

The von der Leyen Commission: Time to reset, regroup and get things done

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Executive summary

As Commission President Ursula von der Leyen prepares her State of the Union speech that will map out the second half of her mandate, she must seize the opportunity to reset her Commission after more than 18 months in crisis-fighting mode.

In broad lines, the European Commission's priorities – fostering a collective recovery from the pandemic; rolling out Europe's green, digital and geopolitical makeover – are the right ones. But today's pace of change requires an updated outlook, fresh ideas and a critical examination of the President's leadership, methods and structures. The following three essential questions guide a reflection on what this Commission now stands for:

1. How does the Commission ensure a continued capacity for fresh thinking and renewal to direct the EU's political agenda?
2. Can the EU deal with the political fall-out from uncertainty, shocks and change?
3. Is the Commission's executive structure tailored to deliver the major tasks it faces?

With many strong personalities and seasoned politicians, von der Leyen's Commission has potential, and yet much of its agenda remains undelivered. Now is the time for her administration to regroup and get things done in the final three years of her term. The below five recommendations addressed to President von der Leyen outline what should be done to improve her leadership and administration's delivery within the current legal and institutional framework and complete the mandate assigned to her by Europe's leaders and the European Parliament:

1. **Establish independent thought and foresight**, capable of challenging established ideas and structures, at the heart of the Commission's leadership and policy agenda. 'New' key policy questions that von der Leyen should address in her State of the Union speech range from climate adaptation, demography and migration to investment in skills, tech, defence; and engaging Europeans in democratic renewal.

2. **Clarify responsibilities over priority deliveries in the next three years within the College**, including her own working relationship and shared leadership with the (Executive) Vice-Presidents. Commissioners' groups should be streamlined according to (new) priorities, and Commissioners should receive updated mission letters.
3. **Rethink the inter-institutional cooperation on major transformative EU projects**, such as the Green Deal and digital transition, which must be co-constructed across institutions, from inception to adoption, through dedicated structures and processes. The Green Deal has so far been a missed opportunity in this regard. To better process member states' political concerns, von der Leyen and Council President Charles Michel should offer First Vice-President Frans Timmermans a 'Barnier seat' at the European Council. Timmermans should then embark on an intensive 'capital city' tour with key staff and initiate an informal 'Green Deal delivery task force' with the upcoming Council Presidencies and European Parliament.
4. **Experiment further with the task force model**, relying on the dual leadership of a politician and a high-level civil servant that are given direct access to top staff and resources across the Commission to solve a specific mission. Climate adaptation, alternative strategies of decarbonisation (e.g. carbon capture and removal technologies), the development of European tech ecosystems, and even EU-China relations could be compelling case studies for experimentation.
5. **Provide immediate remedy to resource allocation problems in overburdened Directorates-General** and enact a proper reform of staffing policies. Reforming outdated pay and privileges structures within the EU's civil service stands as a necessary trade-off for member states to understand the resource needs of a growing Commission.

Introduction

From geopolitics to COVID-19 and the impacts of climate change, historical changes across the world have filled our newsfeeds over the past months. Europe, too, is in movement – albeit at a slower pace. Running Europe’s ‘big government’, the European Commission, is not easy. Effective leadership and government depend on catching tides and finding a common direction for the 27 member states rather than drifting along with current events.

For all the pointed (and often justified) criticism Commission President Ursula von der Leyen has received, she also deserves praise for devising new initiatives and steadying the ship during the pandemic. Her Commission had not been in office for even a hundred days when a crisis no one could imagine hit. Although she did not personally originate the the COVID-19 recovery fund, the European Green Deal, or the EU’s Emergency Response Coordination Centre that fought the wildfires and floods this summer, she does oversee it all.

