

2024 European elections

Part 2

On 20 June, we published our analysis of the recent European Parliamentary elections. With the next European Commission set to take shape, here's where we are and what we might expect.

Introduction

In July 2019, Ursula von der Leyen published the *Political Guidelines* for her forthcoming presidency of the European Commission, should the European Parliament confirm her for such a mandate. The document — which called for a green, fair-and-prosperous, digital, strong and democratic Europe, committed fundamentally to the 'European way of life' — reflected careful negotiations with Member States and EU parties, in particular as von der Leyen had not campaigned for Commission president and was rather a compromise candidate in a newly fragmented EU political landscape. In the end, on 16 July 2019, she was voted through with just a nine-vote majority.

President von der Leyen was on 27 June 2024 nominated for a second five-year term by the European Council, with only Hungary voting against and Italy abstaining. She now faces an up-or-down, secret-ballot vote in Strasbourg on

European Council

The challenges facing the EU are broadly evident: inflation and sluggish growth, war and insecurity at many borders, significant climate change and rising geopolitical tension and threats to democracy.

Several proposed solutions, too, are generally agreed. The European Council, comprised of the heads of state or government of the EU's 27 Member States, on the same day as the vote to nominate von der Leven for a second term, published its 2024-2029 strategic agenda¹: driven by values of competitiveness, entrepreneurship, investment and growth. It's three main planks are 1) 'A free and democratic Europe', stressing multilateral leadership and accountability for tech giants; 2) 'A strong and secure Europe', with a major focus on EU defence, including cybersecurity; and 3) 'A prosperous and competitive Europe', calling for sovereignty in strategic sectors, deepening the Single Market, safeguarding fair competition and making state aid more balanced and effective, cutting red tape and incentivising greater digitisation and more R&D in new tech.

The Hungarian government, which on 1 July 2024 assumed the rotating six-month presidency of the Council of the EU (the institution coordinating Member States at ambassador and ministerial levels), is broadly aligned with the European Council's economic priorities, as outlined in Hungary's 'Make Europe Great Again' publication.² Hungary aims to coordinate a New European 18 July. She will need absolute-majority support from at least 361 of a total 720 Members of the European Parliament (MEPs).

The vote may again be very close. But President von der Leyen seems likely to be reconfirmed, with support coming mainly from the centre-right European People's Party (EPP), centre-left Socialists and Democrats (S&D) and centrist (ie, liberal family) Renew Europe (RE) Groups. Her confirmation may depend on support from MEPs from either left or right of the informal EPP-S&D-RE coalition: ie, from the Greens or from the European Conservative and Reformists (ECR) Groups — with each potential scenario risking as many votes lost as gained. All key stakeholders are playing for leverage, on both policy and personnel. No Plan B is apparent. And yet whether von der Leyen is or isn't confirmed, several contours of the next Commission agenda are discernible.

Competitiveness Deal this year. On tech policy, in particular, the Hungarian presidency will focus on supporting implementation of the Single Digital Gateway Regulation (among others); evaluating implementation of the DSA and DMA; and preparing for implementation of the AI Act. It also plans to take forward revision to the Alternative Dispute Resolution Directive and move forward on trilogue talks with the European Parliament on revisions to the Package Travel Directive.

How likely is the European Council to stick to a competitiveness agenda?

The politics are inescapable. The EPP claims a plurality of 12 of 27 members. With farther-right conservative governments led by PM Giorgia Meloni in Italy, PM Viktor Orbán in Hungary, PM Petr Fiala in Czechia and a new right-wing government in The Netherlands, as of 2 July, the European Council counts 16 right-of-centre heads of state or governments — not even including independent members from Lithuania, where an EPP party leads the government, or Bulgaria, where EPP parties remain the biggest force despite chronic parliamentary paralysis; and not counting the four members (from France, Belgium, Estonia and Slovenia) from the generally pro-business liberal family.³ These leaders of course all represent distinct and often diverging national interests; and on foreign policy and rule-of-law questions, in particular,

¹ European Council, *Strategic Agenda 2024-2029*. <u>2024</u> <u>557</u> <u>new-strategic-agenda.pdf (europa.eu)</u>

² PM Viktor Orbán's government also wants stronger defence and tech sectors, tougher migration policies, more economically viable agriculture and a plan for addressing Europe's critical demographic challenges.

