign minister for the EU".

The post was introduced by the Treaty of Amsterdam as the High Representative for Common Foreign and Security Policy; it was then occupied by Javier Solana for ten years until it was expanded by the Lisbon Treaty to sit in the European Commission and chair the council of EU foreign ministers. Following the Lisbon Treaty the post is assisted by the European External Action Service (EEAS) that was set up in December 2010.

Where foreign policy is agreed between EU member states, the High Representative can speak for the EU in that area, such as negotiating on behalf of the member states. The Representative co-ordinates the work of the European Union Special Representatives as well as other appointments such as anti-terrorist co-ordinator.

Beside representing the EU at international fora and co-ordinating the Common Foreign and Security Policy and the Common Security and Defence Policy, the High Representative is:

- ex-officio Vice-President of the European Commission
- participant in the meetings of the European Council
- responsible of the European Union Special Representatives
- head of the External Action Service and the delegations
- President of the Foreign Affairs Council
- Secretary-General of the Western European Union (prior to the abolition of the WEU on 30 June 2011)
- President of the European Defence Agency
- Chairperson of the board of the European Union Institute for Security Studies

According to proposals made in 2009 by the Swedish EU presidency, the High Representative will control the staffing and budget of the EEAS, and propose the size of budget to be allocated. The High Representative is responsible for appointing EEAS staff and for controlling general foreign policy (outside of trade, development and enlargement which has to be made together with the Commission) including security initiatives and intelligence sharing. However, although the High

Representative may prepare initiatives, decisions will still have to be taken by the member states in Council. The High Representative would also have to report to Parliament.

**While there has been some criticism of the vague division of powers between the EU's top players, Ukrainian ambassador to the EU Andriy Veselovsky praised the framework and clarified it in his own terms: The President of the European Commission speaks as the EU's "government" while the President of the European Council is a "strategist". The High Representative specialises in "bilateral relations" while the European Commissioner for Enlargement and European Neighbourhood Policy deals in technical matters such as the free trade agreement with Ukraine (here Veselovsky makes a mistake as FTA's are actually part of the EU's common commercial policy, for which the European Commissioner for Trade is responsible). The President of the European Parliament meanwhile articulates the EU's values.**

With the growth in role of the High Representative, and their exclusion from the European Council, the national foreign ministers are now uncertain of their role vs the High Representative. At an informal meeting in Finland it was mooted that they could serve as special envoys on the High Representative's behalf. This has been backed by Ashton who said that so long as the EU spoke with one voice, it didn't matter who was speaking.

The High Representative is appointed by the European Council acting by qualified majority. However to take up their role in the Commission, in particular as a vice-president, the High Representative has to appear before Parliament for questioning and then be subject to Parliament's vote of approval on the proposed Commission.