Now, as she approaches the mid-mandate mark and Europe slowly emerges from the most critical phase of the pandemic, she must consider what to do more, and better. As for any government, the end of a phase is also the moment to reset for the next. “The future will be what we make it. And Europe will be what we want it to be”, she confidently asserts on Commission webpages announcing her upcoming State of the Union address on 15 September.¹

In broad lines, the Commission’s priorities – fostering a collective recovery from the pandemic; focusing on Europe’s green, digital and geopolitical makeover – are the right ones.² Having already bitten more than it can chew, the Commission’s focus must now not be on devising new grand initiatives but rather on implementing what has been started.³ However today’s pace of change also requires an updated outlook, fresh ideas and a critical self-examination of her leadership, methods and structures. The following three questions guide this reflection:

1. How does the Commission ensure a continued capacity for fresh thinking and renewal to direct the EU’s political agenda?
2. Can the EU deal with the political fall-out from uncertainty, shocks and change?
3. Is the Commission’s executive structure tailored to deliver the major tasks it faces?

Finally, five recommendations addressed to President von der Leyen outline what should be done to improve her leadership and administration within the legal and institutional framework set by the current treaties and complete the mandate assigned to her by Europe’s leaders and the European Parliament.

How does the Commission make fresh thinking and renewal permanent features in directing the EU’s political agenda?

Some years back, Dutch Prime Minister and ultra-pragmatist Mark Rutte proposed, presumably humorously, that fellow European leaders seeking vision should “visit an optician”.⁴

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Yet, in today’s innovation-driven world, Europe will not prosper without bold ideas and a compass that provides a sense of direction. Complacency, risk-averseness and resistance to change – often commonplace in public administrations – are all synonymous with our relative decline. In a hierarchical organisation like the Commission, ensuring a continued capacity for fresh thinking and renewal falls on the top leadership. But in this case, it is unclear whether the current structures are up to this task.

Looking back on the last two decades of European policymaking, there are few standout cases of bold, determined bets on technology and future European capabilities. The Galileo space programme is one rare example. In retrospect, public investment in a European global positioning system should have been a no-brainer

alternative when attempts at a public-private partnership broke down (because of calculation errors!). However, the fate of the programme hinged on the tenacity of only a few individuals, led by then Commissioner Loyola de Palacio. The US arm-twisted the Europeans so much that the Commission announced, “Galileo is almost dead”.⁵ Today, over 2.2 billion smartphones are Galileo-enabled, and its services are used in everything from modern farming to the Internet of Things.⁶

Europe is facing a new geopolitics that draws us into a tech marathon with the US and China of an entirely different scale.⁷ We must either throw down the gauntlet or accept our waning position and face an increasingly uncomfortable squeeze in the middle. A decisive factor will be the Commission’s level of impetus over the next three years – or lack thereof. Internal Market Commissioner Thierry Breton seems determined to push forward an investment agenda for European technology ecosystems and autonomous capacities. But it will mostly depend on buy-in from across the rest of the Commission and member states amid a difficult balancing act with Europe’s open trade and transatlantic agendas.

Ultimately, the challenge lies in how we anticipate and prepare for the future. It is not the Commission President’s role to understand all the parameters of a changing world and ask ‘what if’ questions and make predictions. But she does need to surround herself with people who do. Former President Jean-Claude Juncker’s Chief of Staff, Martin Selmayr, actively used the in-house think tank, European Political Strategy Centre (EPSC), together with the 2700-strong Joint Research Centre, to confront the Commission’s leadership with new ideas. In contrast, von der Leyen’s Head of Cabinet, Bjoern Seibert, shut the EPSC down and runs its replacement small-scale presidential advisory service, I.D.E.A., as a tight operation closed in on itself, with no organisation chart made public to date.

Instead, foresight in the Commission has been put under the stewardship of the experienced Vice-President, Maroš Šefčovič. Despite only having half a unit in the Commission’s Secretariat-General to support the work, the 2021 Strategic Foresight Report published earlier this month is uplifting in its willingness to engage with the uncertainties, risks and opportunities ahead and identify areas for action.⁸ However, the jury is still out on whether the von der Leyen Commission has lost, rather

than built, independent thought and foresight capacity. Just as the true value and ultimate proof of foresight are in proposing choices and actions, the real challenge lies in the difficult decision of bringing new policy based on anticipation to the political agenda.

