HR/VP to VP/HR? The next generation

by Sabina Lange

With the formal entry into office of the new European Commission chaired by Jean-Claude Juncker, a new organisation of the college and its services, as well as a new *modus operandi* across all EU services will be put to test. This applies to the Commission as a whole – to the extent that it will probably shape its entire mandate and future legacy. But it will be particularly relevant for the area of foreign policy and external action, in view of the foreseeable implications – and possibly the unintended consequences – of the new setup for the role of the multi-hatted high representative for foreign affairs and security policy and vice-president (HR/VP). Five years after Catherine Ashton took up the newly created function of HR/VP, Federica Mogherini is taking over in a significantly different institutional landscape.

On clusters and numbers

In the run-up to this year's European elections, several voices from the think tank and expert community pleaded for a new and bold reorganisation of the Commission. Suggestions on organising the college around thematic clusters entered the Berlaymont corridors and, although the term 'cluster' is not specifically mentioned, the organigramme announced by Jean Claude-Juncker on 10 September 2014 somewhat incorporated that idea. The new college will have seven vice-presidents, who are set to steer and coordinate the work of the Commission according to priorities as defined in the 'political guidelines' presented by Juncker to the European Parliament prior to his election as president.

Among them, Federica Mogherini's position as HR/VP is treaty-based, while Frans Timmermans was nominated as first vice-president and entrusted with a number of horizontal and institutional tasks. The other twenty commissioners, each with their own portfolio, will either be part of loosely pre-defined 'core teams' of commissioners led by a vice-president or join the teams depending on the projects or initiatives undertaken.

The idea of – and the need for – rethinking the work of the college stems from the reversal of the original decision to cut the number of commissioners down to no more than two-thirds of the number of member states after the 2014 European elections. This decision, enshrined in the Lisbon Treaty, was already a recognition that, with the growing number of member states, the sheer size of the Commission could undermine both collegiality and coherence. The reversal came after the first Irish referendum on Lisbon in 2008, when the

promise of keeping one commissioner per member state was made, among others, to entice the Irish voters into voting 'yes' the second time round. The move proved successful, and the promise has been kept. The challenge for Juncker's team, therefore, was how to uphold collegiality and policy coherence while keeping 28 commissioners, as well how to meet calls for a more politicised Commission.

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Juncker's response is a bold attempt to tackle all these challenges head on. It will probably shake up the way the Commission works in many of its traditional domains but it has, *inter alia*, the potential to help Mogherini, the new HR, exercise her mission of ensuring consistency in the Union's external action. This, however, will require strong political will in both the Commission and the EEAS, as well as solid support by the member states.

On VeePs and teams

The official organigramme of the new Commission distinguishes between the president, the vice-presidents and the members of the commission, without pinning down members of the each team. The mission letters prepared by Juncker for each new member explain the basic rationale behind the new setup and show that, rather than being organised in 'clusters', the college is actually composed of broadly conceived, overlapping teams of commissioners. The group of commissioners for external action, with its small core membership, is a notable exception.

Previous commissions already had vice-presidents, but their title was mostly recognition of seniority and/or importance of the dossier, although in some cases they chaired rare meetings of groups of commissioners. According to Juncker's mission letters, the new vice-presidents' role will be to a) steer and coordinate the work of commissioners 'to shape coherent policies and deliver results', b) assess how and whether proposed new initiatives fit with the focus of the political guidelines, c) manage and organise the representation of the Commission in their area of responsibility, and d) promote a pro-active and coordinated approach to follow up, implementation, and communication of policy priorities. In an analogy to a football team, each vice-president will be a captain who works closely with the manager (the president) and the coach (the first vice-president) in choosing the players and the squad's strategy and tactics.

Still, each commissioner retains her/his voting right and, to judge from the answers given by Timmermans in his hearing, the efforts to achieve consensual decision-making in the Commission (which, according to the Treaty, can adopt decisions by simple majority) will not diminish.