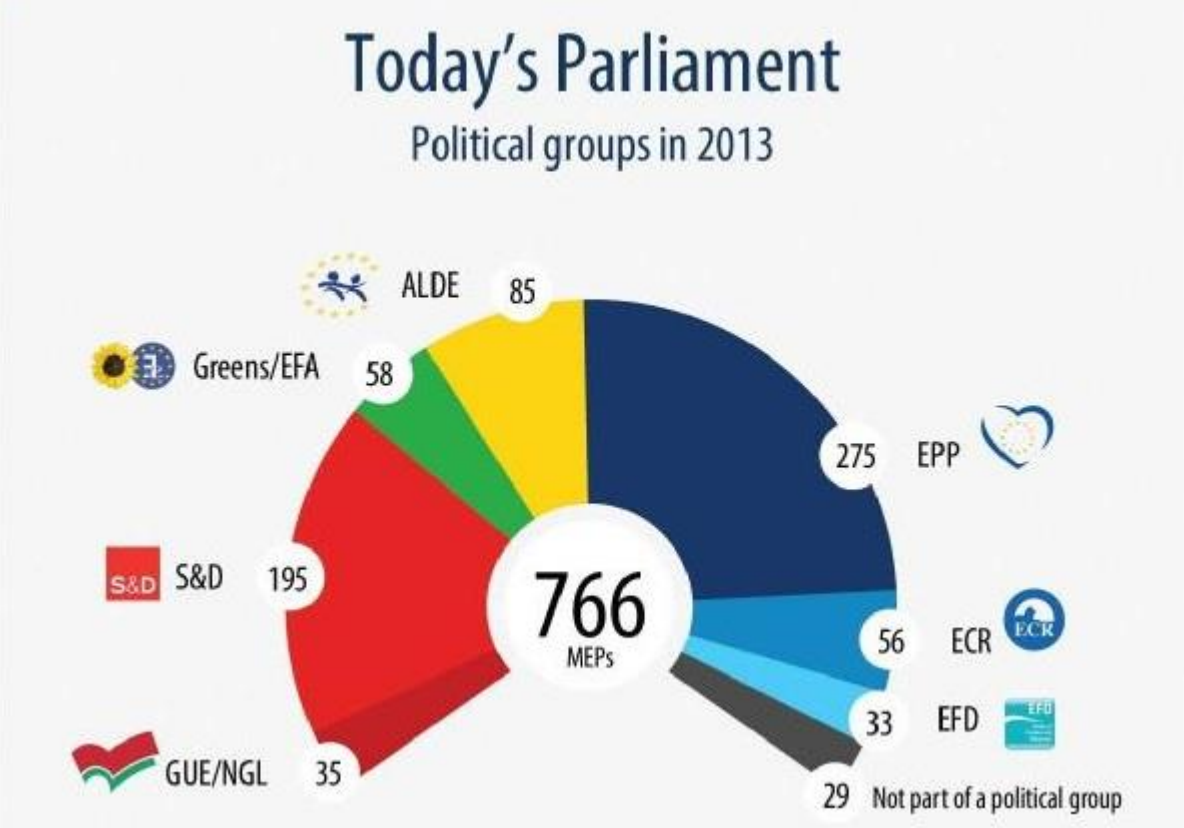
**The High Representative is the Vice-President of the European Commission. Therefore, the country having its national being the HR will not have another Commissioner. For remembering, this is the same with the position of President of the European Commission.**

## **5. The composition of the current European Parliament**

There are a total of 7 political groups in the current Parliament:

- The Group of the European People's Party (EPP)
- The Group of the Progressive Alliance of Socialists and Democrats in the European Parliament (S&D)
- The Alliance of Liberals and Democrats for Europe (ALDE)
- The Greens/European Free Alliance (Greens/EFA)
- The European Conservatives and Reformists (ECR)
- The European United Left – Nordic Green Left (GUE/NGL)
- The Europe for freedom and democracy Group. (EFD)

These seven political families (and some independent MEPS) share currently the 766 seats as follows:



## 6. Composition of the current European Commission

State	European Party	Commissioner	Portfolio	Directorate – General	National Party	Change in National Government/More likely to switch
	EPP	José Manuel Barroso	President	Secretariat-General  Bureau of European Policy Advisers, Legal Service	PSD	Will change but same party
	S&D	Catherine Ashton	High Representative	External Relations	Labour Party	Local Election the same day. Conservative Party has the power
	EPP	Antonio Tajani	Industry and Entrepreneurship	Enterprise and Industry	Peuple de la liberté	In the opposition
	EPP	Michel Barnier	Internal Market and Services	Internal Market and Services  Office for Harmonization in the Internal Market	UMP	PS has the power in France
	ALDE	Máire Geoghegan-Quinn	Research, Innovation and Science	Research  Joint Research Centre	Fianna Fáil	Coalition
	EPP	Janusz Lewandowski	Financial Programming and the Budget	Budget	Plate-forme civique	In the Government
	S&D	Maria Damanaki	Maritime Affairs and Fisheries	Maritime Affairs and Fisheries	PASOK	In the Coalition.
	S&D	László Andor	Employment, Social Affairs and Inclusion	Employment, Social Affairs and Equal Opportunities	PS	Opposition
	S&D	Neven Mimica	Consumer Protection	Consumer protection	Social Democrat Party	Same party in the government
	EPP	Dacian Cioloş	Agriculture and Rural Development	Agriculture and Rural Development	PD-L.	Opposition



	Likely to stay according to composition of national government
	Likely to change due to composition of national government
	Not enough data to provide estimation