



EU INSTITUTIONS

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NEED FOR INSTITUTIONAL REFORM

- ▶ Institutional deficiency (Maastricht/Amsterdam/Nice)
 - Institutional reform needed to keep up with the EU's deepening and widening
 - Improvement of: decision-making efficiency, EU representation, transparency/legitimacy and achievement of EU goals
- ▶ Supranational vs. Intergovernmental method
 - Supranational representation → Commission
 - Intergovernmental representation → Council

EU INSTITUTIONS

- ▶ **European Parliament**
- ▶ **Council (of the European Union)**
- ▶ **European Council** (institution after Lisbon)
- ▶ **European Commission**
- ▶ **Court of Justice of the European Union**
- ▶ **Court of Auditors**
- ▶ Other bodies: Economic and Social Committee, Committee of the Regions, European Central Bank, European Investment Bank
- ▶ Europol, Eurojust, agencies, etc.

EUROPEAN COMMISSION

- ▶ Art 17/1 TEU – promotes general interests of the EU
- ▶ Principal policy-maker in the EU
- ▶ Roles:
 - ▶ initiator of the legislative process (exclusivity in supranational pillar)
 - ▶ Oversees the implementation of the EU law in Member States (“guardian of the Treaties”)
 - ▶ Represents the EU abroad and negotiates international agreements
- ▶ Elected for period of 5 years
- ▶ Politically responsible to the EP
- ▶ Independence of commissioners
- ▶ 28 Commissioners (smaller Commission?)
- ▶ Directorates General

EUROPEAN COMMISSION POST-LISBON

- ▶ Promotes “the general interest of the Union”
- ▶ Driving force of EU integration (deepening & widening)
- ▶ Exclusive right of legislative initiative → legislative proposal is in the general interest of the EU
- ▶ It can achieve these goals only by cooperating with the EP and the MSs BUT:
 - 1) Does this challenge its independence
 - 2) Would the Lisbon abandonment of the system of one Commissioner per MS have reduced the power of the Commission and its President?
 - 3) Does acting in the “general interest of the Union” require representation of each MS?

PRESIDENT OF THE EUROPEAN COMMISSION

→ Prominent role internally & externally

Art. 17(6)(b) TEU: “The President of the Commission shall decide on the internal organisation of the Commission, ensuring that it acts consistently, efficiently and as a collegiate body.”

→ appoints Vice-Presidents and makes a member resign - Post-Lisbon slightly strengthened role – no College approval needed

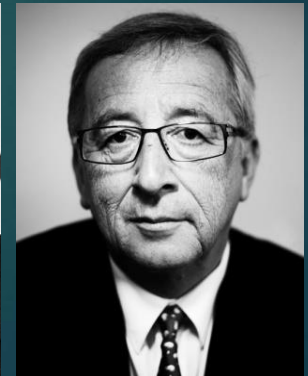
▶ Competing powers (post-Lisbon):

1) President of the European Council

2) High Representative

José Manuel Barroso

-> Jean-Claude Juncker



COUNCIL OF MINISTERS

- ▶ Legislative institution
- ▶ Different formations – 1 representative from each MS at ministerial level (e.g. GAC, ECOFIN)
- ▶ Levels of decision-making
- ▶ Ministerial → COREPER I and II → working groups
- ▶ Presided by the the rotating Presidency
- ▶ Except: Council of Ministers of Foreign Affairs – presided by the High Representative for Foreign and Security Policy
- ▶ Decision-making: qualified majority (55% of MSs, 65% of population), simple majority, unanimity

EUROPEAN COUNCIL



▶ “Summit”

- ▶ Defines general political directions and priorities
- ▶ Heads of State or Government of MSs, together with its President and the President of the Commission – post-Lisbon High Rep. takes part in its work
- ▶ Post-Lisbon: recognized as an EU institution, and can enact binding decisions

PRESIDENT OF THE EUROPEAN COUNCIL

- ▶ New function! Attributed to an individual for 2,5 years
- ▶ Herman Van Rompuy -> Donald Tusk



