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# The Juncker Commission, the return of politics?

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## Abstract :

On 10th September the President elect of the European Commission, Jean-Claude Juncker unveiled what has been qualified as “the A-team” whose members attended hearings with the European Parliament from 29th September to 7th October before a vote of approval on 22nd October. After a general introduction of the Commissioners appointed, which highlights a concentration of strong, varied competences, followed by an analysis of this innovative matrix organisation and the questions that this new structure raises, this study recalls the programme described in the roadmap of the members of the College [1].

1. The author thanks  
Aude Prenassi,

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help and proofreading

2. <http://eur-lex.europa.eu/legal-content/FR/TXT/?uri=CELEX:12012E/TXT>

3. [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/fr/ec/144004.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/fr/ec/144004.pdf)

4. Yves Bertoncini et Thierry Chopin, « Des visages sur des clivages. Les élections européennes de mai 2014 », <http://www.robort-schuman.eu/fr/doc/divers-des-visages-sur-des-clivages.pdf>

5. [http://europa.eu/rapid/press-release\\_IP-14-965\\_fr.htm](http://europa.eu/rapid/press-release_IP-14-965_fr.htm)

6. Article 17 of TFEU “the Council, by common accord with the President-elect, shall adopt the list of the other persons whom it proposes for appointment as members of the Commission.”

7. <http://www.euractiv.fr/sections/priorites-ue-2020/jean-claude-juncker-recherche-des-candidates-pour-la-commission-303396>

8. A detailed graph of the procedure is available: <http://www.europarl.europa.eu/news/en/newsroomcontent/20140916STO63701/html/Infographic-how-the-European-Commission-will-get-elected>

## 1/ EXPERIENCED COMMISSIONERS WITH VARIED PROFILES

### a. The States provide, the President of the Commission positions, the Parliament validates

Article 17 of the TFEU [2] indicates that “*the members of the Commission shall neither seek nor take instructions from any Government or other institution, body, office or entity. They shall refrain from any action incompatible with their duties or the performance of their tasks.*” Indeed, although it is expected that the Commissioners put their “*nationality to one side*” and that they do not refer “*to the Member State they know best*” it turns out that the heads of State and government have waged a battle of influence so that their citizen be granted the desired portfolio in line with the political etiquette of his/her country of origin or sex. The criticism of this political and diplomatic “game” and lack of overall vision led to delays in decision making [3]. During the European Council on 16th July 2014 European leaders agreed on the appointments of the leading posts in the European executive. A decision was taken during the European Council on 30th August. European leaders then agreed on the appointment of Federica Mogherini, the Italian Foreign Minister, to head European diplomacy as the High Representative of Foreign and Security Policy in replacement of Catherine Ashton. This post also means that its titleholder is Vice-President of the European Commission. Moreover Donald Tusk, Prime Minister of Poland will replace Herman van Rompuy as the

President of the European Council from 1st December 2014 to 31st May 2017.

This delay illustrates the complexity of the institutional “mercato” that followed the appointment of Jean-Claude Juncker. The European elections took place in a unique context since the campaign focused in part on the ability of the winning party to put forward a “Spitzenkandidat” to lead the European executive. This was an innovation [4] because this prerogative belongs to the heads of State and government and the interpretation of the phrase “*taking on board the result of the elections for the European Parliament*” was the focus of many debates. The list of Commissioners designate was presented on 5th September [5] and the distribution of portfolio made public by the President elect Jean-Claude Juncker on 10th September.

Indeed the Council appointed 27 Commissioners designate in agreement with the President elect of the Commission [6], but it is the latter that assigns responsibilities within the College. Hence he has a power of persuasion, which is not written but is of consequence, to encourage the States to put forward certain personalities or profiles. It was within this framework that Jean-Claude Juncker was able to express his wish for more women candidates and ensure that they won key posts whilst the States mainly put forward men [7]. It is also the responsibility of the future President to put a coherent team together with the support of the European Parliament which votes on the investiture of the entire College and not each member individually [8]. However the procedure

## The Juncker Commission, the return of politics?

enabling a Commissioner to resign as illustrated by John Dalli [9], allows the President of the Commission more power in practice than his predecessors in the ilk of Jacques Santer, who obliged the entire College to resign on 15th March 1999. After approval of the European Parliament, 423 votes in support, 209 against and 67 abstentions on 22nd October the heads of State and government, which met for the European Council, officially appointed the Commission by a qualified majority.

### ***b. Important economic and diplomatic skills***

Jean-Claude Juncker is the third Luxembourger to take the head of the European Commission [10]. He has European political experience which is unique amongst European leaders. A polyglot (French, German and English), he has been part of the European Council and also the Eurogroup, accumulating the functions of Prime Minister from 20th January 1995 to 4th December 2013 and President of the monthly meeting (informal) of the Finance Ministers of the euro zone from 1st January 2005 to 22nd January 2013. During the European campaign he recalled the advantage of knowing personally most of the European leaders and his mastery of the cogs of the Council, notably in their budgetary, financial and economic dimension in a time of crisis. Moreover this position means that he is also known beyond the borders of Europe, enabling him to assert himself on the financial markets and within monetary bodies.

