

EU INSTITUTIONS

EU institutions and institutional framework

The treaties

Article 13 TEU:

1. The Union shall have an institutional framework which shall aim to promote its values, advance its objectives, serve its interests, those of its citizens and those of the Member States, and ensure the consistency, effectiveness and continuity of its policies and actions.

The Union's institutions shall be:

- the European Parliament,
- the European Council,
- the Council,
- the European Commission (hereinafter referred to as "the Commission"),
- the Court of Justice of the European Union,
- the European Central Bank,
- the Court of Auditors.

2. Each institution shall act within the limits of the powers conferred on it in the Treaties, and in conformity with the procedures, conditions and objectives set out in them. The institutions shall practice mutual sincere cooperation.



THE COMMISSION

THE COMMISSION - COMPOSITION

- ▶ The Commission is composed of 27 commissioners (one per member state including the president), chosen from among the leading personalities of the member state. Members include the President and the High Representative of the Union for Foreign Affairs and Security Policy (CFSP) as Vice-President. The president may appoint other vice presidents.
- ▶ The commissioners are not bound by any title of representation with the state from which they come, as the commissioners must act in the general interest of the Union; for this reason the Commission is defined as "organ of individuals" unlike the Council qualified as "organ of States". This principle is enshrined in art. 17 of the Treaty on European Union (TEU)
- ▶ Once proposed, the President delegates portfolios among each of the members. The power of a Commissioner largely depends upon their portfolio, and can vary over time. For example, the Education Commissioner has been growing in importance, in line with the rise in the importance of education and culture in European policy-making. Another example is the Competition Commissioner, who holds a highly visible position with global reach.
- ▶ Before the Commission can assume office, the college as a whole must be approved by the Parliament. Commissioners are supported by their personal cabinet who give them political guidance, while the Civil Service deal with technical preparation.

THE COMMISSION - APPOINTMENT

The appointment procedure is governed by art. 17 par. 7 of the TEU and has undergone significant variations over time.

In the past, the member states appointed the whole Commission by mutual agreement, but subsequently the role of Parliament grew in importance. Currently, the President of the Commission is proposed by the European Council, which decides by qualified majority. The Lisbon Treaty requires that the results of the European elections be taken into account in the choice. The candidate must then be elected by the European Parliament by an absolute majority. If the candidate does not get elected, the European Council must present another candidate within a month.

Upon confirmation of his role, the President of the Commission, in agreement with the Council, chooses the remaining commissioners on the basis of the nominations proposed by each of the Member States. In the end, the whole Commission must be approved by the European Parliament (which also has the power to hold hearings to examine the nominations of individual Commissioners), and then it will be definitively appointed by the European Council.

- ▶ The expression "European Commission" not only indicates the set of 27 commissioners, but also the set of bureaucratic structures that refer to them and the staff employed by them. The European Commission is in fact structured in Directorates General (DG), the equivalent of the ministries or departments of the state systems, subdivided into "directions" and "units";
- ▶ Each European Commissioner is head of a Directorate General, which prepares documents and proposals for initiatives, and is assisted in his work by a cabinet, which offers the Commissioner more strictly political advice and assistance.

THE COMMISSION - INTERNAL ORGANIZATION

THE COMMISSION - THE PRESIDENT

He is involved in the appointment of the other Commissioners. With the heads of Government, he nominates the other Commissioners, who are subject to a collective vote of approval by the Parliament and then appointed by the European Council;

He decides the internal organisation of the Commission. He allocates individual portfolios at the beginning of the term, which can be shifted by him during the term of office;

Individual Commissioner are responsible to him. The President can request individual Commissioner to resign;

He is to provide «political guidance» to the Commission. At its most formal, this involves chairing and setting the agenda for the weekly meetings of the Commission. He proposes the political priorities;

He has a roving policy briefs: he may seek to take over a particular issue and drive Commission policy on that issue;

He has a representative role. He represents the Commission at meetings involving the Heads of government and with other institutions

THE COMMISSION - DIRECTORATES-GENERAL (DGs)

- ▶ DGs are the equivalent of Ministries in a national government;
- ▶ All DGs fall within the portfolio of at least one Commissioner and are answerable to at least one Commissioner
- ▶ BUT... We have more than 33 DGs and only 27 Commissioners...
- ▶ SO... DGs' duties are to the Commission rather than the Commissioner. Individual Commissioners have complained about the autonomy DGs enjoy and the lack of loyalty they show.
- ▶ THEN... The variety of Commission activities results in little cohesion between the different DGs.
- ▶ Different DGs are often working in very different direction and this is a problem for policy coherence.
- ▶ The powers of the DGs vary according to the matter they deal with.
- ▶ DGs dealing with Union matters will have legislative initiative powers; DGs that deal with matters within the competence of States have functions of documentary work. DGs dealing with issues on which the Commission wants to focus will be privileged over the others

THE COMMISSION – MODUS OPERANDI

Three procedures

WRITTEN PROCEDURE: Proposal by a lead DG or by a group of DGs - this circulated to other interested DGs, the Legal Service and the Secretariat-General, who have 15 days to respond - consensus - WRITTEN procedure (Cabinet)

ORAL PROCEDURE: Proposal by a lead DG or by a group of DGs - this circulated to other interested DGs, the Legal Service and the Secretariat-General, who have 15 days to respond - consensus - ORAL procedure (Cabinet)

INTERNAL DELEGATION: The Commission can delegate a straightforward act of management to particular members

THE COMMISSION - POWERS

Article 17

1. The Commission shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union. It shall execute the budget and manage programmes. It shall exercise coordinating, executive and management functions, as laid down in the Treaties. With the exception of the common foreign and security policy, and other cases provided for in the Treaties, it shall ensure the Union's external representation. It shall initiate the Union's annual and multiannual programming with a view to achieving interinstitutional agreements.

2. Union legislative acts may only be adopted on the basis of a Commission proposal, except where the Treaties provide otherwise. Other acts shall be adopted on the basis of a Commission proposal where the Treaties so provide.

LEGISLATIVE AND QUASI-LEGISLATIVE POWERS

- ▶ The Commission has direct legislative powers in only two limited fields
 - ▶ Art. 106(3) TFEU: ensuring that public undertakings comply with the rules contained in the Treaty;
 - ▶ Art. 45(3)(d) TFEU: determining the conditions under which Union nationals may reside in another Member State after having worked there.
- ▶ It has more quasi-legislative powers, granted by the EU legislation to adopt general rules which, whilst not legislative in nature, have binding legal effects. There is a distinction between two forms of quasi-legislative powers:
 - ▶ Art. 290(1) TFEU: A legislative act may delegate to the Commission the power to adopt non-legislative acts to supplement or amend certain non-essential elements of the legislative act;
 - Art. 290(2) TFEU: Legislative acts shall explicitly lay down the conditions to which the delegation is subject. The EP or the Council may decide to revoke the delegation; the delegated act may enter into force only if no objection has been expressed by the EP or the Council.
 - ▶ Art. 291(2) TFEU: Where uniform conditions for implementing legal binding Union acts are needed, those acts shall confer implementing powers on the Commission.
 - ▶ (Those who want to work on this topic can study the case C-355/10 Parliament v. Council (Schengen Borders Code), Judgement of 5 September 2012)

AGENDA-SETTING

The Commission has responsibility for initiating the policy process in a number of ways

It decides the legislative programme for each year

In most fields, it has a monopoly over the power of legislative initiative

It has the power of financial initiative and starts the budgetary process by placing a draft budget before the EP and the Council

It is responsible for stimulating policy debate more generally (e.g. White Paper on Completion the Internal Market → Agenda and timetable for completing Internal Market)

The Commission is both an agenda setter and a veto-player:

Nothing can happen without the Commission deciding to make a proposal;