<u>Hungarian Presidency of the Council of the EU: Homepage (europa.eu)</u>, 18 June 2024

³ Slovakia's PM Fico and President Pellegrini are populist allies whose respective parties were suspended in October 2023 from the Party of European Socialists.

Hungary's government remains a stark outlier. But the trend is clear.

Looking ahead, post-election talks are underway in Belgium; a five-party centre-right coalition will likely, in late autumn, replace the current caretaker government of liberal PM De Croo. Autumn general elections are scheduled in Austria, Lithuania and Romania, and could take place in Ireland as well (all currently have heads of state or government from EPP parties). In autumn 2025 (if not before), EPP parties are poised to return to power in Socialist-led Germany. The EPP's *Partido Popular* is

European Commission

College of Commissioners

Which Member States — and which EU parties — claim which new or existing Commission portfolios remains to be seen this summer. And yet, as it is Member-State governments which nominate commissioners-designate to the president-elect of the European Commission, we can expect a next College of Commissioners as rightleaning as any in history.



In Germany, the Socialist-led coalition government of Chancellor Olaf Scholz has already designated its candidate, by nominating for a second presidential mandate Ursula von der Leyen — longtime member of the EPP's biggest member party, Germany's Christian Democratic Union.



similarly well positioned to replace Spain's Socialist government should a weakened PM Sánchez falter. Poland, led by a centre-right coalition government under PM Donald Tusk and a conservative president, Andrzej Duda (whose seat is up for election in spring 2025), will host the rotating Council of the EU presidency starting in January; the Polish government has already reiterated its commitment to competitiveness.

The bottom line: the European Council's tilt to the right appears stable.

In France, President Emmanuel Macron, de facto leader of the liberal EU family, is weakened following his party's loss of ten seats in the European Parliamentary elections and his coalition's loss of 86 seats in this summer's snap elections for France's National Assembly. Will Macron still have the leverage, domestically, to designate again, as he has suggested he would prefer, Commissioner Thierry Breton, currently charged with the 'Internal Market'? Will he have the leverage, at EU level, to secure (for Breton, say) an elevated position such as Executive Vice-President for the Single Market — or perhaps (for probably another candidate) a vice-presidential responsibility for EU agriculture, a core concern animating the French right? A second von der Leyen term as Commission president would depend, for its initial vote of approval in the European Parliament as well as throughout the mandate, on the support of Macron's fellow liberals, diminished as they are; how much clout Macron retains following his party's recent losses remains a key question.

Italy's next commissioner may depend on a similar dynamic (though PM Meloni, almost uniquely among leaders of wealthy democracies, remains fairly popular). Meloni abstained in the European Council's 27 June vote to nominate President von der Leyen for a second term. Yet support from her Fratelli d'Italia party's 24 MEPs could prove decisive in the 18 July vote in the European Parliament. Von der Leyen has reiterated: no formal deal with Meloni or with Meloni's associated ECR Group is on the table. Would a high-profile portfolio for an Italian commissioner-designate be enough for Meloni to whip her MEPs in support for von der Leyen? Two former Italian prime ministers have been tasked in recent months with major advisory projects for the European Commission: Enrico Letta with his April 2024 report 'Much More than a Market: Speed, Security, Solidarity: Empowering the Single Market to deliver a sustainable future and prosperity for all EU citizens', and Mario Draghi with his forthcoming report on EU competitiveness, now expected (following delays) for September 2024. Meloni, leader of a three-party right-wing coalition including Lega,

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now of the new far-right Patriots for Europe Group, and Forza Italia, of the EPP, is expected to demand a prominent role — likely focussed on EU economy or industry — for Italy's next commissioner. What price could all accept?

