

The European Commission

Executive Arm of the European Union



Introduction

The European Commission serves as the politically independent executive arm of the European Union, upholding and promoting the general interest of the EU as a whole.



Definition

The executive branch of the European Union.



Motto

"The Guardian of the Treaties."



Size

1 President + 26 Commissioners (one per Member State) + ~32,000 civil servants.



Nature

It is a **Supranational** body (represents the EU's general interest), unlike the Council (Intergovernmental, representing states).

Historical Evolution

1951 - The High Authority (ECSC): The predecessor. Created by the Treaty of Paris. The first President was **Jean Monnet**. It had strong supranational powers over coal and steel.



1957 - The Commission of the EEC: Created by the Treaty of Rome. Weaker than the High Authority initially.



1967 - The Merger Treaty: Combined the executives of the ECSC, EEC, and Euratom into the single "European Commission."



1985–1995 - The Jacques Delors Era: Considered the "Golden Age." He pushed through the **Single Market** and laid the groundwork for the **Euro**.



1999 - The Santer Crisis: The entire Commission was forced to resign due to corruption scandals (Edith Cresson case). *Significance: Established that the Commission is accountable to the Parliament.*



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Core Roles

The European Commission serves as the politically independent executive arm of the European Union, upholding and promoting the general interest of the EU as a whole.



Proposing New Laws

The sole EU institution responsible for initiating proposals for new European legislation, ensuring they protect the interests of the EU and its citizens.



Managing EU Policies and Allocating Funds

Establishes EU spending priorities, drafts annual budgets, and oversees the expenditure of funds, with scrutiny from the Court of Auditors.



Enforcing EU Law

Works with the Court of Justice to ensure EU law is correctly and consistently applied across all member states, initiating infringement proceedings when necessary.



Representing the EU Internationally

Acts as the voice of the EU on the global stage, particularly in areas such as trade policy and humanitarian aid, negotiating international agreements on behalf of the Union.

Legislative Initiative Function



The Exclusive Right of Initiative

The European Commission holds the exclusive "right of initiative" within the EU, meaning it alone can formally propose new European legislation for adoption by the European Parliament and the Council of the EU.

This monopoly ensures coordinated and coherent drafting of EU law, protecting the general interests of the EU and its citizens, especially on issues that cannot be effectively addressed at a national level.



Example: Corporate Sustainability Due Diligence Directive

On February 23, 2022, the Commission published a directive establishing a framework for companies to identify and address actual or potential risks and harm to human rights and the environment within their operations and value chains.

Key Aspects of Legislative Initiative



Consultation Process

The Commission consults with experts and the public to ensure technical accuracy and broad input when drafting proposals.



Legal Basis

The Commission's legislative powers are rooted in the EU treaties, particularly the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU).



Coherence and Consistency

By controlling the legislative agenda, the Commission ensures coherence and consistency in EU laws across all policy areas.

Policy Management and Budget Function

The Commission plays a central role in managing EU policies and allocating funds, ensuring financial accountability.



Set Priorities



Draft Budget



Parliament Approval



Audit



Policy Management

Establishes EU spending priorities and oversees policy implementation across member states.



Financial Accountability

Supervises EU fund expenditure with scrutiny from the Court of Auditors to ensure proper use of resources.



Collaborative Governance

Works with Parliament and Council to establish spending priorities and approve annual budgets.

Law Enforcement Function



The Commission acts as the "Guardian of the Treaties," ensuring EU law is properly applied across member states.

Monitoring Implementation

The Commission monitors how EU legislation is implemented by member states, identifying potential issues with transposition.

Initiating Infringement Proceedings

When necessary, the Commission initiates infringement proceedings against member states that fail to comply with EU law.

Enforcement Process



Identifies non-compliance



Issues formal notice



Case before Court of Justice



Treaty Enforcement

Ensuring correct application of EU treaties across member states



Subsidiarity Principle

Monitoring application of the principle that decisions should be made at EU level when appropriate



Financial Enforcement

Ensuring proper application of EU financial regulations and state aid rules

International Representation Function



EU's Voice on the World Stage

The European Commission acts as the political voice of the European Union on the global stage, speaking on behalf of all EU countries in various international bodies and forums.

Key Areas of International Representation:



Coordinating EU positions in international negotiations



Ensuring coherent EU approach in global governance



Representing EU interests in international organizations



Trade Policy

The Commission negotiates trade agreements for the EU, particularly in areas like trade policy and humanitarian aid, ensuring a coordinated approach among member states.



International Agreements

It negotiates international agreements on behalf of the Union, particularly in areas such as trade policy and humanitarian aid, ensuring coherence among member states.

Global Governance

The Commission represents the EU in global governance forums, advocating for multilateral solutions to transnational challenges.