It can withdraw the proposal at any time

- ▶ The influence of the Commission depends upon a number of variables
 - ▶ In areas where unanimity is not required, it can act as a broker between some actors and to outmanoeuvre others;
 - ▶ It can induce other institutions to adopt its proposals as the «lesser evil» by threatening other powers at its disposal, such as bringing a Member State before the CJ, which would lead to more draconian consequences.
 - ▶ Temporal dimension: if the Commission is impatient, its influence is weakened. The Commission power increase when other institutions are impatient



INFLUENCE

EXECUTIVE POWERS

- ▶ The Commission is responsible
 - ▶ For ensuring that the Union's revenue is collected and passed on by national authorities and that the correct rates are applied;
 - ▶ For overseeing and coordinating a large part of Union expenditure;
 - ▶ For administering Union aid to third countries;
 - ▶ To represent the Union for matters relating to the common foreign and security policy (with the High Representative);
 - ▶ To handle applications for membership of the EU by carrying out an investigation of the implications of membership and submitting an opinion to the Council

SUPERVISORY POWERS

- ▶ The Commission polices the Union:
 - ▶ It can declare illegal state aids provided by Member States;
 - ▶ It can declare anti-competitive practices, such as dumping or export subsidies;
 - ▶ It can bring Member States before the Court of Justice for breaching EU law;
 - ▶ It is responsible for monitoring compliance by Member States with judgement of the Court of Justice and it can bring those Member States back before the Court to have them fined.

SUPERVISORY POWERS (II) - ECONOMIC AND FISCAL POLICY

Although formally it's the Council which sanctions States in these fields, it is on the basis of a Commission finding that states have breached EU limits with regard to their public finances or more general state of their economy;

The Commission indicates whether States have rectified the situation

The EC makes recommendations as to the level of sanctions

These powers give it some oversight over almost all areas of fiscal, welfare and economic policy.
The sanctions which it can recommend are huge.

The supervision is more intense for those EURO area States which ask for financial support of the European Stability Mechanism (ESM).

REGULATORY AGENCIES

- ▶ The concentration of so many functions in the Commission has placed pressure on its resources. A preference emerged for delegating specialised and time-consuming tasks to independent agencies and offices rather than for using the Commission as a repository for further regulatory competencies
- ▶ A categorisation of regulatory Agencies:
 - ▶ Agencies with the power to take decisions: Office for Harmonisation in the Internal Market (OHIM); Community Plant Variety Office (CPVO); European Chemicals Agency (ECHA); European Banking Authority (EBA); European Insurance and Occupational Pensions Authority (EIOPA); European Securities and Markets Authority (ESMA)
 - ▶ Agencies with instrumental powers: European Food Safety Authority (EFSA); European Medicines Agency (EMA); European Network and Information Security Agency (ENISA); European Maritime Safety Agency (EMSA); European Railways Agency (ERA)
 - ▶ Agencies whose responsibility is to disseminate information: European Environment Agency (EEA); European Agency for Safety and Health at Work (EASHW); European Agency for Fundamental Rights (EAFR).

An aerial view of the European Council meeting room, showing a large circular table with many participants seated around it. The room has a colorful, multi-colored carpet. The text "EUROPEAN COUNCIL" is overlaid in the center of the image in a bright green, sans-serif font. The image is framed by a dark green, semi-transparent overlay on the right side.

EUROPEAN COUNCIL

EUROPEAN COUNCIL - OVERVIEW

Role: Defines the general political direction and priorities of the European Union

Members: Heads of state or government of EU countries, European Council President, European Commission President

President: Charles Michel

Established in: 1974 (informal forum), 1992 (formal status), 2009 (official EU institution)

Location: Brussels (Belgium)

HISTORY OF THE EUROPEAN COUNCIL

- ▶ **1974: Creation of the European Council.** Following the Copenhagen summit in December 1973, which made provision for summits to be held whenever necessary, the Paris summit of December 1974, hosted by President Valéry Giscard d'Estaing, creates the European Council. It was created with the intention of establishing an informal forum for discussion between heads of state or government.
- ▶ **1975: First meeting of the European Council.** The new European Council meets for the first time in March 1975 in Dublin.
- ▶ **1992: Maastricht:** The European Council acquires a formal status in the Treaty of Maastricht. It is defined as providing the impetus and general political guidelines for the EU's development
- ▶ **1996: European Council meets four times a year.** Since 1996, the European Council meets at least four times a year. Before that, only two meetings a year were required.
- ▶ **2003: European Council meetings are held in Brussels.** Since October 2003, all formal European Council meetings take place in Brussels. The 22nd declaration of the Treaty of Nice states that all European Council meetings will be held in Brussels once the EU has 18 member states
- ▶ **2009: Herman Van Rompuy is elected president of the European Council.** At an informal meeting in Brussels on 19 November 2009, EU heads of state and government unanimously agree to appoint Herman Van Rompuy as the first permanent President of the European Council.

HISTORY OF THE EUROPEAN COUNCIL

2009: Treaty of Lisbon. It extends the use of qualified majority voting at the Council. The European Council becomes a fully-fledged institution with its own President. Previously, the European Council had been an informal body and the head of the European Council was an unofficial position. The role was held by the head of state or government of the member state holding the rotating presidency of the Council of the EU.

EUROPEAN COUNCIL - LEGAL BASIS

The European Council comprises the Heads of Government of the Member States, its President and the President of the Commission;

It is to meet at least four times per year

It's recognized as a EU Institution only with the Treaty of Lisbon

ARTICLE 15(1) TEU:

The European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions.

EUROPEAN COUNCIL - HOW DOES IT WORK?

It usually meets 4 times a year - but the President can convene additional meetings to address urgent issues.

It generally decides issues by consensus - but by unanimity or qualified majority in some cases. Only the heads of state/government can vote.

POWERS OF THE EUROPEAN COUNCIL

- ▶ It makes decisions about the **future shape and membership** of the European Union
 - ▶ Art 7 TEU, suspending the membership of a Member State;
 - ▶ Art. 49 TEU, setting the criteria to be met by a state wishing to join the EU;
 - ▶ Art. 48, instigating Treaty reform);
- ▶ It makes appointments and determines the composition of some of the other EU Institutions:
 - ▶ President of the Council; President of the Commission; Commissioners; High Representative; Executive Board of the European Central Bank
 - ▶ It can determine the composition of the EU Parliament
 - ▶ Even judges of the Court of Justice, while not appointed by the European Council, are appointed by common accord of the governments of the Member States, which is essentially the same thing.

- ▶ The European Council resolves issues which have reached an impasse within the Council of Ministers. Difficult issues too controversial or significant for a minister to concede can sometimes be resolved by the Head of Government. In particular in sensitive fields, such as:
 - ▶ Social security system (art 48 TFEU);
 - ▶ Fundamental aspects of Criminal justice system (art. 82(3) and 83(3) TFEU);
 - ▶ Common Foreign and Security Policy (CFSP), on activities where there is provision for qualified majority voting (art 31(2) TEU).
- ▶ Prominent role in the CFSP: it defines and identifies the strategic objectives and sets out the Guidelines (art. 22 and 26 TEU); it also acts as a forum where member states can consult each other about matters of general interest in this field.