Jean-Claude Juncker has the support of a College comprising 27 illustrious personalities. Amongst the Commissioners appointed 10 have significant experience in the economic and financial domains. Moreover amongst the Commissioners with economic skills it is clear that there has been a deliberate bid to place personalities from countries that have suffered the crisis and who have undertaken major structural reform. Also very few of the Commissioners from high population countries are Vice-Presidents. This reflects the wish not to distinguish between Member States but to ensure a certain balance with a "premium" for reforming States. Eight members of the College can boast experience in terms of foreign affairs. These two aspects reflect the present priorities and the desire

to focus on the economy and also on supporting the settlement of external crises.

The Commission comprises [11] 4 former Prime Ministers, 4 Deputy Prime Ministers, 19 former Ministers, 8 former MEPs. One third of the Commissioners designate (9 out of 28) including the President elected, were candidates in the European elections, bearing witness to a certain amount of democratic legitimacy. This balance and variety of experience will be useful in terms of relations and mutual understanding with the other two institutions in the European institutional triangle, the Parliament and the Council.

Seven outgoing Commissioners were re-appointed whilst this was the case for 8 of them during the second mandate of the Commission presided over by José Manuel Barroso. The seven "re-appointed" Commissioners have been given portfolio different from their previous mandate whilst this was true in the past (Sicco Mansholt, Hans von der Groeben, Albert Borschette, Karel Van Miert, and Franz Fischler) [12].

Their political leanings reflect the result of the elections and the support provided during the election of the President by the European Parliament. This is why 14 members of the Commission are affiliated to the European People's Party (EPP), 8 to the Progressive Alliance of Socialists and Democrats (S&D), 5 to the Alliance of Liberal and Democrats for Europe (ALDE) and one to the European Conservatives and Reformists (ECR).

Alenka Bratusek, former Prime Minister of Slovenia, was offered the position of Vice-President and Energy Union. After an unsuccessful hearing she withdrew on 9th October [13] and was replaced by Violeta Bulc, who has taken the transport portfolio, whilst Maros Šefcovic has been appointed Vice-President, taking over Alenka Bratusek's function. The latter was the only "victim" of the hearings of the candidates designate by the European Parliament, since she was deemed inadequately prepared to undertake the post. The future Commissioners stressed their European commitment, their experience and their knowledge of the portfolio granted. However quality was extremely unequal due to the duration of the hearings (three hours), the varied mastery of this exercise by the candidates according to their past experience and their familiarity with parliament. In addition to this the

9. [http://europa.eu/rapid/press-release-MEMO-12-788\\_en.htm](http://europa.eu/rapid/press-release-MEMO-12-788_en.htm)

10. Gaston Thorn from 1981 to 1985 and Jacques Santer from 1995 to 1999

11. Following the withdrawal of Ms Bratusek who used to be Prime Minister

12. Piotr Maciej Kaczyński, in "Returning

commissioners: keeping portfolio and political responsibility"

13. [http://europa.eu/rapid/press-release-STATEMENT-14-307\\_en.htm](http://europa.eu/rapid/press-release-STATEMENT-14-307_en.htm)

political game between the parties, the desire on the part of some MEPs to encourage underlying controversy, extremely technical questions and requests to take position regarding certain political issues, diverted the aim of these hearings. Finally the clear wish not to take initiative nor to make any type of declaration, together with vague answers to questions (including for the interested parties) raised by the new structure of the College, made this formal exercise somewhat laborious and might be improved in the future.

#### Profiles of the Members of the Commission chaired by Jean-Claude Juncker

Name	Portefolio	Country	Highest past office	Political affiliation
<b>Jean-Claude JUNCKER</b>	President	Luxembourg	Prime Minister	EPP
<b>Frans TIMMERMANS</b>	First Vice-President Improving regulations, Inter-institutional relations, Rule of law and the Charter of Fundamental Rights, Sustainable Development	Pays-Bas	Foreign Minister	PES
<b>Federica MOGHERINI</b>	Vice-President High Representative for the Common Foreign and Security Policy	Italy	Foreign Minister	PES
<b>Kristalina GEORGIEVA</b>	Vice-President Budget and Human Resources	Bulgaria	European Commissioner	EPP
<b>Andrus ANSIP</b>	Vice-President Single Digital Market	Estonia	Prime Minister	ALDE
<b>Maros ŠEFČOVIC</b>	Vice-President Energy Union	Slovakia	European Commissioner	PES
<b>Valdis DOMBROVSKIS</b>	Vice-President Euro and Social Dialogue	Latvia	Prime Minister	EPP
<b>Jyrki KATAINEN</b>	Vice-President Employment, Growth, Investment and Competitiveness	Finland	Prime Minister	EPP
<b>Violeta BULC</b>	Transport	Slovenia	Minister	ALDE
<b>Gunther OETTINGER</b>	Digital Economy and Digital Society	Germany	European Commissioner	EPP
<b>Johannes HAHN</b>	Neighbourhood Policy and Enlargement Negotiations	Austria	European Commissioner	EPP
<b>Cecilia MALMSTROM</b>	Trade	Sweden	European Commissioner	ALDE
<b>Neven MIMICA</b>	International Cooperation and Development	Croatia	European Commissioner	PES
<b>Miguel ARIAS CANETE</b>	Action for the Climate and Energy	Spain	Minister	EPP
<b>Karmenu VELLA</b>	Environment, Maritime Affairs and Fisheries	Malta	Minister	PES
<b>Vytis ANDRIUKAITIS</b>	Healthcare and Food Safety	Lithuania	Minister	PES
<b>Dimitris AVRAMOPOULOS</b>	Migration, Internal Affairs and Citizenship	Greece	Foreign Minister	EPP
<b>Marianne THYSSEN</b>	Employment, Social Affairs, Workers' Skills and Mobility	Belgium	European MP	EPP

