



EU Institutional Appointments in 2014

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The new institutional cycle in the European Union began with the European Parliament elections on 22-25 May 2014, in which an unprecedented number of euro-sceptic candidates gained seats. The EP elected its President, Martin Schulz, in July.

The European Commission appointed its President Jean-Claude Juncker in July, following EP approval. The UK Government disapproved of the method of appointment, maintaining that this should have been a matter solely for the Heads of State and Government.

Jean-Claude Juncker revealed his new Commission on 10 September 2014. The EP will approve the new College of Commissioners in October following hearings of individual nominees in September.

On 16 July the European Council could not agree on who to appoint as President of the European Council when Herman Van Rompuy steps down, or who to replace Catherine Ashton as High Representative for Foreign Affairs and Security Policy.

At the special European Council meeting on 30 August 2014, EU leaders decided to appoint the Polish Prime Minister, Donald Tusk, as European Council President from 1 December 2014, and the Italian foreign minister, Federica Mogherini, as High Representative.

This Note looks at the four recent appointments.

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1 European Parliament President

1.1 Treaty base

Under Article 14(4) of the [Treaty on European Union](#) (TEU), “The European Parliament shall elect its President and officers from among its members”.



The EP [Rules of Procedure](#) provide that to be elected President a candidate must win an absolute majority of the valid votes cast (i.e. 50% plus one). Blank or spoiled ballots do not count in calculating the majority required.

1.2 Election results

On 1 July 2014 the German S&D MEP, **Martin Schulz**, was re-elected President of the European Parliament. He won 409 out of 612 valid votes cast in the first ballot, and is the first President in the history of the European Parliament to be re-elected for a second term (two and a half years). The other three candidates were Pablo Iglesias (GUE/NGL, ES), Sajjad Karim (ECR, UK) and Ulrike Lunacek (Greens/EFA, AT).¹

Source: http://en.wikipedia.org/wiki/President_of_the_European_Parliament

Result of the first ballot

Votes cast	723
Blank or invalid votes	111
Valid votes cast	612
Absolute majority	307

Votes for the four candidates

Martin Schulz	409
Sajjad Karim	101
Pablo Iglesias	51
Ulrike Lunacek	51 ²

On 1 July 2014 14 EP Vice-Presidents were elected in three rounds of voting,³ and on 2 July five Quaestors, MEPs who deal with administrative matters directly affecting MEPs themselves.⁴

¹ See the statements of all candidates at <http://www.elections2014.eu/en/news-room/content/20140630IPR51014/html/Four-candidates-for-the-EP-President's-seat>

² [European Parliament News](#), 1 July 2014.

³ See [EP Newsroom](#), 1 July 2014.

⁴ See [EP Newsroom](#), 2 July 2014.

2 European Commission President

2.1 Treaty base

The *Treaty on European Union*:

Article 14(1) The European Parliament shall, jointly with the Council, exercise legislative and budgetary functions. It shall exercise functions of political control and consultation as laid down in the Treaties. It shall elect the President of the Commission.

Article 17(7) Taking into account the elections to the European Parliament and after having held the appropriate consultations, the European Council, acting by a qualified majority, shall propose to the European Parliament a candidate for President of the Commission. This candidate shall be elected by the European Parliament by a majority of its component members. If he does not obtain the required majority, the European Council, acting by a qualified majority, shall within one month propose a new candidate who shall be elected by the European Parliament following the same procedure.

In addition, [Declaration No. 11](#) attached to the Lisbon Intergovernmental Conference Final Act stated that the selection of the Commission President would be preceded by consultations between the Parliament and the Council.

2.2 Election of President



Jean-Claude Juncker, the Prime Minister of Luxembourg from 1995 to 2013, is President-elect of the European Commission. A [European Council Decision](#) proposing Mr Juncker as the European Council's candidate for President of the Commission was adopted at the [European Council on 27 June 2014](#) by a qualified majority of EU Heads of State and Government. The UK and Hungary voted against Juncker's nomination.

The European Council [Conclusions](#) contained a commitment, once the new Commission was in place, to "consider the process for the appointment of the President of the European Commission for the future, respecting the European Treaties".