POWERS OF THE EUROPEAN COUNCIL (ii)

POWERS OF THE EUROPEAN COUNCIL (iii)

- ▶ AGENDA - SETTING POWER
- ▶ In some fields this is explicitly mandated:
 - ▶ Art. 68 TFEU: freedom, security and justice;
 - ▶ Art. 148 TFEU: employment.
- ▶ The European Council will agree programmes of legislation across all areas of EU Policy.
- ▶ HOW???
- ▶ No legislative initiative!! The EU Council will usually set out broad principles and ask the Commission to develop an Action Plan to implement these principles.
- ▶ In some instances, this agenda setting power is shared with other EU Institutions
- ▶ This power often transcends the Treaty by going to activities which fall beyond the Union's competence

EUROPEAN COUNCIL PRESIDENT

- ▶ **PROBLEM:** there is a mismatch between the time spent by heads of government in the European Council and its wide-ranging tasks
- ▶ Created by the Lisbon Treaty;
- ▶ Elected by the European Council by qualified majority vote for a two and a half year term, which may be renewed once (Art. 15(5) TEU);
- ▶ He sits as an additional member of the European Council (Art. 15(6) TEU);
- ▶ **Tasks:**
 - ▶ Chair and drive forward the work of the European Council, whilst endeavouring to facilitate consensus and cohesion within it;
 - ▶ Ensure the preparation and continuity of the work of the European Council in cooperation with the President of the Commission and on the basis of the work of General Affairs Council;
 - ▶ Present a report to the Parliament after each of the meetings of the European Council;
 - ▶ Ensure the external representation of the Union on issues concerning its Common Foreign and Security Policy, without prejudice to the powers of the High Representative

EUROPEAN COUNCIL PRESIDENT (ii)

▶ EX ANTE DIMENSION:

- ▶ He is to organise, coordinate and secure direction for the European Council;
- ▶ He is to building alliances and facilitating agendas

▶ EX POST DIMENSION:

- ▶ He is to see that European Council decisions are implemented

- ▶ HOWEVER, he has only a very small administration of his own. The relationship with different Member States is delicate: larger will expect more attention; smaller will expect equal treatment. He is in a competitive position with the President of the Commission in the agenda-setting role: each one will be keen to assert its preferences and prerogatives.

EUROPEAN COUNCIL IN THE EU INSTITUTIONAL SETTLEMENT

The formalisation by the Lisbon Treaty of the European Council's position moves the tectonic plates of power into different ways:

FIRST: it shifts powers between the Member States. Personal authority of the Head of Government, size and wealth are central to the level of influence of a Member State within the European Council

SECOND: The European Council can now be subject to review by the Court of Justice (Articles 263 and 265 TFEU) and the President must submit reports after each meeting to the EP (Art. 15(6)(d) TEU). **It's difficult to imagine the circumstances in which a court would strike down a decision by 27 Heads of Government. And how seriously the EU Council will take any critical views of the Parliament?**

THIRD: EU Council has become increasingly accountable to national parliaments, but not all Parliaments use this power in the same way: these controls do not address the inevitable asymmetries of powers within the European Council (EU Council is a secretive body... how a Parliament can check the effect he had on its Head of Government??)

THE COUNCIL OF
EUROPEAN UNION
(COUNCIL OF
MINISTERS)




COUNCIL OF MINISTERS - LEGAL BASES

The Council of the EU is the institution representing the member states' governments. Also known informally as the EU Council, it is where national ministers from each EU country meet to adopt laws and coordinate policies.



Its powers are unsatisfactory paraphrased in Art. 16 TEU: *The Council shall, jointly with the European Commission, exercise legislative and budgetary functions. It shall carry out policy-making and coordinating functions as laid down in the Treaties*



The Council of the European Union and the European Council are the only EU institutions that are explicitly intergovernmental, that is forums whose attendees express and represent the position of their member state's executive, be they ambassadors, ministers or heads of state/government.

COUNCIL OF MINISTERS - HISTORY

1952: First meeting of the Special Council of Ministers of the ECSC: The first meeting of the Special Council of Ministers of the European Coal and Steel Community, which was to later become the Council of the European Union, takes place in Luxembourg;

1958: Treaties of Rome: The first meeting of the Council of the EEC takes place on 25 January 1958 under the chairmanship of Victor Larock, the Belgian Foreign Affairs Minister;

1965: Empty chair crisis: In 1965 France announces it will not attend Council meetings due to disagreement with negotiations on the financing of the Common Agricultural Policy. The crisis is later resolved thanks to the 1966 Luxembourg compromise, which implements unanimity voting when major interests are at stake;

COUNCIL OF MINISTERS - HISTORY (ii)

1967: The Merger treaties: These two treaties (1967 and 1971) introduce a single Council, a single Commission and a single budget for the three Communities (ECSC, Euratom and EEC. Coreper is formalised as a preparatory body of the Council;

1997: Creation of the Eurogroup: The European Council endorses the creation of the Eurogroup, an informal body that brings together the finance ministers of countries whose currency is the euro. The first Eurogroup meeting is held on 4 June 1998 at the Chateau de Senningen in Luxembourg.

- ▶ The Council comprises a minister from each Member State authorised to commit the Government of that State on that matter (Art. 16 (2) TEU);
- ▶ Since 2002, it has been agreed that more than one minister from each Member State may sit in a Council meeting, particularly where an issue crosses different ministerial portfolios (Decision 2002/682/EC, EURATOM)
- ▶ The Presidency of the Council rotates every six months among the governments of EU member states. The Foreign Affairs Council is however chaired by the Union's High Representative.

COUNCIL OF MINISTERS – COMPOSITION

COUNCIL OF MINISTERS - CONFIGURATIONS

Legally speaking, the Council is a single entity (this means that technically any Council configuration can adopt decisions that fall within the remit of any other Council configuration) but it is in practice divided into several different council configurations.

Article 16(6) of the Treaty on European Union provides:

The Council shall meet in different configurations, the list of which shall be adopted in accordance with Article 236 of the Treaty on the Functioning of the European Union.

The General Affairs Council shall ensure consistency in the work of the different Council configurations. It shall prepare and ensure the follow-up to meetings of the European Council, in liaison with the President of the European Council and the Commission.

The Foreign Affairs Council shall elaborate the Union's external action on the basis of strategic guidelines laid down by the European Council and ensure that the Union's action is consistent.

COUNCIL OF MINISTERS – CONFIGURATIONS (ii)

The Council, thus, now sits in ten configurations

General Affairs (GAC): General affairs co-ordinates the work of the Council, prepares for European Council meetings and deals with issues crossing various council formations;

Foreign Affairs (FAC): Chaired by the High Representative, rather than the Presidency, it manages the CFSP, CSDP, trade and development co-operation. It sometimes meets in a defence configuration;

Economic and Financial Affairs (Ecofin): Composed of economics and finance ministers of the member states. It includes budgetary and eurozone matters via an informal group composed only of eurozone member ministers;

Agriculture and Fisheries (Agrifish): Composed of the agriculture and fisheries ministers of the member states. It considers matters concerning the Common Agricultural Policy, the Common Fisheries Policy, forestry, organic farming, food and feed safety, seeds, pesticides, and fisheries;

COUNCIL OF MINISTERS – CONFIGURATIONS (iii)

Justice and Home Affairs (JHA): This configuration brings together Justice ministers and Interior Ministers of the Member States. Includes civil protection;

Employment, Social Policy, Health and Consumer Affairs (EPSCO): Composed of employment, social protection, consumer protection, health and equal opportunities ministers;

Competitiveness (COMPET): Created in June 2002 through the merging of three previous configurations (Internal Market, Industry and Research). Depending on the items on the agenda, this formation is composed of ministers responsible for areas such as European affairs, industry, tourism and scientific research. With the entry into force of the Lisbon Treaty, the EU acquired competence in space matters, and space policy has been attributed to the Competitiveness Council;

Transport, Telecommunications and Energy (TTE): Created in June 2002, through the merging of three policies under one configuration, and with a composition varying according to the specific items on its agenda. This formation meets approximately once every two months

COUNCIL OF MINISTERS – CONFIGURATIONS (iv)

Environment (ENV): Composed of environment ministers, who meet about four times a year;

Education, Youth, Culture and Sport (EYC): Composed of education, culture, youth, communications and sport ministers, who meet around three or four times a year. Includes audiovisual issues.