Šefčovič’s report illustrates this predicament. This summer’s hot topic, climate adaption, now stands out as an obvious area of relative neglect and underinvestment. While it might be uncomfortable in the lead-up to the UN Climate Change Conference in November, Europe should now, sadly, anticipate a collective failure in limiting global warming to 1.5 or 2 degrees Celsius, as the report goes some way to suggest. This dramatic scenario must now be systematically built into European policymaking, leading to decade-long preparation efforts for major disruptions that go far beyond the Commission’s lifeless Adaptation Strategy from 24 February.

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But what about when ‘what if’ scenarios go against the grain of institutionally established thinking and policy? The Commission’s current projected path to zero emissions is strongly premised on the idea that in less than a decade, renewables and clean hydrogen technologies will make up a significant portion of Europe’s energy balance. Although this could prove true, it is by no means a forgone conclusion. Just as the investment paths and take-up of heavy industries are difficult to foresee, there are also alternative technologies, such as nuclear energy and carbon capture, that hold promise for the future, as Šefčovič’s report mentions (albeit laconically). Will the Commission follow up on the 2020 strategies on offshore renewable energy and hydrogen with politically more difficult or speculative nuclear investment and carbon capture and removal strategies? Such questions are where foresight and risk-taking now meet policy choices in von der Leyen’s Commission.

Can the EU deal with the political fall-out from uncertainty, shocks and change?

Europe’s volatile politics is likely the biggest challenge President von der Leyen faces, partly because it largely escapes her control. In an ever-moving world, centrifugal forces become stronger. Popular fall-out over migration and foreign policy pressures, rule-of-law challenges,

and the transformational politics of climate action and technology are inevitable. But if it were to get out of hand, Europe would be ungovernable. That is why von der Leyen must up her game in Europe’s big politics.

Take migration: human movement is hard to model,⁹ but swelling pressures – from climate change, natural disasters, demographic changes, economic development and conflict in our near and far neighbourhoods – is a dramatic reality of decades to come.¹⁰ And there is frightfully little Europe can do. So far, Europe's centre has largely favoured (or paid lip service to) a welcoming stance, often at the expense of Europe's periphery. The thousands of Afghan refugees sent home 'safely' in recent years underlines the extent of this hypocrisy. Now, fragile domestic politics point to restrictive policies across Europe. But as the years since 2015 have shown, the cost of finding common EU ground will be high.

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More than ever, President von der Leyen and her European Council counterpart, Charles Michel, must step up and show that they can build unity in views and action. Long gone is the time when Franco-German compromise was a complete and sufficient answer to problems on the EU agenda. As Chancellor Angela Merkel bows out of politics¹¹ and President Emmanuel Macron fights for re-election, von der Leyen and Michel lose their mentors and must fill the power vacuum they leave behind. Regretfully, rather than cooperating, an unhealthy relationship of suspicion and rivalry has developed between the two over the past months.¹² Such conflict undermines the member states' confidence and inevitably leads to more intergovernmental reflexes in European capitals.

True, the Treaty of Lisbon is messy, providing only a notional hierarchy that needs to be worked out in practice.¹³ But wait not for an undependable Conference on the Future of Europe to clear that up. Ahead of her State of the Union speech, von der Leyen would do well to call across the street to put any remaining differences to rest. Both teams work for Europe, and there should be enough work for everyone. A solid working relationship and a clear, practical division of tasks – not least on the international scene where Europe's uneasy, bicephalous leadership has been most damaging – is the minimum to be achieved.

The importance of new inter-institutional politics also goes deeper. As part of his ambition to lead a 'political Commission', Juncker, von der Leyen's predecessor,

sought to position the Commission as the EU's 'barycentre' and agenda-setter. He encountered both success and failure.¹⁴ On Brexit, the Commission, by and large, commanded the member states' attention and set the agenda. In other priority areas, such as deepening the eurozone and asylum and migration policy, new initiatives never got off the ground. The reasons are certainly complex but came down, in part, to method. Ahead of any proposal or negotiation stance, EU Brexit negotiator Michel Barnier's team deployed unprecedented efforts to process the national and the European Parliament's interests at both the political and technical levels.