Source: http://en.wikipedia.org/wiki/Jean-Claude_Juncker

On 15 July 2014 Juncker's candidacy was confirmed by a vote in the European Parliament by 422 votes to 250 (376 voted needed).

2.3 UK views

In the UK the process of Jean-Claude Juncker's appointment was controversial,⁵ and the Government pressed for the European Council vote on the Juncker candidacy. The Juncker appointment may change the Government's approach to UK membership of the EU. Although David Cameron has said he wants the UK to remain in a reformed EU, he warned other EU leaders in June that the appointment of Mr Juncker as Commission President could

⁵ See Standard Note 6922, [A new Commission President in 2014](#), 24 June 2014.

hasten a British exit ('Brexit').⁶ After the vote in favour of Mr Juncker, the Prime Minister David Cameron said in a statement on 30 June 2014:

I believe that it was a bad day for Europe because the decision of the Council risks undermining the position of national Governments, and it risks undermining the power of national Parliaments by handing further power to the European Parliament. Although the nomination has been decided and must be accepted, it is important that the Council at least agreed to review and reconsider how to handle the next appointment of a Commission President. That is set out in the Council conclusions.

David Lidington set out the Government's views on the process on 11 July 2014 in an [Explanatory Memorandum](#) on the EU Decision: Article 17(7) TEU had been misinterpreted; "taking into account" the EP election results did not mean the largest political group in the EP should "dictate the choice of candidate for the role of President of the European Commission". The EM continued:

18. we believe that a candidate could have been found who commanded the support of every Member State. The UK opposed, and continues to oppose on principle the idea that the European Council was constrained to consider only those candidates nominated by a European political party. The UK government consequently voted against Mr Juncker's appointment in a qualified majority vote at the European Council, as did Hungary.

19. Nonetheless, the requisite qualified majority was reached in the European Council for Mr Juncker's candidacy to be accepted. The Prime Minister has made clear that we must work with the new Commission President, as we always do, to secure our national interest. The Prime Minister has already spoken with Mr Juncker, who repeated the commitment included in his manifesto to address British concerns about the EU.

The Commons [European Scrutiny Committee considered](#) the Decision on 16 July 2014, refusing to clear it pending further information from the Government. The Committee shared the Government's concerns about the process and asked for comment on four observations regarding the European Council's commitment to "consider the process for the appointment of the President of the European Commission for the future":

i) We are concerned that a commitment to "consider", is not a commitment to clarify or change.

ii) We also note that the commitment is qualified by the condition of "respecting the Treaties". This seems superfluous unless, of course, it addresses UK concerns that the current nomination process did not respect the Treaties.

iii) We would also question when the review process (whatever that will be) will be triggered. The European Council Conclusions say "once the new European Commission is effectively in place". The process might become protracted, delaying the new Commission's taking up of office (as was the case, for example, for the current Barroso Commission which was only approved to take up office on 9 February 2010). We are concerned that if the outcome of the review process is such that treaty change is required, then that process must be undertaken with sufficient haste for changes to be made by the time of the run-up to the next European elections.

⁶ [The Times, 25 August 2014.](#)

iv) We wonder whether the Government considers the commitment to be strengthened by the introductory wording to the relevant section of the European Council Conclusions: "The UK raised some concerns related to the future development of the EU. These concerns will need to be addressed."

3 EU Commissioners

3.1 Treaty base

Each EU Member States proposes a candidate for the position of Commissioner. The names are submitted to the incoming Commission President, who is responsible for the distribution of portfolios. The list of nominations is then, by common accord with the President-elect, adopted by the Council. The President, the High Representative and the other members of the Commission are subject as a body to a vote of consent by the EP. On the basis of this consent, the Commission is appointed by the European Council, acting by a qualified majority.

