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*Practice Group(s):*

*Public Policy and  
Law*

*European Regulatory  
/ UK Regulatory*

## The European Commission 2014-2019

*By Ignasi Guardans and Alessandro Di Mario*

### I. Overview: A new structure

President-elect Jean Claude Juncker announced on September 10 the allocation of responsibilities in his team and the way work will be organised in the European Commission once it takes office.

The most important change, in terms of internal organization, refers to the new role of the Vice Presidents. In the Juncker Commission, there will be 6 Vice-Presidents in addition to the High Representative of the Union for Foreign Affairs and Security Policy who is at the same time a Vice-President of the Commission.

Vice-Presidents will lead project teams, sometimes called clusters (the terminology appears to have been dropped officially for now) steering and coordinating the work of a number of Commissioners. The compositions of these teams are decided for now, but that may change according to need and to possible new projects developing over time. This is supposed to ensure a dynamic interaction among Commissioners, breaking down silos. It remains to be seen if it simplifies or it actually complicates the legislative and decision making process.

Vice Presidents have been charge with the role of:

- Steering and coordinating work in their area of responsibility. This will involve bringing together several Commissioners and different parts of the Commission to shape coherent policies and deliver results.
- Assessing how and whether proposed new initiatives fit with the focus of the Political Guidelines. As a general rule, now new initiative can be included in the Commission Work Programme or place it on the agenda of the College unless this is recommended to Juncker by one of the Vice-Presidents on the basis of sound arguments and a clear narrative that is coherent with the priority projects of the Political Guidelines.
- Managing and organising the representation of the Commission in their area of responsibility in the European Parliament, the Council, national Parliaments and other institutional settings as well as at international level.
- Promoting a proactive and coordinated approach to the follow-up, implementation, and communication of priority policies across the Union and internationally.

As a result, a Commissioner will depend on the support of his/her Vice-President to get the approval of an initiative. This is an unprecedented filtering power of some Commissioners over the work of others which remains to be seen in practice. In particular, the President has given an extraordinary filtering power, almost a veto capacity, to the First Vice-President and to the Vice-President for Budget and Human Resources.

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However, the actual work, the civil service, is under the direct control of each one of the Commissioners. It is them. The “portfolio Commissioners” that will receive the reporting of the Directors General and have direct authority over them (a clear attribution of DGs to each Commissioner has been done at the time of these nominations). So, as the EC puts it in a press release, “Vice-Presidents and Commissioners will be mutually dependent on one another. A Commissioner will depend on the support of a Vice-President to bring a new initiative into the Commission Work Programme or on to the College Agenda. At the same time, a Vice-President will depend on his or her Project Team Commissioners’ contributions to successfully complete the project assigned to him or her”.

Considering that Commissioners are from different political families and different nationalities, this scheme can result in extremely strong and efficient teamwork... or in disaster and high voltage political tensions.

### II. Three strong Vice-Presidents

#### *First Vice-President*

#### **FRANS TIMMERMANS**

A Social Democrat, he is currently serving as the Minister of Foreign Affairs in the Dutch Government. In 1987 he started a career as a civil servant, which led him to several jobs in Foreign and European Affairs. In 1998 he became a Member of Netherlands’ Parliament. He is fluent in English, French, Russian, German, Italian and Spanish.

He will be in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights. He will also act as a watchdog, upholding the Charter of Fundamental Rights and the Rule of Law in all of the Commission’s activities. He will thus work with all Commissioners, but particularly closely with the Commissioner for Justice, Consumers and Gender Equality and the Commissioner for Migration and Home Affairs due to their close link with fundamental rights and the rule of law.

Timmermans has been given a very powerful tool: he will ensure that every Commission proposal respects the principles of subsidiarity and proportionality. In a time when it is an essential political priority for the Commission to “concentrate on those areas where only joint action at European level can deliver the desired results”, and to leave other issues to a lower level, this subsidiarity and proportionality previous check can be extraordinarily important, for example to reduce the scope of a legislative measure, or simply to block it. President Juncker has made it clear that the opinion of this First Vice President (that is, his and that of his Cabinet) must be heard “before including any new initiative in the Commission Work Programme or putting it on the agenda of the College”.

It is a general perception that Franz Timmermans has the potential to become the strongest element in this new Commission, a real horizontal Deputy to the Commission’s President in a totally unprecedented way.

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### *Vice-President for Budget and Human Resources*

#### **KRISTALINA GEORGIEVA**

Ms Georgieva is currently the Bulgarian Commissioner in the second Barroso Commission, with responsibility on the portfolio for International Cooperation, Humanitarian Aid and Crisis Response. She built her career within the World Bank, where she served until 2010 and where she reached the rank of Vice President. She also has a very strong academic CV, with a PhD in Economics and an MA in Political Economy and Sociology.

She will vet all Commission initiatives for their budgetary and personnel implications. She has the natural power that in any Government falls to the budget Minister. “You will help the Commission to demonstrate the value added of the EU budget and contribute to a stronger performance culture in relation to the EU budget, including by enhancing performance-based budgeting across the Commission.”

She is responsible for the European Anti-Fraud Office (OLAF), “while respecting its investigative independence”. She has also been asked to further modernise European public administration, including by making stronger use of digital technologies. She will be tasked to bring female representation in the Commission's senior and middle management to 40% by the end of the mandate. She does not lead a specific Team: she will work with all Commissioners.

### *High Representative of the Union for Foreign Affairs and Security Policy*

#### **FEDERICA MOGHERINI**

Ms Mogherini is the current Italian Ministry of Foreign Affairs in Matteo Renzi's Government. So she held this job only since February. She has 20 years' experience in foreign policy in various roles, in her party and in Parliament.

After some debate about her alleged excessive closeness to Russia or her lack of experience as a Minister, she was appointed High Representative by the Council, and that made her automatically a nominated Vice President for the Commission. She will thus be the second “Foreign Minister”. It is worth recalling very special institutional position according to the Treaties: at once representing Member States as the Union's High Representative for Foreign and Security Policy and, at the same time, representing the Commission as one of its Vice-Presidents. The only person having held this position before, Lady Ashton, un-balanced this dual position in favour of Member States and the Council. But this will change now: in a “Pragmatic partnership agreement” (SIC) between Ms. Mogherini and President Juncker, she has formally agreed to move her Headquarters and her direct staff to the main building of the Commission, the Berlaymont. As in any administration, this may have practical consequences and is supposed to allow a much better liaison with the other Commissioners in their external activities.

The HR will chair a Commissioners' Group on External Action, which will meet at least once a month in varying thematic and/or geographic formats, according to the needs identified by her or by the President.

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She is not formally in charge of a “Team”, but she will steer and coordinate the external work of every single Commissioner and in particular, the work of the Commissioners for European Neighbourhood Policy and Enlargement Negotiations; Trade; International Cooperation and Development; and Humanitarian Aid and Crisis Management. As a novelty, whenever she sees the necessity to do so, she will ask the Commissioner for European Neighbourhood and Enlargement Negotiations and eventually other Commissioners to deputise in areas related to Commission’s competence (that is, not in areas which are restricted to the Council: essentially Security and Defence).

### III. Four Vice Presidents steering four Project Teams

As explained, the rest of the Commission has been organized in four Project Teams, each under the leadership of a Vice President. It is interesting to note that none of these Team leaders, with an overseeing and filtering authority over their fellow Commissioners, comes from what is normally seen as “big” or “powerful” countries in the EU: they are from Finland (Katainen), Latvia (Dombrovskis), Estonia (Ansip) and Slovenia (Bratusek).