Sceptics might argue that if applied to law-making, the 'Barnier method'¹⁵ would go against the grain of the Commission's prerogatives and power of initiative. But that is a misreading of the EU's complex institutional structure and the demands of today's politics. At a moment when the Union needs a powerful engine, the Commission must realise that it will not play that role unless it overhauls its inter-institutional working methods. Major transformative projects, such as the Green Deal and the digital transition, should be co-constructed across institutions, from inception to adoption, through dedicated structures and processes in the Council and the European Parliament. Unfortunately, institutional innovation is not the path taken by the current EU leadership. As the massive and decisive 'Fit for 55' package¹⁶ now risks becoming a slow, bruising battle between member states, and with Parliament, that might have been short-sighted.

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Such topics – upon which Europe's future depends – are inevitably *Chefsache* in the capitals. To help build legitimacy and ownership, the Commission President should now use the possibility to place lead Vice-Presidents or Commissioners next to herself at the European Council, as both Juncker and von der Leyen did for Barnier during the Brexit discussions. Given the bumpy road ahead on climate action, First Vice-President Frans Timmermans should be assigned this 'Barnier seat'. The High Representative/Vice-President (HRVP) already has this European Council seat by virtue of TEU Article 15. Far from a diminishment of the President, Timmerman's new seat would be a sign of with-it management and team play.

All things considered, von der Leyen's strongest card is concrete, positive politics and open, on-the-ground engagement with her full team. Towards member states, whose oppositions and foot-dragging should not be presumed if offered the opportunity of sincere dialogue. And towards citizens and voters, whose views should not be reduced to those of their leaders – especially when some of the latter undermine the rule of law or peddle culture wars. The backsliding on fundamental democratic standards in Hungary and Poland is a major challenge for the cohesion and future of the European project. When push now comes to shove with the withholding of European funds, von der Leyen must spearhead efforts to reconnect with European citizens across the deepening East-West divide.

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The Conference on the Future of Europe stands as an interesting experiment in citizens' participation that can apply vital pressure on and test function the EU's

Is the Commission's executive structure tailored to deliver the major tasks it faces?

The pandemic has been a magnifying glass on this Commission's strengths and weaknesses, on both political and technical levels. With no prior head-of-government nor Commission experience, von der Leyen has manifestly felt the need to establish presidential authority. Yet, contrary to what her closest circle might think, since the 10-year tenure of President Jacques Delors, and despite the Commission's decision-making *de jure* remaining collegial, the main challenge in running the Commission is not establishing presidential image nor authority. It is in corralling the College into a strong and accountable executive based on efficient teamwork and good allocation of resources.

Von der Leyen's highly mediatised visit to the Pfizer Global Manufacturing site in Belgium this April stands as a low point due to the lack of team spirit it projected.

political agenda. Politicians in Brussels would do well to take the Conference more seriously, to re-engage with popular frustrations and recognise that citizens – and even Eurosceptics – have valid arguments.¹⁷ The Green Deal and the digital transition will require a “breathtakingly bold” transformation of our societies with consequences, big and small, on our everyday lives.¹⁸ These consequences must be brought out in the open and discussed. Soaring electricity prices or the loss of jobs in particular sectors of our economy might quickly become the signal of not only change but also of potential social unrest. If the economic redistribution inherent in climate change policies and the concerns of marginal constituencies are not better addressed, the dual green and digital transition will not succeed.¹⁹

Ultimately, solid EU policies and politics are what will bring citizens onboard. In today's world of shocks and changes, von der Leyen will also have to make up for her hasty and empty talk of a ‘geopolitical Commission’. On the global stage, the EU should be a force for good; it should not pretend to be a force it is not. In concrete terms, von der Leyen's Commission must step up again its leadership in organising global vaccine deliveries. The long-haul and difficult issue of European defence is also an underexploited and mobilising project that EU citizens recognise. Without it, Europe will disappear geopolitically.²⁰ As Washington once again shows little concern for the consequences of its actions in Europe's uncertain neighbourhood, European interests might now overlap more than in the past. As such, defence could hold the key to Europe's difficult political equation between Western Europe on the one hand, and Central and Eastern Europe on the other, which is in dire need of a positive narrative.