<b>Pierre MOSCOVICI</b>	Economic and Financial Affairs, Taxation and Customs Union	France	Economy and Finance Minister	PES
<b>Christos STYLIANIDES</b>	Humanitarian Aid and Crisis Management	Cyprus	Government spokesperson	EPP
<b>Phil HOGAN</b>	Agriculture and Rural Development	Ireland	Minister	EPP
<b>Jonathan HILL</b>	Financial Stability, Financial Services and Capital Markets Union	UK	Under Secretary of State, leader of the House of Lords	ECR
<b>Elzbieta BIENKOWSKA</b>	Internal Market, Industry, Entrepreneurship, SME, Space	Poland	Minister	EPP
<b>Vera JOUROVA</b>	Justice, Consumers, Gender Equality	Czech Republic	Minister	ALDE
<b>Tibor NAVRACSICS</b>	Education, Culture, Youth and Sport	Hungary	Foreign Minister	EPP
<b>Corina CRETU</b>	Regional Policy	Romania	European MP	PES
<b>Margrethe VESTAGER</b>	Competition	Denmark	Economy Minister	ALDE
<b>Carlos MOEDAS</b>	Research, Science and Innovation	Portugal	Secretary of State to the Prime Minister	EPP

Data compiled on the basis of information published by the European Commission

### c. Insufficient parity

After several months of informal discussion and pressure on the Member States to appoint more women as Commissioners, it has to be admitted that the result is mitigated. Women represent one third of the number appointed, as in the outgoing Commission. However two of the 7 Vice-Presidents are women and Jean-Claude Juncker offered them major portfolio like Foreign Affairs, the Budget, Trade, Employment and Competition. Although the appointment of candidates still lies within the realm of the Member States we might regret that the "Rubrik's Cube" [14] comprising the "superposition" of gender, political party and geography prevailed once more to the detriment of competences specific to each potential candidate [15].

## 2/ A RETURN TO POLITICS WITH A COLLEGE WITHIN A COLLEGE

Given the criticism made of the administrative behaviour of the outgoing executive, qualified as being the Council's "General Secretariat bis",

Jean-Claude Juncker has provided answers to the questions "What should be changed in Brussels? How can the functioning of the European Institutions be improved rapidly [16]?" In this regard he has followed recommendations that encouraged a thorough re-organisation of the College, necessary because of the continued obligation for a Commissioner per Member State which is poorly adapted to the institutions political requirements. J C Juncker has clearly shown that he wants to bring "politics" back into decision making. To do this several changes to working methods should be noted. Each of them can be likened to a challenge since the President is counting on organisational innovations to boost new policy. For this new five year mandate, starting on 1st November 2014, the key words to remember might be delegation of power, political responsibility, red-tape cutting and communication.

### A second No1 in a predictable programme?

The College will include a "First Vice-President" in the shape of Frans Timmermans, put forward by Jean-Claude Juncker as his "right-hand man",

14. According to the expression used by Hugo Brady (ECR) and his column in the Tribune April 2013: "The EU's Rubik's cube: Who will lead after 2014?"

15. Yves Bertoncini and Thierry Chopin, "Who will the Commission next president be? A multiple-choice question", European Issue n°316, Robert Schuman Foundation, June 2014 - <http://www.robert-schuman.eu/fr/doc/questions-d-europe/qa-316-fr.pdf>

16. Jean-Dominique Giuliani "What should be changed in Brussels? How can the functioning of the European Institutions be improved rapidly?", European Issue n°317, Robert Schuman Foundation, June 2014 - <http://www.robert-schuman.eu/fr/doc/questions-d-europe/qa-317-fr.pdf>

who will be responsible for improving regulations, inter-institutional relations, the Rule of Law and the Charter of Fundamental Rights. He will notably ensure that all Commission proposals respect the principles of subsidiarity and proportionality, which have played a decisive role in the institution's work. He has taken up the idea of "better regulation" [17] put forward by the Commission 10 years ago but this time it is marked by greater political voluntarism.

This is a response to the campaign "to repatriate competences" supported by several Member States including, first and foremost, the UK and the Netherlands. As the Dutch Foreign Minister Frans Timmermans sent a letter on 21st June 2013 to the Second Chamber setting out an inventory of 54 European rules that should, in his opinion, be returned within the realm of the Member States' competence. This "exercise in subsidiarity" deems that "the time for an ever closer union" encompassing every kind of policy is now over. He added that the EU's leitmotiv should be to "let the things that should be European be European, and those that should be national can be national." [18]

