

SNAPSHOT

The 2015 European Commission Work Programme

19 December 2014

INTRODUCTION

On 16 December the new European Commission President Jean-Claude Juncker presented the [Commission's 2015 Work Programme](#) to the European Parliament. This was eagerly anticipated as Juncker had pledged to address the EU economic and institutional crisis boldly and do things very differently to previous Commissions.

This Work Programme provides so far the most concrete indication of what to expect from the Juncker Commission. In this Snapshot we analyse whether the Work Programme really demonstrates a new approach, take a closer look into the specific initiatives and forecast what the Work Programme might mean for the future of this Commission and the EU.

A new approach?

Jean-Claude Juncker raised the bar for his mandate when he said before his approval that this is a “last chance saloon Commission” to regain public trust in the EU. This means that he recognises the need to do things differently and after the restructuring of the Commission¹, the Work Programme is a clear sign that he is attempting a new approach.

A common criticism against the Commission is its urge to produce ever more legislation and interfere in most areas of life. The small number of new initiatives in the Work Programme already demonstrates that Juncker is serious about addressing this critique. The Work Programme contains new 23 initiatives for 2015 while it proposes to withdraw or amend 80 existing ones. In comparison, the first Work Programme of Juncker's predecessor José Manuel Barroso for the year 2005 contained 98 initiatives and practically no withdrawals. This reduction seems to present a radical shift from the Commission's attitude to legislate whenever it sees a good rationale without seriously considering the subsidiarity principle (i.e. that the EU should only intervene when action at national level is not enough). At this stage it remains to be seen whether the EU really is leaving more issues to the Member States, or whether the Commission is hiding multiple initiatives within broader packages. After all, Barroso also promised to cut red tape. In any case, the lower number sends a strong signal that will hopefully be more than just cosmetic.

Another striking feature of the Work Programme and the first months of the Juncker Commission is their coherence and focus on the areas Juncker has declared as his priorities. Ever since he presented his [political guidelines](#) in July he has stuck to ten priorities to address the economic and political challenges such as high unemployment, high levels of public debt, a lack of competitiveness and waning public confidence in the EU. Barroso's strategy for his second term (EU2020) focused on these issues already, but the overall direction got lost among its many initiatives. In addition to streamlining the Work Programme, Juncker has structured the whole Commission according to his priorities. This is a much clearer

approach than before and shows a stronger purpose behind the actions. However, so far the Work Programme has not produced a very positive echo in the media. Instead of highlighting that the EU aims to meddle less in national affairs, the focus of the commentary is on the withdrawal of environmental legislation.

The initiatives

The fact that Juncker has only presented 23 new initiatives does not mean that the Commission will have less work. Some of the initiatives represent large packages and will consist of two or more legislative proposals. Moreover some of the initiatives are very complex, and considering the strong pressure on Juncker to make fast progress, some very intense work lies ahead during the next year. It will also not prevent the Commission from putting forward additional legislative proposals later during the course of its mandate.

A great deal of expectation surrounded the **Digital Single Market package**, and Juncker announced an ambitious package to ensure that a **connected** digital single market would become a reality. This includes a large number of initiatives and objectives without major surprises, but the difficult task ahead will be to conclude the existing legislative files, e.g. the Data Protection Regulation, the Cybersecurity Directive and the Telecoms Regulation. The Commission has also made the modernization of copyright a key objective, and plans to review the Audiovisual Media Services Directive and the Cookie Directive.

Due to the worsening relations with Russia the **Energy Union** initiative has a strong backing by Member States and the Parliament and Juncker will be keen to move this forward very quickly. For the first time Member States might be willing to actually cooperate in energy matters in negotiations with third countries. The focus will lie on new interconnections and a joint EU energy diplomacy. In view of the 2015 climate talks in Paris, the legislation to implement the 2030 Energy & Climate package is also an urgent priority.

The initiatives relating to the **Internal Market** will be key to boost growth and bring Juncker's 315bn investment plan to fruition². In particular the Capital Markets Union is meant to increase financing options for companies and support efficient allocation of capital throughout the EU. This aims to overcome the dependence of European companies, notably the SME's on bank financing. Alternative channels of financing would strengthen the economy as a whole, in particular if banks cannot provide the funding.