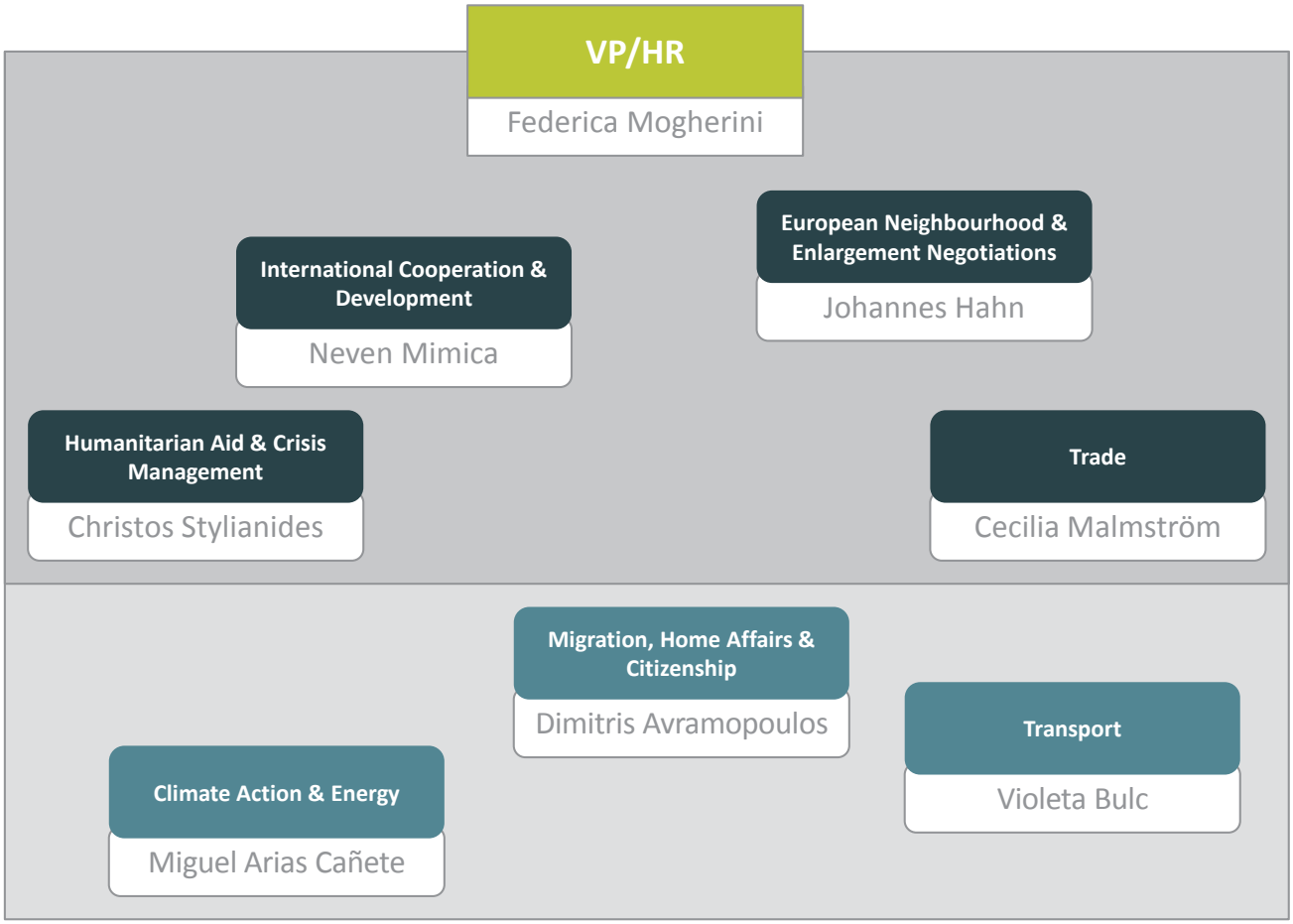
From the collegiality point of view, however, the most interesting development is the gatekeeping role of the vice-presidents when it comes to agenda-setting, which is expected to streamline (and politicise) the highly complex way in which the Commission's work programme is implemented. It should also allow for improving the dialogue with the European Parliament and the member states. To achieve the stated goal of overcoming 'silo' mentalities, the vice-presidents will receive support from the secretariat-general of the Commission, and will be able to draw on the services of relevant commissioners. The hearings in the European Parliament, however, revealed that it is still unclear precisely how individual commissioners and their services will cooperate with one or more vice-presidents – and vice versa.

On external action

Unlike the other possible teams of commissioners, the core group on external action (note the change, from external *relations* to external *action*) draws on the traditional Relex 'family' and includes the commissioners for European Neighbourhood and Enlargement Negotiations (note the less binding addition of negotiations), International Cooperation and Development, Trade, and Humanitarian Aid and Crisis Management (without international cooperation, which is now in the development portfolio, but with *crisis management*).

The commissioners for Climate Action and Energy, Migration and Home Affairs, as well as Transport will also be associated as their policies have a strong external dimension. In comparison to the group formed within the second Barroso Commission, the commissioner responsible for Monetary Affairs does not explicitly belong to the group – but this is understandable, given the vice-presidential status

Commissioners group on external action



of the commissioner in charge of the euro and the presence of a vice-president in charge of Jobs, Growth, Investment and Competitiveness, with whom the high representative will work closely anyway.