For this exercise all of the Ministers in the Netherlands analysed the legislation in force or that was about to come into force. They removed the European action they thought ought to be managed nationally according to the subsidiarity principle and also where existing standards went beyond what is necessary [19]. Over the first three months of the mandate, Jean-Claude Juncker has asked his Vice-President to discuss, with the European Parliament and the Council, the list of pending legislative proposals and to define whether they should be continued or not, in line with the principle of "political discontinuity. [20]" It is in practice that we shall see how F. Timmermans intends to implement these new prerogatives without disrupting the complex technocratic machine. For example will the First Vice-President's theoretical right to "veto" apply to all of the procedures which form the daily routine

of the Directorates General? Here we think of the consultations, all of the assessments, the groups of experts who support the daily decision making process within the Community. F Timmermans' mission letter states that his responsibilities include steering the Commission's work on the "REFIT" programme of European legislation and ensuring the quality of the impact analyses, which implies the Commission's activities. Of course the first months of the mandate will lead to a list of pending legislative proposals and the decision, if necessary, to continue with them or not, but the process of revising texts is a permanent part of European law. In particular clarification of all of the Commission's legislative proposals will be necessary, three months after it enters office, with the aim of reducing the volume of regulations since "the Union must take care of major issues and be modest, almost inexistent regarding minor issues, [21]" says Jean-Claude Juncker. The definition of minor issues is vital and notably from a normative point of view which forms a large share of the European Commission's human and technical competences. Technical regulations might seem accessory or secondary in comparison with the issues linked to response to multiple crises, but they are nevertheless vital for the sectors involved.

#### **Vice-President – "team leaders"**

The Commission will have 6 Vice-Presidents in addition to the EU's High Representative for the Common Foreign and Security Policy, who is also one of the Vice-Presidents of the Commission and whose offices will symbolically be in the Berlaymont alongside the other members of the College. The Vice-Presidents will be responsible for a certain number of well- defined priority projects and they will steer and coordinate the work undertaken by all of the Commission in the key areas of the policy guidelines, like the "new impetus for employment, growth and investment", "a connected single digital market", "a more resilient energy market" and "deeper, fairer Economic and Monetary Union [22]. This method of functioning breaks with the compartmentalised approach and traditional static "silo like" structures.

- 17.** This approach applied as a priority to legislation that affect businesses that was launched during the 2005 revision of the so-called Lisbon Strategy [http://ec.europa.eu/smart-regulation/better\\_regulation/documents/brochure/brochure\\_en.pdf](http://ec.europa.eu/smart-regulation/better_regulation/documents/brochure/brochure_en.pdf)
- 18.** The letter addressed in Dutch : <http://www.rijksoverheid.nl/bestanden/documenten-en-publicaties/kamerbrief-inzake-uitkomsten-subsidiariteitsexercitie/kamerbrief-inzake-uitkomsten-subsidiariteitsexercitie.pdf> Explanatory note by the Dutch authorities in English : <http://www.government.nl/files/documents-and-publications/notes/2013/06/21/nl-subsidiarity-review-explanatory-note/explanatory-note.pdf>
- 19.** Inventory in English: <http://www.government.nl/files/documents-and-publications/notes/2013/06/21/testing-european-legislation-for-subsidiarity-and-proportionality-dutch-list-of-points-for-action/eindrapportage-definitief.pdf>
- 20.** [http://ec.europa.eu/about/juncker-commission/docs/timmermans\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/timmermans_en.pdf)
- 21.** Press conference 10th September 2014, European Commission
- 22.** See the coordination links between Commissioners and VP on the interactive illustration: [http://ec.europa.eu/about/juncker-commission/structure/index\\_en.htm](http://ec.europa.eu/about/juncker-commission/structure/index_en.htm)

**Vice-Presidents and related Commissioners**

Vice-President	Portfolio	Main Commissioners related to the project led by the Vice-President
<b>Frans Timmermans</b>	Improving regulations, Inter-institutional relations, Rule of law and the Charter of Fundamental Rights, Sustainable Development	<b>Vera Jourova / Dimitris Avramopoulos</b> All commissioners
<b>Federica Mogherini</b>	High Representative for the Common Foreign and Security Policy	<b>Johannes Hahn / Neven Mimica/ Cecilia Malmstrom Christos Stylianides</b>
<b>Kristalina Georgieva</b>	Budget and Human Resources	All commissioners
<b>Maros Šefcovic</b>	Energy Union	<b>Miguel Arias Canete / Elzbieta Bienkowska / Karmenu Vella / Corina Cretu / Carlos Moedas / Phil Hogan</b>
<b>Jyrki Katainen</b>	Employment, Growth, Investment and Competitiveness	<b>Gunther Oettinger/ Pierre Moscovici / Corina Cretu Jonathan Hill / Elzbieta Bienkowska / Miguel Arias Canete</b>
<b>Vladis Dombrovskis</b>	Euro and Social Dialogue	<b>Pierre Moscovici /Marianne Thyssen/ Jonathan Hill Elzbieta Bienkowska/ Corina Cretu /Vera Jourova /Tibor Navracsics</b>
<b>Andrus Ansip</b>	Single Digital Market	<b>Vera Jourova /Gunther Oettinger / Elzbieta Bienkowska / Pierre Moscovici Marianne Thyssen / Corina Cretu/ Phil Hogan</b>

An interactive map is available [http://ec.europa.eu/about/juncker-commission/structure/index\\_en.htm](http://ec.europa.eu/about/juncker-commission/structure/index_en.htm). The Commissioners who will take care of a leading "issue" to be addressed with the VP are in bold, the other Commissioners will have reduced share of their activity in liaison with the VP.