Big roles are expected for Spain and Poland. Teresa Ribera, Minister for the Ecological Transition and the Demographic Challenge in Spain's Socialist government, is reportedly lined up to assume oversight of European-Green-Deal implementation. A new portfolio covering EU security, including defence procurement and military mobility, has been called for by the EPP and liberals, with support in principle from the Socialists and ECR; Polish FM Radek Sikorski's name has been floated, though he has sought to distance himself from the notion.







Returning as commissioners-designate — though in what capacity remains to be seen — are two top hands:

Executive Vice-President for an Economy that Works for People Valdis Dombrovskis, from Lithuania and an EPP member; and Executive Vice-President for the European Green Deal, Interinstitutional Relations and Foresight Maroš Šefčovič, from Slovakia and affiliated with the Socialists. Executive Vice-President for a Europe Fit for the Digital Age Margrethe Vestager, a Danish liberal, faces challenges within her own party and within Denmark's governing coalition; her best hope to return may be her name recognition as a continuity candidate should the coalition at home further weaken.



The Netherlands' EPP-affiliated Wopke Hoekstra, Commissioner for Climate Action, will assume responsibility for transport now as well following Romanian Commissioner Adina Vălean's resignation on 15 July 2024 to assume her seat as an MEP (Hoekstra is not a member of any party in the new Dutch coalition, and his tenure into the next mandate remains uncertain).

Competition and enforcement

Questions concerning possible roles for Vestager and Breton, in particular, given their history of both turf rivalry and ideological differences, beg in turn the question of how the Commission's stance on competition and digital policy will evolve.

One issue is money. The current Commission, per its Digital Decade 2024 report⁴, has proposed and negotiated 23 digital files and spent 17.4% of the EU budget on digital transition, with €3.4 trillion in potential value-added still to play for. But major shortfalls remain, starting with Member States, which the report urgently calls on for more investments, especially in connectivity and education. Also at issue is the size of the EU budget itself, via a seven-year Multiannual Financial Framework (MFF) representing roughly just 1% of total EU GDP. With calls pouring in for more EU funding not just for the green and digital transitions — including crucially for more enforcement capacity - but for security and defence, agriculture and other exigencies, it seems clear the EU will need either an enlarged 2028-2034 MFF, through either more Member-State contributions or new own resources,

Committee of the Regions: State of the Digital Decade 2024'. 2 July 2024. resource.html (europa.eu)

⁴ European Commission. 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the

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or else a new joint borrowing scheme similar to (though perhaps smaller and more targeted than) the approximately €800-billion NextGenerationEU package agreed in 2020. Negotiations for the next MFF are expected to begin in 2025.

Intriguingly, on competition, the Digital Decade report cites a Eurobarometer poll suggesting EU citizens support the emergence of 'European champions' so as to better enable Europe to compete geopolitically. This comes on the heels of a DG Competition report⁵ examining competition in the EU single market over the past 25 years, in which the Commission argues forcefully that allowing more European companies, not fewer, to compete in each sector of the single market would yield not only more options — and lower prices — for consumers but also more investment, jobs, productivity and GDP for the EU as a whole. An uneasy discussion thus persists over the extent to which competition policy should be defined primarily within and between Member States, on the one hand, or rather between the EU and other major global actors, on the other. Politically, it seems the wind has swung towards the latter value: ie, toward an EU marked by fewer internal barriers — including for telecoms, capital markets and energy, as suggested by the Letta report alongside greater EU sovereignty vis-à-vis outsiders: including, e.g., via stronger enforcement of unfair trade and more comprehensive EU screening for both in- and outbound investment. With competition with the US and China, especially, likely to sharpen in the coming years over the values guiding AI or other digital systems — as well as over precisely where the jobs and revenues those systems generate will be created — the next Commission may well prioritise geopolitical concerns over protecting European firms from cannibalising one another.

European Parliament

This brings us back to the European Parliament, the most party-political of the institutions, where each major group has since the 6-9 June elections honed negotiating priorities for the next Commission work programme.

