

## The European Commission

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### <THE COMMISSION AND ITS EVOLUTION IN THE FUTURE>

It must be remembered that:

- the Commission plays the role of guardian of the Treaties;
- the Commission represents the Community in international organisations;
- the Commission is granted the power of implementation of the rules laid down by the Treaties;
- the Commission is entitled with the power of initiative or power of proposal, which implies that the Commission disposes of a sufficient autonomy towards the Member States and the other institutions of the EC;
- the Commission is now appointed, after the Treaty of Maastricht, according to a new system (see Article 158 of the EC Treaty).

### Discussions that will probably take place within the IGC (Inter-Governmental Conference) 1996 on the Commission

#### 1. Exclusive right of legislative initiative

It is more than likely that the power of initiative of the Commission will be maintained as such. Indeed, it is a fundamental aspect of the institutional balance of the Community. Only some radical defendants of a purely inter-governmental decision-making process consider that the Commission should be reduced to the role of a purely executive body limited to the management of the Community.

Another important question is whether the exclusive right of the Commission to propose common measures should apply in the areas of foreign and security policy,

and justice and home affairs. It is likely to believe that most of the governments feel that the Commission is not as well equipped to formulate proposals in those fields as it is to formulate in economic policy.

## 2. Guardian of the Treaties

As it appears from the report of the Reflection Group of 5 December 1995, all the members of the Group are in favour of retaining this role to the Commission.

It is more than likely that this will not be put into question by the IGC.

## 3. Executive powers

It is more than likely that the present pattern of mixed or shared executive (between Commission, Council and Member States Governments) will continue.

## 4. Composition of the Commission

The appropriate size of the Commission is a very delicate question.

Some Member States are in favour of maintaining the system as such (two Commissions for each large Member State and one Commission for each small Member State).

Some others consider that the Commission composed of more than 20 Commissioners will encounter difficulties of efficient work and increase the difficulty of warranting portfolios of any real substance in the Commission which is not going to increase proportionally the number of its powers.

It is also considered, by some governments, that the size of the Commission is already at 20 Members too large and that its representativeness should be reduced by establishing the rule of one Commissioner per Member State.

This raises another question. Should each Member State continue to have the right to nominate a Member of the Commission?

Some other arrangements are envisaged by the Reflection Group as, for instance,

the possibility of the college in future being composed of two kinds of Commissioners, senior Members and voting or non-voting junior Commissioners.

It has also been advanced to have a reduced college in which each Commissioner would represent a minimum number of inhabitants which would result in the permanent presence of nationals of the more populous States and rotation for nationals of the rest of the Union.

#### 5. Appointment of the Commission

The system of appointment of the Commission having been recently modified, it is likely that it will remain as such.

However, the European Parliament, in its resolution of 17 May 1995, on the functioning of the Treaty on European Union, has proposed that the President of the Commission should be directly elected by the European Parliament from among a list of names put forward by the European Council. The rest of the Commission should then be put together by agreement between the President and the national Governments before coming to Parliament for a final vote of investiture of the college.

#### 6. Accountability of the Commission

It comes out from the report of the Reflection Group that the majority in the Group favours making the Commission more accountable to the European Parliament.

This means that a motion of censure of the activities of the Commission might be decided on the basis of a simple majority and that, in addition, individual motions of censure could be voted against Commission's Members by the Parliament.

Some Members of the Reflection Group object to this on the grounds that such a possibility would undermine the Collegial nature of the Commission.

Final remarks

It is no doubt that the Commission, as well as the other institutions, will have to face an important challenge coming from the enlargement of the Community.

A wider Union enlarged to include Central and Eastern European States will require more holding together than a smaller and deeper Community.

This last years, the Commission has been severely criticized. The Commission is considered by many as a bureaucracy responsible of all the economic, political and social current difficulties which the Western European countries are faced.

This tendency is made stronger by the influence of the public opinion which is suffering from unemployment and an increase of poverty in the public and in the private sectors.

The only way to restore the credibility of the Commission is to make the Union as strong as possible in order to demonstrate that Europe can solve problems and can adapt to new circumstances and requirements.

(Lecture in English)