**A political "rocket" for greater legislative efficiency?**

The official goal of the reform is to achieve strong interaction between the Commissioners, since each will need the support of a Vice-President to add an initiative to the Commission's work programme or to the College's agenda. At the same time a Vice-President will depend on his team of Commissioners' contributions to complete the task to which he has been assigned. Each Commissioner will be given a portfolio – some will cover a vast area and be more horizontal (Vice-President) and others will be more specialised. In image form the College's structure shows that for a legislative proposal to be "launched" in Parliament or the Council it will have to function like a rocket whereby each political stage is assembled before lift-off. The base comprises the Commissioner and the competent Directorate General. The second stage is that of the Vice-President(s) depending on the "project". The third

stage would be the 1st Vice-President who would give the go-ahead for lift-off to Jean-Claude Juncker, who would still be able to press on the button or not. In practice the first base, to date, has comprised the Directors General and the political impetus of the Commissioners. The Commissioners' "supervision" by the Vice-Presidents adds a stage to the institution's hierarchy. The Commissioner finds himself in a position of implementation rather than one of leadership (a kind of super Director General). This is one of the ways politics has restored control over the Commission's administrative structure [23]. Distribution into "clusters" which has not been called as such, is the source of several observations that will then condition the mandate's success: [24]

- The coordination of the Commissioners per project highlights that a Commissioner can be placed under the coordination of several Vice-Presidents at the same time. The definition of priorities will require arbitration if projects overlap in terms of agenda and priority.

23. Here we should stress that this is an interpretation of the situation. The Treaties recall that all of the Commissioners have equal rights.  
24. We have not given all of the internal « moves » in terms of units and competences within the Directorate General. A summary table can be downloaded from: <http://www.dehavilland.co.uk/PoliticalUploads/EP2014/Commission/ECStructuralChanges.pdf>



- The question about the Commissioners' and Vice-Presidents' authority over the Directorates General is raised. Is the agreement of all of the competent Vice-Presidents necessary before a Director-General can launch administrative procedures for the drafting of a text? Will the transparency and duplication of responsibilities within the College lead to a form of inertia before all of the arbitration can be delivered?

- Inter-departmental consultation – according to the same inter-cabinet model that precedes the College's meetings – allows all of the Directorates General to suggest changes to texts that are being written and put forward by the "leading" DG. What will the Vice-Presidents' role be in this procedure, which also ensures that each Commissioner can take part in the decision making process before formal adoption? In this procedure will a Commissioner be "free" to act without his Vice-President?

- The human resources available to the Vice-Presidents will be limited. They might enjoy the support of the Secretariat General and the legal service as a priority. But they will not have any Directorates General under their authority. However will they be able to turn to the latter without requiring the agreement of the Commissioner in charge? Behind a clear wish for coordination, preventing conflict of authority between Commissioners and Vice-Presidents will be one of the keys to the success of this innovative institutional configuration.

- Who will be given the responsibility of carrying forward the Commission's proposals? This reminds us of the Commissioners' hearings at the European Parliament. Will it be the Vice-President or the Commissioner who will defend the project before the MEPs? The experience of multiple European spokespeople in the area of foreign affairs shows that this is counter-productive.

### **Communication Reshaped**

In the past the Commission has created many communication tools per Directorate General, with the aid of a dedicated structure (teams of spokespeople). The European media deplore the fact that they cannot meet the European Commissioners as often as they would like in order to understand their work, having to content themselves with formatted explanations whilst

*"communicating means announcing decisions and not being transparent about everything. Communicating is a political responsibility and not an administrative task."* [25]

As of 1st November 2014 communication will be changed radically in terms of the way it functions and is now directly linked to the President of the Commission. Whilst before each Commissioner had his/her spokesperson and a specific team, communication will now be undertaken directly under the President's authority. Margaritis Schinas will be the Commission's chief spokesperson supported in this work by a small number of spokespeople. The Commissioners and the Vice-Presidents will have one person within their cabinet who will be in charge of communication but who will not be able to speak on behalf of the Commissioner or the Commission.

During the press conference to present the distribution of posts Jean-Claude Juncker stressed that he wanted the Commissioners to explain Community work within the Member States a lot more. They have to embody the Commission's policy amongst public opinion and bring Europe closer to its citizens. The aim will be to rationalise communication and to speak with one voice only. Again this is a factor that will make the Commission seem more political. It will be the Commissioners' goal to take back control of communication which has become too institutionalised and not very effective.

### **3/ AN INNOVATIVE DISTRIBUTION OF COMPETENCES, BUT A POLITICAL PROGRAMME THAT NEEDS DEFINING**

This is the major institutional innovation – Commissioners are distributed according to a project team.

#### **a. Deeper, Fairer Economic and Monetary Union**

One of the main projects is to strengthen Economic and Monetary Union (EMU) for it to become deeper and fairer by implementing community rules in terms of macro-economic and budgetary supervision together with the quest for a sound programme of structural reform. Jean-Claude Juncker wants to consolidate certain measures taken during the

25. Jean-Dominique Giuliani, *op cit*

crisis, and yet simplify them and give them more social legitimacy [26]. This project continues the reform of EMU in order to protect the stability of the euro. Former Latvian Prime Minister, Valdis Dombrovskis Vice-President responsible for the euro and social dialogue will lead a team comprising Pierre Moscovici, Marianne Thyssen, Jonathan Hill, Vera Jourova, Tibor Navracsics and Corina Cretu.