Complementing these, the **Political and Security Committee (PSC)** brings together ambassadors to monitor international situations and define policies within the CSDP, particularly in crises.

Ecofin's Eurozone component, the **Euro group**, is also a formal group with its own President;

Following the entry into force of a framework agreement between the EU and ESA there is a **Space Council configuration** – a joint and concomitant meeting of the EU Council and of the ESA Council at ministerial level dealing with the implementation of the ESP adopted by both organisations.

COUNCIL OF MINISTERS - POWERS (i)

In areas of policy where responsibility lies with Member States, such as general economic policy, the Council acts as a forum within which Member States can consult with each other and coordinate their behaviour (Art. 121 TFEU);

It can take other institutions before the Court for failure to comply with the EU law (Art. 263 TFEU) or for failure to act when required by EU law (Art. 265 TFEU);

It can request the Commission to undertake studies or submit legislative proposals. The Commission must provide reasons for not submitting the proposal (Art. 241 TFEU);

It prepares the work for the European Council meetings and ensures their follow-up (Art. 16 (6) TEU);

COUNCIL OF MINISTERS - POWERS (ii)

It polices the fiscal and economic policies of Euro area States. It can find that states are running excessive budget deficits, excessive macro-economic imbalances or significantly deviating from their commitment to securing a balanced budget (Art. 126 (6) TFEU, Reg. 1176/2011 and Reg. 1466/97). If States persist, the Council can impose significant fines (Art. 126(11) TFEU, Reg. 1174/2011, Reg. 1173/2011);

It frames the Common Foreign and Security Policy and takes the decisions necessary for defining and implementing it on the basis of the general guidelines and strategic lines defined by the European Council (Art. 26(2) TEU);

It has power of final decision on the adoption of legislation in most areas of Union policy. This power is particularly significant. Whilst it is shared with the Parliament in certain fields, it leads to the Council being perceived as the most important institution in the law-making process.

- ▶ Comprised of Foreign Ministers
- ▶ It considers matters straddling different EU policies
- ▶ It is responsible for coordinating work done by other configurations
- ▶ It is to secure consistency in the work of the different configurations and to prepare and follow-up to meetings of the European Council, in liason with the President of the European Council and the Commission

COUNCIL OF MINISTERS - THE GENERAL AFFAIRS COUNCIL (GAC)

COUNCIL OF MINISTERS - DECISION-MAKING

- ▶ **Simple majority vote:** This procedure is used only in a few areas, principally procedural ones, as it fails to protect national interests and undue weight is given to the interests of small states at the expense of larger ones. The only area of real significance subject to a simple majority vote is the decision to convene an intergovernmental conference to amend the TEU.
- ▶ **Unanimity:** To use the power of veto you must vote against a measure. Abstention is insufficient. Its requirement is still widespread in the Treaty, particularly with any measure which touches taxation or social security.
- ▶ **Qualified majority voting (QMV):** When the Council votes on a proposal by the Commission or the High Representative of the Union for Foreign Affairs and Security Policy, a qualified majority is reached if two conditions are met:
 - ▶ 55% of member states vote in favour - in practice this means 15 out of 27
 - ▶ the proposal is supported by member states representing at least 65% of the total EU population

Special cases: When not all Council members participate in the vote, for example due to an opt-out in certain policy areas, a decision is adopted on the basis of the participating member states. When the Council votes on a proposal not coming from the Commission we have the '**reinforced qualified majority**': at least 72% of Council members, representing at least 65% of the EU population.

Abstentions: An abstention under qualified majority voting counts as a vote against. Abstention is not the same as not participating in the vote. Any member can abstain at any time.

COUNCIL OF MINISTERS - DECISION- MAKING (ii) - The areas of QMV

- ▶ Initiatives of the High Representative for Foreign Affairs
- ▶ Rules concerning the European Defence Agency
- ▶ Freedom to establish a business
- ▶ Self-employment access rights
- ▶ Freedom, security and justice - cooperation and evaluation
- ▶ Border checks
- ▶ Asylum
- ▶ Immigration
- ▶ Crime prevention incentives
- ▶ Eurojust
- ▶ Police cooperation
- ▶ Europol
- ▶ Transport
- ▶ European Central Bank
- ▶ Culture
- ▶ Structural and Cohesion Funds
- ▶ Organisation of the Council of the European Union
- ▶ European Court of Justice
- ▶ Freedom of movement for workers
- ▶ Social security
- ▶ Criminal judicial cooperation
- ▶ Criminal law
- ▶ President of the European Council election
- ▶ Foreign Affairs High Representative election
- ▶ Funding the Common Foreign and Security Policy
- ▶ Common defense policy
- ▶ Withdrawal of a member state
- ▶ General economic interest services
- ▶ Diplomatic and consular protection
- ▶ Citizens initiative regulations
- ▶ Intellectual property
- ▶ Eurozone external representation
- ▶ Sport
- ▶ Space
- ▶ Energy
- ▶ Tourism
- ▶ Civil protection
- ▶ Administrative cooperation
- ▶ Emergency international aid
- ▶ Humanitarian aid
- ▶ Response to natural disasters or terrorism
- ▶ Economic and Social Committee
- ▶ Committee of the Regions
- ▶ Economic and Social Committee
- ▶ The EU budget

COUNCIL OF MINISTERS - DECISION- MAKING (iii)

- ▶ Even in fields where the OMV is allowed, the central modus operandi is consensus
- ▶ Consensus reshapes the balance of power with the position of central players, central to its dynamics. Coalition clustering around these have the resources and networks to articulate common views and mediate between positions. Larger States and the Commission manage the reaching of the consensus.
- ▶ Consensus shapes also the content of legislation
 - ▶ FIRST STRATEGY: simply to incorporate individual national concerns into the text. This strategy increases length, complexity and internal contradiction within the EU legislation;
 - ▶ SECOND STRATEGY: legislation is kept as general as possible so as not to up possibilities for disagreement. This can obstruct EU legislation from realising the goals behind its proposals



COUNCIL OF MINISTERS – PRESIDENT

- ▶ The Presidency rotates between Member States. It is held by pre-established group of three Member States for a period of 18 months with each of those chairing the Council configurations for six months. It is held on the basis of equal rotation.
- ▶ Duties:
 - ▶ It arranges, chairs and sets the agenda for Council meetings;
 - ▶ It represents the Council both before the other EU institutions and in the world more generally;
 - ▶ It acts as a neutral broker between other Member States in order to secure legislation;
 - ▶ It sets the legislative agenda for its six-month term of office, in consultation with the Commission and the Presidencies preceding and succeeding it.

COUNCIL OF MINISTERS - SECRETARIAT

- ▶ Whilst the Presidency sets out the overall framework for Council meetings, the details are carried out by the Secretariat (Art. 240 (2) TFEU).
- ▶ Central tasks:
 - ▶ Conference organisation and committee servicing;
 - ▶ It produces documents, arranges translation, takes notes and organises meeting rooms;
 - ▶ It provides advice to the Council on the legality of its actions and will represent the Council before the other institutions;
 - ▶ It will litigate on behalf of the Council or represent the Council before Parliament Committee.