The work on a **Deeper and Fairer Economic and Monetary Union** will continue to tackle the economic crisis. In view of the precarious state of the EU economy, Juncker will continue efforts to deepen economic integration within the EU and ensure that policy tools such as the European Semester

¹ See FTI snapshot: Juncker shakes up the Commission

² See FTI snapshot: A 300bn Investment Plan for Europe

contribute effectively to addressing imbalances in the economy. Member State peer pressure is intended to prevent future sovereign debt crises. Following the LuxLeaks it will be crucial for Juncker how sincerely he pursues the fight against tax avoidance.

The **Trans-Atlantic Trade and Investment Partnership** (the trade deal under negotiation with the USA) is more in the public eye than any other initiative and 2015 will be a crucial year to make progress and win public acceptance. This does not only involve negotiations but also unprecedented public engagement to convince sceptics. In addition the Commission will overhaul its trade strategy to address the changes in the global trade arena, such as the growing integration of Eastern Asian markets.

A last priority field to mention is **A Union for Democratic Change**. With the proposed initiatives Juncker wants to directly address the growing Euroscepticism and wants to regain trust in the EU institutions. In particular the issues of corporate lobbying, transparency and effectiveness of law-making are at the centre of this field. Whether this will be enough to make the EU more transparent in the eyes of the citizens remains to be seen.

The withdrawals

A leaked draft version of the Work Programme indicating the withdrawal of the Air Quality Package and Waste Package seemed like a declaration of war and caused uproar among NGOs and pro-environmental MEPs. In the end Juncker and his Vice-President for Better Regulation Frans Timmermans were not that radical. Applying the principle of discontinuity they actually propose to withdraw or amend 80 proposals, most because of obsolescence or redundancy. The Advocate General of the EU Court of Justice (CJEU) confirmed on 18 December the Commission's power to withdraw proposals in principle but set certain limits.³

The Air Quality Package will be presented later within the Energy & Climate Package. Timmermans also promised to present a "new, more ambitious proposal on waste policy" by the end of 2015. Other controversial withdrawals include the Maternity Leave Package, for which the Commission however gives the Council and Parliament six more months to come to an agreement. The energy taxation proposal is to be withdrawn because the Council compromise has completely transformed it. Finally, the revision of the Transparency Directive on reimbursement of medicines will be withdrawn as it is stuck in a divided Council. It is not clear yet whether the Commission will come up with a new proposal.

Importantly, Vice-President Timmermans also said that the Commission will still discuss the proposed withdrawals with the Parliament and only enact them after having heard MEPs' views. Juncker has shown much flexibility when he decided on the Commission portfolios. With his emphasis on good institutional cooperation, it might very well be that Juncker amends some of the withdrawals.



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³ CJEU: bit.ly/1C7rpob

In any case the Parliament will look very closely whether the Commission keeps its promise, in particular on environmental legislation.

The withdrawal of proposals attracted some harsh criticism from the centre-left S&D and liberal ALDE groups, which both supported Juncker's nomination. The centre-right EPP group (the largest in the Parliament) stood firmly behind Juncker and supported the simplification efforts. While the conservative ECR group did not express its support for Juncker, it backed the Commission's focus on economic growth.

What should business look out for?

Juncker wants to make a quick impact, and the Commission will therefore move ahead with speed. Hence, business should not wait to make its positions heard. The idea of having better inter-institutional cooperation might imply that the Parliament and the Member States are involved at an earlier stage of the law making process. This would make earlier engagement of business with policymakers important. Finally, the fight against tax evasion will be at the heart of the Commission and Juncker is under considerable pressure to not appear too business-friendly in this field. Business can therefore expect some tough action.

Super-Juncker or Junck-man?

Taking Juncker by his word when he speaks of the "last chance saloon", the stakes are very high. With his priorities Juncker is addressing the most urgent issues the EU is facing and he held true to his promise to do things differently. This has included some bold steps, such as restructuring the Commission and shifting the focus away from areas close to the heart of many in Brussels such as environmental policy. However, Juncker is too much of a political animal to risk the backing of some of his strongest supporters in the European Parliament. His project depends on too many controversial initiatives such as TTIP, Energy Union and further economic integration.

His success will also hinge on the cooperation of the Member States and how the Commission's policies are communicated to the public. It is therefore a good move for the EU to give the responsibility for the "smaller" issues to the Member States and not risk losing further sympathies on issues the EU will be made the scapegoat for. Of course much of Juncker's success will depend on the global economy, economic reforms in the Member States and geopolitical developments. However, he has made a good start: the harder part of putting his ideas into practice will start straight after New Year.



Arne Koeppel
Head of Research

FTI Consulting
Avenue Marnix 23
1000 Brussels
+32 2 289 0939
Arne.Koeppel@fticonsulting.com

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