



Inside Brussels: The Roles in the Juncker Commission and its New Decision Making Process

After having been approved by the European Parliament and appointed by the Council, the new European Commission was able to commence its five-year term and President Juncker explained how the new structure with Vice-Presidents teaming up with Commissioners should work in the future.

While the general idea behind the new set-up is to facilitate the ten priorities described in the Political Guidelines, President Juncker objects to the characterization of Vice-Presidents as “Super-Commissioners”. However, looking at the working plan it seems that the equality of the Members of the Commission is only for the voting in the College. Each of them will still have one vote, but the role of the Vice-Presidents is pretty strong with clear powers of intervention and interference. The decision-making process will become more complex and ultimately gives the President a very strong role, being the referee in case Commissioners and Vice Presidents cannot agree.

A substantial concentration of powers could also result in the loss of collegiality, for example if the opposition of a Vice-President stops a project. Commissioners will have to get the approval/consent of their responsible Vice-President before presenting a proposal to the College.

Stakeholders will have to find new allies and cannot just relying on their national Commissioners.

Background

After the European Parliament’s approval and the Council’s appointment, the new European Commission started its five-year term on 1 November. President **Jean-Claude Juncker** substantially changed the way the Commission used to be organised. He appointed seven Vice-Presidents, who would not be responsible for a single policy area but they would rather steer and coordinate the work across the Commission in those key areas highlighted in the Political Guidelines presented by President Juncker on 15 July 2014. The intention of the President is to have a Commission “bigger and more ambitious on big things but smaller and more modest on small things”. This means delivering concrete results on the ten policy priorities set out in the Political Guidelines, while leaving the rest to the Member States, to deal at national, regional or local level.

As soon as President Juncker announced the allocation of portfolios and the creation of the new roles of Vice-Presidents, a question immediately emerged as to the relationship between the Vice-Presidents and the “ordinary” Commissioners and how the Vice-Presidents would operate without having their own policy departments (Directorate-General – “DG”).

Commission Vice Presidents - The New Captains of the Team

President Juncker's thinking on how the newly enhanced roles should fit into the overall structure of the Commission becomes more and more concrete. The President has outlined specific working arrangements to enable Vice-Presidents to complete their tasks. Particular attention is dedicated to the role of three of them:

Mr Timmermans, the First Vice-President; **Ms Georgieva**, the Vice-President for budget and human resources and **Ms Mogherini**, the High Representative for foreign affairs and security policy. These three will have a special oversight of all Commissioners' work. The Vice-Presidents will help Commissioner President exercise his presidential prerogatives. This means each of them is empowered to deliver on the respective priority projects.

Project teams

Each Vice-President will be responsible of a project team with several Commissioners working closely together, in composition that changes according to the need and to the area of responsibility. Cooperation across portfolios is needed in order to produce those initiatives that can lead and support in particular to the top priorities of the Juncker-Commission, including a new boost for jobs, growth and investment, a connected digital single market, a resilient European Energy Union, a deeper Internal Market and a fairer Economic and Monetary Union.

Special role of Vice Presidents

Even though all Commissioners are equal in the decision-making process of the College, the President will not include a new initiative in the Commission Work Programme or place it on the agenda of the College unless this is recommended by one of the Vice-Presidents, and this is coherent with the priority projects of the Political Guidelines.

The First Vice-President

Among the Vice-Presidents there is one who will have even more power. In view of his particular responsibilities, the President will pay particular attention to the opinion of the First Vice-President in charge of Better Regulation, Inter-institutional Relations, the Rule of Law and the Charter of Fundamental Rights, **Mr Timmermans** from The Netherlands. The First Vice-President is also entrusted with the regular monitoring of procedures linked to the preparation of delegated and implementing acts to ensure full political ownership.

The new decision making process

The College will meet weekly and it is a duty for Members of the Commission to be present. Decisions are as a rule taken by consensus, but a quorum of 15 Members is needed. Another fix appointment is the weekly meeting of the Heads of Cabinets, the so called "Hebdo", which will prepare the meetings of the College. Next to that, orientation debates will be used to set the political parameters within which the Commission services will develop a proposal or a common approach. These debates will take place on the basis of a paper, prepared by the responsible Vice-President and Commissioner in agreement with the President. At this level, stakeholder views can be taken on board and should be referred to when relevant.

Interaction between Vice Presidents and the DGs

Under the supervision of the President and his Cabinet, Vice-Presidents are supported by the Secretariat-General in their tasks. All request from Vice-Presidents to Commissioners and to the Directorate-General, in particular requests for meetings and briefings, should always be made via the Secretariat-General. Through the Secretariat-General, Vice-Presidents will also be able to draw on any DG whose work is relevant for their area of responsibility, in consultation with the relevant Commissioner and the President's Cabinet. At the end, the Secretariat-General will be the facilitator between different departments of the Commission and it will support those Vice-Presidents with no DG at their direct service.

