

The State of the Union debate in the European Parliament

SUMMARY

The United States has a long-standing tradition of presidential State of the Union addresses, in which the President speaks in the Capitol to a joint session of Congress, thus fulfilling his constitutional obligation. In contrast to the US Constitution, the EU Treaties do not prescribe the EU State of the Union address given by the President of the European Commission. Rather, that was instigated with the 2010 Framework agreement between the European Parliament and the European Commission as part of the annual political and legislative programming of the Union. Four State of the Union speeches were delivered by President José Manuel Barroso between 2010 and 2013 during his second term as Commission President, marked mainly by the economic and financial crisis in the EU.

The State of the Union speech by the President of the European Commission constitutes an important instrument for ex-ante accountability vis-à-vis Parliament but it is also aimed at rendering the definition of priorities at EU level more transparent and at communicating those priorities to citizens.

The 2015 State of the Union speech by President Jean-Claude Juncker takes place in a decisive year for the European Union, marked by the Greek debt crisis, the asylum and immigration crisis as well as international geopolitical challenges. But the State of the Union debate is, for the first time, also set in the broader process of political agenda-setting that started with the 2014 elections to the European Parliament and the nomination of the 'lead candidates' for the Presidency of the Commission. The ensuing election of the President of the Commission by Parliament and the parliamentary hearings of the Commissioners-designate, as well as the adoption of the 2015 Commission Work Programme, led to a politically intense year, changing the context in which Juncker's first State of the Union address has now to be delivered.



In this briefing:

- State of the Union addresses in the world
- The EU State of the Union debate
- Constitutional significance
- Role in the EU's annual legislative planning
- Previous State of the Union speeches
- Main references

See also our briefing on ['The US President's State of the Union Address'](#).

State of the Union addresses in the world

Presidential State of the Union addresses are a feature in several federal states, and in particular in the United States, where the President gives his speech in the Capitol before a joint session of Congress, thus fulfilling his constitutional obligation to 'from time to time give to the Congress Information of the State of the Union' (Article II(3) US Constitution). President George Washington was the first to address the Congress in 1790. Now with modern communication technology, the Speech has become a powerful rhetorical tool, broadcast to a wide audience and given much attention and scrutiny by the media.

The State of the Union address, as part of the system of checks and balances, aims at reporting on current conditions in the US and at providing a policy agenda for the upcoming legislative year.¹ This is all the more important in a system of [separation of powers](#) such as the US one, characterised by a lack of direct connection between the legislative and executive branches of the federal government, in which the President as the chief executive does not participate in the proceedings of Congress. In this context, commentators have argued that there are two ways in which the State of the Union address can affect legislation: either through influencing the actions of the legislators themselves, who have monopoly over the legislative initiative; or through influencing the public first and thereby lawmakers.² The legislative success of proposals mentioned in the State of the Union address is seen as an indicator of the President's policy success in general.³

But State of the Union addresses can be also found in parliamentary systems (as opposed to systems of separation of powers) where the executive is dependent on Parliament and accountable to it. In fact, State of the Union addresses are rooted in 'speeches from the throne' that can be traced back to the 16th century. In the United Kingdom, for instance, the 'Queen's Speech' is given at the [State Opening](#) of Parliament which marks the start of a new parliamentary session. Although the Queen reads the Speech, it is written by the government and outlines its policies and proposed legislation for the new parliamentary session.

In Canada, the 'Throne Speech', also marks the beginning of a Session of Parliament, and is normally delivered by the Governor General⁴ on behalf of the Queen. As with the US State of the Union address, the Throne Speech is an opportunity for the government to announce to a wide audience their view on the state of the nation and to set the stage for upcoming legislative proposals. In both the United Kingdom and Canada, the House of Commons votes on the Speech after a debate. In the US, the opposition gives a formal response to the President's State of the Union address.

Speeches similar in form and substance can also be found in other parliamentary democracies, where they are usually called 'State of the Nation' addresses, e.g. in Spain, Luxembourg and the Netherlands (Throne Speech).

The EU State of the Union debate

How it started?

Unlike in the case of the US, where it is a requirement of the Constitution, the State of the Union addresses of the President of the European Commission are not prescribed by the EU Treaties. Rather, they were instigated with the [2010 Framework agreement between the European Parliament and the European Commission](#) as part of the annual

political and legislative programming of the Union. Article 5 of Annex 4 to the agreement provides that 'Each year in the first part-session of September, a State of the Union debate will be held in which the President of the Commission shall deliver an address, taking stock of the current year and looking ahead to priorities for the following years.'

