

## Enhancing Political Leadership in the EU

### How the EU could work with two Presidents

Janis A. Emmanouilidis and Claus Giering

The Franco-German proposal of a dual presidency in the EU is a breakthrough in the European reform debate. It cuts through the Gordian knot between communitarian and intergovernmentalist approaches. It constitutes an institutional framework to retain governability in a greater Europe. The next task is to examine the consequences of the realisation of a dual presidency for the European Union. This Spotlight presents deliberations detailing a coherent institutional arrangement including both an elected Commission President and a President of the European Council (see graphical overview at the end).

#### Key proposals:

- The Commission President should be elected by the European Parliament. European political parties should nominate their top candidate for the post of Commission President. The Parliament should be entitled to dismiss the Commission President, but only by electing a new President at the same time.
- The Heads of State and Government should elect a President of the European Council on the basis of a double-majority. The President should be a package-broker and promoter of political initiatives in the intergovernmental sphere, and the main spokesperson for the Union as an international actor.
- The legislative functions of the Council should be brought together under the umbrella of a *Chamber of States* which ought to remain subject to a rotating Presidency.
- As to those operative policy fields not (yet) subject to law-making, the member states should come together in the framework of *Steering Councils* co-chaired by representatives of the member states and the Commission.

## 1. Election of the Commission President

The European Commission is handicapped by a lack of accountability and a tendency of political marginalisation. In order to restore the Commission to its role as a driving force of European integration, any institutional reform needs to strengthen the Commission's power-base and political legitimacy. As a consequence, the Commission President should no longer be nominated by the European Council but rather be elected by the European Parliament. European political parties should nominate their top candidate for the post of Commission President on the basis of a common electoral programme. The elected Commission President should be subject to a final approval by the Heads of State and Government.

The entire Commission should be subject to confirmation by the European Parliament (EP) and subsequently by the European Council. The Parliament should be entitled to dismiss the Commission President, but only by electing a new President at the same time (constructive vote of no confidence). The Commission President should have the right to autonomously select the members of the college. However, the Commission should not be dominated by one political party or a specific group of parties, but rather reflect the overall composition of the EP.

The Commission's leadership scope will not solely be determined by institutional arrangements. Hence, the Commission's powers need to be increased. The Commission should

- continue to enjoy the exclusive right of initiative in the sphere of Community competencies,
- propose the multi-year work and legislative programme concerning the sphere of Community competencies,
- play a leading part in the framework of the EU's efforts to coordinate the member states' economic policies *via* the Open Method of Coordination and
- have more flexibility on the expenditure side of the budget.

A reform along the lines of the above proposals will in effect increase the Commission's weight in the inter-institutional setting.

## 2. Electing a President of the European Council

In order to uphold the institutional equilibrium and to reach the necessary consensus among governments, an improvement of the Commission's political power-base will have to be paralleled by a reform of the EU's intergovernmental structures. Aspiring to enhance continuity, efficiency and visibility, the Heads of State and Government should elect a senior political figure as 'full-time' President of the European Council for a

period of 5 years. The President of the European Council could play a vital and delicate political role, diplomatically steering the way towards the broadest possible consensus among the Heads of State and Government, whilst maintaining momentum and avoiding stagnation. The President should be elected on the basis of a double majority comprising a majority of citizens and member states. This rule would in effect constitute a safeguard for both the large and the small/medium-sized member states. In an EU-27 neither the six larger nor the 21 smaller member states could elect a President of the European Council on their own. The President should be a manager and promoter of political initiatives, a package-broker in the European Council, and a spokesperson for the Union as an international actor.

- Externally, and notwithstanding the necessity to further communitarise the Common Foreign and Security Policy (CFSP), the President of the European Council should (i) speak for the EU on the international political scene on the highest level and (ii) assist the European Council in defining the principles of and general guidelines for the CFSP, including in particular its Security and Defence Policy dimension (ESDP). A President of the European Council could in particular help overcome the lack of consensus on both the EU and member state level when it comes to issues of hard security, which the member states (still) strongly perceive as belonging to the realm of national sovereignty.
- Internally, the President should prepare, chair, and supervise the follow-up activities of the meetings of the European Council. The President should function as the European Council's spokesperson. Following European summits the President should submit to the EP and the public a report which will replace the current Presidency Conclusions. Moreover, the President should be in charge of issuing an annual written report on the progress achieved by the European Council. Finally, the President should, together with the Commission President, chair the meetings of the *Coordinative Steering Council* (see below).