PRESIDENT OF THE EUROPEAN COUNCIL

- ▶ Reaction to the weaknesses of the rotating six-months depersonalised Presidency of the Council
- ▶ The Presidency of the Council/European Council was, at the start, intended mostly for internal purposes, but over the years it acquired a central role externally in CFSP
- ▶ Post-Lisbon: Individual Presidency of the European Council remains contrasted to MSs' Presidency of the Council
- ▶ Role: chair meetings of the European Council; ensure its functioning; present a report to the EP; ensure external representation of the Union in CFSP *at his/her level and in that capacity* (15(6) TEU)
 - Will the President of the European Council become the most prominent figure internally and externally? Is his external role competing with that of High Representative?

HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY

- = Union Minister of Foreign Affairs (Constitution)
- Amsterdam: High Representative for CFSP (18(3)EU)
- Catherine Ashton -> Federica Mogherini



HIGH REPRESENTATIVE



- Roles:

- 1) Presiding over the Foreign Affairs Council
- 2) Commission Vice-President

Duties (Art. 18 TEU):

- 1) Conducting the EU CFSP
- 2) Responsible for external relations in the Comm.
- 3) Ensuring the consistency of EU external action

COMMISSION PRESIDENT VS. HIGH REPRESENTATIVE

- ▶ High Representative = Commission Vice-President
 - ▶ Unlike other Vice-Presidents, not appointed by the Comm. President but by the European Council
 - ▶ In case of conflicting responsibilities, the Council role prevails:
Art. 18(4) TEU: "In exercising these responsibilities within the Commission, and only for these responsibilities, the High Representative shall be bound by Commission procedures to the extent that this is consistent with paragraphs 2 and 3."
 - ▶ Abandoning of the previous independent Comm. initiative:
Art. 30 TEU: "Any MS, the High Representative, or the High Representative with the Commission's support, may refer any question relating to the common foreign and security policy to the Council and may submit to it initiatives or proposals ..."
- Commission loses?

COMMISSION PRESIDENT VS. PRESIDENT OF THE EUROPEAN COUNCIL

- ▶ Verhofstadt (College of Europe, 18 Nov. 2002): *“Can one person express consensus of Europe when Europe rather seldom reaches consensus on burning international issues?... Presidentialism of the EU does not seem to me an appropriate option for Europe’s future institutional structure.”*
 - ▶ Prodi (EP, 5 Dec. 2002): *“Such a position would open a rift in our institutional structure.”*
 - ▶ The influence of the President of the European Council largely depends on the individual holding the position
- Commission loses

WHOM WILL THE JAPANESE PRIME MINISTER CALL?

- ▶ European President?
- ▶ President of the European Commission?
- ▶ High Representative for Foreign and Security Policy?



EUROPEAN PARLIAMENT



- ▶ Legislative institution
- ▶ max. 751 MEP
- ▶ Minimum 6, maximum 96 per MS
- ▶ Direct elections every 5 years; number of MEPs distributed according to national quotas
- ▶ Last elections: June 2014
- ▶ Croatia has 11 MEPs

EUROPEAN PARLIAMENT

- ▶ MEPs grouped according to political affiliation, not national
- ▶ Largest party: EPP, followed by S&D; Greens ...
- ▶ Eurosceptics also represented
(EFD – 32)
- ▶ President: Antonio Tajani (from January 2017)



CONCLUSION

- ▶ Why do we need institutional changes & are they good?
 - The Treaty of Lisbon - institutional improvements?
 - 1) Further integration (deepening and widening)
 - 2) Decision-making efficiency → EU efficiency in general
 - 3) Transparency & democracy → EU legitimacy
 - 4) Union representation → President of the European Council, High Representative or Commission President?
- ▶ Any institutional change might change the institutional balance + balance among MSs – to whose advantage?
 - 1) Commission → supranational/integration interests
 - 2) Council/MSs → intergovernmental/national interests
 - 3) EP → more transparency and democracy, but not necessarily more efficiency in decision-making