However, it also marked a possible turning point in her leadership. The solo visit did little to cover the mess and disappointments over her direct management of vaccine procurement, despite several calls to big pharma CEOs throughout winter 2020.²¹ But it also highlighted what works. A few months earlier, Internal Market Commissioner Breton had been given direct responsibility for a task force to increase industrial vaccine production in Europe. It was he who enlisted dozens of manufacturing sites across Europe and contracted the 1.8 billion Pfizer doses von der Leyen went to showcase that day.

Those early months of the pandemic provide lessons in not only anticipation and leadership but also in the changing needs and demands on the Commission. Europe is increasingly facing cross-border public goods problems that national administrations are incapable

of handling and that EU institutions are not designed to solve.²² Vaccine purchases and EU-level intervention to unblock supply bottlenecks is just the latest example of the Commission's progressive transformation into an administrative machine that is expected to deliver complex services directly on the ground.

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EU structures like rescEU, Europol and Frontex are now part of Europe's frontline, delivering civil protection, law enforcement capacities and border management. This is a step change in how the Union operates and will entail, over the years, a significant reform of the Commission. As these agencies develop their powers and on-the-ground presence further, political responsibility must also follow suit. Currently, only 2 out of 34 members on the Frontex Management Board are from the Commission. Yet, von der Leyen would do well to consider who is politically responsible and would have to stand before the Parliament if anything were to go seriously wrong in an operation.

Frontex's governance model highlights the broader point that the Commission – like the EU as a whole – remains an unfinished construction. It is yet to find its full role and the balance between its capacities as an executive and its political accountability. In effect, establishing a hierarchy with clear lines of responsibility for multiple interconnected missions, to make the executive as efficient and publicly accountable as possible, is von der Leyen's most important prerogative. It is also a challenge with which most Commission Presidents have grappled.²³

Von der Leyen's College has potential, with many strong personalities and seasoned politicians. If organised well, her Vice-Presidents could be trusted lieutenants who ensure political balance and accountability and help deliver coherent common priorities through Commissioners' groups. Yet, there is little evidence that she manages to share leadership effectively with her three executive Vice-Presidents, relying instead on a thin inner circle of advisers. The complex structure she has established – three Executive Vice-Presidents, five Vice-Presidents and six Commissioners' groups –²⁴ complicates the division of tasks and responsibility across the layer of titles further.

Most Brussels observers would be hard-pressed to provide a clear answer on who, for example, leads the EU's digital initiatives. Insiders suggest that many Commissioners' groups do not function well, with too many crossed wires and unclear missions. Rather than ensuring project coordination, Vice-Presidents often have significant portfolios of their own to guard, such as trade or competition. Or, they act like roving Pac-Men looking for PR opportunities in the portfolios of others. What is more, the President's cabinet frequently intervenes in individual files, effectively undermining the Vice-Presidents' capacity to coordinate and direct.

In a big executive, the President must make clear what she directs and what she delegates. All too often, she has been guilty of seeking the limelight of her lieutenants. It is not surprising that the crucial health portfolio landed on her desk amid COVID-19. But that this big topic fell between the chairs of different Vice-Presidents and Commissioners' groups; that she ended up overstretched; and that vaccine procurement firefighting was lumped on one of the College's busiest Commissioners who already covers the digital, industry, defence and Single Market files are signs of structural weakness. Outward communication has also been a challenge, with both a pattern of overpromising and underdelivering, and a tendency to claim merit for successful initiatives and shirk responsibility for errors made.