COUNCIL OF MINISTERS - COREPER (i)

- ▶ It is the central body in the preparation of Council meetings
- ▶ Its formal duties are merely to prepare the work and carry out any tasks assigned to it (Art. 16(7) TEU and Art. 240(1) TFEU)
- ▶ It has no power to take formal decisions other than ones on Council procedure
- ▶ It is divided into:
 - ▶ COREPER I: it is composed of deputy permanent representatives and is responsible for issues such as environment, social affairs, internal market and transport;
 - ▶ COREPER II: it consists of permanent representatives of ambassadorial rank responsible for the more sensitive issues, such as economic and financial affairs and external relations

COUNCIL OF MINISTERS - COREPER (ii)

- ▶ The heart of COREPER's power lies in its setting the agenda for the Council meetings and its dividing that agenda into «A» and «B» matters:
 - ▶ «A» items are technical matters, on which there is agreement. These are approved by the Council without discussion;
 - ▶ «B» items are considered more contentious, requiring discussion
- ▶ SO... «A» items are decided by the COREPER, not by the Council
- ▶ IF... a vast majority of Council business are in «A» items... the COREPER decides a lot of things...
- ▶ The COREPER is assisted by about 250 Working Groups of national civil servants. A Commission proposal is first passed to these group. The group prepares a report for the COREPER with «Roman I points» (agreement in the group) and «Roman II points» (discussion in the COREPER).
- ▶ IN THIS PROCEDURE THERE ARE A LOT OF STEPS IN WHICH NATIONAL REPRESENTATIVES CAN TRY TO FIND AN AGREEMENT

THE EUROPEAN PARLIAMENT



EUROPEAN PARLIAMENT - THE BEGINS

It was initially set up as the European Assembly and was only formally recognised as a Parliament in the Single European Act;

Prior to 1979 it consisted of representatives from national parliaments

First elections by direct universal suffrage took place in 1979

No more than 751 members;

Principle of degressive proportionality;

No uniform procedures for elections;

No European Political Parties. MEPs are elected as representatives of national political parties

- ▶ Role: Directly-elected EU body with legislative, supervisory, and budgetary responsibilities
- ▶ Members: 705 MEPs (Members of the European Parliament) - no more than 751
- ▶ President: David-Maria Sassoli
- ▶ Established in: 1952 as Common Assembly of the European Coal and Steel Community, 1962 as European Parliament, first direct elections in 1979
- ▶ Location: Strasbourg (France), Brussels (Belgium), Luxembourg

EUROPEAN PARLIAMENT - OVERVIEW

EUROPEAN PARLIAMENT – POWERS (i)

The Parliament has 3 main roles:

- LEGISLATIVE POWERS
- BUDGETARY POWERS
- SUPERVISORY POWERS

ROLE IN THE LEGISLATIVE PROCEDURE

- ▶ On certain questions (e.g. taxation) the European Parliament gives only an advisory opinion (the 'consultation procedure'). In some cases the Treaty provides that consultation is obligatory, being required by the legal base, and the proposal cannot acquire the force of law unless Parliament has delivered an opinion. In this case the Council is not empowered to take a decision alone;
- ▶ The ordinary legislative procedure gives the same weight to the European Parliament and the Council of the European Union on a wide range of areas (for example, economic governance, immigration, energy, transport, the environment and consumer protection). The vast majority of European laws are adopted jointly by the European Parliament and the Council.

EUROPEAN PARLIAMENT - POWER (ii) LEGISLATIVE POWERS

CONSENT

- ▶ Formerly known as the assent procedure, it was introduced by the 1986 Single European Act in two areas: association agreements and agreements governing accession to the European Union. The scope for the application of the procedure was extended by all subsequent modifications of the Treaties.
- ▶ As a non-legislative procedure, it usually applies to the ratification of certain agreements negotiated by the European Union, or is applicable most notably in the cases of serious breach of fundamental rights under Article 7 Treaty on European Union (TEU) or for the accession of new EU members or arrangements for the withdrawal from the EU. As a legislative procedure, it is to be used also when new legislation on combating discrimination is being adopted and it now gives the European Parliament a veto also when the subsidiary general legal basis is applied in line with Article 352 TFEU

EUROPEAN PARLIAMENT - POWERS (iii) LEGISLATIVE POWERS

OTHER LEGISLATIVE PROCEDURES

Alongside the main legislative procedures, there are other procedures carried out in Parliament in specific areas.

- ▶ Opinion under Article 140 Treaty on the Functioning of the European Union (monetary union)
- ▶ Procedures relating to dialogue between management and labour
- ▶ Procedures for the consideration of voluntary agreements
- ▶ Codification
- ▶ Implementing and delegated provisions

EUROPEAN
PARLIAMENT -
POWERS (iv)
LEGISLATIVE
POWERS

OTHER LEGISLATIVE PROCEDURES

Legislative initiative

The Commission has the legislative initiative. However, under the Treaty of Maastricht enhanced by the Lisbon Treaty, the European Parliament has a right of legislative initiative that allows it to ask the Commission to submit a proposal.

- ▶ Annual and multiannual programming
- ▶ Initiative under Article 225 of the Treaty on the Functioning of the European Union

On the basis of a report by one of its committees, under Article 225 TFEU, Parliament, acting by a majority of its Members, may request the Commission to submit any appropriate legislative proposal. Parliament may, at the same time, set a deadline for the submission of such a proposal. The Parliament committee responsible must first ask the Conference of Presidents for authorisation. The Commission may agree or refuse to submit the proposal requested.

- ▶ Own-initiative reports

EUROPEAN PARLIAMENT - POWERS (v) LEGISLATIVE POWERS

EUROPEAN PARLIAMENT – POWERS (vi) BUDGETARY POWERS

Multiannual Financial Framework

Parliament and Council decisions about annual expenditure and revenue must fall within the annual spending limits laid down in the EU's long-term financial plan, the Multiannual Financial Framework, negotiated once every seven years.

Budgetary control

Once the EU budget is adopted, the European Commission is responsible for its implementation (other institutions are in charge of their own administrative budgets).

As a directly-elected institution representing EU taxpayers, the European Parliament exercises democratic oversight to make sure that the Commission and the other institutions deal properly with European funds.

The Parliament, on a recommendation from the Council of the European Union, decides whether to grant the discharge, i.e. final approval of how the budget for a specific year has been implemented.

The Parliament takes the decision after careful examination by its Committee on Budgetary Control of the financial accounts of the Commission and the report on its activities for the year in question. It also takes into consideration the Court of Auditors' annual report and the responses of the Commission on specific questions that MEPs may have.

The Parliament may also make recommendations to the Commission on the execution of the budget. The Commission has to report, at the request of Parliament, on the measures taken in light of such observations and comments.

The procedure ends in the granting, postponement or refusal of the discharge.

The Parliament deals in a similar manner with the approval of the accounts of other institutions, including its own administrative budget.

EUROPEAN PARLIAMENT – POWERS (vii) SUPERVISORY POWERS

OVER THE EUROPEAN COUNCIL:

The President of the European Parliament has the right to speak at the start of each European Council, setting out Parliament's position on the subjects to be addressed by the heads of state and government. After each summit the President of the European Council presents a report to the European Parliament on the outcome;

OVER THE COUNCIL OF EU:

At the beginning and end of each six-month presidency the President of the Council of the European Union discusses their programme with MEPs in plenary. MEPs can table written and oral questions to the Council and can ask it to initiate new policies. The Foreign Affairs Council is permanently chaired by the High Representative for Foreign Affairs and Security Policy. They, or a representative, attend plenary debates on foreign, security or defence policy. Twice a year, the High Representative reports to the European Parliament about these policies and their financial implications.

EUROPEAN PARLIAMENT – POWERS (viii) SUPERVISORY POWERS

OVER THE COMMISSION:

The European Parliament has the right to approve and dismiss the European Commission. Since 1994, commissioners designate have been required to appear before an EP hearing. Under the Lisbon Treaty, EU heads of state propose a candidate for Commission President, taking into account the results of European elections. The candidate is elected by the EP.

The EP can censure the Commission and ultimately dismiss it. So far, none of the eight motions of censure brought before Parliament has been adopted. In 1999, the Santer Commission stepped down before Parliament forced its resignation. The EP ensures democratic control over the Commission, which regularly submits reports to Parliament including an annual report on EU activities and on the implementation of the budget. Once a year, the Commission President gives a State of the Union address to plenary. Parliament regularly invites the Commission to initiate new policies and the Commission is required to reply to oral and written questions from MEPs.

