



THE HEARINGS BEFORE THE EUROPEAN PARLIAMENT AND THE APPROVAL OF THE BARROSO II COMMISSION: A STRONG COMMISSION TO OVERCOME THE CRISIS?

After a long and meandering path, on 10th February the new European Commission, still led by the Portuguese José Manuel Barroso, was officially instated. So, after several months during which the Union had found itself “drifting,” without a political leadership represented by the Commission, at last an end had come to a wearying inter-reign period. It does not seem to be an overstatement to say that the European Union had been left with a fixed-term ‘government’ for almost 8 months – between the European Parliament elections in June 2009 and the vote of approval of the new Commissioners. Undoubtedly, the reason for such a long procedure may escape the European citizen’s comprehension: normally, in the political systems he or she is most accustomed to, the casting of the vote is quickly followed by the formation of a government. Instead, in the EU the European Parliament elections just represent a piece in the jigsaw procedure that seeks to weigh up both the role and the interests of the Council (and, therefore, the Member States) and those of the European Parliament. Moreover, all of this took place in a context of great institutional change that, after the positive outcome of the Irish referendum on the Lisbon Treaty, interwove the formation of the new Commission with the appointment to the other leading posts in Community governance (the President of the European Council and the High Representative/Vice-President of the Commission).

The European Parliament elections had in some way simplified the role of the European Council, called upon – already with an eye on the norms of the Lisbon Treaty – to choose the President of the Commission “taking into account the European Parliament elections.” The only candidate that had indeed been put forward by the European People’s Party – which, with the thrashing of the Socialists, defeated in most of the Member States, had obtained a wide majority of Parliamentary seats – was that of the then President Barroso. In September, the Parliament had then ratified with an ample majority the appointment of the Portuguese politician to the Presidency of the Commission, hoping that his team

of Commissioners might be chosen as soon as possible. Unfortunately, the talks between the Member States to reach the appointment of the Council President and, above all, the High Representative (also Vice-President of the Commission) were particularly tough ones: the stalemate would only be unblocked by mid-November, with an agreement on the names of Herman Van Rompuy and Catherine Ashton who, albeit arousing some perplexities among the European press commentators, allowed Barroso to focus on the allocation of the portfolios among Commissioners who the Member States had in the meantime nominated.

Actually, the procedure for the formation of the new Commission had yet to meet with its "moment of truth:" the European Parliament, exerting its control function beyond the letter of the Treaties, arranged some hearings for the designated Commissioners, in which each individual Commissioner was given quite a grilling by the MEPs, before Parliament went ahead with voting for the Commission as a whole.

Although the Treaties do not give Parliament the chance to pronounce itself on the single Commissioners and the Commission remains "collectively responsible", the hearings proved to be a precious instrument for reinforcing the control of Parliament over the Community executive. The hearings were informally introduced in 1994, albeit among in the midst of complaints, by the then President Jacques Delors, and have progressively become consolidated, going so far as to be assimilated into Rules of Procedure of the European Parliament. Their impact was quite apparent in 2004, during the procedure for the approval of the first Barroso Commission. Indeed, following the hearings, Barroso was forced to replace the designated Italian Commissioner Buttiglione, due to some dubious statements concerning the role of women and homosexuality, and the designated Lithuanian Commissioner, due to alleged financial irregularities. Also, the Parliament's dissatisfaction with the (in)competence shown by other designated Commissioners called for a review of the distribution of the portfolios.

The European Parliament thus set down an imposing procedure to examine the designated Commissioners, so that each one sits – for up to three hours – before the Parliamentary Commissions competent in the subject. Candidate assessment comes about on the grounds of three main parameters: competence in regard to the portfolio assigned to him/her; his/her European commitment and independence from the Member States (and, above all, from the Government by

which he/she is nominated). The designated Commissioner has the right to an initial presentation, after which a volley of questions begins from the MEPs, with very tight time-limits. At the end of the hearing, each Commission meets to "assess" the candidate's performance: if they do not come to an agreement, the decision may be put to the vote. Experience shows that Parliament's evaluation is held in the most serious consideration by the President of the Commission: the risk that the European Parliament might reject the whole Commission is too big to allow its response to be ignored.

The fact that the Parliamentary hearings are anything but a formal procedure, of little or no importance, was confirmed during the process of approval of the Barroso Commission II. Actually, first of all the Commissioners had to answer a written questionnaire – in which they were asked to indicate their own qualifications for the work to be done, their own experience and, above all, their political priorities and their future legislative agenda. The designated Commissioners had to study the dossiers during the Christmas holidays and, in order to handle the hearings better, they met President Barroso several times, on the occasions of specific seminars. All of this preparatory activity, however, was not sufficient for the Bulgarian Jeleva, allocated to International Cooperation who, so much criticised for her financial declarations, as well as for the evasiveness of her replies, was forced to stand down.

The batteries of questions that the designated Commissioners had to face represent an unusual exercise for the European citizens; indeed, the institutional model of reference is that of the American Congress hearings. The political make-up of the Commission – 13 Popular Commissioners, 8 Liberals and 6 Socialists – made it extremely unlikely, however, that the hearings would actually represent a moment of debate on alternative manifestos between "majority" and "opposition." Although it is believed that the Commission is an increasingly presidential institution, with Barroso the expression of the European People's Party, the college of Commissioners actually remains a coalition between the three main European political families. Hence, except for some minor skirmishes, in general there has been no debate with a high political gradient, but rather a technical evaluation of the competences of the single designated Commissioners. As confirmed by the speaker for the hearings, the British Euro-MP Andrew Duff, in an editorial published in the *Financial Times*:

“Implicit only will be Parliament's assessment of the new college on the grounds of party balance”.

Proof of this is that, by the end of the hearings, the three main groups did not deem it necessary to present their own resolution to accompany the vote of approval of the new Commission, for which a very large consensus was recorded (as many as 488 votes in favour). Such a large consensus is, probably, more the result of political equilibrium than genuine satisfaction with the new Barroso Commission. In any case, at a highly critical time for the economy and for the future of the European Union itself, the coming months will, to all intents and purposes, tell us whether the new Commission has a more ambitious and courageous vision than the one that preceded it, or whether such a transverse consensus is, unfortunately, the result of a less ambitious compromise among the political forces governing Europe.

Edoardo Bressanelli (European University Institute)