As it can be easily seen, these teams are not always coherent; and as the portfolios are sometimes very large in themselves, their Commissioners can be in more than one team. Other Commissioners do not appear to have been formally allocated to any Group, but each one of them has received specific instructions from President Juncker in the nomination letter regarding the Vice President he/she must “liaise closely with”, as a rule, “for any initiatives requiring a decision from the Commission”.

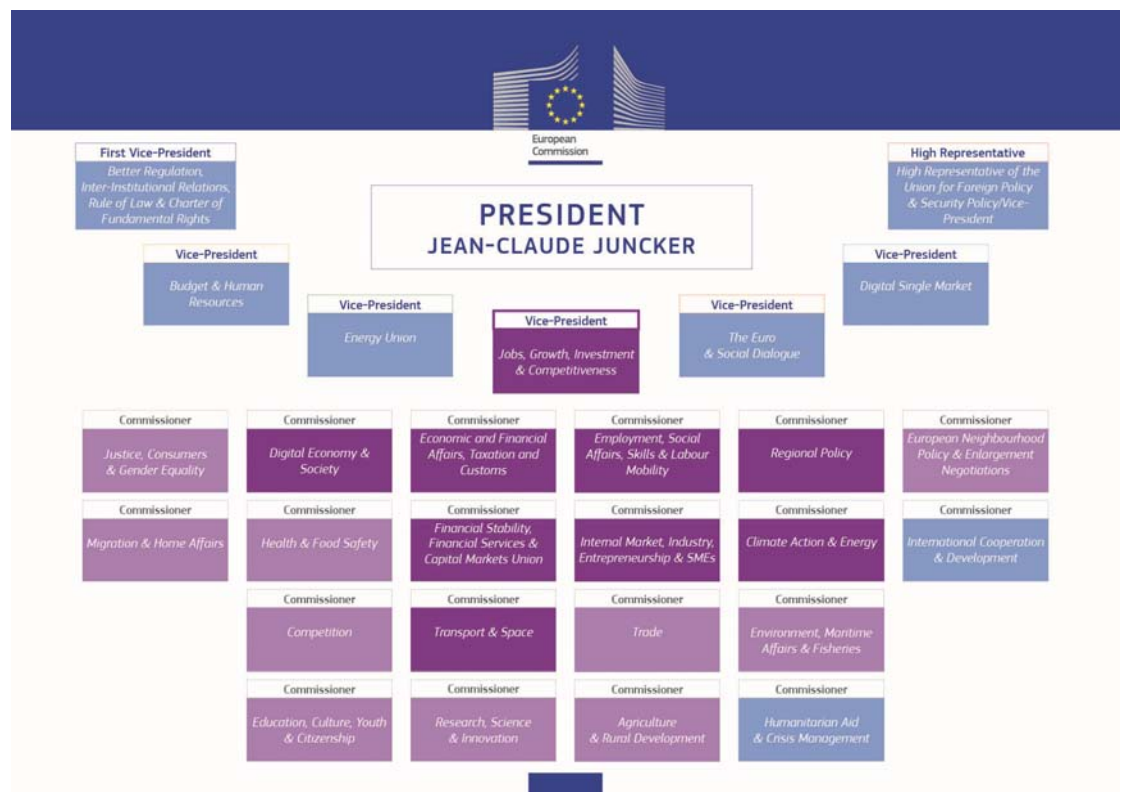
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*Project Team: A New Boost for Jobs, Growth and Investment*

**Team leader: Jyrki Katainen, Vice-President for Jobs, Growth, Investment and Competitiveness.**

He will steer and coordinate the work of several Commissioners. He will, in particular, steer and coordinate the work of the Commissioners for

- Economic and Financial Affairs;
- Employment, Social Affairs, Skills and Labour Mobility;
- Regional Policy;
- Internal Market, Industry, Entrepreneurship and SMEs;
- Financial Stability, Financial Services and Capital Markets Union;
- Digital Economy and Society;
- Climate Action and Energy; and
- Transport and Space.



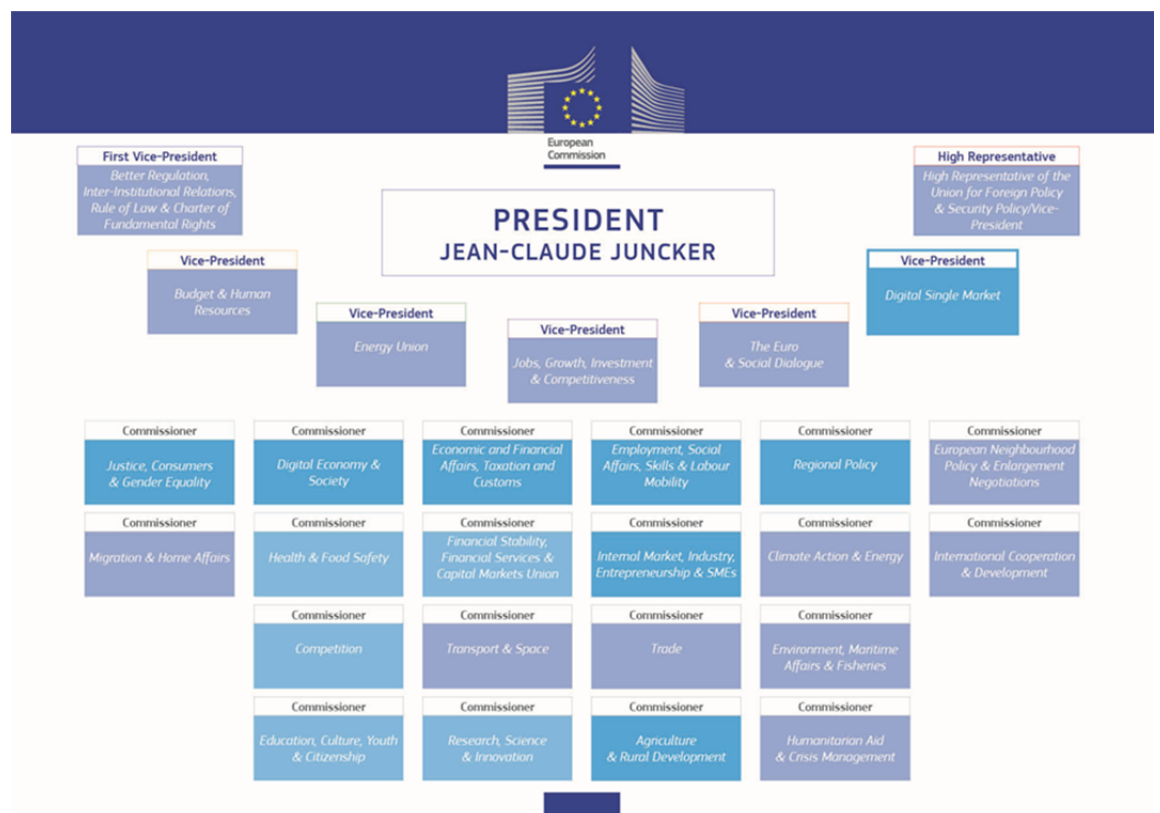
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*Project Team: A Digital Single Market*

**Team leader: Andrus Ansip, Vice-President for the Digital Single Market.**

The Vice-President for the Digital Single Market will notably be tasked with presenting ambitious legislative steps towards a connected digital single market, including reforms (new or completing those in process) in breaking national silos in telecoms regulation, in copyright reform and data protection legislation, in the management of radio waves and in the application of competition law in this field. He will steer and coordinate the work of, in particular, of the Commissioners for

- Digital Economy and Society;
- Internal Market, Industry, Entrepreneurship and SMEs;
- Employment, Social Affairs, Skills and Labour Mobility;
- Justice, Consumers and Gender Equality;
- Economic and Financial Affairs, Taxation and Customs;
- Regional Policy; and
- Agriculture and Rural Development.