Work towards deepening this will have to be undertaken over the first year of the mandate. Valdis Dombrovskis will play an important role in the future of the EMU since he will be supervising the European Semester. He will have to coordinate, present and implement initiatives designed to improve the convergence of economic, budgetary and labour market policy between Member States which share the single currency. He will manage and coordinate the Commission's participation in the configuration of the ECOFIN Council, the Eurogroup, in economic dialogue with the European Parliament, macro-economic dialogue and with the ECB Council of Governors as well as in preparation of the tripartite social summits [27]. It will be represented in the European Semester by Marianne Thyssen, Pierre Moscovici, Elzbieta Bienkowska, who will participate in discussions involving social, economic, employment and growth domains. Marianne Thyssen will manage the EMU's social chapter. Her participation in the European Semester will lead to progress towards achieving the goals set by the Europe 2020 strategy [28] in the areas of employment and social integration [29]. Pierre Moscovici will lead the coordination of economic policy. In the same area and in the same year he will have to propose legislative and non-legislative initiatives that aim to deepen EMU comprising an assessment focused on the stability of the "six-pack" [30] and "two-pack" [31] laws. Tibor Navracsics will take part in this project in the "Education" sector since in the Europe 2020 strategy the modernisation of the education system is one of the goals that has been set [32]. Corina Cretu will ensure that new measures concerning the conditionality of financing are respected and play their role to the full with the new requirements made by economic governance [33].

## **b. The Single and Digital Market**

The connected, digital single market is one of the priorities of this mandate. Some subjects presage rich debate, notably regarding the reform of the telecoms economy or that of the legislation governing copyright in order to adapt to the digital revolution now ongoing [34]. Former Estonian Prime Minister Andrus Ansip is responsible for coordinating this project that includes several Commissioners [35]. The aim is for Europe to become the world leader in ITC's with all of the necessary tools to succeed in the world digital economy and thereby create jobs. Data protection is also a priority. Jean-Claude Juncker believes that the individual rights of European citizens are primordial in the draft directive on data protection. Moreover he plans to suspend the TTIP agreement with the USA if they do not respect the personal data protection clauses. However the hearing of G Oettinger has left the policy over internet neutrality in no-man's land, notably regarding the issue of costs and the protection of data [36].

The team led by A. Ansip has six months to deliver ambitious legislative measures but the single digital market still has to be defined. Many goals given to the Vice-President are the same as those given to Gunther Oettinger who is responsible for the digital economy and who will underpin the introduction of a digital network infrastructure by supporting all sectors of the economy across Europe [37]. He will also have to introduce new instruments that are compatible with the connected digital single market, such as the development of European creative industries and media. This concerns supporting an industry that can reach new audiences. Jean-Claude Juncker wants to turn the digital market into a leader in preparation for the fight to counter cybercrime and to increase communication confidentiality. The Commissioner for Justice, Consumers and Gender Equality, Vera Jourova, will take part, with Gunther Oettinger and Andrus Ansip, in concluding negotiations with the USA over the protection of data which provide justiciable rights to all European citizens, wherever they live [38].

At the end of the day the project of creating a connected, digital single market may lead to the fulfilment of the goal set by JC Juncker of 250 billion € additional growth to Europe [39].

26. [http://europa.eu/rapid/press-release\\_MEMO-14-523\\_fr.htm](http://europa.eu/rapid/press-release_MEMO-14-523_fr.htm)

27. <http://www.sylviegoulard.eu/nouvelle-commission-nouvelle-lettre-de-jean-claude-juncker-sur-la-repartition-des-roles-et-des-competences-play-it-again-sam/>

28. [http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/index\\_fr.htm](http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/index_fr.htm)

29. [http://ec.europa.eu/about/juncker-commission/docs/thyssen\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/thyssen_en.pdf)

30. [http://ec.europa.eu/economy\\_finance/articles/governance/2012-03-14\\_six\\_pack\\_en.htm](http://ec.europa.eu/economy_finance/articles/governance/2012-03-14_six_pack_en.htm)

31. [http://europa.eu/rapid/press-release\\_MEMO-13-457\\_fr.htm](http://europa.eu/rapid/press-release_MEMO-13-457_fr.htm) et [http://ec.europa.eu/about/juncker-commission/docs/moscovici\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/moscovici_en.pdf)

32. [http://ec.europa.eu/about/juncker-commission/docs/navracsics\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/navracsics_en.pdf)

33. [http://ec.europa.eu/about/juncker-commission/docs/cretu\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/cretu_en.pdf)

34. [http://ec.europa.eu/about/juncker-commission/docs/pg\\_fr.pdf](http://ec.europa.eu/about/juncker-commission/docs/pg_fr.pdf)

35. [http://europa.eu/rapid/press-release\\_MEMO-14-523\\_fr.htm](http://europa.eu/rapid/press-release_MEMO-14-523_fr.htm)