3.2 New Commission appointments

Jean-Claude Juncker called on governments to put forward women candidates for Commission posts, because in his opinion a Commission "without a significant number of women is neither legitimate nor credible".⁷ At present, nine commissioners (33%) are women, but "the nominees show a clear pattern of mostly being men from right-wing parties".⁸ [European Voice, 27 August 2014](#), summarised the political and gender balance in the prospective Commission as follows:

Men: 20

Women: 5

Centre-right: 15

Centre-left: 7

Liberal: 3

Undecided: 3

**Figures include assumptions for Cyprus and Slovenia*

The appointments should also reflect a geographic balance. Dave Keating and Tim King, [European Voice, 27 August 2014](#), outlined some considerations:

Van Rompuy indicated when the national leaders met at the beginning of July, that the EU's senior appointments had to contain an eastern European to balance Juncker – an ex-prime minister of Luxembourg – as Commission president. North-south balance will be helped if, as expected, Spain's Luis de Guindos is lined up to take over as president of the Eurogroup from Jeroen Dijsselbloem.

Helle Thorning-Schmidt, the prime minister of Denmark, has long been positioned as a possible president of the European Council. But if Mogherini was named as foreign policy chief, then there would be pressure for the choice of Van Rompuy's successor to come from outside western Europe – Donald

⁷ Interview, [Der Kurier, 24 August 2014](#), "Juncker bietet starken Frauen wichtige Ressorts".

⁸ [EurActiv, 21 August 2014](#).

Tusk, Poland's prime minister, and Valdis Dombrovskis, an ex-prime minister of Latvia, are possibilities. If Mogherini's path is blocked, then geographic balance would strengthen the case for appointing Georgieva, leaving Thorning-Schmidt for the Council presidency. Georgieva, although first nominated to the Commission by a centre-right government, is a technocrat and not a politician – an important calculation given the need also to provide political balance between candidates of the centre-left (Mogherini, Thorning-Schmidt, Timmermans) and of the centre-right (Sikorski, Tusk, Dombrovskis).

European Voice, 12 August 2014, listed confirmed, expected and possible national candidates for Commissioners, and their political affiliations.⁹

Interim Commissioners to replace the four Commissioners who were elected to the EP in May passed EP hearings on 14 July. Martine Reicherts (Luxembourg), Ferdinando Nelli Feroci (Italy), Jyrki Katainen (Finland) and Jacek Dominik (Poland) will serve until the end of the current Commission term.¹⁰

Jean-Claude Juncker is expected to provide a list of Commissioners and portfolios in the first or the second week of September.¹¹ The indicative timetable for the appointment of the new college is as follows:

September 2014	Hearings of commissioner nominees at European Parliament.
20-23 October	EP votes on whether to approve new college of commissioners.
1 November	New College of Commissioners takes office.

3.3 The nominees

Jean-Claude Juncker revealed his proposed new Commission on 10 September 2014. It has a less centralised power structure, a new post of 'First Vice-President' (Frans Timmermans from the Netherlands) and overlapping posts on economic matters. His division of portfolios was described as "a masterclass in giving countries what they wanted, while maintaining a careful political balancing act".¹² The 'first vice-president' will "essentially have an enforcer role in the commission. He will be able to 'stop any initiative' and can decide whether a proposed EU policy has the 'right' to be put on to the political agenda".¹³ The five other vice-presidents will oversee teams of commissioners. This, commented Honor Mahoney, could give rise to "great potential for overlapping roles, and a multitude of bosses".¹⁴

The new Commission, assuming the EP agrees, will look like this:¹⁵

⁹ A similar list by *Dodsmonitoring*, 1 August 2014, includes information on desired portfolios.

¹⁰ For information on this process, see <http://www.elections2014.eu/en/news-room/infographics>.

¹¹ *EurActiv*, 26 August 2014.

¹² *EUObserver*, 11 September 2014.

¹³ *EUObserver*, 10 September 2014.

¹⁴ *EUObserver*, 10 September 2014.

¹⁵ From *Commission website*, accessed 11 September 2014.