EUROPEAN PARLIAMENT – POWERS (ix) SUPERVISORY POWERS

OVER THE COURT OF JUSTICE:

Parliament can ask the Court to take action against the Commission or Council if they have acted in a way that is contrary to the spirit of EU law.

Parliament, together with Council, can ask the Court of Justice to set up specialised courts. For example, the European Union Civil Service Tribunal was established in 2005 to deal with disputes between the EU and its civil service.

OVER THE EUROPEAN CENTRAL BANK:

Parliament must be consulted before the President, Vice-President and Executive Board of the European Central Bank (ECB) are appointed by the European Council. The ECB President presents the bank's annual report in plenary and takes part in a regular monetary dialogue with Parliament's Committee on Economic and Monetary Affairs.

EUROPEAN PARLIAMENT – POWERS (x) SUPERVISORY POWERS

OVER THE COURT OF AUDITORS:

The Court of Auditors presents the annual report on the previous year's budget to the Council and European Parliament. Based on the report, Parliament decides whether or not to approve the way the Commission handled the EU budget by granting the budget discharge. Parliament must be consulted before the appointment of the members of the Court of Auditors by the Council.

OVER THE OMBUDSMAN:

Parliament elects the European Ombudsman. The Ombudsman reports back to the European Parliament and presents an annual report to MEPs. The Ombudsman may be dismissed by the Court of Justice at the request of Parliament in exceptional circumstances. The Ombudsman can start inquiries on his own initiative.

PETITIONS:

Any EU citizen, resident, company or organisation can submit a petition to the European Parliament about EU law. Parliament can set up a committee of inquiry to look into violations of EU law by member states.

EUROPEAN PARLIAMENT – POWERS (xi) COOPERATION WITH NATIONAL PARLIAMENTS

The Treaty of Lisbon set out for the first time the role of national parliaments within the European Union. National parliaments can, for instance, scrutinise draft EU laws to see if they respect the principle of subsidiarity, participate in the revision of EU treaties, or take part in the evaluation of EU policies on freedom, security and justice.

The Lisbon Treaty also specified that the European Parliament and national parliaments should together determine the organisation and promotion of effective and regular interparliamentary cooperation within the EU. In light of this, the European Parliament adopted in 2009 and 2014 resolutions dealing specifically with the development of relations between the European Parliament and national parliaments.

EUROPEAN PARLIAMENT – POWERS (xii) AREAS OF CODECISION

BEFORE LISBON:

Environment, Transport, Internal market, Jobs and social policy, Education, Public health, Consumer protection

ADDITIONAL AREAS AFTER LISBON:

Agriculture and fisheries, Support for poorer regions, Security and justice, Commercial policy, Cooperation with countries outside the EU, Implementing acts

EUROPEAN PARLIAMENT - ORGANISATION

THE PRESIDENT:

- ▶ The President is elected for a renewable term of two and a half years, i.e. half the lifetime of a Parliament. The President represents the European Parliament vis-à-vis the outside world and in its relations with the other EU institutions.
- ▶ The President oversees the work of the Parliament and its constituent bodies as well as the debates in plenary and ensures that Parliament's Rules of Procedure are adhered to.
- ▶ At the beginning of every European Council meeting, the President of the European Parliament sets out Parliament's point of view and its concerns as regards the items on the agenda and other subjects.
- ▶ After the European Union's budget has been adopted by Parliament, the President signs it, rendering it operational. The EP President and the President of the Council both sign all legislative acts adopted under ordinary legislative procedure.

EUROPEAN PARLIAMENT - ORGANISATION

(ii)

THE MEMBERS:

- ▶ The European Parliament is made up of 705 Members elected in the 27 Member States of the enlarged European Union. Since 1979 MEPs have been elected by direct universal suffrage for a five-year period;
- ▶ Each country decides on the form its election will take, but must guarantee equality of the sexes and a secret ballot. EU elections are by proportional representation.
- ▶ Seats are allocated on the basis of population of each Member State. Slightly more than a third of MEPs are women. MEPs are grouped by political affinity, not nationality.

EUROPEAN PARLIAMENT - ORGANISATION

(iii)

THE POLITICAL GROUPS:

- ▶ The Members of the European Parliament sit in political groups - they are not organised by nationality, but by political affiliation. There are currently 7 political groups in the European Parliament:
 - ▶ Group of the European People's Party (Christian Democrats)
 - ▶ Group of the Progressive Alliance of Socialists and Democrats in the European Parliament
 - ▶ Renew Europe Group
 - ▶ Group of the Greens/European Free Alliance
 - ▶ Identity and Democracy Group
 - ▶ European Conservatives and Reformists Group
 - ▶ Confederal Group of the European United Left - Nordic Green Left

EUROPEAN PARLIAMENT - ORGANISATION

(iv)

THE COMMITTEES:

- ▶ In order to do the preparatory work for Parliament's plenary sittings, the Members are divided up among a number of specialised standing committees. There are 20 parliamentary committees. A committee consists of between 25 and 81 MEPs, and has a chair, a bureau and a secretariat. The political makeup of the committees reflects that of the plenary assembly.
 - ▶ The parliamentary committees meet once or twice a month in Brussels. Their debates are held in public.
 - ▶ The committees draw up, amend and adopt legislative proposals and own-initiative reports. They consider Commission and Council proposals and, where necessary, draw up reports to be presented to the plenary assembly.
 - ▶ Parliament can also set up sub-committees and special temporary committees to deal with specific issues, and is empowered to create formal committees of inquiry under its supervisory remit to investigate allegations of maladministration of EU law. The committee chairs coordinate the work of the committees in the Conference of Committee Chairs.

EUROPEAN PARLIAMENT - ORGANISATION

(v)

THE DELEGATIONS:

- ▶ The European Parliament's delegations maintain relations and exchange information with parliaments in non-EU countries. Through its delegations, the European Parliament helps to represent the European Union externally and to promote in third countries the values on which the European Union is founded, namely the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law.
- ▶ There are several types of delegations: joint parliamentary committees, parliamentary cooperation committees, other interparliamentary delegations and delegations to multilateral parliamentary assemblies.

EUROPEAN PARLIAMENT - ORGANISATION (vi)

POLITICAL BODIES

CONFERENCE OF PRESIDENTS is the political body in Parliament responsible for :

- the organisation of Parliament's business and legislative planning
- deciding the responsibilities and membership of committees and delegations
- relations with other EU institutions, the national parliaments and non-EU countries.

The Conference of Presidents prepares Parliament's timetable and plenary sitting agendas and allocates seats in the Chamber.

It consists of The President of the European Parliament and the political group chairmen.

One representative of the non-attached Members also has a seat in the Conference of Presidents but no voting rights.

It takes its decisions by consensus or by weighted vote based on the number of Members in each political group.

The duties of the Conference of Presidents are laid down in the Rules of Procedure.

It organises the work of the European Parliament and its bodies.

It is consulted on all matters relating to legislative planning and relations with other EU bodies and institutions.

The Conference of Presidents generally meets twice a month. Its meetings are not held in public.

The minutes of Conference meetings are translated into the official languages, printed and distributed to all Members.

Any Member may ask questions about the Conference of Presidents' activities.

This gives Members the opportunity, outside plenary sittings, to exchange views with an invited guest or obtain prior information about Commission proposals.

EUROPEAN PARLIAMENT - ORGANISATION (vi)

POLITICAL BODIES

THE BUREAU is the body that lays down rules for Parliament.

It draws up Parliament's preliminary draft budget and decides all administrative, staff and organisational matters.

The Bureau consists of the President of the European Parliament, the 14 Vice-Presidents and the five Quaestors elected by Parliament for a period of two and a half years (which can be renewed).

In the event of a tied vote in the Bureau, the President has the deciding vote. The Quaestors are members of the Bureau in an advisory capacity.