Following the conclusion of the Inter-institutional Agreement (IIA), the then President of the Commission, José Manuel Durão Barroso, delivered his [first State of the Union speech](#) to the European Parliament on 7 September 2010, stating that 'From now on the State of the Union address will be the occasion when we will chart our work for the next 12 months.'

The IIA also established regular consultations between Parliament and Commission, as part of their 'special relationship', including regular meetings between the Presidents of the two institutions, as well as between the President of the Commission, the Vice-President for inter-institutional relations or the Commission College on the one side, and Parliament's Conference of Presidents and Conference of Committee Chairs on the other (Chapter III of the EP-EC IIA).

Whilst State of the Union speeches by the President of the European Commission in plenary started officially in 2010, Parliament had held State of the Union debates previously, in the 1990s. Members of Parliament then also discussed major political priorities of the time, such as enlargement, economic and monetary union, and food safety.

Constitutional significance

Accountability and transparency

The Commission President's State of the Union speeches to Parliament do resemble, in their form, the State of the Union addresses of the US President to the US Congress, but with some important differences in substance deriving from the different systems of government. Like the State of the Union address by the US President, the Commission President's State of the Union speeches tend to be consensual, though not apolitical, in order to seek the broadest possible support for the Commission's Work Programme, which is presented a month or so after the State of the Union debate. However, unlike in the US, the State of the Union address by the President of the European executive serves not only transparency and communication goals, but also represents an exercise of political accountability to Parliament. This is due to the fact that while in the US system of separation of powers the President acquires his legitimacy directly from the voters and is thus not politically accountable to Congress, the President of the European Commission is elected by the European Parliament, and the Commission as a body is responsible to Parliament (Article 17(8) TEU).

The State of the Union speech by the Commission President therefore constitutes an important instrument of **ex-ante accountability**, along with instruments of ex-post accountability such as questions for oral or written answer (Article 230(2) TFEU), committees of inquiry (Article 226 TFEU), budget discharge and, as a last resort, the motion of censure (Article 234 TFEU). The State of the Union debate is however also aimed at rendering the definition of priorities at EU level more **transparent**, and at **communicating** those priorities to citizens, for which a debate in plenary is particularly suitable.

The debates on the State of the Union are also a venue for Parliament to shape, together with the Commission and the Council, the Union's political and legislative agenda, giving it the possibility to participate actively in political programming.⁵ This, therefore, adds to the quality of the political accountability of the executive, in an attempt to remedy perceived flaws in the democratic legitimacy of the EU decision-making process. In this sense, the State of the Union speech, and ensuing debate in Parliament, seek to render the process of forming EU political priorities more transparent and indeed more political, making them subject to a parliamentary debate and inter-institutional negotiations – as prescribed in Article 17(1)5 TEU – instead of mere technocratic, or even political, but non-transparent bargaining. In response to this criticism, the 2010 EP-EC Framework Agreement made important changes in the way the Commission adopts its Work Programme, foreseeing that it will be preceded by discussions between the institutions on the Union's political priorities.

Indeed the State of the Union debates now come in the broader context of increasing **politicisation** of the EU decision-making process through a stronger political link between Parliament and the Commission. The Lisbon Treaty strengthened the relationship between Commission and Parliament, first of all through the election of the Commission President by the Parliament, rather than 'appointment' as was the case before,⁶ after their nomination by the European Council, taking into account the elections to the European Parliament (Article 17(7) TEU). The election of the President of the European Commission by Parliament, suggesting a political choice, is a major step in the further parliamentarisation of the EU democratic system. Furthermore, the President's election and Parliament's confirmation vote on the Commission College have been politically substantiated through two further prior processes: the [Spitzenkandidaten-process](#) within the European elections, and the parliamentary committees' [hearings of the Commissioners-designate](#).

Both the electoral campaign of the 'lead candidates' of the different European political families, and the critical examination of the political priorities of the Commissioners-designate at the parliamentary hearings preceding their confirmation by Parliament, contribute significantly to building a stronger political link between Parliament and Commission. This brings us closer to the structures of a parliamentary governance system, leading to increased political accountability and thus democratic legitimacy of the Commission.⁷ Therefore, the 2015 State of the Union speech of the President of the European Commission blends for the first time into a broader process of political agenda-setting and an ex-ante accountability exercise that started in the election year.