Composition Overview

The European Commission has a dual structure, combining political leadership with administrative expertise.



Political Leadership

- ✓ College of Commissioners
- ✓ 27 Commissioners (one from each EU Member State)
- ✓ Sets strategic direction and policy priorities



Administrative Body

- ✓ Organized into Directorates-General (DGs)
- ✓ Approximately 32,000 permanent and contract staff
- ✓ Implements EU policies and provides technical expertise

This dual structure ensures both democratic accountability and administrative efficiency.

College of Commissioners

Structure



President



Commissioner



Commissioner



Commissioner



Commissioner



Commissioner



Commissioner

27 Commissioners from each EU Member State

Key Features



Five-Year Terms

Commissioners serve five-year terms, aligning with the European Parliament's electoral cycle.



Portfolio Responsibilities

Each Commissioner is assigned a specific policy portfolio by the President.



Independent Representation

Commissioners represent the general interest of the EU rather than their home state.



Regular Rotation

A new College of Commissioners is appointed every five years, ensuring fresh perspectives.

Appointment Process

The appointment of the European Commission involves a multi-stage process ensuring democratic legitimacy through the Council and Parliament.



1. Presidential Candidate Nomination

European Council proposes a candidate from the largest political party in the European Parliament.



2. Presidential Election

Candidate must be elected by a majority of Parliament members. Rejected candidates must be proposed again within one month.



3. Commissioner Selection

President-elect selects Commissioners based on suggestions from EU Member States.



4. Parliamentary Hearings & Approval

Commissioners undergo hearings before Parliament, which votes to approve the College as a team.



5. Formal Appointment

Approved College is formally appointed by the European Council through a qualified majority vote.

Administrative Structure

Administrative Body

Supporting the College of Commissioners is a large administrative body responsible for the technical preparation and implementation of EU policies.



Approximately 32,000
permanent and contract staff

Staff Categories



Policy officers



Researchers



Lawyers



Translators



Directorates-General (DGs)

Policy departments focusing on specific policy areas such as agriculture, justice, or competition.



Service Departments

Handle administrative issues including human resources, finance, and IT services.



Executive Agencies

Manage specific programs and initiatives, often with their own staff and budgets.



Key Responsibilities

Technical preparation of policies, implementation of EU decisions, and providing expert advice to Commissioners.

Current Commission (2024-2029)

President: Ursula von der Leyen (Germany, EPP Party).

Since it is Nov 2025, you are in the second year of the "Von der Leyen II" mandate.

Moving from "Green Deal" (2019-2024) to "**Competitiveness & Security**".



Clean Industrial Deal

Keeping industry in Europe while decarbonizing.



Defense union

Boosting military production.



Enforcement

Implementing the AI Act and Digital Markets Act.



Global Gateway & Trade Strategy

Strategic Autonomy: Reducing dependency on China for critical raw materials.

Enlargement: Accelerating the process for Ukraine, Moldova, and Western Balkans to join the EU.

Legal Framework - Primary Law

What is Primary Law?

- ✓ Consists of EU treaties
 - Treaty on European Union (TEU)
 - Treaty on the Functioning of the European Union (TFEU)
 - Chart of human rights
- ✓ ECJ case law
- ✓ Is directly APPLICABLE in every member State and had DIRECT effect
- ✓ Negotiated and agreed upon by all EU Member States
- ✓ Defines EU objectives, institution rules, decision-making processes
- ✓ Establishes the legal basis for all EU action



The Principle of Conferral

A fundamental principle derived from the EU treaties stating that the EU can **only** legislate in policy areas where member states have explicitly authorized it to do so.



The EU's authority is strictly limited to the competences granted by the member states through the treaties.



Primary law serves as the constitutional foundation for all EU institutions, including the European Commission.

Legal Framework - Secondary Law

Relationship to Primary Law

Secondary law must remain consistent with and derived from primary law. The Commission ensures this alignment through its role as the “Guardian of the Treaties”.

The Secondary legislation is the result of the activity made by the institutional triangle:



European Parliament
Co-legislator



European Commission
Initiative Power



Council of Ministers
Co-legislator



Secondary Legislation



Regulations
Directly applicable



Directives
Require transposition

EU Regulations

&

EU Directives

→ Regulations Characteristics

- ✓ **Entirely Binding:** Must be applied exactly as written
- ✓ **Directly Applicable:** Do not require national implementation
- ✓ **Immediate Enforceability:** Effective upon publication

⚡ Effects on National Legal Systems

↓ Vertical Direct Effect

Individuals can invoke regulations against the State

↔ Horizontal Direct Effect

Individuals can invoke regulations against private entities

⚖️ Overrides National Laws

Regulations prevail over conflicting national laws

🏛️ ECJ Interpretation

Court of Justice interprets regulations

→ Directive Characteristics

- ✓ **Binding** on member states in terms of **objectives**
- ✓ **Not binding** in terms of **method** (flexibility)
- ✓ Require **transposition** into national law
- ✓ Typically have 2-year **implementation deadline**

⚡ Direct Effect of Directives



Vertical Direct Effect

- ✓ Individuals can invoke directives against the State
- ✓ Creates horizontal pressure on member states



Horizontal Direct Effect

- ✗ Individuals can't invoke directives against **private parties**
- ✗ No direct effect between private entities

Legislative Powers in Practice

The European Commission exercises its exclusive "right of initiative" by proposing new European legislation to protect the EU's general interests.



