

## Interview with Jacques Santer: the resignation en bloc of the European Commission (Sanem, 3 May 2006)

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[Étienne Deschamps] What are your feelings today regarding the circumstances that obliged you, in March 1999, to hand in the collective resignation of the Commission in response to the attacks made by Parliament?

[Jacques Santer] It did, of course, leave a bitter taste. But it came at the end of a term of office — therefore at a point when we had already completed our programme, just as it had been submitted in 1995. So from that point of view, it came towards the end. It should be realised, however, that nowadays this situation could no longer come about. This is because lessons, positive lessons, have been learnt from this phenomenon of which I was the victim; the simple reason being that given that there was only one, essentially, — there were others — but essentially it was the management of one Commissioner that was brought into question, that of Mrs Cresson. In fact, if one thinks about it after the event, it was not excessive, I should say. But she had put herself in a situation where she could not turn back. She had brought actions against journalists; there were calumnies, so the whole mass of journalists made common cause against the Commission. There were stories put about even against me, that were completely incredible. I cannot imagine where they were able to find things like that. Besides, all that collapsed when the reports came out, but it was a pretty poisonous situation to find oneself in.

Of course, in those circumstances — to come back to your earlier question — a Head of Government, a Prime Minister, would have had a very simple job to do. He would have recognised his responsibility and offered the Head of State, or whoever, the resignation of the minister in question. However, in the Commission, this is not the case. A Commissioner who does not want to resign cannot be forced to do so. In this case, in particular, there was also the support of her own Government, that is to say, of the President of the Republic at the time. So the whole of the Commission had to resign, in order to be able to start again from new foundations. The collective resignation was envisaged at that point — and few commentators have seen it in this way — as a means of avoiding a censure motion. The reason is that if the resignation comes after a censure motion, the Commission can only manage everyday affairs, whereas if it resigns collectively, the Council can confirm its confidence in the Commission, which is what the Council did later, in fact, the very next day. As a result the Commission was able to manage affairs normally, and was even able to take a certain number of initiatives, as if nothing had happened were it not for the resignation having shortened — only by a few months — the Commission's term of office. We were to finish in January; we finished in September. Like certain other Members of the Commission, I had presented myself for the European elections, so I resigned in July, at the end of July, I believe, just at the time when I returned to the European Parliament.

However, the collective resignation of the Commission does not hinder management of Community affairs, whilst resignation following a censure motion has other legal implications. That is what we wished to avoid. Of course, later on, I believe that we also made a number of strategic mistakes, due at the time to the fact that we were bogged down in a certain procedure. For instance, I should never have accepted — and it was an initiative that we had proposed, it was the Commission that had proposed it — the group of Wise Men, and said at the same time that we would accept the conclusions of this group, in the belief that the Wise Men were wise men... But, in fact, there were those who were levelling unfounded accusations at the Commission. This we learned later on. Also, that one of the Wise Men withdrew, since he wished to issue a separate opinion. So that was certainly a mistake on our side that should never have been accepted. However, that does not in any way diminish the fact that we had to resign collectively, if we wished to remove a member of the body who was under pressure.

I still see a lot of people today, since I often go to the European Parliament — and tomorrow I am off to Brussels again — who say to me: 'But shouldn't you either have changed the disposition of portfolio responsibilities, or simply have dismissed a Commissioner?' Parliament wanted blood, as they say, politically speaking. But no, it was not possible. It was legally, institutionally and constitutionally not possible, given that we functioned as a body. I posed the same question to my successor, Mr Prodi — with whom I already enjoyed very friendly relations when he was President of the Council — and he solved it,

knowing full well that he could not do otherwise, by having each commissioner sign a letter of resignation immediately on arrival before taking office, and hand in this resignation individually. This was something quite different, wasn't it? But if a Member of the Commission did not want to resign, as was the case in my situation, you could not oblige him to do so. Another thing that was said by certain journalists, well-intentioned ones: 'But did you ask Mrs Cresson to resign?' I replied that she knew full well that her resignation was wanted. I had discussed this with her several times but I did not ask her to resign, knowing very well, firstly, that she did not want to resign, and secondly, that she was supported by her Head of State. When that is the case, if you, as President of the European Commission, ask someone to do something, this must be done, because otherwise you destroy any authority you possess over this Member. One was in a truly delicate situation. Yet now, if I look at things with a certain detachment, and above all, when I consider the comments made immediately afterwards in the European Parliament, where I carried on working for five years, at least we managed to complete our whole programme. In fact, apart from the resignation, of course the collective resignation of the Commission, which was something new, as for the rest, the work done by the Commission remains. It was said again recently: the Santer Commission gave rise to a certain number of issues that have brought a new dimension to the European Union, and I think that is what remains, and what still gives me satisfaction today.