Vice-Presidents



First Vice-President, Frans Timmermans

Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights



Federica Mogherini

High Representative of the Union for Foreign Affairs and Security Policy



Kristalina Georgieva

Budget & Human Resources



Andrus Ansip

Digital Single Market



Alenka Bratušek

Energy Union



Valdis Dombrovskis

Euro & Social Dialogue



Jyrki Katainen

Jobs, Growth, Investment and Competitiveness

Members of the Commission



Maroš Šefčovič
Transport & Space



Günther Oettinger
Digital Economy & Society



Johannes Hahn
European Neighbourhood Policy & Enlargement Negotiations



Cecilia Malmström
Trade



Neven Mimica
International Cooperation & Development



Miguel Arias Cañete
Climate Action & Energy



Karmenu Vella
Environment, Maritime Affairs and Fisheries



Vytenis Andriukaitis
Health & Food Safety



Dimitris Avramopoulos
Migration & Home Affairs



Marianne Thyssen
Employment, Social Affairs, Skills and Labour Mobility



Pierre Moscovici
Economic and Financial Affairs, Taxation and Customs



Christos Stylianides
Humanitarian Aid & Crisis Management



Phil Hogan
Agriculture & Rural Development



Jonathan Hill
Financial Stability, Financial Services and Capital Markets Union



Elżbieta Bieńkowska

Internal Market, Industry, Entrepreneurship and SMEs



Věra Jourová

Justice, Consumers and Gender Equality



Tibor Navracsics

Education, Culture, Youth and Citizenship



Corina Crețu

Regional Policy



Margrethe Vestager

Competition



Carlos Moedas

Research, Science and Innovation

3.4 The UK Commission candidate

The Commission President-elect, who had called on Member States to nominate women commissioners, criticised the UK Government's candidate, Lord Hill (Jonathan Hill) of Oareford.¹⁶ David Cameron wanted the UK Commissioner to be given a leading economic portfolio such as trade, competition or the single market, which initially looked unlikely. However, when Jean-Claude Juncker announced his [proposed new Commission](#), Lord Hill

¹⁶ For biographical information, see <https://www.gov.uk/government/people/lord-hill-of-oareford>.

had been given the financial stability, financial services and capital markets union portfolio. The Foreign Secretary, Philip Hammond, in a [press statement on 10 September](#), welcomed the new Commission in general (“This is a team with the skills, experience and ambition to change the EU for the better”), and Lord’s Hill’s portfolio in particular: in this post “he can help drive forward well regulated, secure, financial markets – an asset to the whole European economy, and which will help support jobs and growth”.

4 President of the European Council

Having failed to agree on the two top appointments on 16-17 July, the [European Council President agreed](#) that consultations with EU leaders would continue, and that they would meet again at a special European Council on 30 August for further discussion and make a “final decision”.¹⁷

4.1 Treaty base

Article 15(5) TEU, “the European Council shall elect its President, by a qualified majority, for a term of two and a half years, renewable once”. Herman Van Rompuy’s mandate expires on 1 December 2014.

4.2 Candidates and appointment

Contenders for European Council President included:

- Danish Prime Minister, Helle Thorning-Schmidt, although she said she did not want the job.¹⁸



- Polish Prime Minister, Donald Tusk. Although Tusk had David Cameron’s support “as a counterweight to the incoming federalist European commission president, Jean-Claude Juncker”.¹⁹

- Valdis Dombrovskis, former prime minister of Latvia. Some Member States considered him to be too critical of Moscow and “too independently-minded”.²⁰

The [European Council decided on 30 August](#) to appoint the Polish Prime Minister, **Donald Tusk**, as European Council President from 1 December 2014 until 31 May 2017. Although Poland is not in the Eurozone, Tusk will also serve as President of the Euro Summit during his presidency. Herman Van Rompuy said of Mr Tusk:

Donald Tusk is one of the veterans of the European Council. Prime Minister of Poland since 2007, he is also the only one in over half a century to have been re-elected. He has impressed his colleagues and the outside world with the determined and confident way he has led his country and steered Poland

¹⁷ See European Council website at <http://www.european-council.europa.eu/special-meeting-of-the-european-council-30-8>. See [Europe Decides](#), 10 July 2014, for commentary on the political balance, the gender balance and the geographical balance that made the decisions so hard to make.

¹⁸ See [EurActiv](#), 16 July 2014.

¹⁹ [Guardian](#), 26 August 2014.

²⁰ [Europe Decides](#), 25 August 2014.

through the economic crisis, managing to maintain steady economic growth and never fall into recession.

Source: Wikipedia

As a young man, he took part in the 1980 Solidarnosc movement in his home city of Gdansk. For Poland, it was "the first step on the path to Europe", as he himself said upon receiving the Charlemagne Prize. — I was there when Donald gave that speech, and was personally very moved. EUCO 166/14 2/2

This journey has brought the country to the very heart of Europe, where today, ten years after joining the Union, Poland proudly stands.