The alternative proposal of a 'double-head', which seeks to combine the Presidency of the European Council and the Commission in one person, and aims to combine and reconcile supranational and intergovernmental legitimacy, may at a first sight seem promising. However, providing the Union with a single face or voice would upset the institutional equilibrium and, as a result of the resources available to the Heads of State and Government, would curtail the Commission's autonomy. Given the current level of integration, a single person at the top of both the Commission and the European Council might orientate her or his loyalty and interests towards the member states' political representatives. This solution would thus, in the long run, degrade the Commission to the level of a subordinate authority. Combining both Presidencies in one person might eventually become the best-case-option if EU integration truly reaches the level of Political Union. Until then, however, the institutional setting should reflect the actual division of power within the European Union.

### 3. Establishing a Chamber of States

A reform of the Union's intergovernmental structures should not be restricted to the European Council but also include a major adaptation of the Council. Aiming to increase the efficiency of the decision-making process, the EU's ability to consistently implement agreed policy objectives and the overall accountability of the actors involved, the Council's legislative functions should be separated from other policymaking functions. The Council and the European Parliament should constitute the two main branches of the EU's legislature. The respective functions of the Council should be brought together under the umbrella of a *Chamber of States* co-responsible for approving every single legislative or budgetary act prepared on the level of subordinate sectoral ministerial committees.

- The work of the *Chamber* should be subject to qualified majority voting, the co-decision procedure, the judicial control by the European Court of Justice and the Commission's monopoly of initiative.
- The meeting of the *Chamber of States* should be public.
- The *Chamber* could remain subject to a system of rotating Presidency, thereby enabling member states to continue to introduce their specific national policy priorities into the EU's decision-making machinery.

### 4. Introducing Steering Councils

As to those operative fields not (yet) subject to law-making, the member states should come together in the framework of *Steering Councils*. Given the present level of integration, it would require four *Steering Council* formations: three related to the policy fields of CFSP, Justice and Home Affairs (JHA), and economic, monetary and social matters and one *Coordinative Steering Council* responsible for linking the overall work of the individual Council formations. In the light of the requirements of coherence and coordination between the member states and the Commission, the *Steering Councils* could be co-chaired by representatives of the member states and the Commission.

- The *Coordinative Steering Council* should be co-chaired by the President of the Commission and the President of the European Council.
- The *Steering Council* dealing with external relations should be chaired by the responsible Vice-President of the Commission and the High Representative, whereby in accordance with the Franco-German proposal one person could possibly be in charge of both functions ('double-hat').
- The *Steering Councils* concerned with issues related to JHA and the one dealing with economic, monetary and social matters should be co-headed by the respective

Vice-President of the Commission ('JHA-Commissioner', 'Lisbon-Commissioner') and a representative of the member states.

## 5. Reinforcing the role of the European Parliament

The election of the Commission President, the appointment of a President of the European Council and the restructuring of the Council, will have positive repercussions on the position of the European Parliament:

- The election of the Commission President in the wake of EP elections will reinforce the parliamentary character of the EU's political system. The electorate's direct impact on the election of one of the most prominent political figures could trigger the people's interest in the elections of the EP and generally stimulate political debates, which in turn will attract media coverage and emphasize the significance of the only democratically elected parliamentary body on the EU level.
- The establishment of a *Chamber of States*, as an indispensable prerequisite for an EU legislature representing both a Union of Citizens as well as a Union of States, will strengthen the EP's role as a law-making and democratic monitoring body. The fact that the *Chamber of States* will be subject to legislative procedures currently dominating the areas of Community competence (qualified majority voting, co-decision procedure etc.) will enhance the rights of the EP.
- The establishment of *Steering Councils* for those operative policy areas which are not (yet) subject to legislative procedures and the introduction of a President of the European Council will increase the level of accountability on the side of the member states. In effect this will add to the EP's ability to exercise its democratic control functions and to exert pressure on those responsible for EU (in)action.

### Leadership and accountability

The above reform proposal seeks to establish a more efficient and accountable political leadership. Going beyond the Franco-German proposal, it sets out visible leadership roles and clarifies the division of responsibilities between the legislative and operative policymaking functions for the entire institutional setting of the EU (see also graphical overview). This will reduce the pervasive practice of avoiding blame and claiming credit, which characterises the current EU system, and has been facilitated by overlapping powers and ambiguous roles. Creating institutional accountability is the only feasible way to stop citizens from turning their backs on the European Union.

**The present paper is largely based on the results of the strategy paper "Bridging the Leadership Gap" prepared by the Thinking Enlarged Group.**

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