Appendix A: A short description of the European Commission

The following description of the European Commission can be found on the official website of the European Commission [http://europa.eu.int/institutions/comm/index_en.htm (Online query: 24.08.2004)]:

"The Commission is the politically independent institution that represents and upholds the interests of the EU as a whole. It is the driving force within the EU's institutional system: it proposes legislation, policies and programmes of action and it is responsible for implementing the decisions of Parliament and the Council. The term "Commission" is used in two senses. First, it refers to the Members of the Commission - i.e. the team ("college") of men and women appointed by the member states and Parliament to run the institution and take its decisions. Secondly, the term "Commission" refers to the institution itself and to its staff. The day-to-day work of the Commission is done by its administrative officials, experts, translators, interpreters and secretarial staff. There are approximately 24,000 of these European civil servants. That may sound a lot, but in fact it is fewer than the number of staff employed by most medium-sized city councils in Europe. Far from being faceless bureaucrats, these people are ordinary citizens from every EU country, selected through competitive examinations and working together to build a strong and successful European Union.

The European Commission has four main roles:

Proposing new legislation: Under the Treaty, the Commission has the "right of initiative". In other words, it 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. It is obliged to consult two advisory bodies: the Economic and Social Committee (made up of employers' and trade unions' representatives) and the Committee of the Regions (made up of representatives of local and regional authorities). It also seeks the opinions of national parliaments and governments. The Commission will propose action at EU level only if it believes 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 the experts who make up its various committees and working groups.

Implementing EU policies and the budget: As the European Union's executive body, the Commission is responsible for managing and implementing the EU
budget and the policies and programmes adopted by Parliament and the Council. Most of the actual work and spending is done by national and local authorities, but the Commission is responsible for supervising it. One example of a policy actively managed by the Commission is competition policy: the Commission monitors cartels and mergers, and makes 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 European regions, helping regenerate cities and declining urban areas) to the "Community Framework Programme" for Europe-wide research and the "Erasmus" programme of student exchanges. The Commission handles the budget under the watchful eye of the Court of Auditors. Both institutions aim to ensure good financial management. Only if it satisfied with the Court of Auditors' annual report does the European Parliament grant the Commission discharge for implementing the budget.

**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 a particular Member State 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 legal process called the "infringement procedure". This involves sending the Member State an official letter, saying why the Commission considers it is infringing EU law and setting a deadline for the government to send 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 European institutions.

**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 EU member states to speak "with one voice" in international forums such as the World Trade Organization. The Commission also has the responsibility of negotiating international agreements on behalf of the EU. One well-known 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. 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 President, with the Commission's approval, is also entitled to demand a commissioner's resignation.

The "college" of commissioners 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 college takes a collective decision on it. The Commission's staff is organized into 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. It is the DGs that actually devise and draft the Commission’s legislative proposals, but these proposals become official only when “adopted” by the College 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 organizations. The proposed legislation will then be discussed with all relevant Commission departments and amended if necessary. It will then be checked by the Legal Service and approved by the commissioners’ “cabinets” (personal political staff). Once the proposal is fully ready, the Secretary-General will put it on the agenda for a forthcoming Commission meeting. At this meeting, the Environment Commissioner will explain to his or her colleagues why this legislation is being proposed, and they will then discuss it. If there is agreement, the College will “adopt” the proposal and the document will be sent to Council and the European Parliament for their consideration. If there is disagreement among the commissioners, the President will ask them to vote on it. If a majority is in favour, the proposal will be adopted. Thereafter it will have the unconditional support of all the Commission members.”