36. <http://www.euractiv.fr/sections/innovation-entreprises/andrus-ansip-envisage-de-suspendre-laccord-avec-les-etats-unis-sur>

37. [http://ec.europa.eu/about/juncker-commission/docs/oettinger\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/oettinger_en.pdf)

38. [http://ec.europa.eu/about/juncker-commission/docs/jourova\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/jourova_en.pdf)

39. [http://ec.europa.eu/about/juncker-commission/priorities/02/index\\_en.htm](http://ec.europa.eu/about/juncker-commission/priorities/02/index_en.htm)



**c. A stronger Europe in the international arena**

Over the last few years external action has been the focus of bitter negotiation between the institutions in terms of speaking with one voice. A certain amount of confusion has been created and it was not rare to see the Barroso-Van Rompuy tandem sometimes accompanied by C Ashton in meetings and international summits. Communication was plagued by a disproportionate number of press releases, speeches and press conferences which weighed heavily on the clarity of the message. Moreover Catherine Ashton focused on the organisation of the newly created European External Action Service (EEAS) to the detriment of her role as Vice-President of the Commission. The move of her office to the Berlaymont office, the seat of power is symbolic of F. Mogherini's wish to exploit this dual responsibility to the full. For the first 100 days she wants to revise the EEAS's action. Like Frans Timmermans she has said that she wants to strengthen coordination between European institutions in terms of foreign policy. Three things will be done to make the European Union's external policy a reality: a shared vision, joint work without the "them and us" situation (Institutions and Member States), coordinated action and policy followed by results, notably in the area of energy, immigration and trade." [40]

The High Representative coordinates the action of many Commissioners and Services together with the Member States. In practice this means coordinating annual spending of nearly 12 billion € on development or humanitarian aid, crisis management, enlargement and on major international trade negotiations [41]. In this regard she will be aided by Johannes Hahn, Cecilia Malmström, Neven Mimica, Christo Stylianides who will be able to replace her on an international level within their own area of competence [42]. These Commissioners will meet once a month in a steering committee called the "external action group" whose agenda will be put forward by the High Representative or the President. We might also stress the wish for coordination with the Vice-President responsible for the budget since the EEAS's political action is linked to budgets held by the competent Directorates General. Although she will lead all of the Commission's activities in the area of external relations, Jean-Claude Juncker

wants F Mogherini to focus on real geopolitical challenges, notably the many crises that are affecting the Union and its neighbourhood right now [43]. One of the goals is to develop a joint approach to external action and this will be one of the challenges to rise to in the face of the variety of foreign policies that exist within the States.

In addition to this Commissioners Hahn, Malström and Mimica will continue the work undertaken with the Union's neighbouring States by developing bilateral agreements. The President recalled that there would be no further enlargements within the next five years. However Johannes Hahn will be competent to undertake a strengthened neighbourhood policy and also ongoing enlargement negotiations, notably with the Western Balkans.

A portfolio containing migratory issues has been created under the authority of Dimitris Avramopoulos. In the migration chapter of the project "Improvement of regulations" he will have to draft a new European legal migration policy. Christos Stylianides will provide his support to the neighbourhood policy especially in countries at war thanks to the effects of European humanitarian aid.

Although JC Juncker seems to want to allow his Vice-President a certain amount of freedom the quality of working relations between herself and Donald Tusk are still an unknown.

**d. New impetus for employment, growth and investment**

On 15th July 2014 Jean-Claude Juncker maintained as he spoke to the European Parliament that his "*absolute priority and the leitmotif of all of my proposals will be to put Europe back on track for growth and to ensure that everyone finds a decent job.*" [44] The priority in terms of the project to revive the economy clearly emerges in the organisation of the Commission's action: the demand of rapid results, major means both from the point of view of the budget and the number of Commissioners working on the project.

From an organisational point of view Jean-Claude Juncker would like to initiate a major project entitled "new impetus for employment, growth and investment." Former Finnish Prime Minister Jyrki

40. <http://www.euractiv.fr/sections/leurope-dans-le-monde/federica-mogherini-affirme-sa-ligne-politique-face-moscou-308986>

41. <http://www.jd-giuliani.eu/fr/article/cat-2/396-Le-veritable-numero-2-de-la-Commission-europeenne.html>

42. [http://europa.eu/rapid/press-release-MEMO-14-523\\_fr.htm](http://europa.eu/rapid/press-release-MEMO-14-523_fr.htm)

43. Michel Foucher, « Europe : anciens et nouveaux enjeux de voisinage » Question d'Europe n°326, Fondation Robert Schuman, septembre 2014 <http://www.robert-schuman.eu/fr/doc/questions-d-europe/qe-326-fr.pdf>

44. [http://ec.europa.eu/about/juncker-commission/docs/pg\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/pg_en.pdf)

Katainen, Vice-President responsible for employment, growth and investment and competitiveness, will be in charge of guiding and coordinating the work of eight Commissioners, which makes it the biggest project in terms of the number of "mobilised" Commissioners. They will have three months [45] to put forward concrete, financed measures so that the Commission can put its "growth, employment and investment" project forward which for JC Juncker is an "absolute priority". This ambitious project should lead to the stimulation of up to 300 billion [46] € in additional public and private investment in the real economy over the next three years. It is also due to be at the cutting edge of the Commission's economic and social strategy to achieve its goals in view of the Europe 2020 strategy [47]. Elżbieta Bieńkowska [48], responsible for the industrial part of the economic project is due to introduce measures to increase the visibility and influence of industry in the economy from 16% at present to an ambitious 20% of the GDP by 2020. However the financing of this envelope of 300 billion € remains to be defined. This will mean joint mobilisation by both private and public sectors, the European Commission, the European Investment Bank and the Member States.