The need to boost the vice-presidential role of the high representative has been underlined by several foreign ministers, as well as by Catherine Ashton herself in the 2013 EEAS review. In particular, the review recognised the need for regular meetings of the Relex commissioners, for a greater role of the HR/VP in proposing initiatives related to external relations within the Commission's work programme, for reinforcing EEAS capacity on external aspects of key EU policies (such as energy security, environment, migration), and for strengthening the HR/VP's role in programming external assistance.

All these proposals seem to have been taken on board. Mogherini will chair the Commissioner's Group on External Action, which is expected to meet at least once a month (far more frequently than the Group of Commissioners on External Relations in 2010-2014). It is left to Mogherini to agree on arrangements with the relevant commissioners, though the president retains the right to define the thematic and/or geographic format of a meeting. Given the HR/VP's triple-hatted role and status, however, it might turn out difficult to schedule this additional activity regularly into her calendar and to have enough time to lead a substantial debate at commissioner level (and not just a formal endorsement of items previously discussed at services' level). She will certainly be deputised on a more regular basis by the commissioner for Neighbourhood Policy and Enlargement Negotiations – or other relevant commissioners – for the external relations part of her tasks, but that would simply mean that the group may not always be complete.

As one of the vice-presidents, Mogherini will act as gatekeeper when it comes to initiating proposals for the Commission's work programme in the field of external action. This role has the potential to present her with an overview of the initiatives and to facilitate cooperation between the Commission services and the EEAS staff. And as some of the commissioners from the Group on External Action are also expected to be working in project teams under other commissioners (e.g. Trade in a team lead by the vice-president responsible for Energy Union), all commissioners will be forced to coordinate their

actions throughout the wider spectrum of EU policies.

Much more VeeP

The mission letter for Federica Mogherini clearly states that she will be able to draw on the Commission's policy instruments and expertise in areas defined (also by Ashton) as being in need of strengthening within the EEAS. Mogherini will also move her headquarters from the EEAS to the Commission's Berlaymont building and staff her cabinet with a higher share of Commission officials. Moreover, the secretariat general of the Commission has been instructed to explicitly provide her support in her role as vice-president and in working with other commissioners – in addition to liaising with the EEAS proper.

The combination of physical proximity to other commissioners, personnel links and extra support by the secretariat general should thus facilitate the use of Commission's expertise, as well as ensure better coherence of external action policies. The fact that the secretariat general will be supporting all vice-presidents as well as the president (and will thus no longer work under and for the president alone) implies that pragmatic arrangements will have to be found in relation to many internal procedures and processes, but that is part of a wider challenge that the Juncker Commission has decided to take up – and a crucial opportunity for all to seize.

The last critical element from the 2013 EEAS review was the strengthening of the HR/VP position over the programming of external assistance. Given the recently concluded exercise related to the Multiannual Financial Framework, such programming will not be high on the priority list of the new commissioner for International Cooperation and Development. However, his enlarged portfolio will bring him and his services in regular contact with the HR/VP (and the EEAS) on a number of priorities already identified for the coming years. These include the negotiations over the follow-up to the Millennium Development Goals and the EU's partnership with Africa, which could in turn lay the ground for closer cooperation in a number of development-related areas, including the programming of external assistance.

Too much VeeP?

The new set-up of the Commission, in general, and the specific elements regarding the HR/VP do indeed have the potential to give much more substance to Mogherini's vice-presidential 'hat'. The political impulse and the authority for it derive from the power and legitimacy of the president of the Commission and will be reinforced by the scrutiny exercised by the European Parliament. The HR/VP, however, is responsible for the consistency of the Union's external action in its entirety.

Unlike Catherine Ashton, Federica Mogherini will not have to oversee the creation of the EEAS (which absorbed a fair share of the first half of Ashton's mandate) and some issues regarding her deputisation have been solved through the new Commission's arrangements, thus leaving her, theoretically, more time to operate as a full member of the college. Juggling and shuttling between the still consolidating EEAS – in terms of working methods, decision-making processes and lines of reporting – and the Commission's long established *modus operandi* will probably require the shaping and fostering of smart synergies and a more cooperative working culture between all the services supporting her work.

The Foreign Affairs Council, for its part, strongly and consistently supported steps towards exercising the full potential of the VP hat of the HR. Yet now the foreign ministers of the EU-28 will potentially face further competition for their agenda-setting prerogatives – as well as a stronger and better substantiated defence of 'the general interest of the Union' in the formulation of common foreign policy initiatives – coming precisely from that 'hat'. The time may have come for them to focus on the bigger picture and adopt a more strategic approach to foreign policymaking.

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