

Update On Resignation of the European Commission

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The resignation of the European Commission this past Monday night is an unprecedented event. There is no clear path forward and there is a great deal of uncertainty as to the decision making ability of what has become, in effect, a "caretaker" Commission. The conventional wisdom at this stage appears to be as follows:

Day-to-day operations. The official statement of the Commission is that it is "business as usual" but that no new policy initiatives will be taken. Thus, for example, the Directorates-General such as DG-IV(competition) will continue to go about their day-to-day business with the existing Commissioners in office. Highly political decisions—such as whether to proceed against an EU member country in a controversial case under the competition or other Treaty rules—are likely to be delayed. It is unclear how active the Commission will be in taking the next steps in ongoing legislative proceedings (such as providing amended proposals to the Parliament under the cooperation procedure).