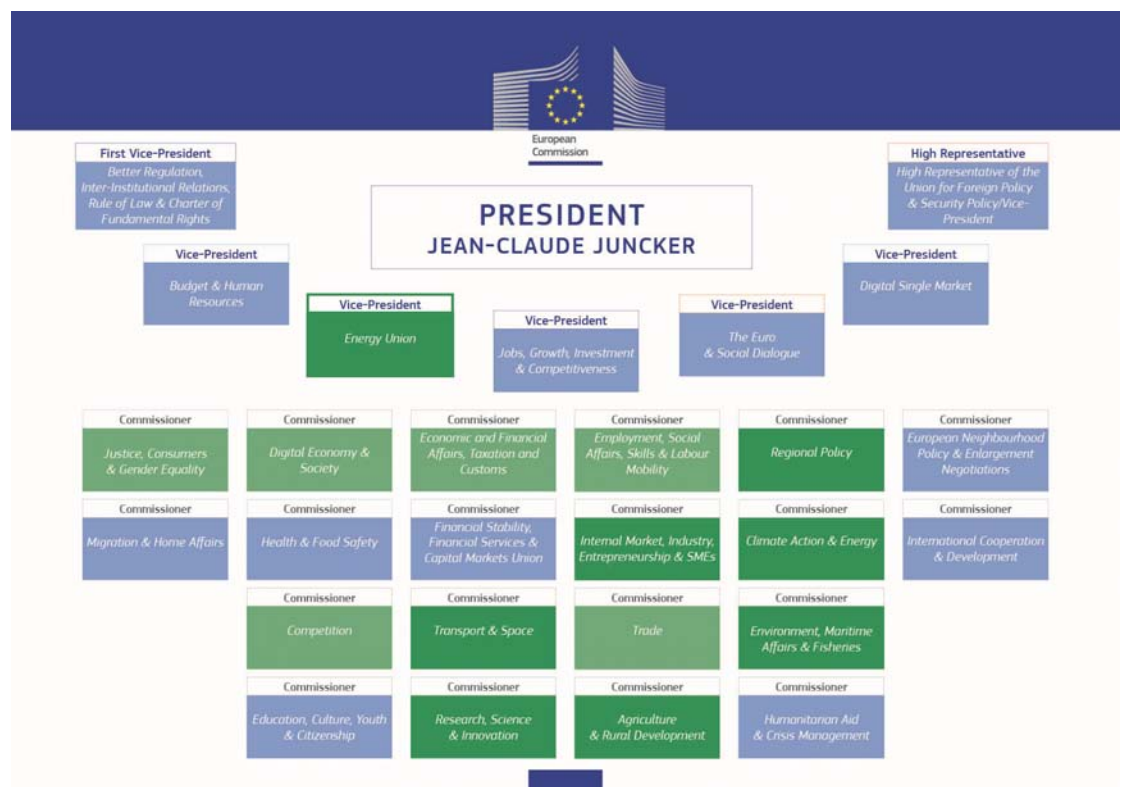
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*Project Team: A Resilient Energy Union with a Forward-Looking Climate Change Policy*

**Team leader: Alenka Bratušek, Vice-President for Energy Union.**

He will notably be tasked with reforming and reorganising Europe’s energy policy into a new European Energy Union. He will steer and coordinate in particular the work of the Commissioners for

- Climate Action and Energy;
- Transport and Space;
- Internal Market, Industry, Entrepreneurship and SMEs;
- Environment, Maritime Affairs and Fisheries;
- Regional Policy;
- Agriculture and Rural Development; and Research, Science and Innovation.



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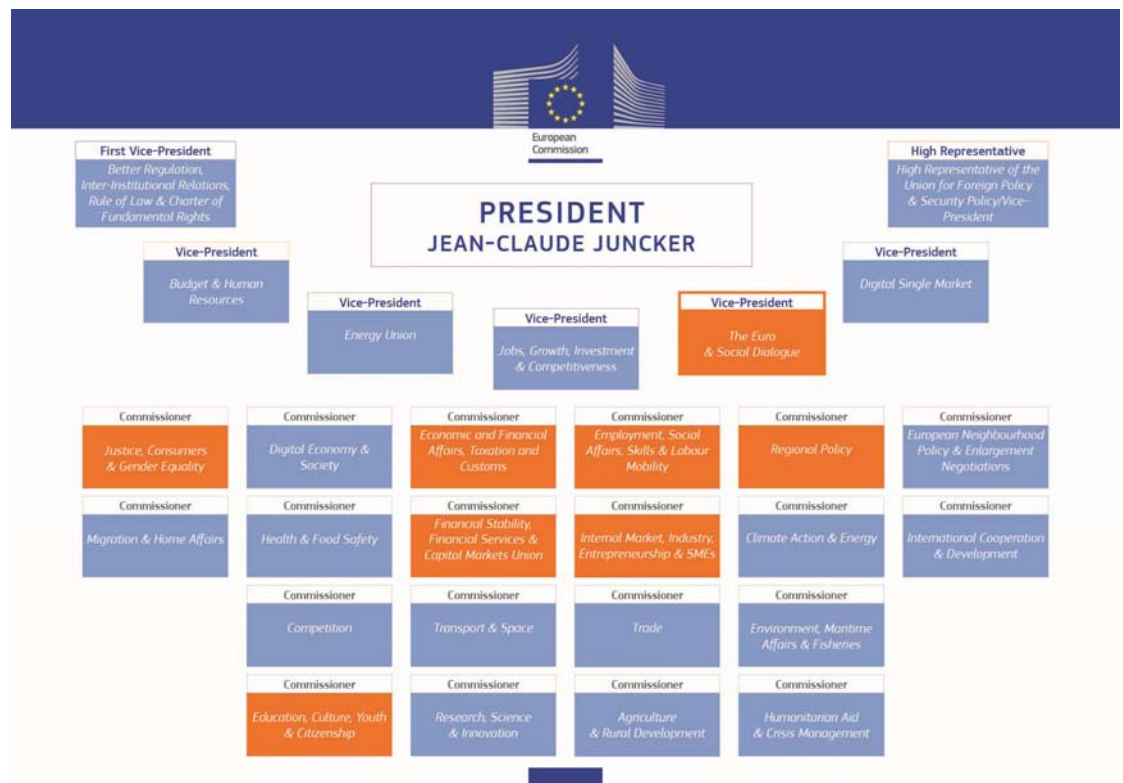
*Project Team: A Deeper and Fairer Economic and Monetary Union*

**Team leader: Valdis Dombrovskis, Vice-President for the Euro and Social Dialogue.**

He will notably be tasked with overseeing the European Semester (Europe's economic governance cycle) and with coordinating, presenting and implementing initiatives to enhance the convergence of economic, fiscal and labour market policies between the Member States that share the euro.