In the European Council, Donald Tusk was deeply involved in all the difficult decision-making of the last years and months – on the euro front, but also weighing on international crises like Ukraine.

He and I worked closely together during the Polish Presidency. In short: Donald Tusk, a statesman for Europe.

We will need all these qualities for the challenges the European Union will be facing in the years ahead. I see three:

- the stagnating economy;
- Ukraine and Russia – the gravest threat to continental security since the Cold War;
- and, thirdly too: Britain's place in the Union.

Three issues that will require firm leadership from the European Council.²¹

The Telegraph reported on 30 August 2014 that “David Cameron won a key battle in Brussels, securing his favoured candidate as the next president of Europe in a major boost to his campaign to reform the European Union”. Several UK newspapers reported Mr Tusk saying:

No reasonable person can imagine the EU without the UK. I cannot imagine it myself. I have talked about it with David Cameron. He put forward many proposals for reforms and I am sure with a reasonable framework of politicians we can reach an agreement. We can strive to eliminate various barriers – freedom of movement of workers, for example.²²

For further comment on the appointment of Donald Tusk, see:

[The Guardian, 31 August 2014](#)

[The Telegraph, 31 August 2014](#)

[Financial Times, 30 August 2014](#)

[BBC News, 30 August 2014](#)

[Wall Street Journal, 30 August 2014](#)

[Bloomberg, 1 September 2014](#)

²¹ [Presidency remarks, 30 August 2014.](#)

²² [The Guardian, 31 August 2014](#)

5 High Representative for Foreign Affairs and Security Policy

5.1 Treaty base

Under Article 18 TEU, “the European Council, acting by a qualified majority, with the agreement of the President of the Commission, shall appoint the High Representative of the Union for Foreign Affairs and Security Policy” (HR). The term is five years, in line with that of the other Commissioners. The HR is also a Commission Vice President. Catherine Ashton steps down as HR at the end of October 2014.

5.2 Candidates and appointment

Candidates to replace Catherine Ashton included:

- The Italian Foreign Minister, Federica Mogherini. Although Mogherini had the support of Socialist EU governments,²³ she was reported to have been opposed by some Eastern European governments,²⁴ who are wary of Italy’s traditional pro-Moscow position and concerned that she might be too inexperienced to deal with the Russia-Ukraine situation.²⁵
- The Polish Foreign Minister, Radoslaw Sikorski, although some West European governments considered him to be “too belligerent toward Moscow”²⁶ while others thought he is too scathing of the US.²⁷
- Kristalina Georgieva, the outgoing Bulgarian Commissioner for International Cooperation, Humanitarian Aid and Crisis Response, was also reported to be a contender.²⁸

The European Council decided on 30 August to appoint **Federica Mogherini** as High Representative.

Herman Van Rompuy said of Ms Mogherini:

As Foreign Minister of Italy, Federica Mogherini, has been at the frontlines in this difficult and intense period on the international scene, travelling across the globe. The European Council is convinced that she will prove a skilful and steadfast mediator, negotiator and defender of Europe’s place in the world. And we know that she will stand in the long Italian tradition of strong commitment to the European Union. Federica Mogherini will be the new face of the Union in our day-to-day dealings with international partners.

Source: Wikipedia



²³ See *EurActiv*, 16 July 2014.

²⁴ See *EurActiv*, 17 July 2014.

²⁵ *EurActiv*, 26 August 2014.

²⁶ *Telegraph*, 16 July 2014.

²⁷ *BBC News*, 23 June 2014.

²⁸ *Financial Times*, 6 August 2014.

In all this, she will be able to benefit from the work of Catherine Ashton, especially from the now first-class diplomatic service that Cathy built from scratch.²⁹

For comment on the appointment of Federica Mogherini, see:

The Guardian, 30 August 2014

The Telegraph, 31 August 2014

Financial Times, 31 August 2014

BBC News, 30 August 2014

Bloomberg, 31 August 2014

The Washington Post, 30 August 2014

²⁹ Presidency remarks, 30 August 2014. CVs of both the top appointments are available at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/144535.pdf.