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### Explaining the European Commission

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*This is the first in a four part series which covers the structure and operations of the EU institutions. In this part, we will introduce the European Commission, how it functions and what the relevant Directorates-General are for healthcare IT.*

*In the second of the series, the composition, functioning and main role of the European Parliament will be discussed. The third instalment examines the structure, role and operation of the Council of the European Union. Representations on the Council, the decisionmaking process and a careful distinction between the European Council and the Councils of Europe and the European Union will also be included. Finally, in the fourth part of the series, the European Court of Justice will be discussed.*

#### ■ Presenting the EU's Executive Body

The European Commission is the European Union's executive body and carries out its day-to-day operations. Its official seat is in Brussels (Belgium), although it also has offices in Luxembourg, representations in all EU countries and delegations in many capital cities around the world. The Commission comprises the President, currently Mr. José Manuel Barroso, 25 Commissioners, one for each country, and approximately 24,000 members of staff. The Commission must be able to act with complete independence from the governments of Member States; its members represent the EU as a whole, and not their respective native countries.

#### ■ Staff

The administrative staff manages the daily work of the Commission, and is organised into departments, known as "Directorates-General" (DG) and "Services", such as DG Information Society, Informatics Service. Each DG is responsible for a particular policy area and is headed by a Director-General who is answerable to one of the Commissioners.

#### ■ Designing a Legislative Proposal

Under the Treaty, the Commission has the "right of initiative"; in other words, it is responsible for drawing up proposals for new European legislation. The Commission proposes action at EU level only if it believes that a problem cannot be solved more efficiently by national, regional or local action. This principle is called the "subsidiary principle". For example, if the Commission recognises a need for EU legislation to protect data privacy, DG Freedom, Security and Justice will draw up a proposal, based on extensive consultations with national Justice ministries in the Member States and international organisations concerned with privacy issues.

The proposed legislation is then discussed with all relevant Commission DGs and amended, if necessary. It will then be checked by the Legal Service and approved by the Commissioners' "Cabinets", which comprise the Commissioners' personal political staff.

Once the proposal is completed, the Secretary-General places it on the agenda for a forthcoming Commission meeting. The "college" of 25 Commissioners meets once a week in Brussels. At this meeting, the Freedom, Security and Justice Director-General explains the proposal to colleagues. If agreed, the college of Commissioners "adopt" the proposal and send it to the Council and the European Parliament for consideration. If there is disagreement among the Commissioners, the President initiates a vote. If a majority is in favour, the proposal is adopted by the Commission and forwarded for consideration by the Council and Parliament.

### ■ What Happens When Multiple DGs are Involved in a Legislative Proposal?

Because of the horizontal nature of certain issues, legislative proposals will sometimes fall all under the responsibility of more than one DG in the Commission. For example, in the case of data privacy, DG Information Society & Media shares responsibility for its development and implementation with DG Internal Market and DG Freedom, Security and Justice. In such circumstances, a proposal for new legislation is assigned to one DG, who then consults the other DGs involved during the legislative process.

### ■ Proposing Legislation to the Commission

Individuals or national or European organisations can raise an issue directly at European level by correspondence with the European Commission, either on a service level, i.e. by mail to the unit heads in a relevant DG, or on political level through

correspondence to the responsible Commissioner. For more information on the relevant DGs for Healthcare IT Managers, please see “Your relevant DGs” on page 13).

The appropriate Commissioner is often the easiest to identify and forwards all correspondence to the responsible persons within the Commission. Through such correspondence, an idea can be presented or a meeting requested, etc.

Alternatively, if individuals or organisations establish a relationship with a Member of the European Parliament, this channel can be used to address a question to the Commission, i.e. via the European Parliament. In this case the Parliament requires a formal institutional answer from the Commission.

### ■ Other Roles

As the European Union's executive body, the Commission is also responsible for managing and implementing the EU budget and the policies and programmes adopted by Parliament and the Council. Most of the actual work and budget expenditure is managed by national and local authorities, but the Commission is responsible for its supervision.

The Commission moreover acts as “guardian of the Treaties”. This means that the European Commission, together with the Court of Justice, is responsible for ensuring that EU law is properly applied in all the Member States.

Finally the European Commission represents the European Union on the international stage, for example negotiating international agreements on its behalf.

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