He will steer and coordinate in particular the work of the Commissioners for

- Economic and Financial Affairs, Taxation and Customs;
- Employment, Social Affairs, Skills and Labour Mobility;
- Financial Stability, Financial Services and Capital Markets Union;
- Internal Market, Industry, Entrepreneurship and SMEs;
- Education, Culture, Youth and Citizenship;
- Regional Policy; and
- Justice, Consumers and Gender Equality.





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### IV. Reference to Specific Portfolios

*References to policy priorities have been freely extracted from the official letters addressed by President Juncker to each one of the new Commissioners defining their mandate and portfolio. These priorities illustrate the portfolio remit. In several cases, these policy instructions are linked to partial internal reorganization within Directorates Generals, or changes in the line of reporting, which are detailed in specific charts and organigrams.*

#### *Digital Single Market (Vice-President) -*

#### **ANDRUS ANSIP**

##### **Comment**

Mr Ansip served as Prime Minister of Estonia between 2005 and 2014, when he had to resign due to a fall in popularity of his party (centre-right). He has been elected to the European Parliament in the last elections, where he received the largest number of preferential votes in Estonia. As Head of the national Government, Mr Ansip had to lead his country in difficult economic times and had the burden of implementing several austerity measures.

As a Team Leader he will have a relevant role in balancing positions in very sensitive topics, such as telecom reform, spectrum management or copyright reform.

##### **Selected Priorities**

- Bringing together the different regulatory powers of the Commission to complete the Digital Single Market.
- Steering and coordinating, within the first six months of the mandate, ambitious legislative steps towards a connected Digital Single Market, notably by adding more ambition to the ongoing reform of the telecoms rules, modernising copyright rules in the light of the ongoing digital revolution – taking full account of Europe’s rich cultural diversity – and modernising and simplifying consumer rules for online and digital purchases. Oversee, during the first six months of the mandate, the conclusion of negotiations on the reform of Europe’s data protection rules as well as the review of the Safe Harbour arrangement with the U.S.
- Supporting the Vice-President for Jobs, Growth, Investment and Competitiveness in the project to present, within the first three months of the mandate, the jobs, growth and investment package announced in the Political Guidelines. The package should help to mobilise additional public and private investment for infrastructure such as broadband networks.
- Coordinating work on building the framework conditions that will allow all EU citizens to participate in and benefit from the digital economy, with the same freedoms and protections online as they have offline, including by working to fight cybercrime.

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### *Energy Union (Vice-President)*

#### **ALENKA BRATUSEK**

##### **Comment**

Ms Bratusek has served as the first woman Prime Minister of Slovenia between March 2013 and May 2014. After she lost the leadership of her party (Positive Slovenia), she resigned as Head of the Government, being then also the first Slovenian Prime Minister to resign from office. Ms Bratusek then formed her own political party, which won only 4 seats in the National Assembly. Her nomination as Commission Vice-President attracted some criticism in her country.

Geopolitics (Ukraine) has turned Energy into a most important issue for the EU. The very name of this Portfolio, "Energy Union", is a political declaration in itself, and is also a working program. The VP should provide the necessary coordination to all environment-related issues (Climate change and environment as such, which fall under two different portfolios). But the combination of that with energy has not been well received among the Greens and environmental NGOs.

##### **Priorities**

- Coordinating Commission efforts to ensure the EU achieves its targets in the field of energy for 2020 and 2030, including as part of the Europe 2020 Strategy.
- Completing the internal energy market, by connecting infrastructures and engaging with regulators and stakeholders at national and European level in order to improve, reinforce and fully apply EU legislation in this area. Increasing competition should help drive down costs for citizens and businesses and boost growth.
- Coordinating specific actions to strengthen energy security on a European scale, starting with the need to counteract any possible energy shortages over the first three to twelve months. Europe's energy dependency should also be reduced by diversifying sources and routes of energy imports and pooling the negotiating power.
- Supporting the Vice-President for Jobs, Growth, Investment and Competitiveness in the project to present, within the first three months of the mandate, the jobs, growth and investment package announced in the Political Guidelines. The package should help to mobilise additional public and private investment in infrastructure such as energy networks, as well as in renewable energy and energy efficiency.
- Tapping the job potential of "Green Growth" and making Europe the world number one in renewable energy.

### *Euro and Social Dialogue (Vice-President)*

#### **VALDIS DOMBROVSKIS**

##### **Comment**

Mr Dombrovskis has been Latvian Prime Minister between 2009 and 2014, when he resigned following the collapse of the roof of a supermarket in Riga, where 54 people were killed. Previously, he had served as Minister of Finance of Latvia between 2002 and 2004. His appointment as the Commissioner for euro raised some surprise, considering that Latvia only joined the Eurozone in January this year.

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In addition, there is some scepticism about the real “steering” authority he may have over such political (and even personality) heavyweights as he has in his team.

### Priorities

- Steering the work on the European Semester of economic policy coordination, starting with its streamlining and reinforcement. Particular attention will need to be paid to the strengthening of the multilateral nature of the economic governance process at EU level, to engaging a broader range of actors at national level and to deepening the country-specific knowledge within the Commission.
- Promoting social dialogue and engaging with social partners at EU level on all aspects of interest for the delivery of the priorities.
- Pursuing the work of the “Four Presidents’ report” and the Commission’s Blueprint for a Deep and Genuine Economic and Monetary Union, integrating the social dimension.
- Paving the way for legislative and non-legislative initiatives to deepen the Economic and Monetary Union which should be prepared during the first year of the mandate. These should include a stability-oriented review of the “six-pack” and “two-pack” legislation; proposals to encourage further structural reforms, if necessary through additional financial incentives and a targeted fiscal capacity at Euro zone level; and a proposal for a more efficient external representation of the Economic and Monetary Union.
- Preparing, for the medium-term, a re-balancing of the way in which conditional stability support is granted to Euro area countries in difficulty. This should include the possibility of replacing, over time, the “troika” with a more democratically legitimate and more accountable structure, as well as the preparation of social impact assessments in addition to fiscal sustainability assessments.

### Other

He will assist the President in all matters related to the work of the European Council and the Euro area Summit, with regard to the economic governance of the Euro area or the EU as a whole.

He will manage and coordinate the participation of the Commission in the Council configuration “Economic and Financial Affairs”, in the Euro group, in the economic dialogue with the European Parliament, in the Macroeconomic Dialogue and in the Governing Council of the European Central Bank, as well as for the preparation of the Tripartite Social Summits. He will also contribute to the exercise of the Commission’s responsibilities in the external representation of the Euro area.

### *Jobs, Growth Investment and Competitiveness (Vice President)*

### **JYRKI KATAINEN**

#### Comment

Mr Katainen served as Prime Minister of Finland from 2011 to 2014, and also gained some experience in the Commission as the transition Commissioner for Economic and Monetary Affairs and the Euro since last July. As a former Minister of Finance, he chose a strong position on austerity. He is quoted saying: “We will have to do very painful things in forthcoming years when the economy starts to recover”.

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He is supposed to balance the different political sensibilities within the Commission (and among Member States) on job creation, economic policy, and support to economic recovery and investment growth.

### **Selected priorities**

- Working to deliver swiftly, within the first three months of the mandate, the jobs, growth and investment package announced in the Political Guidelines.
- Coordinating the mid-term review of the Europe 2020 Strategy for smart, sustainable and inclusive growth and help ensure progress towards EU targets in this field.
- Ensure that the EU's economic policy coordination is effective and successful, in line with the goals of the EU social market economy. This includes the pursuit of a strong structural reform agenda, all the while paying attention to the social impact of reforms.
- Keeping the competitiveness dimension prominently at the heart of the Commission's policy work and helping improve the business environment.