The Bureau has numerous administrative and financial duties within Parliament.

It is responsible for all matters relating to the internal running of Parliament.

It takes decisions on the organisation of sittings, it can authorise committee or delegation meetings outside the three usual places of work, and prepares the preliminary draft estimates of Parliament's expenditure.

It appoints the Secretary-General who is responsible for running Parliament's administration and establishes the composition and organisation of the Secretariat.

The Bureau generally meets twice a month.

Bureau minutes are translated into the official languages, printed and distributed to all Members.

Any Member may ask questions about the Bureau's activities.

The Bureau decides on the funding for the political parties represented in the European Parliament.

EUROPEAN PARLIAMENT - ORGANISATION (vii)

POLITICAL BODIES

THE COLLEGE OF QUAESTORS is the European Parliament body responsible for administrative and financial matters directly concerning Members and their working conditions.

There are five Quaestors. They are also members of the Bureau.

The European Parliament elects the Quaestors after the election of the President and the 14 Vice-Presidents.

The Quaestors are elected by a majority secret ballot in three rounds: an absolute majority of the votes cast is required for the first two rounds and a relative majority is sufficient for the last round.

Their term of office is two and a half years and they have an advisory role in the Bureau. The Quaestors are responsible for administrative and financial matters that directly affect Members, for example making general services and equipment available.

They can present proposals to modify or rewrite texts on all rules adopted by the Bureau.

The Quaestors generally meet once a month.

Any Member may ask questions about the Quaestors' activities.

EUROPEAN PARLIAMENT - ORGANISATION (viii)

POLITICAL BODIES

THE CONFERENCE OF COMMITTEE CHAIRS is the political body in Parliament that works for better cooperation between the committees.

- ▶ The Conference of Committee Chairs consists of the chairmen of all the standing and temporary committees; it elects its chairman. The Conference of Committee Chairs generally meets once a month in Strasbourg during plenary sittings.
- ▶ The Conference of Committee Chairs may make recommendations to the Conference of Presidents on the committees' work and the agendas for plenary sittings.
- ▶ It can also advise the Conference of Presidents if there is disagreement as to which committee should be responsible.
- ▶ The Bureau and Conference of Presidents may delegate certain tasks to the Conference of Committee Chairs.

EUROPEAN PARLIAMENT - ORGANISATION (ix)

POLITICAL BODIES

THE CONFERENCE OF DELEGATION CHAIRS is the political body in Parliament that periodically considers all matters concerning the smooth running of interparliamentary delegations and delegations to the joint parliamentary committees.

- ▶ The Conference of Delegation Chairs consists of the Chairs of all the standing interparliamentary delegations; it elects its chairman.
- ▶ The Conference of Delegation Chairs may make recommendations to the Conference of Presidents on the delegations' work.
- ▶ The Conference of Delegation Chairs draws up a draft annual calendar of interparliamentary meetings and meetings of joint parliamentary committees.
- ▶ The Bureau and Conference of Presidents may delegate certain tasks to the Conference of Delegation Chairs.

EUROPEAN PARLIAMENT - ORGANISATION (x)

POLITICAL BODIES

THE INTERGROUPS of the European Parliament

Intergroups can be formed by Members from any political group and any committee, with a view to holding informal exchanges of views on particular subjects and promoting contact between Members and civil society. Intergroups are not Parliament bodies and therefore may not express Parliament's opinion.

Intergroups are subject to internal rules adopted by the Conference of Presidents on 16 December 1999 (last updated on 11 September 2014), which set out the conditions under which intergroups may be established at the beginning of each parliamentary term and their operating rules.

Chairs of intergroups are required to declare any support they receive in cash or kind, according to the same criteria applicable to Members as individuals. The declarations must be updated every year and are filed in a public register held by the Quaestors.

LIST OF INTERGROUPS: Active ageing, intergenerational solidarity & family policies; Anti-racism and diversity; Biodiversity, countryside, hunting and recreational fisheries; Children's rights Members; Climate change, sustainable development and biodiversity; Common goods and public services; Creative industries; Digital agenda; Disability; Extreme poverty and human rights; European tourism development, cultural heritage, Way of St. James and other European cultural routes; Freedom of religion or belief and religious tolerance; Integrity - Transparency, anti- corruption and organised crime Members; Lesbian, Gay, Bisexual, Transgender and Intersex rights - LGBTI Members; Long-term investment and reindustrialization; Rural, mountainous and remote areas; Seas, rivers, islands and coastal areas; SMEs - Small and medium-sized enterprises Members; Sky and Space; Social economy; Sports; Trade Unions; Traditional minorities, National communities and Languages; Urban; Welfare and conservation of animals; Western Sahara; Wine, spirits and quality foodstuffs; Youth.

EUROPEAN PARLIAMENT - THE PLENARY

The high point of the European Parliament's political activity, plenary sittings represent the culmination of the legislative work done in committee and in the political groups. The plenary sitting is also the forum in which the representatives of the citizens of the European Union - the Members of the European Parliament or MEPs - take part in the EU's decision-making and express their standpoint vis-à-vis the Commission and Council.

EUROPEAN PARLIAMENT - THE PLENARY

(iii)

- ▶ Parliament meets in plenary session every month (except August) in Strasbourg, for a 'part-session' lasting four days (from Monday to Thursday). Additional part-sessions are held in Brussels. The part-session is divided into daily sittings.
- ▶ Plenary business mainly focuses on debates and votes . Only the texts adopted in plenary and written declarations signed by a majority of Parliament's component Members formally constitute acts of the European Parliament. These concern different types of text depending on the subject under consideration and the legislative procedure applicable:
 - ▶ legislative reports are the texts examined by Parliament in the framework of the EU's various legislative procedures: ordinary legislative procedure, consent and consultation. The ordinary legislative procedure gives Parliament an equal role as legislator with the Council of the European Union. Certain parliamentary reports thus have more legislative weight than others;
 - ▶ the budgetary procedure: the European Parliament and the Council of the European Union make up the budgetary authority of the European Union which determines, on an annual basis, the expenditure and revenue of the Union;
 - ▶ non-legislative reports are drawn up by Parliament on its own initiative, within the parliamentary committee responsible. By adopting these texts, Parliament addresses the other European institutions and bodies, the national governments, or indeed third countries, with the aim of drawing attention to a specific matter and eliciting a response. Although they have no legislative value, these initiatives are founded on a parliamentary legitimacy which may well convince the Commission to come up with proposals on the matter concerned.

EUROPEAN PARLIAMENT - MULTILINGUALISM

- ▶ In the European Parliament, all official languages are equally important: parliamentary documents are published in all the official languages of the European Union (EU) and Members of the European Parliament (MEP) have the right to speak and write in the official language of their choice. It also ensures everyone is able to follow and access the Parliament's work.
- ▶ The European Union has always seen its great diversity of cultures and languages as an asset. Firmly rooted in the European treaties, multilingualism is the reflection of this cultural and linguistic diversity. It also makes the European institutions more accessible and transparent for all citizens of the Union, which is essential for the success of the EU's democratic system.
- ▶ The European Parliament differs from the other EU institutions in its obligation to ensure the highest possible degree of multilingualism. Every European citizen has the right to stand for election to the European Parliament. It would be unreasonable to require MEPs to have a perfect command of one of the more frequently used languages, such as French or English. The right of each Member to read and write parliamentary documents, follow debates and speak in his or her own language is expressly recognised in Parliament's Rules of Procedure. All EU citizens must be able to read legislation affecting them in the language of their own country. As a co-legislator, the European Parliament also has a duty to ensure that the linguistic quality of all laws it adopts is flawless in all official languages.
- ▶ Europeans are entitled to follow the Parliament's work, ask questions and receive replies in their own language, under European legislation.