There are also problems further down in von der Leyen's executive. Overall, Commission employees form a modern and efficient cadre of highly motivated civil servants.²⁵ As Brexit highlighted, despite its 32,000+ headcount, the Commission's staff numbers are rather modest in relation to national administrations and its tasks at hand. But all is not well. Pay structures and privileges that do not square with the public's expectations towards a modern civil service remain as a generous legacy from a different era. Often eager to clip the wings of the Commission, member states have seized on this to exert pressure on the EU's administrative expenditures, leading to a 5% staffing reduction pledge.

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In some Directorates-General (DGs), an unsustainable workload verges on irresponsibility and puts the Commission's ability to deliver on fundamental priorities at risk.²⁶ Key departments working on the Green Deal are among the Commission's smallest and extremely modest

in light of the objectives set for what is one of the EU's largest regulatory programmes ever. DG Environment has a headcount of 439, and DG Climate Action merely 225. By comparison, DG International Partnerships (formerly Development and Cooperation) has a total legacy headcount of over 2,900.²⁷

At best, gaps in delivery are compensated by the Commission's steadily growing and all-powerful Secretariat-General, but with the knock-on effect of shortcutting both technical expertise and the portfolio Commissioners. At worst, the Commission leaves itself exposed to faulty groundwork and/or regulatory capture. At this point, as the Commission adjusts its working practices to the post-pandemic realities, both the structure of the Commission's staffing policies and a more effective redeployment of resources to the frontline DGs merits the President's attention. DG Communication is another standout case in need of fundamental reform to deliver more targeted presence and messaging on the ground in member states, rather than the current over-centralised communication.

All in all, running a 'big government' at a time of major global transitions is not an easy job. As she now plans for the post-pandemic world, von der Leyen should reconsider how to deliver on her Commission's missions and priorities. There is not much time and available

resources for organisational change. The starting point should therefore be the main tasks her Commission must deliver in the next three years. With today's pace of change, much speaks for not setting new and rigid structures identifying clearly articulated missions and responsibilities to deliver instead.

Experimentation often holds the key to success. A light organisational structure, under the dual leadership of a politician and a high-level civil servant, with direct access to top staff and resources across the Commission to solve a specific problem²⁸ proved its worth in the Brexit negotiations and could be tested again. Climate adaptation or other urgencies within the Green Deal, the development of tech ecosystems and even EU-China relations²⁹ could be compelling cases for this task force model.

A precondition for the success of this method remains, however, that the member states accept that the Commission takes the lead. But with regards to China, they should recognise that neither HRVP Josep Borrell nor Trade Commissioner Valdis Dombrovskis have the time nor focus to deal with the multifaceted challenges it poses. A task force that reports directly to the President, HRVP and College while crucially also intensively processing the political interests of the member states and Parliament could be a milestone in the delivery of von der Leyen's promise of a 'geopolitical Commission'.

Conclusion and recommendations

Overpromising and underdelivering is a common, and often fatal, political error. On the basis of the ambitions she laid out at the outset,³⁰ it also stands out as a risk to von der Leyen's Commission at the halfway mark of her mandate. In addition, bold claims like the President's "Europe will be what we want it to be" easily have a hollow ring, considering the pace of change in today's world. But if what she means to say is that our future starts at home and lies increasingly with her own executive, she is right.³¹

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After almost two years of fighting crises, now is the time for her administration to reset, regroup and get things done in the final years of her term (before the political calendar and wish for a second mandate steal

the focus and attention). Europe's policy agenda must continue to evolve, but in broad terms, the priorities set at the beginning of her mandate still stand the test of time. Without making significant structural changes that would sap resources from an already constrained administration, von der Leyen must now focus her Commission on the means of delivery.

The following **five recommendations** outline what von der Leyen should do to improve her leadership and administration within the current legal and institutional framework and complete the mandate assigned to her by Europe's leaders and the European Parliament:

1. **Establish independent thought and foresight**, capable of challenging established ideas and structures, at the heart of the Commission's leadership and policy agenda. 'New' key policy questions that von der Leyen should address in her State of the Union speech range from climate adaptation, demography and migration to investment in skills, tech, defence; and engaging Europeans in democratic renewal.
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