Appointment of Senior Staff

The appointment of all senior staff of the Directorates-General will be made by the College of Commissioners, on a proposal of the Vice-President for Budget in agreement with President Juncker and after consultation of the Commissioner and Vice-President concerned in their policy area. These appointments intend to improve the loyalty of the Commission services towards their "chefs" – Commissioners and Vice-Presidents.

Relationship between Commissioners and DGs

Going forward, the Commissioner will issue general guidelines and instructions to his/her respective DGs, in accordance with the College's priorities. The respective Director-General will advise the Member of the Commission on the files relating to his/her portfolio. However, the Director-General must always obtain the prior agreement of the Commissioner and of the relevant Vice-President before launching any new initiatives, except those relating to routine management.

It is foreseen that Commissioner and the senior management of his/her DG should meet on a weekly basis (for the so called "Jour Fixe" meeting). Next to that, the Member of the Commission shall have a weekly update on inter-institutional relations and on all delegated and implementing acts prepared in the relevant service. Meetings between a Commissioner, the senior management of his/her DG and the relevant Vice-President are envisaged on a bi-monthly period. The President's Cabinet and the Secretariat-General shall be invited to these strategic meetings.

Interaction between DGs

Cooperation among the different DGs is ensured through the inter-service consultations. As a rule they precede the political decision-making process and aim to ensure collegial preparation of new initiatives. These consultations involve all services (DGs) with a legitimate interest in the text and are launched by a Commissioner in agreement with the responsible Vice-President and the First Vice-President in charge of Better Regulation.

As set before, for key initiatives of the Commission, Inter-Service groups chaired by the Secretariat-General should be established in order to prepare the draft and conduct the relevant impact assessment. An impact assessment is needed for all initiatives (also for delegated and implementing acts) likely to have significant direct economic, social or environmental impacts.

Interaction/Interfacing among Institutions (Commission, Council, EP)

In order to prepare the position that the College should take in the inter-institutional process, the Deputy Heads of Cabinet of the Members of the Commission form the Inter-institutional Relations Group (GRI), which meets once a week. Any position paper, statement, letter addressed to other Institutions and which may commit the Commission on legislative matters must be agreed by all the Members of the Commission through the GRI before being presented.

Regarding the Inter-institutional responsibilities, Members of the Commission are obliged to respect in full the Framework Agreement with the European Parliament, that means giving priority to attendance of plenary sessions and relevant committee meetings. Under the coordination of the First Vice-President, they are also expected to be politically active in the Member States, especially within national Parliaments, and in dialogue with citizens.

Transparency

The new Commission intends to improve transparency. Therefore, as a rule, Members of the Commission agreed not to meet professional organisations or self-employed individuals which are not registered in the Transparency Register. Moreover, as of 1 December, all Members of the Commission are expected to make public on their respective web pages all the contacts and meetings with professional organisations or self-employed individuals "on any matter relating to EU policy-making and implementation, unless confidentiality is required for compelling reasons of public interest".

The New Commission Working Programme

In addition to the working method, the new Commission has to agree also on the agenda. The Commission Working Programme (CWP) 2015 will set out the policy programme for new initiatives, basically it will translate the ten points of the Agenda for Jobs, Growth, Fairness and Democratic Change into concrete actions. It will include new initiatives for 2015, but also withdrawals of pending proposals.

The President intends to adopt the CWP 2015 during the December's plenary, on 16 December. Before that, the First Vice-President will discuss the CWP orientations with the General Affairs Council and the Parliament. Among the initiatives for inclusion in the work programme there are:

- Jobs, growth and investment package
- Review of better regulation approach
- Review of state aid framework for services of general economic interest
- MFF mid-term review and proposals for post-2020 MFF
- Legislative proposals on the digital single market, including more ambitious telecoms reform
- Copyright modernisation
- Consumer rules for online and digital purchases
- E-privacy directive reform (after agreement on data protection)
- New European energy union framework
- Actions to strengthen energy security

- Legislative proposals to implement 2030 climate and energy package
- Reassessment of air and waste packages
- Review of ETS state aid guidelines
- Review of Ecodesign/Energy labelling directives
- Review of the energy tax directive

For further information please contact:



Dr Holger Schmitz
Head of Regulatory
& Governmental Affairs Group
Berlin and Düsseldorf
T +49 30 2094 2160
T +49 211 49986 170
holger.schmitz@noerr.com



Dr A. Dominik Wendel
Partner, Antitrust
& Competition Law Group
Head of Brussels office
T +32 2 27455 70
dominik.wendel@noerr.com



Alexander Israel
Partner, Antitrust
& Competition Law Group
Brussels
T +32 2 27455 78
alexander.israel@noerr.com

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