### *Transport and Space*

#### **MAROS ŠEFČOVIČ**

### **Comment**

Mr Šefčovič is a Slovak diplomat and an Economist, who served as ambassador to Israel, and Permanent Representative to the European Union. He is currently the Commissioner for Inter-Institutional Relations and Administration, and also Vice-President of the Commission. Although he has lost his role as Vice-President, his Portfolio is highly important both in political and economic terms. The Railway package. Confirming or reviewing the draft European ports Regulation and its new strategy; dealing with the Railway package; promoting public & private investment... are a few of his challenges.

### **Selected priorities**

- Ensuring that Europe's transport infrastructure functions efficiently and promoting the interconnections necessary to facilitate the development of the internal market, including by developing innovative financing solutions and ensuring the necessary regulatory conditions are in place at national and European level to promote investment.
- Completing the negotiations of the Fourth Railway package and pursuing the Single European Sky policy.
- Working to secure the right international environment for transport, including by developing unified European policy standards for safety and security and enhancing Europe's role and influence internationally.
- Establishing a coherent and stable regulatory framework for the service and manufacturing of space applications in Europe and exploiting the internal market and job-creating potential of space. This will include setting the conditions for the development of markets for space applications and services including the exploitation of space data, data from scientific missions and commercial applications of space data.

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### *Commissioner for European Neighbourhood Policy and Enlargement Negotiations*

#### JOHANNES HAHN

##### Comment

Currently Commissioner for Regional Policy, Mr Hahn has been moved to the this reorganized portfolio. He has already declared that no new members are expected to join the EU in the foreseeable future, and also stressed that the accession to the EU requires solid preparation, and that quality is more important than speed.

In fact, there is no specific Commissioner for Enlargement, as it is assumed that there will not be any new candidate accepted during this mandate. So the portfolio is basically restricted to the on-going accession negotiations, and to Neighbourhood policy. This includes general policy towards Ukraine and the South Mediterranean (Libya), among others.

##### Priorities

- Developing and strengthening the neighbourhood policy to promote stability at Europe's borders and help neighbouring countries to develop and support stable democratic institutions and to become more prosperous, by drawing the full benefit from their association agreements with the EU. The European Neighbourhood Policy should appropriately distinguish between the specific situations of different parts of Europe's neighbourhood. Suggesting a way forward within the first twelve months of the mandate.
- Working closely with the first Vice-President, in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights, to support those countries with a European perspective to implement democratic and economic reforms, uphold the rule of law, strengthen economic governance and competitiveness, develop institutional capacities and a well-functioning public administration, and build bridges with neighbouring countries. As of the beginning of the mandate, paying particular attention to the situation in Ukraine.

### *Digital Economy and Society*

#### GÜNTER OETTINGER

##### Comment

He was Minister-President of the state of Baden-Württemberg between 2005 and 2010, Commissioner for Energy from 2010 and also Vice President of the Barroso II Commission since July this year.

Considering his career and his previous posts, the new portfolio is not perceived as a promotion. Although it appears that he and his party in Germany expected stronger responsibilities, this Portfolio is potentially very strong. The DG Connect will now integrate the Units working on Media and Audio-visual Policy (assuming Units from Culture and Education and from DG Communication), in terms that are not completely clear. He assumes also the responsibility on both Copyright reform and piracy and counterfeiting, in a very sensitive area with contradictory interests, this change may have long term consequences.

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### Selected Priorities

- Preparing, as part of the project team steered and coordinated by the Vice-President for the Digital Single Market, ambitious legislative steps towards a connected Digital Single Market. Being ready to present these within the first six months, and they should be based on a clear assessment of the main obstacles still to be removed through EU action, either by implementing existing policies or proposing new measures. More ambition should be added to the ongoing reform of telecoms rules. A harmonised approach to radio spectrum between Member States should be developed. Copyright rules should be modernised, during the first part of this mandate, in the light of the digital revolution, new consumer behaviour and Europe's cultural diversity.
- Focusing on supporting the deployment of a high-quality, digital network infrastructure, underpinning all sectors of the economy across borders, progressively on a continental scale.
- Supporting the development of creative industries and of a successful European media and content industry able to reach out to new audiences, adapt to the digital era and thrive in the connected Digital Single Market.
- Developing and implementing measures to make Europe more trusted and secure online, so that citizens and business can fully reap the benefits of the digital economy. Working with the Vice-President for the Digital Single Market on a plan to make the EU a leader in cyber security preparedness and trustworthy ICT, and to increase the confidentiality of communications.
- Supporting the Vice-President for the Digital Single Market and the Commissioner for Justice, Consumers and Gender Equality in finalising the negotiations on an ambitious Data Protection Regulation in 2015. On the basis of the outcome of this legislative process, preparing a reform of the e-Privacy Directive, liaising closely with the Vice-President for the Digital Single Market, with the support of the Commissioner for Justice, Consumers and Gender Equality.
- Working with the High Representative of the Union for Foreign Affairs and Security Policy/Vice- President to develop the relationship with strategic partners in order to build global governance architecture for the Internet which is legitimate, transparent, accountable, sustainable and inclusive.

### *Trade*

### **CECILIA MALMSTRÖM**

#### Comment

Currently serving as the Home Affairs Commissioner, Ms Malmström previously was a Member of the European Parliament between 1999 and 2006, and the Swedish Minister for European Union Affairs between 2006 and 2010. She will now have to use her experience in the management of the Trade portfolio, which includes above all the TTIP negotiations with the US. It remains to be seen what will be the real impact in trade policy of the new Team approach among Commissioners, as it creates new stable structural links between this area and Development or Foreign Policy

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### Selected priorities

- Continuing to engage fully in the World Trade Organisation and multilateral trade processes.
- Working towards a reasonable and balanced Transatlantic Trade and Investment Partnership with the United States of America, which neither threatens Europe's safety, health, social and data protection standards, nor jeopardises the cultural diversity.
- Taking forward the various bilateral and regional negotiations which have been launched and considering whether new negotiations should be launched.

### *International Cooperation and Development*

#### NEVEN MIMICA

##### Comment

This Croatian politician and diplomat, with a strong economic background, can claim a very long experience in the field of foreign relations and trade: as an official, in his national Parliament, and in Government. He will now have a very visible role from outside the EU.

This portfolio can strongly benefit from the Team or cluster approach and the closer relationship of the HR for Foreign Policy and the European Commission. A particular call from Juncker to better coordinate his action with Trade and with the HR in an Agenda for Africa may be particularly relevant. In any case, the strengthening of the role of Europe's "Foreign Minister" and a better coordination of her tasks and those of this Portfolio may result in a more efficient coordination of EU Development policy and the action of Member States.

### Selected Priorities

- Preparing the Commission and EU positions for the negotiations on the post-2015 United Nations Millennium Development Goal agenda.
- Working with Member States to enhance the EU's contribution to international cooperation and development and to further co-ordinating policies.
- Preparing and launching negotiations for a revised Cotonou agreement.
- Working closely with the High-Representative of the Union for Foreign Affairs and Security Policy/Vice-President, the Commissioner for Trade and the Commissioner for Migration and Home Affairs to strengthen the EU's strategic partnership with Africa.