Reporting obligations of the Commission

The Commission is tasked with several reporting duties to Parliament and Council, in order to ensure both political accountability and transparency for citizens. The Commission has to report for instance on Union citizenship (Article 25 TFEU), on the results of multilateral fiscal and economic surveillance (Article 121(5) TFEU), and on the fight against fraud (Article 325(5) TFEU). The Commission also issues an annual activity report (Article 249(2) TFEU), the draft of which is discussed together with the draft annual work programme of the Commission, facilitating Parliament's say on political programming instead of mere ex-post control, as the annual activity report is adopted only in February of the subsequent year.

State of the Union speech and institutional challenges

The formal requirement for State of the Union speeches came in in 2010 at a time, just after the entry into force of the Lisbon Treaty, when the roles of the Commission and of

Parliament in the EU institutional set-up were undergoing important changes. The extension of the ordinary legislative procedure to the vast majority of EU policy fields led to a more direct relationship between Parliament and Council, relegating the Commission, in the opinion of many, to mere 'honest broker' in the institutional triangle.⁸

Furthermore, the executive power of the Commission, whilst being strengthened vis-à-vis the Council of Ministers, which lost executive tasks except in the field of CFSP (Articles 24 and 26 TEU),⁹ was diluted during the economic and financial crisis through major initiatives authored by the European Council.¹⁰

The Commission's monopoly of legislative initiative has thus also been weakened, with political initiatives during the crisis often coming from the European Council, which in its conclusions has increasingly 'invited' the Commission to propose specific measures.¹¹ The creation of the semi-permanent presidency of the European Council with the Lisbon Treaty also emerged as a further challenge to the role of the Commission and its President in the EU institutional framework.

It is notable that the State of the Union speech is not delivered, for instance, by the President of the European Council. Thus it has sought to re-affirm the central role of the European Commission in political and legislative agenda-setting, though in the context of inter-institutional bargaining as prescribed by Article 17 TEU, as well as its role as the main EU executive body despite the executive functions assigned to, or de facto performed by, other institutions.

Presidentialisation vs collegiality in the European Commission

The State of the Union speech is delivered by the President of the Commission as a consequence of the President's representative function. But it is also a further sign of the increasing '**presidentialisation**' of the European Commission that was begun with the Treaty of Nice, by giving preference to coherence and efficiency over collegiality in Commission decision-making processes.

The Commission President is no longer *primus inter pares* but rather lays down guidelines within which the Commission is to work (Article 17(6) TEU), assigns portfolios to each Commissioner and can reallocate responsibilities among members of the Commission (Article 248 TFEU). Furthermore, Commissioners 'shall carry out the duties devolved upon them by the President under his authority' (Article 248 TFEU) in order to ensure the efficient and coherent functioning of the Commission. In this sense, the presidentialisation of the Commission is said to have contributed significantly to its effectiveness and political accountability, but is criticised by some commentators as detrimental to the defence of the 'general interest', for which the collegiality principle is said to be a guarantee.¹²

The speech on the State of the Union to the European Parliament is, therefore, together with his political guidelines, a further instrument, and at the same time a reflection, of the political leadership of the President of the Commission, also strengthening his 'inner executive powers' in terms of enhanced presidential authority.¹³

Role in the EU's annual legislative planning

The State of the Union debate is fixed in the timetable for the adoption of the annual Commission Work Programme (CWP), which is set out in [Annex 4 to the EP-EC Framework Agreement](#) (Annex XIII to the EP Rules of Procedure). It envisages a structured dialogue between the Commission and the corresponding parliamentary committees during the first semester of a given year on the implementation of the CWP for that year and on the preparation of the future CWP. On the basis of that dialogue, the parliamentary committees report on the outcome thereof to the Conference of Committee Chairs. In parallel, the Conference of Committee Chairs holds a regular exchange of views with the Vice-President of the Commission responsible for inter-institutional relations.

On the basis of this summary report by the Conference of Presidents on the implementation of the previous CWP, Parliament adopts a resolution (Rule 37 EP Rules of Procedure) at the July part-session, outlining its position and including in it particular requests based on legislative initiative reports. Each year in the first part-session of September, the President of the Commission then delivers the State of the Union speech to Parliament, taking stock of the current year and looking ahead to priorities for the next year – which should become part of the CWP for that period. The State of the Union debate is kicked off by an address by Parliament's President, with the Council President also outlining the Council priorities. The political groups in Parliament then present their positions.