The EPP Group — without whom no plausible coalition can form, and who will likely control again the powerful Committee on Industry, Research and Energy (ITRE) has stressed the need for a new high-level Commission portfolio covering competitiveness, SMEs and better regulation, and tasked with new 'competitiveness-check' prerogatives based in rigorous impact assessments. EPP MEPs have called for a single EU market for defence, telecoms, data and the circular economy; for a new European cyber-brigade; and for a push to wholly revise GDPR and the Corporate Sustainability Due Diligence Directive (among others). On digital policy, the group wants a 'CERN' for AI; an 'Innovation Act' incentivising sandboxes, adapting public-procurement rules and standardising permitting so that innovation can scale; a European news-streaming platform using AI-based translation; a new Digital Museum of European Culture and European Museum Cloud; and greater certainty and protections for children per the DMA, DSA and AI Act. On tourism⁶, members want stronger intermodal passenger rights, standardised ticketing platforms, data connection and infrastructure hubs; a new European Agency for Tourism; review of the Airport Slot Regulation; a new Connecting Europe Facility Transport for accession

countries; strict monitoring for ReFuelEU Aviation and ETS; a 'book-and-claim' digital market for sustainable transport fuels; and required use of sustainable fuels on large private ships and planes. The EPP, as in the past, supports reviewing EU competition law to allow 'European champions' to emerge.

Further right, ECR⁷ prioritises values of deregulation, subsidiarity, security, free speech, anonymity and netneutrality. Its members have advocated a reshaping of the digital future through a 'New Legislative Framework' and building on the good work of the Transatlantic Trade and Technology Council (TTC).



Centrist Renew Europe members have called for a commissioner for enforcement and for a single rulebook for businesses, single European license and uniform digital portal. Members want a new legislative package on

services to remove existing barriers, and a Digital Network Act to complete the single market for electronic communication. Renew, too, favours more space for 'European champions.' In a *Politico* event on 18 June entitled 'After the elections: what's next for Europe's digital agenda?', French-Italian MEP — and former (and potential) Member of the Committee for Internal Market

⁵ European Commission: Directorate-General for Competition. *Exploring Aspects* of the State of Competition in the EU. June 2024.

<u>KD0224126enn exploring aspects of the state of competition in the EU.pdf</u> (europa.eu)

 $^{^6}$ An EPP Group MEP will likely chair the Committee on Tourism and Transport (TRAN), since the European Parliament's main groups have all agreed to block from

any leadership posts, via *cordon sanitaire*, MEPs from the new far-right Patriots for Europe Group. Committee leadership and membership will be officially determined the week of 22 July in Brussels.

⁷ ECR Group: Priorities 2024-2029. 'Bringing Common Sense Back'. <u>EN ECR-</u> Priorities 2024-2029.pdf (ecrgroup.eu)

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and Consumer Protection — Sandro Gozi stressed the importance of new rules for online gambling.⁸



On the left, the Socialists & Democrats have advocated⁹ a new directive on AI at the workplace, a revision of state-aid rules and a legislative initiative to regulate short-term rentals. The Greens¹⁰ — who, through Chair Anna Cavazzini, will again control the IMCO agenda —

have called for a Single Digital Booking and Ticketing Regulation (ie, one single ticket on one single platform); for a Digital Fairness Act, with clear rules against the use of addictive practices and an end to price personalisation; and an anti-discrimination directive to counter racism and discrimination by law enforcement and AI.



Finally, for all the talk about the next Commission's being focused more on enforcing existing rules than making new ones, it is important to recall the institutional incentives at work, as EPP MEP and former (and continuing) IMCO Member Andreas Schwab also observed

at the 18 June *Politico* roundtable: lawmakers make laws, regulators regulate. The political push needed to move towards a wholly deregulatory agenda — to actually achieve von der Leyen's 'one in, two out' goal, say, or to consolidate the well-over-a-hundred digital or related files into just a few dozen harmonised ones — would represent so immense a shift as to warrant scepticism¹¹.

