

The Operation of the European Commission

The European Commission fulfils the following duties:

- It monitors the observance, and ensures proper application of Community law;
- Ensures the proper functioning and development of the common market;
- Administers and implements Community legislation, participating in the Community's legislative process, and implementing the budget;
- Represents the Community in international organisations, and negotiates international agreements when Community matters are concerned;
- Exercises the powers conferred by the Council to initiate or propose measures for the furtherance of Community policy;
- Makes recommendations and delivers opinions on issues affecting the Community;
- Publishes an annual report of Community activities.

The term *Commission* is loosely used to encompass the body of European civil servants – nearly 16,000 individuals – employed in the Commission. The majority work in Brussels, the political and administrative centre of the Community and “seat” of the Commission.

Article 157 of the EC Treaty initially required that there be one Commissioner from each of the smaller Member States and two from each of the larger Member States, for a total of nine Commissioners. With each successive enlargement, first with the accession of the United Kingdom, Ireland and Denmark, then of Greece, Portugal and Spain, and more recently of Austria, Finland and Sweden, the number of Commissioners has increased and is presently 20. The question of how this representation should change in the event of the intended future enlargement was considered during the IGC. Among the possible options was the possibility of limiting the number of Commissioners to one for each Member State; or to reduce it to a number inferior to the number of Member States – a solution which would likely entail reform of the nomination process, and possibly an increase in the influence of the Commission Presidency. This proved too controversial and the issue was left pending.

The Commissioners are chosen by consensus from among those nominated by the governments of the Member States, and after consultation with the Euro-

pean Parliament. The European Parliament has the power to grant final approval of the selected nominees who are then formally appointed by their respective governments. In theory, selection is made on the basis of the nominees' “general competence” rather than political or other affiliation. Upon appointment, each Commissioner is expected to be impartial, to discharge duties in the best interests of the Community, and to act with complete independence from the influence of any government or other body. In practical terms, there has been a move away from this essentially apolitical character of the Commission. This has been most noticeable in the case of the last and the current composition of the Commission where appointments have had an increasing political element; the present Commission includes two former Prime Ministers and many former Ministers.

The policy or administrative functions of the Commission are organised into 26 DGs. Each Commissioner is directly responsible for at least one Directorate. However, as the Commission ultimately acts as a collegiate body with major decisions being taken only on achieving consensus, the Commissioners share collective responsibility for all Commission acts. The allocation of the various DGs is generally decided amongst the Commissioners themselves on proposals from their President, and has at times been very controversial.

In addition to the support provided by the officials within the DGs, the Commissioners have a private office, or Cabinet, consisting of personal political advisors who assist them. The individuals within the Cabinets work closely with their respective Commissioner and serve as liaison between the Commissioner and those DGs associated with their areas of responsibility. The members of these Cabinets, and particularly their head or Chef de Cabinet, are therefore in a position to wield considerable influence in relation to the policies and activities of the DG for which their particular Commissioner is responsible. As a rule, the Commission structure tends to be integrated more vertically than horizontally, although this will vary according to the area, with the result that the influence of a particular Cabinet may extend beyond the scope of the Commissioner's specific portfolio.

Development of Proposals within the Commission

The Commission has the sole right to initiate legislation and the right to be involved at every stage of the legislative process in the domain of Community affairs. The European Parliament and the Council each have the right to request a proposal from the Commission on a particular subject, a power which is, in some