### *Economic and Financial Affairs, Taxation and Customs*

#### PIERRE MOSCOVICI

##### Comment

Mr Moscovici is a well experience politician; he served as the French Minister of Finance from 2012 to 2014, and previously as Minister for European Affairs from 1997 to 2002. His nomination and the remit of his responsibilities have been the object of decisions at the highest level: Germany opposed his nomination for this portfolio; as a sort of

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balanced decision, Juncker has put his activity under some sort of supervision of two Vice-Presidents, i.e. Mr. Katainen (Jobs, growth, investment and competitiveness) and Mr. Dombrovskis (Euro and social dialogue).

The whole logic of the team distribution may be put at test here: It will be interesting to see how this supervision system will work with such a strong personality, someone full of experience and from one of the strongest Member States.

### **Selected Priorities**

- Setting out the priorities and preparing concrete guidance on the best possible use of the flexibility that is built into the existing rules of the Stability and Growth Pact.
- Supporting the Vice-President for the Euro and Social Dialogue in the project to streamline and reinforce the European Semester of economic policy coordination.
- Preparing, as part of the project team steered and coordinated by the Vice-President for the Euro and Social Dialogue, legislative and non-legislative initiatives to deepen the Economic and Monetary Union. These should be prepared during the first year of the mandate and include a stability-oriented review of the “six-pack” and “two-pack” legislation; proposals to encourage further structural reforms, possibly supported by financial incentives and a targeted fiscal capacity at Euro zone level; a proposal for a more efficient external representation of the Economic and Monetary Union; as well as, for the medium-term, a re-balancing of the way in which conditional stability support is granted to Euro zone countries in difficulty.
- Paying specific attention to the stability of the single currency and the convergence of economic and fiscal policies within the Euro area.
- Continuing to improve the functioning of the internal market in indirect taxation and developing the definitive VAT system at EU level, as well as seeking to finalise negotiations on the Financial Transaction Tax and the Common Consolidated Corporate Tax Base.
- Continuing the fight against tax fraud, tax evasion and aggressive tax planning, and tackling base erosion and profit shifting, including in the digital economy.
- In the area of the Customs Union, continuing trade facilitation and the effective and efficient collection of duties as well as compliance with relevant rules for security, safety and intellectual property rights. Seeking to pursue customs modernisation, improve customs risk management and further improve cooperation between customs authorities and other services.

### *Financial Stability, Financial Services and Capital Markets Union*

#### **JONATHAN HILL**

#### **Comment**

Lord Hill is not a famous politician in the UK but is said to be a very influential member of the Conservative Party. His appointment to the financial services portfolio seems to show that the UK has been able to make its voice heard, while Juncker was forming the Commission. Mr Hill has been reported as saying that he would not go to Brussels, but apparently his resistance has been won by Cameron.



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This is a completely new Portfolio. The direct connection between the Commissioner and the City, and the importance of this issue for the UK is understood as the very reason for this novelty. However, the British Commissioner will need to fly alone, or in close coordination with the Commission President himself, if he is to develop the instruments of the new Banking Union.

The portfolio is so new that it will require the creation of a new Directorate General with the same name, which will naturally inherit services from the previous DG Markt in charge of internal market. The new Directorate will inherit resources and functions from Directorates and Units up to now in DG Internal Market and Services ("MARKT"), such as Capital and Companies; Resources and Communications, Financial Markets, Financial Institutions, or the Task force for the establishment of the Single Resolution Board; and from DG Economic and Financial Affairs (ECFIN), such as Financial Markets and Infrastructures, National Financial Systems), which move from to the new DG for Financial Stability, Financial Services and Capital Markets Union, or the part of the Unit on Financial Institutions and Stability Mechanisms which deals with Financial Integration and Regulatory Policy.

### **Priorities (including the creation of a new Direction General)**

- Contributing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, to the jobs, growth and investment package to be presented within the first three months of the mandate, by outlining measures to improve the investment environment and presenting concrete initiatives on the long-term financing of the economy. This will include seeking appropriate ways to revive sustainable and high quality securitisation markets, to reduce the cost of raising capital in the Union and to develop alternatives to the EU companies' dependence on bank funding.
- Continuing to put in place a regulatory framework which ensures the resilience and stability of the financial services sector. Financial markets and institutions should be appropriately regulated and supervised with, where relevant, appropriate crisis management tools.
- Ensuring that the financial services regulatory framework takes into account the needs and interests of consumers and retail investors and proposing any necessary measures to make financial services work better for citizens.
- Ensuring timely and effective implementation of the financial services regulatory reform agenda, including the accompanying delegated/implementing acts. All necessary arrangements for the Banking Union should be made so that the Single Resolution Board is set up and operational on time.
- Reviewing the functioning and the operation of the European Systemic Risk Board and the three Supervisory Agencies ("ESAs"), including their interaction with the Single Supervisory Mechanism and the Single Resolution Mechanism. Particular attention should be paid to reviewing the governance and the financing of these Agencies. On the latter, finding a way to eliminate EU and national budgetary contributions to the ESAs which should be wholly financed by the sectors they supervise.

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- Bringing about a well-regulated and integrated Capital Markets Union, encompassing all Member States, by 2019, with a view to maximising the benefits of capital markets and non-bank financial institutions for the real economy.
- Contributing, as part of the project team steered and coordinated by the Vice-President for the Digital Single Market, to ensure the safety and the modernisation of the Union's regulatory framework on digital/electronic payments in order to facilitate online purchases. The safety and appropriateness of certain virtual currencies should also be assessed and, where appropriate, relevant policy measures should be proposed.

### *Internal Market, Industry, Entrepreneurship and SMEs*

#### **ELŻBIETA BIEŃKOWSKA**

##### **Comment**

Ms Bieńkowska served as the Minister of Regional Development in the Cabinet of Donald Tusk from 16 November 2007 to 27 November 2013. Since then she has been the Deputy Prime Minister of Poland and the Minister of Infrastructure and Development.

It is claimed that the portfolio she has received lost a lot of its political weight, as it has been stripped of the competence on financial services and a few others. But it is still possible to say that this Commissioner will be among the more powerful in terms of direct impact in areas which fall completely under EU law. She will effectively assume the role of two previous Commissioners, and the new Portfolio will include one strong new Directorate General merging in one the previous DG Markt (Internal Market) and Enterprise and Industry. The details of this transformation, with a direct impact in the Commission's role impact in Europe's industrial and commercial activity, will require close following.

##### **Priorities**

- Shaping a renewed strategy for completing the internal market for goods and services. This includes – but is not limited to – reviewing the application and scope for further extending the principle of mutual recognition in the single market and designing new policy measures to address remaining obstacles to a fully functioning single market for goods and services. Action in this field, for instance on the free movement of professionals, should also contribute to the work on labour mobility led by the Commissioner for Employment, Social Affairs, Skills and Labour Mobility.
- Raising the profile and importance of industry in the economy, from less than 16% today towards an aspirational 20% of EU GDP by 2020. To achieve this, developing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, ways of stimulating investment in new technologies, improving the business environment, easing access to markets and to finance, particularly for SMEs.
- Playing a particular role in supporting the work of the first Vice-President, in charge of Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights, to deliver on the better regulation agenda.

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- Encouraging Member States to create more synergies and stronger cooperation in defence procurement in order to avoid duplication of national programmes and match resources to the EU foreign policy ambitions.