Corporate Sustainability Due Diligence Directive

On February 23, 2022, the Commission proposed a directive establishing a framework for companies to identify and address risks to human rights and the environment.



Identification

Identifies issues requiring EU action



Consultation

Consults experts and stakeholders



Drafting

Coordinated drafting of EU law



Implementation

Ensures proper application



Key Benefit: The Commission's exclusive legislative initiative ensures coordinated EU law that protects citizens' interests.

Enforcement Powers in Action



Guardian of the Treaties

The European Commission acts as the "Guardian of the Treaties," ensuring EU law is properly applied across all member states.



Key Enforcement Mechanisms

- Monitors implementation of EU legislation
- Initiates infringement proceedings against non-compliant member states
- Takes cases to the Court of Justice when necessary

Enforcement Process



Monitoring

Commission monitors how EU laws are implemented across member states.



Non-Compliance

If a member state fails to transpose a directive into national law by the deadline, the Commission proceeds to the next stage.



Infringement Proceedings

Commission initiates formal infringement proceedings against the member state.



Court of Justice

If the case proceeds, it goes to the Court of Justice of the European Union for a final decision.

"The Commission ensures that EU law is correctly and consistently applied across all member states."

Budget and Policy Management

The European Commission manages EU policies and allocates funding, ensuring financial accountability through collaboration with the Parliament, Council, and Court of Auditors.

Budget Preparation and Management Process

Setting Priorities

The Commission sets EU spending priorities with the European Parliament and Council

Budget Drafting

The Commission draws up the annual budget proposal

Approval

The budget proposal is approved by the European Parliament and Council

Supervision

The Commission supervises EU fund spending across policy areas, ensuring compliance with budget regulations.

Court of Auditors

Financial accountability is ensured through scrutiny by the Court of Auditors, which audits EU accounts.

International Representation Examples

The European Commission ensures coordinated EU external action through its representation in international forums and negotiation of agreements.



WTO Representation

Unified Voice

The Commission speaks on behalf of all EU countries in the World Trade Organization, ensuring a cohesive EU position on trade negotiations and disputes.

Trade Policy Coordination

It coordinates EU trade policies and positions, presenting a unified approach on global trade issues to promote the EU's collective interests.



International Agreement Negotiation

Trade Agreements

The Commission negotiates trade agreements for the EU with non-EU countries and trading blocs, representing the EU's commercial interests.

Humanitarian Aid Frameworks

It negotiates international agreements on humanitarian aid, ensuring coordinated EU response to global humanitarian crises.



The Commission ensures that EU external actions present a unified front, enhancing the EU's global influence.

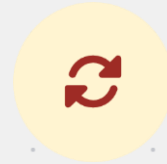
Organizational Effectiveness

The European Commission's dual structure integrates political leadership and administrative expertise to ensure coherent EU policy implementation.



Political Leadership

- College of Commissioners with 27 members (1 from each EU Member State)
- Each Commissioner assigned specific policy portfolio
- Acts independently, representing EU's general interest
- Ensures political accountability and strategic direction



Integration



Administrative Expertise

- Approximately 32,000 permanent and contract staff
- Organized into Directorates-General (DGs) by policy area
- Service departments handle administrative issues
- Executive agencies manage specific programs

Key Benefits of Integrated Structure



Balance of Powers

Ensures checks and balances between political and administrative branches



Policy Coherence

Facilitates consistent implementation of EU policies across member states



Democratic Legitimacy

Combines elected representatives with technical expertise

Conclusion

The European Commission serves as the politically independent executive arm of the European Union, embodying a multifaceted role essential to the functioning of the EU.



Legislative Initiative

Proposes new laws to protect EU interests and citizens, ensuring coordinated and coherent drafting of EU law.



Policy Management

Manages EU policies and budgets, setting spending priorities and supervising fund allocation with financial accountability.



Law Enforcement

Acts as the "Guardian of the Treaties," ensuring consistent application of EU law across all member states.



Through these responsibilities, the Commission acts as a central driving force in shaping and implementing European integration and policy.
