

## **The European Commission**

The Commission is independent of national governments. Its job is to represent and uphold the interests of the EU as a whole. It drafts proposals for new European laws, which it presents to the European Parliament and the Council.

It is also the EU's executive arm – in other words, it is responsible for implementing the decisions of Parliament and the Council. That means managing the day-to-day business of the European Union: implementing its policies, running its programmes and spending its funds.

Like the Parliament and Council, the European Commission was set up in the 1950s under the EU's founding treaties.

### **What is the Commission?**

The term 'Commission' is used in two senses. First, it refers to the team of men and women – one from each EU country – appointed to run the institution and take its decisions. Secondly, the term 'Commission' refers to the institution itself and to its staff.

Informally, the appointed Members of the Commission are known as 'commissioners'. They have all held political positions in their countries of origin and many have been government ministers, but as Members of the Commission they are committed to acting in the interests of the Union as a whole and not taking instructions from national governments.

A new Commission is appointed every five years, within six months of the elections to the European Parliament. The procedure is as follows:

- The Member State governments agree together on who to designate as the new Commission President.
- The Commission President-designate is then approved by Parliament.
- The Commission President-designate, in discussion with the Member State governments, chooses the other Members of the Commission.

- The Council adopts the list of nominees by qualified majority and communicates it to the European Parliament for approval.
- Parliament then interviews each nominee and votes its opinion on the whole team.
- Following Parliament's vote of approval, the new Commission is formally appointed by the Council, acting by qualified majority.

The present Commission's term of office runs until 31 October 2009. Its President is José Manuel Barroso, from Portugal.

The Commission remains politically accountable to Parliament, which has the power to dismiss the whole Commission by adopting a motion of censure. Individual members of the Commission must resign if asked to do so by the President, provided the other commissioners approve.

The Commission attends all the sessions of Parliament, where it must clarify and justify its policies. It also replies regularly to written and oral questions posed by MEPs.

The day-to-day running of the Commission is done by its administrative officials, experts, translators, interpreters and secretarial staff. There are approximately 25 000 of these European civil servants. That may sound a lot, but in fact it is fewer than the number of staff employed by a typical medium-sized city council in Europe. The 'seat' of the Commission is in Brussels (Belgium), but it also has offices in Luxembourg, representations in all EU countries and delegations in many capital cities around the world.

### **Where is the Commission based?**

The 'seat' of the Commission is in Brussels (Belgium), but it also has offices in Luxembourg, representations in all EU countries and delegations in many capital cities around the world.



### **What does the Commission do?**

The European Commission has four main roles:

1. to propose legislation to Parliament and the Council;
2. to manage and implement EU policies and the budget;
3. to enforce European law (jointly with the Court of Justice);
4. to represent the European Union on the international stage, for example by negotiating agreements between the EU and other countries.

### **1. Proposing new legislation**

The Commission has the 'right of initiative'. In other words, the Commission alone is responsible for drawing up proposals for new European legislation, which it presents to Parliament and the Council. These proposals must aim to defend the interests of the Union and its citizens, not those of specific countries or industries.

Before making any proposals, the Commission must be aware of new situations and problems developing in Europe and it must consider whether EU legislation is the best way to deal with them. That is why the Commission is in constant touch with a wide range of interest groups and with two advisory bodies – the Economic and Social Committee and the Committee of the Regions. It also seeks the opinions of national parliaments and governments.

The Commission will propose action at EU level only if it considers that a problem cannot be solved more efficiently by national, regional or local action. This principle of dealing with things at the lowest possible level is called the 'subsidiarity principle'.

If, however, the Commission concludes that EU legislation is needed, then it drafts a proposal that it believes will deal with the problem effectively and satisfy the widest possible range of interests. To get the technical details right the Commission consults experts, via its various committees and groups.

### **2. Implementing EU policies and the budget**

As the European Union's executive body, the Commission is responsible for managing and implementing the EU budget. Most of the actual spending is done by national and

local authorities, but the Commission is responsible for supervising it – under the watchful eye of the Court of Auditors. Both institutions aim to ensure good financial management. Only if it is satisfied with the Court of Auditors' annual report does the European Parliament grant the Commission discharge for implementing the budget.

The Commission also has to manage the policies adopted by Parliament and the Council, such as the Common Agricultural Policy. Another example is competition policy, where the Commission has the power to authorise or prohibit mergers between companies. The Commission also has to make sure that EU countries do not subsidise their industries in such a way as to distort competition.

Examples of EU programmes managed by the Commission range from the 'Interreg' and 'Urban' programmes (creating cross-border partnerships between regions and helping regenerate declining urban areas) to the 'Erasmus' programme of Europe-wide student exchanges.

### **3. Enforcing European law**

The Commission acts as 'guardian of the Treaties'. This means that the Commission, together with the Court of Justice, is responsible for making sure EU law is properly applied in all the member states.

If it finds that an EU country is not applying an EU law, and therefore not meeting its legal obligations, the Commission takes steps to put the situation right.

First it launches a process called the 'infringement procedure'. This involves sending the government an official letter, saying why the Commission considers this country is infringing EU law and setting it a deadline for sending the Commission a detailed reply.

If this procedure fails to put things right, the Commission must then refer the matter to the Court of Justice, which has the power to impose penalties. The Court's judgments are binding on the member states and the EU institutions.

### **4. Representing the EU on the international stage**

The European Commission is an important mouthpiece for the European Union on the international stage. It enables the member states to speak 'with one voice' in international forums such as the World Trade Organisation.

The Commission also has the responsibility of negotiating international agreements on behalf of the EU. One example is the Cotonou Agreement, which sets out the terms of an important aid and trade partnership between the EU and developing countries in Africa, the Caribbean and the Pacific.

### **How is the Commission's work organised?**

It is up to the Commission President to decide which commissioner will be responsible for which policy area, and to reshuffle these responsibilities (if necessary) during the Commission's term of office.

The Commission meets once a week, usually on Wednesdays in Brussels. Each item on the agenda is presented by the commissioner responsible for that policy area, and the whole team then takes a collective decision on it.

The Commission's staff is organised in departments, known as 'Directorates-General' (DGs) and 'services' (such as the Legal Service). Each DG is responsible for a particular policy area and is headed by a Director-General who is answerable to one of the commissioners. Overall coordination is provided by the Secretariat-General, which also manages the weekly Commission meetings. It is headed by the Secretary-General, who is answerable directly to the President.

It is the DGs that actually devise and draft legislative proposals, but these proposals become official only when 'adopted' by the Commission at its weekly meeting. The procedure is roughly as follows.

Suppose, for example, that the Commission sees a need for EU legislation to prevent pollution of Europe's rivers. The Directorate-General for the Environment will draw up a proposal, based on extensive consultations with European industry and farmers, with environment ministries in the member states and with environmental organisations. The

draft will also be discussed with other Commission departments and checked by the Legal Service and the Secretariat-General.

Once the proposal is fully ready, it will be put on the agenda of the next Commission meeting. If at least 13 of the 25 commissioners approve the proposal, the Commission will 'adopt' it and it will have the whole team's unconditional support. The document will then be sent to Council and the European Parliament for their consideration.

### **Limiting the size of the Commission**

A Commission with too many members will not work properly. There is at present one commissioner from each EU country. When Bulgaria and Romania join the European Union it will have 27 member states. At that point, the Council - by a unanimous decision - will fix the maximum number of commissioners. There must be fewer than 27 of them, and their nationality will be determined by a system of rotation that is absolutely fair to all countries.