### *Justice, Consumers and Gender Equality*

#### **VĚRA JOUROVÁ**

##### **Comment**

Ms Jourová is a lawyer, with a strong personal involvement in cultural matters. She served as the Czech Minister for Regional Development, and was perceived as a strong “pro-European” in a context of raising euro scepticism in her country.

This portfolio has been presented as if it was to unify and concentrate all policy and regulatory responsibilities on consumer related matters. This has been reflected by the move to this portfolio of the main Consumer functions from the DG previously responsible, DG SANCO, which was under Health & Food Safety. (still, although several important issues remain under the Portfolio of Commissioner Andriukaitis, the Commissioner for Financial Services is also called in to protect “the rights of consumers” in his area; and a reference to them appears in the mandate of Internal Market). In policy terms, though, gender equality -and regulation related to it- has strong options of being a visible part of the work of this Commissioner.

##### **Priorities**

- Supporting the first Vice-President, in charge of Better Regulation, Inter-institutional Relations, the Rule of Law and the Charter of Fundamental Rights, in concluding the process of accession of the EU to the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe, in making sure that all Commission proposals respect the Charter of Fundamental Rights and in consolidating the Commission’s role in protecting the Rule of Law.
- Ensuring that, within the scope of EU competences, discrimination is fought and gender equality promoted, including by exploring how to unblock negotiations on the Commission proposal for the Horizontal Anti-Discrimination Directive.
- Contributing, as part of the project team steered and coordinated by the Vice-President for the Digital Single Market, to the realisation of a connected digital single market by ensuring the swift adoption of the EU data protection reform and by modernising and simplifying consumer rules for online and digital purchases.
- Concluding negotiations on a comprehensive EU-U.S. data protection agreement which provides justiciable rights for all EU citizens, regardless of where they reside, as well as reviewing the Safe Harbour arrangement.
- Reinforcing, as part of the project teams steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness and the Vice-President for the Euro and Social Dialogue, the contribution of EU justice policies to the jobs and growth agenda, including through an assessment of the performance of judicial systems in the context of the European Semester of economic policy coordination.

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- Coordinating all the Commission's work in criminal matters and reinforcing judicial cooperation in this field. Putting an independent European Public Prosecutor's Office in place by 2016 will be a significant step forward to protect the EU budget from fraud.

### *Competition*

#### **MARGRETHE VESTAGER**

##### **Comment**

Vestager is a long-serving Danish politician of the Social Liberal Party and has a background in economics. She served as the Minister for Economic affairs, and Interior. There are contradictory forecasts about how she may deal with some big cases with a large impact and high political and economic impact.

This important Portfolio is now under the "supervision" of the VP for Jobs, Growth, and Investment & Competitiveness. The new Commissioner is also called to "contribute to projects steered and coordinated by the VP for the Digital Single Market and the VP for Energy Union". How will this work in practical terms remains to be seen. It should not affect the daily work of DG COMP, but it may have an impact in a better coordination between its activities (and criteria) and the larger Commission policy objectives.

##### **Priorities**

- Mobilising competition policy tools and market expertise so that they contribute, as appropriate, to the jobs and growth agenda, including in areas such as the digital single market, energy policy, financial services, industrial policy and the fight against tax evasion. In this context, it will be important to keep developing an economic as well as a legal approach to the assessment of competition issues and to further develop market monitoring in support of the broader activities of the Commission
- Pursuing an effective enforcement of competition rules in the areas of antitrust and cartels, mergers and State aid, maintaining competition instruments aligned with market developments, as well as promoting a competition culture in the EU and world-wide.

### *Climate Action & Energy*

#### **MIGUEL ARIAS CAÑETE**

##### **Comment**

Arias Cañete has been the Minister for Agriculture, Food and Environment in the Spanish Government from 2011 until 2014. He is an important member of Spain's Popular Party, and very close to its President and Prime Minister, Mariano Rajoy. He is the only one who some see at risk of approval in his parliamentary hearing: due to some statements clearly un-respectful to women; but also because of potential conflict of interest with some private investments in the oil transport sector.

While energy and Climate action is in principle an important Portfolio, it has been diminished as in fact it must share responsibilities with at least two other Commissioners, the Vice-President and the Commissioner for Environment, Maritime Affairs & Fisheries. He will have the leadership over the main services, but there may be conflicts regarding

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the external representation in these issues, both in the institutional dialogue with stakeholders or Parliament, and in the international action.

### **Priorities**

- Contributing, as part of the project team steered and coordinated by the Vice-President for Energy Union, to the completion of the internal market for energy. Identifying and select infrastructure projects on which to focus, assess the need to add to the current legal framework and monitor very closely the implementation of existing legislation.
- Contributing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, to the jobs, growth and investment package to be presented within the first three months of the mandate. Working with Member States to bring about the conditions necessary for investment decisions ensuring that the EU can be a catalyst for public and private investment. A particular focus of this additional investment should be in infrastructure such as energy networks, as well as in renewable energy and energy efficiency.
- Increasing Europe's energy security by diversifying sources and routes of energy imports and combining the negotiating power.
- Continuing to develop EU policy for renewables.
- Strengthening and promoting the Emissions Trading System to ensure the achievement of climate goals in a cost-effective way.

### *Environment, Maritime Affairs and Fisheries*

#### **KARMENU VELLA**

### **Comment**

He has been a Member of his country's Parliament for almost his entire life (he was elected at 18 (Malta Labour Party), and has held several Ministerial positions in Government. He has always been considered a controversial political activist.

This is a completely new portfolio. The merger of these areas, defended on grounds of sustainability-related issues, has been received with strong criticism by Greens and Environmental NGOs. The Environment part of the portfolio may have external representation conflicts and tensions with other EC services.

### **Priorities**

- Taking stock of where the negotiations stand on the air strategy. Understanding whether the approach addresses the right sources of air pollution with the right instruments.
- Assessing the state of play of the Circular Economy package in the light of the first reactions of the European Parliament and Council to see whether and how it is consistent with the jobs and growth agenda and the broader environmental objectives.

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### *Health & Food Safety*

#### **VYTENIS ANDRIUKAITIS**

##### **Comment**

Mr Andriukaitis is a former Health Minister in Lithuania and a physician himself (he also holds a degree in History). He has built a good reputation during the rotating Presidency of the Council of the EU. As a child he was deported to Siberia with his family, and started then his career in politics as a clandestine Social Democrat.

There will not be much change in structural terms in this area, or particular difficulties in relation to other portfolios. Politically, his biggest challenge has started even before his confirmation by the Parliament: a European review instructed by Juncker on GMOs

##### **Priorities**

- Within the first six months of the mandate, reviewing the existing decision-making process applied to genetically modified organisms (GMOs), in line with the Political Guidelines.

### *Migration & Home Affairs*

#### **DIMITRIS AVRAMOPOULOS**

##### **Comment**

The political career of Mr. Avramopoulos is rich of important posts: Mayor of Athens for eight years, Minister for Foreign Affairs, and Minister of National Defence of Greece. He is considered a supporter of the good relationships between Greece and Turkey. His portfolio has a specific importance for Greece, and the fact that it has been attributed to them is considered as a sign of trust.

As regards the Portfolio, the main change here is one of name, and the fact that this topic is very high in Juncker's political agenda for understandable reasons. On Migration the Portfolio is well defined; in Home affairs, though, there will be issues of necessary coordination (and potential conflict) with the First VP.

