

Working Group Workpackage I

The EU's Institutional Framework Post Lisbon (Edward Best)

Agenda

Thursday 6 June 2013

14.00 – 15.30 h

Fondation Universitaire, Rue d'Egmont 11

Salle D

“Where is the Commission going after Lisbon? Political accountabilities and independent powers”

The Working Group will discuss the evolving nature of the Commission in the post-Lisbon context, looking forward to the 2014 European elections and the process of electing the Commission President. Moreover it aims to assess trends in the Commission's relationships with the European Council and the European Parliament.

Chair:

Edward Best, European Institute of Public Administration (EIPA), Maastricht

Panelists:

Brendan Donnelly, Federal Trust

Brigid Laffan, Professor, University College Dublin

Heinrich Wollny, Policy Officer, General Institutional Issues, Secretariat-General, European Commission

Discussion

Report

Taking up the discussions on the EU's institutional balance post-Lisbon of the previous year, the working group moderated by *Edward Best* (European Institute of Public Administration) took a closer look at the European Commission. In his introductory statement, Best described some recent streams in the academic debate on the EU's executive.

The first speaker of the panel, *Richard Wollny* (Policy Officer, General Institutional Issues, Secretariat-General, European Commission) presented a number of thoughts on the Commission's relationship with the other EU institutions. As regards the relationship with the Council, he acknowledged that there was a real continuity in the decision-making process. The economic crisis brought a new political reality with intergovernmental agreements made between Head of States and Governments, although the system couldn't purely function in an intergovernmental manner. According to his view, the European Commission had extended its role on financial regulation. Turning to the European Parliament, he considered that there was a special relationship with the European Parliament, giving as examples cooperation in the framework of question time, in committees at working level, and the recent changes concerning the involvement of Parliament in the preparation of the annual workprogramme of the Commission. He underlined that the legitimacy of both Commission and Parliament needed to increase in order to safeguard the legitimacy of the whole EU structure. One option was to organize elections on the same day all over Europe. Parties would present a candidate for the office of Commission president who would have to campaign, instead of being elected by the European Council. According to Mr Wollny it was however important to keep in mind that a politicization of the Commission would also create challenges, for example as regards its judicial functions.

Brigid Laffan (University College Dublin) began her intervention by presenting the shift on European Commission responsibilities and accountabilities. She pointed out that it was the Commission that made the EU system distinct. Looking at the long-term evolution of the Commission's position in the institutional framework, she argued that paradoxically the reduction in horizontal powers (vis-à-vis the other EU institutions) was accompanied by an increase in vertical power (vis-à-vis the Member States). According to her view, the powers of the European Commission to frame and set the agenda had declined, but in the wake of the crisis it arguably received unprecedented influence on national budgets. The latter aspect was, however, uncharted territory. In terms of leadership, Brigid Laffan identified some kind of "semi-presidentialism" (Van Rompuy, Barroso, Schulz, Draghi) in the making. Turning to the crisis impact, she argued that so far there had been more experiments in the economic sphere than in the political sphere. Informal contacts had flourished between the European Commission's and Council's cabinets and significant changes had emerged such as the the President of the European Central Bank's role in crisis intervention. The last point touched upon the institutional landscape that the European elections would bring. Their mobilization and impact were questioned, to what extent elections would make a difference and would serve as political experiment.

Brendan Donnelly noted that the Commission's role was inseparable from the Eurozone. Concerning the crisis, he considered the Eurozone as a key instrument to European

integration, arguing that the objectives of the Euro zone would force debt mutualisation. He considered that the Commission had to play the role of referee for consolidation in the Eurozone. In that context, he underlined that there was no accountability without politicization, or, in other words, winners and losers. He underlined that parliaments provided their function at national level, whereas the role of the European Parliament was to legitimize what the European Commission did. However, he agreed that this legitimization ultimately relied on an European demos. While conceding that no such demos existed today, he pointed out that EU critics were wrong in believing that there could never be one.

In the general discussion among panelists and working group participants, *Christopher Lord* (ARENA) reiterated that national administrations execute the Commission's decisions. Concerning the Commission's agenda-setting function, he noted that the Commission had to anticipate national interests before making proposals. *Attila Agh* (Budapest College of Communication) considered the multiple divides within the EU (big vs. small, new vs. old etc) and how the Commission could take them into account. *Antonio G. Soares* (ISEG, Technical University of Lisbon) noted that the Commission's output legitimacy was hurt by the troika activities in the programme countries, a problem that would have to be addressed rather sooner than later. Taking up the Commission's agenda-setting role, *Lucia Rossi* (University of Bologna) argued that the European Council had taken over that role to a large extent over the past few years. She continued by noting that the European Commission had to be stronger and needed to reinforce its impartiality rather than speaking on behalf of the biggest Member States. Elaborating on that point, *Lenka Rovna* (Charles University Prague) discussed the strengthened role of some Member States and the possible results of such an asymmetrical development. She also made reference to the proposal to equip the Commission President with a double hat and let him chair the European Council.

The round of answers started with the acknowledgment from Heinrich Wollny that more mutualization was needed notably in the field of fiscal policies, in order to enhance more political integration. The problems emanating from divided legislation at national and European level could be reduced by vesting the Commission with more powers. With a view to the Commission reputation in the programme countries, he underlined that it was making decisions not alone, but in conjunction with the ECB and the IMF. He welcomed the fact that future adjustment programmes would be linked to the EU's regular economic governance cycle. With a view to the proposal to merge the positions of Commission and European Council president, he cautioned that it would be difficult to explain that the incumbent was not responsible for every problem in the EU. On the other hand it would give the EU a face, which was also important. Brigid Laffan argued that the sine qua non of more politicization in the EU was an EU tax. She noted that the IMF had a better reputation than the Commission and the ECB in the programme countries, but reminded the audience that not so long ago the IMF was "demonized". Apparently it had learned a lot. She moreover stated that the number of 27/28 Commissioners wasn't really consistent since it could break portfolios and cause inter-cabinet conflicts. Brendan Donnelly returned to the Lisbon reforms concerning the Commission and described how the British Eurosceptics had been strengthened by EU's failure to reduce the size of the Commission as originally foreseen in the Treaty of Lisbon. He

considered taxing powers for the EU not very likely at the present stage, not least because no one thought about the EU budget as an instrument of integration anymore.

In the second round, *Ian Cooper* (ARENA, Oslo) outlined contradictions that might emanate from piecemeal reforms: if an anti-austerity candidate would be elected as Commission President, he would not have much leeway to act because the policy was already set. In a similar vein, *Simon Bulmer* stressed that it was difficult for the Commission to take the interests of both debtors and creditors into account simultaneously. *Mats Braun* (Czech Institute of International Studies) asked if the European Parliament could enhance the Commission's legitimacy, especially for the Eurozone, and raised the question of a Euro-committee within the EP. *Heinrich Wollny* considered that this was a decision the EP had to make by itself. Wrapping up, *Brigid Laffan* acknowledged that the future would tell more but that the banking union also concerned non-Euro zone countries; the difference relied on the Member States which would never become part of the Euro zone.

Laura Ventura (TEPSA Brussels)

Tobias Kunstein (University of Cologne)