Conclusion: Transatlantic ties

One final word: on the uncertainty regarding transatlantic partnership. Current trends project a victory for Donald Trump on 5 November 2024, returning him to the White House on 20 January 2025 — likely just a month or two after the start of the next Commission. What would Trump 2.0 mean for the European Union? The Republican (or GOP) platform¹², published on 8 July, never mentions the EU; but its 'America-First' commitment to US national sovereignty, security and deregulation combined with greater trade protectionism are clear. This is mostly not new. The platform also calls for replacing President Biden's Executive Order on AI with a plan (no details are given) guided by values of 'Innovation . . . Free Speech and Human Flourishing'.

Further general clues may come from The Heritage Foundation, a pro-Trump think tank which in 2023 published a massive *Project 2025*¹³ plan for incoming administration. The plan urges the new president, for instance, to 'reset Europe's expectations' by renegotiating the Trans-Atlantic Data Privacy Framework — threatening to withhold intel from European allies if they don't concede to US demands within two years. Big Tech is viewed essentially as corrosive to American society, friendly to the Chinese Communist Party and antagonistic to US interests. President Trump indeed changed the national consensus on China during his first term; Republicans remain hawkish on China, and a new cold-war paradigm has frankly become a mainstream, if not predominant, view among American policymakers in both parties. What is less certain is whether Trump himself sees the world, and US rivalry with China, along such stark Manichean lines as do many of his own Republican allies in Congress. Trump has long fixated on trade deficits — first with China but also with the EU and others - seldom championing human rights abroad as such and equivocating at times even on his commitment to defending Taiwan. It may well be that Trump — and Trump allies in Europe, foremost PM Orbán — in the end views global order mainly through a balance-of-powers lens rather than along ideological or even coherently mercantilist lines.

And now, as of 15 July, Trump has a new running-mate: firebrand 39-year-old Ohio Senator J.D. Vance, who wrote in the *Financial Times* in February 2024, 'Americans want allies in Europe, not client states, and our generosity in Ukraine is coming to an end.¹⁴ Vis-à-vis a new Trump administration, calls for more EU capacity will certainly grow — in pursuit of either full EU autonomy or else, at least, greater leverage in any trade or other disputes. The challenges facing Europe seem unlikely to resolve themselves soon. EU competitiveness, innovation and unity in overcoming them will be as needed as ever.

⁸ Politico. 'After the elections: what's next for Europe's digital agenda?' 18 June 2024. <u>After the elections: what's next for Europe's digital agenda? – POLITICO</u> ⁹ Group of the Progressive Alliance of Socialists & Democrats in the European

Parliament. 'Our Key Demands for 2024-2029'. 9 July 2024. sd. key demands 2024 2029 en 240709.pdf (socialistsanddemocrats.eu)

¹⁰ 'Greens/EFA Priorities for Prosperity in the 2024-2029 Mandate'. 10 July 2024. <u>shortened_Greens_EFA priorities for the next Commission_BE-TR.docx</u> (table.media)

¹¹ 'A dataset on EU legislation for the digital world.' Kai Zenner, J. Scott Marcus, Kamil Sekut. *Bruegel*, 6 June 2024. <u>Bruegel factsheet 2024 0.pdf</u>

¹² The American Presidency Project. 2024 GOP Platform: Make America Great Again! 8 July 2024. <u>2024 Republican Party Platform | The American Presidency</u> <u>Project (ucsb.edu)</u>

 ¹³ The Heritage Foundation. Mandate for Leadership: The Conservative Promise: Project 2025: Presidential Transition Project. Washington, DC, 2023. <u>project-2025s-mandate-for-leadership-the-conservative-promise.pdf (documentcloud.org)</u>
¹⁴ Financial Times. J.D. Vance, 'Europe must stand on its own two feet on defence'.
19 February 2024. <u>JD Vance: Europe must stand on its own two feet on defence</u> (ft.com)

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