After the State of the Union debate, the European Parliament continues dialogue with Commissioners responsible for relevant policy areas, in order to ensure that Parliament's priorities are duly considered before the Work Programme is adopted by the European Commission. The Commission President then presents it either to the Conference of Presidents or in plenary in October. Although not formalised, the Juncker Commission, together with the EP and Council, has set out commitments to enable greater involvement of the latter two in developing the annual work programme.

Previous State of the Union speeches to Parliament

President Barroso's speeches, 2010-13

Four State of the Union speeches were delivered by President Barroso between 2010 and 2013 during his second term as Commission President. In a period marked by the economic and financial crisis in the EU, his speeches focused to a great extent on economic issues.

In [2010](#), he underlined that the crisis had put solidarity between Member States to the test and congratulated the EU institutions and Member States on some of the measures adopted to tackle the crisis, such as financial assistance to Member States, and measures on economic governance and financial regulation, but called for structural reforms in the Member States with excessive public debt. He called for the monetary union to be matched with a 'true economic union'. He proposed [EU project bonds](#) for major European infrastructure projects and argued in favour of a common defence

The CWP sets annual priorities and outlines legislative initiatives to be submitted in relevant policy areas by the Commission. The timetable for its adoption is not applied in Parliamentary **election years**, which is why 2014 did not see a State of the Union address by either Presidents Barroso or Juncker, and the [2015 CWP](#) was adopted only in December 2014. In the end, Parliament [did not adopt](#) a resolution on the 2015 CWP. A [joint motion for resolution](#) on the preparation of the 2016 work programme was put forward for the July plenary, but MEPs [decided](#) to postpone the vote to a later part-session.

policy to accompany the progress made in the field of common foreign policy, as well as for a real energy community in Europe.

His [2011](#) State of the Union address, entitled 'European renewal', focused even more strongly on economic issues. President Barroso criticised the tendency to tackle the crisis with measures adopted outside the EU framework and warned against the risks of further fragmentation. He demanded a single coherent framework to deepen economic coordination and integration under the independent authority of the Commission, which according to him, was the economic government of the Union. Furthermore, President Barroso stated that Greece, while remaining a member of the euro area, needed to fulfil the commitments it had made. He argued in favour of the issuance of joint debt in the euro area in the form of Eurobonds as 'stability bonds' and announced the adoption of the proposal on a [Financial Transaction Tax](#) that same day. He also considered Treaty changes to soften the unanimity requirement for certain decisions.

President Barroso delivered his most ambitious State of the Union speech in [2012](#). He started by acknowledging that the euro area's institutional architecture had not been fit for purpose to face the sovereign debt crisis. Alluding to Greece, Barroso stressed that the most vulnerable countries must leave no doubt about their readiness to reform, but the stronger countries should leave no doubt either about their readiness to show solidarity. He argued for a Treaty change to create a 'federation of states', not as a superstate but to 'tackle our common problems, through the sharing of sovereignty in a way that each country and each citizen are better equipped to control their own destiny'.

He refused the creation of a 'eurozone parliament'¹⁴ even if eurozone countries could not avoid deeper integration, while the currency remained open to the remaining EU members. With reference to the challenges to the rule of law in some Member States, President Barroso argued for a middle way to be created between the 'nuclear option' of Article 7 TEU and mere political persuasion. He pleaded in view of the 2014 European elections for the European political parties to nominate their *Spitzenkandidaten* for the position of President of the European Commission.

The last State of the Union speech, in [2013](#), took place going into the final year of the mandate of the Barroso II Commission and in the run-up to the European elections. It was thus a retrospective one, taking stock of the main achievements made during the mandate. President Barroso praised Spain, Portugal, Ireland and Greece for their improved economic parameters but bemoaned the financial and economic crisis turning into a social crisis 'with dramatic consequences for many of our citizens', and argued for strengthening the social dimension of the Economic and Monetary Union.

Reactions to State of the Union addresses

The reactions to the State of the Union speeches vary depending on the point on the political spectrum from which they come. In general they have been seen as ambitious, both in rhetoric and substance. Some have criticised however that many of the big ambitions set out in the speeches did not materialise in practice¹⁵ – a criticism that joins the general reproach of passivity of the former Commission, which [others](#) attribute however to the difficult political and economic environment of that time. In this context, several [commentators](#) have demanded less technical State of the Union speeches, which can engage European citizens and contribute to re-establishing trust in the EU and its institutions.

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