##### **Priorities**

- Working with the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President and the Commissioner for International Cooperation and Development on ways to improve cooperation with third countries on these aspects, including on readmission.
- Working closely with the High-Representative of the Union for Foreign Affairs and Security Policy/Vice-President, the Commissioner for International Cooperation and Development and the Commissioner for Trade to strengthen the EU's strategic partnership with Africa.

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### *Employment, Social Affairs, Skills and Labour Mobility*

#### **MARIANNE THYSSEN**

##### **Comment**

Ms Thyssen served as a Member of the European Parliament in the EPP group for Belgium. She is one of the few Commissioners with whom Juncker had already worked: He knows her and her ideas very well, and has decided to entrust her in this socially sensitive area which can strongly contribute to mark Juncker's Presidency.

However, the actual functioning of this Portfolio is anybody's guess, as it is conceived as a job "to contribute to projects steered by" two Vice President Commissioners, who include in the title "Jobs" and "Social Dialogue". The European Parliament will probably discuss this at the time of the hearings, and will somehow have an impact in deciding who is considered the real policy maker in this important area.

##### **Priorities**

- Contributing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, to the jobs, growth and investment package to be presented within the first three months the mandate. This includes setting out priorities and channelling funding towards projects that can help get the younger generation back to work in decent jobs, further complementing the efforts already undertaken with the Youth Guarantee Scheme, the implementation of which must be accelerated and progressively broadened.
- Promoting free movement of workers, working closely with national authorities to ensure that existing rules are well understood and implemented, as well as to fight possible abuses or fraudulent claims. This work will include making sure that the Posting of Workers Directive is strictly implemented and initiating a targeted review of the Directive to prevent risks of social dumping. Part of the efforts should also be spent on strengthening the opportunities and improving the conditions for geographic and professional mobility across Europe, through initiatives such as the European Job Mobility Portal (EURES). This activity will also benefit from the work on the free movement of workers and recognition of qualifications led by the Commissioner for Internal Market, Entrepreneurship and SMEs.

### *Humanitarian Aid & Crisis Management*

#### **CHRISTOS STYLIANIDES**

##### **Comment**

Mr Stylianides has been a Member of the European Parliament (in the EPP Group) and of the Parliament of the Republic of Cyprus. He also served as Government Spokesperson until 2014.

He receives a Portfolio whose importance is usually better understood abroad than within the EU. The Portfolio can gain public visibility due to the better coordination with and the expected higher profile of the Vice President for External policy, and her announced better integration with the Commission. This could also have an impact in efficiency and better coordination with Member States.

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### Priorities

- Building close working relations with the key partners in EU humanitarian work and in particular with UN agencies, the NGOs and civil society.

### *Agriculture & Rural Development*

#### PHIL HOGAN

### Comment

Previously Minister for the Environment, Community and Local Government from 2011 to 2014, his appointment as Commissioner for Agriculture and Rural Development has been read as another sign of the difficult and balanced work carried out by Juncker in composing his team, considering the huge interests that Irish economy has in the farm industry.

No major structural or policy changes are expected in this area, as the Common Agriculture Policy reform has already been agreed. Its implementation may create some conflicts in specific sectors, though.

### Priorities

- Implementing the recently agreed CAP reform so as to maximise its contribution to the jobs and growth agenda, paying particular attention to the principle of subsidiarity and to issues linked to the flexibility and simplification of CAP instruments.
- Within the first twelve months, reviewing the potential for further simplification in the areas of direct payments and in particular as regards greening, rural development, quality policy and the fruit and vegetables scheme.

### *Education, Culture, Youth and Citizenship*

#### TIBOR NAVRACSICS

### Comment

Mr Navracsics is a Hungarian lawyer and politician, who served as Minister of Foreign Affairs of Hungary since June 2014. It seems that this nomination came as a surprise to many, including the same Navracsics, who was maybe expecting a portfolio with more power and more in line with his experience in foreign affairs. According to some commentators, this is due to the fact that he is very close to Prime Minister Orbán, who voted against Juncker.

The Portfolio is now much more “Education” than “Culture”. Adult and professional education has been transferred to the Jobs related portfolios. As for Culture, on the one side several Commissioners have in their mandates a reference to promoting “creative industries” as a tool for growth and job creation, which could be seen as a reinforcement of the matter within the EC. But the Commissioner is weaker. A one of the big structural changes announced, Audio-visual and Media related policy has been taken away from this Portfolio and DG EAC (Education and Culture) and transferred to DG Connect, who will also be in charge of copyright reform. There may be policy, structural and regulatory consequences of this move, in particular in the issues related to online content, the so



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called digital convergence, and its the impact in licensing, territoriality, and generally copyright reform.

### **Priorities**

- Contributing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, to the jobs, growth and investment package to be presented within the first three months of the mandate, notably for aspects related to education infrastructure.
- Contributing, as part of the project team steered and coordinated by the Vice-President for the Euro and Social Dialogue, to the European Semester of economic policy coordination. The European Semester should be the vehicle for pursuing the modernisation of education systems, including with a view to progressing towards the targets set in the Europe 2020 strategy in the field of education.

### *Regional Policy*

#### **CORINA CREȚU**

### **Comment**

The appointment of Ms Crețu, a former journalist, spokesperson of the President of Romania and Member of the EU Parliament, is one of the few cases in which a Member State had exactly what it had asked for.

The Commissioner for Regional Policy will manage around EUR 350 billion for the period 2014-2020. These funds can have a strong impact in the effective implementation of most policies: therefore, better internal coordination and a Team logic among Commissioners makes all the sense in this case. The main task for this Commissioner is in direct link with the wider objective of improving the efficiency in EU spending, and better monitoring its results. The legal and political framework of this portfolio is stable and no particular changes are foreseen.

### **Priorities**

- Contributing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, to the jobs, growth and investment package to be presented within the first three months of the mandate. This includes, in particular, proposing ways of boosting the absorption of available funds and ensuring that the new partnership agreements with the Member States for the 2014-2020 funds are well-targeted and can rapidly have an impact. Paying particular attention to the contribution that the funds under her responsibility can make to establishing a European Energy Union and completing the Digital Single Market.

### *Research, Science and Innovation*

#### **CARLOS MOEDAS**

### **Comment**

Mr Moedas is a professionally highly qualified politician. He holds a degree in Civil Engineering and an MBA from Harvard Business School; his experience ranges from Goldman Sachs to his own investment management company. He was Secretary of

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State and had an active and efficient role in the implementation of reforms in his home country.

The Portfolio concentrates services related to innovation and research some of which were in other areas (such as Enterprise). The Commissioner should strongly benefit from the new transversal and team structure imposed to the Commission, as the whole area of innovation and research, and the funding programs related to it (in particular, Horizon 2020), have a direct relationship and impact in areas under the responsibility of other Commissioners.

### **Priorities**

- Contributing, as part of the project team steered and coordinated by the Vice-President for Jobs, Growth, Investment and Competitiveness, to the jobs, growth and investment package to be presented within the first three months of the mandate. This includes mobilising innovative financial instruments available under Horizon 2020, facilitating investment in education, research and innovation infrastructure and maximising synergies with the implementation of the European Structural and Investment Funds at national and regional level.
- Focusing more on applied research, with a greater participation of the private sector and a special focus on SMEs, in particular in Horizon 2020, with a view to reinforcing EU industrial leadership and the capacity to address societal challenges.

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