Finally it will be interesting to see the how the British impact financial services under Jonathan Hill. The attribution of this portfolio comes in response to British doubts about its place in the Union. Will this "vital" position for the UK's economy not force it to undertake a positive integration project (capital market union)?

### ***e. A more resilient Union from the point of view of energy, together with a visionary climate change policy***

JC Juncker's strategy comprises the quest to diversify the EU's sources of energy to reduce the dependency of several Member States and to improve its energy efficiency and at the same time increase the share of renewable energies to create jobs and reduce spending. The seven Commissioners will have to put forward a series of measures in each of their areas (in association with the Environment and Energy), that Maros Šefcovic will be responsible for coordinating and steering, with the main aim of achieving 30% energy savings

by 2030 [49]. From the very start of the mandate Miguel Arias Canete and Carlos Moedas, will ensure the preparation and the negotiation of legislative instruments that will enable a political agreement on energy and the climate for 2030 as set out in the Green Paper "A 2030 framework for climate and energy policies" [50] The aim is also an environmental one in view of the UN conference on global warming planned to take place in Paris in 2015 [51].

With a portfolio that covers environment, maritime affairs and fisheries Karmenu Vella [52] is responsible for looking into the combination of "blue" and "green" growth and will have to take part in the drafting of international governance of the oceans at the UN and in other multi-lateral and bilateral for a with world partners.

In the short term they will have to prevent all shortage risks by guaranteeing the Union's energy security in the first twelve months of the mandate. The Commission will strengthen tools to enable an energy supply security warning policy illustrated by the "stress test" for the gas market for example [53]. Jean-Claude Juncker has made "Energy Union" a priority of his mandate not only because of its climatic and environmental importance but also because of the weight it might have in his project for economic recovery. He is therefore counting on the geopolitical (energy independence notably regarding the east), environmental (the fight to counter global warming) budgetary (reduction of costs) and economic (green growth) importance of the EU's energy and environmental policy. This is why the Union's energy project is being coordinated with the project for economic revival led by Jyrki Katainen.

### **CONCLUSION**

Several factors lead us to think that the Juncker Commission will be more political: a strong association of competence, of experienced personalities mastering the intricacies of the both the Council and the European Parliament, the will to focus on the essential, an innovative organisation which highlights the desire for intense political debate within the College.

The outgoing Commission has been criticised of not being political enough. Technical directives and regulations, inaudible communication, unknown faces and a lack of

45. During the plenary session of the European Parliament held the 22th of October, JC Juncker expected a proposal "before Christmas"

46. [http://europa.eu/rapid/press-release-MEMO-14-523\\_fr.htm](http://europa.eu/rapid/press-release-MEMO-14-523_fr.htm)

47. [http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/priorities/index\\_fr.htm](http://ec.europa.eu/europe2020/europe-2020-in-a-nutshell/priorities/index_fr.htm)

48. [http://ec.europa.eu/about/juncker-commission/docs/bienkowska\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/bienkowska_en.pdf)

49. [http://europa.eu/rapid/press-release-MEMO-14-523\\_fr.htm](http://europa.eu/rapid/press-release-MEMO-14-523_fr.htm)

50. [http://ec.europa.eu/energy/consultations/doc/com\\_2013\\_0169\\_green\\_paper\\_2030\\_en.pdf](http://ec.europa.eu/energy/consultations/doc/com_2013_0169_green_paper_2030_en.pdf)

51. <http://www.developpement-durable.gouv.fr/Les-enjeux-de-la-conference-de.html>

52. [http://ec.europa.eu/about/juncker-commission/docs/vella\\_en.pdf](http://ec.europa.eu/about/juncker-commission/docs/vella_en.pdf)

53. [http://ec.europa.eu/energy/doc/energystresstests\\_communication.pdf](http://ec.europa.eu/energy/doc/energystresstests_communication.pdf)

leadership have made the Commission's action opaque. Of course the challenge of enlargement, institutional debates that were unclear for the citizen (constitution, treaty, budgetary pact etc ...) together with a period of multiple crises promoted an intergovernmental approach that sometimes responded more to the saying "who pays decides" than to a fully developed community method.

The approach chosen by the new President of the Commission is based on observations that he noted when he was an actor and privileged observer, and a member of the Council over the last twenty years.

Clear leadership (with a perimeter of action laid out in extreme detail in the letters of mission dispatched to the Commissioners), a sorting role for the 1st Vice-

President in terms of the legislative proposals, an innovative matrix organisation and targeted action on joint projects are the means employed by Jean-Claude Juncker in his presentation of a more political Commission. One of the advantages of this approach is to show its political priorities clearly in a framework of projects. This will make it easier to hold the Commission responsible. Indeed citizens, MEPs and Member States will be able to check to see if the projects are producing results. This is a democratic advantage to help citizens understand the European project.

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**Charles de Marcilly,**

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