EUROPEAN PARLIAMENT - DEMOCRACY & HUMAN RIGHTS

The European Parliament has earned a reputation as a dedicated sponsor of people's basic rights and of democracy. Within the EU's only directly-elected institution, MEPs fight against new and old attacks on essential liberties.

- Protecting fundamental rights in the EU;
- Defending human rights beyond the EU;
- Supporting democracy around the globe.



COURT OF JUSTICE OF THE EUROPEAN UNION (CJEU)

CJEU - OVERVIEW

Role: Ensuring EU law is interpreted and applied the same in every EU country; ensuring countries and EU institutions abide by EU law.

Members:

Court of Justice: 1 judge from each EU country, plus 11 advocates general

General Court: 2 judges from each EU country

Established in: 1952

Location: Luxembourg

CJEU – FUNCTIONS

The CJEU gives rulings on cases brought before it. The most common types of case are:

interpreting the law (preliminary rulings) - national courts of EU countries are required to ensure EU law is properly applied, but courts in different countries might interpret it differently. If a national court is in doubt about the interpretation or validity of an EU law, it can ask the Court for clarification. The same mechanism can be used to determine whether a national law or practice is compatible with EU law.

enforcing the law (infringement proceedings) - this type of case is taken against a national government for failing to comply with EU law. Can be started by the European Commission or another EU country. If the country is found to be at fault, it must put things right at once, or risk a second case being brought, which may result in a fine.

annulling EU legal acts (actions for annulment) - if an EU act is believed to violate EU treaties or fundamental rights, the Court can be asked to annul it - by an EU government, the Council of the EU, the European Commission or (in some cases) the European Parliament. Private individuals can also ask the Court to annul an EU act that directly concerns them.

ensuring the EU takes action (actions for failure to act) - the Parliament, Council and Commission must make certain decisions under certain circumstances. If they don't, EU governments, other EU institutions or (under certain conditions) individuals or companies can complain to the Court.

sanctioning EU institutions (actions for damages) - any person or company who has had their interests harmed as a result of the action or inaction of the EU or its staff can take action against them through the Court.

CJEU - COMPOSITION

The CJEU is divided into 2 courts:

Court of Justice - deals with requests for preliminary rulings from national courts, certain actions for annulment and appeals.

General Court - rules on actions for annulment brought by individuals, companies and, in some cases, EU governments. In practice, this means that this court deals mainly with competition law, State aid, trade, agriculture, trade marks.

Each judge and advocate general is appointed for a renewable 6-year term, jointly by national governments. In each Court, the judges select a President who serves a renewable term of 3 years.

CJEU - HOW DOES IT WORK?

In the Court of Justice, each case is assigned 1 judge (the "judge-rapporteur") and 1 advocate general. Cases are processed in 2 stages:

Written stage

The parties give written statements to the Court - and observations can also be submitted by national authorities, EU institutions and sometimes private individuals.

All of this is summarised by the judge-rapporteur and then discussed at the Court's general meeting, which decides:

How many judges will deal with the case: 3, 5 or 15 judges (the whole Court), depending on the importance and complexity of the case. Most cases are dealt with by 5 judges, and it is very rare for the whole Court to hear the case.

Whether a hearing (oral stage) needs to be held and whether an official opinion from the advocate general is necessary.

CJEU - HOW DOES IT WORK? (ii)

Oral stage - a public hearing

Lawyers from both sides can put their case to the judges and advocate general, who can question them.

If the Court has decided an Opinion of the advocate general is necessary, this is given some weeks after the hearing.

The judges then deliberate and give their verdict.

General Court procedure is similar, except that most cases are heard by 3 judges and there are no advocates general.

CJEU - EUROPEAN COURT OF JUSTICE (ECJ)

▶ JUDGES

The Court of Justice consists of 27 Judges who are assisted by 11 Advocates-General. The Judges and Advocates-General are appointed by common accord of the governments of the member states and hold office for a renewable term of six years. The treaties require that they are chosen from legal experts whose independence is "beyond doubt" and who possess the qualifications required for appointment to the highest judicial offices in their respective countries or who are of recognised competence. In practice, each member state nominates a judge whose nomination is then ratified by all other member states.

▶ PRESIDENT

The President of the Court of Justice is elected from and by the judges for a renewable term of three years. The president presides over hearings and deliberations, directing both judicial business and administration (for example, the time table of the Court and Grand Chamber). He also assigns cases to the chambers for examination and appoints judge as rapporteurs (reporting judges). The Council may also appoint assistant rapporteurs to assist the President in applications for interim measures and to assist rapporteurs in the performance of their duties.

CJEU - EUROPEAN COURT OF JUSTICE (ECJ)

▶ VICE-PRESIDENT

The post of vice-president was created by amendments to the Statute of the Court of Justice in 2012. The duty of the Vice-President is to assist the President in the performance of his duties and to take the President's place when the latter is prevented from attending or when the office of president is vacant.

▶ ADVOCATES GENERAL

The judges are assisted by eleven Advocates General, whose number may be increased by the Council if the Court so requests. The Advocates General are responsible for presenting a legal opinion on the cases assigned to them. They can question the parties involved and then give their opinion on a legal solution to the case before the judges deliberate and deliver their judgment. The intention behind having Advocates General attached is to provide independent and impartial opinions concerning the Court's cases. Unlike the Court's judgments, the written opinions of the Advocates General are the works of a single author and are consequently generally more readable and deal with the legal issues more comprehensively than the Court, which is limited to the particular matters at hand.

The opinions of the Advocates General are advisory and do not bind the Court, but they are nonetheless very influential and are followed in the majority of cases. The Court is approximately 67% more likely to deliver a particular outcome if that was the opinion of the Advocate General. According to Article 255 TFEU the judges and advocates-general are appointed by common accord of the governments of the Member States after consultation of a panel responsible for assessing candidates' suitability.

► THE REGISTRAR

The Registrar is the Court's chief administrator. They manage departments under the authority of the Court's president. The Court may also appoint one or more Assistant Registrars. They help the Court, the Chambers, the President and the Judges in all their official functions. They are responsible for the Registry as well as for the receipt, transmission and custody of documents and pleadings that have been entered in a register initialled by the President. They are Guardian of the Seals and responsible for the Court's archives and publications.

The Registrar is responsible for the administration of the Court, its financial management and its accounts. The operation of the Court is in the hands of officials and other servants who are responsible to the Registrar under the authority of the President. The Court administers its own infrastructure; this includes the Translation Directorate, which, as of 2012 employed 44.7% of the staff of the institution.

CJEU - EUROPEAN COURT OF JUSTICE (ECJ)

CHAMBERS

- ▶ The Court can sit in plenary session, as a Grand Chamber of fifteen judges (including the president and vice-president), or in chambers of three or five judges. Plenary sittings are now very rare, and the court mostly sits in chambers of three or five judges. Each chamber elects its own president who is elected for a term of three years in the case of the five-judge chambers or one year in the case of three-judge chambers.
- ▶ The Court is required to sit in full court in exceptional cases provided for in the treaties. The court may also decide to sit in full, if the issues raised are considered to be of exceptional importance. Sitting as a Grand Chamber is more common and can happen when a Member State or a Union institution, that is a party to certain proceedings, so requests, or in particularly complex or important cases.
- ▶ The court acts as a collegial body: decisions are those of the court rather than of individual judges; no minority opinions are given and indeed the existence of a majority decision rather than unanimity is never suggested

CJEU - EUROPEAN COURT OF JUSTICE (ECJ)

ACTIONS FOR FAILURE TO FULFIL OBLIGATIONS: INFRINGEMENT PROCEDURE

Under Article 258 of the Treaty on the Functioning of the European Union, the Court of Justice may determine whether a Member State has fulfilled its obligations under Union law.

That action may be brought by the Commission - as is practically always the case - or by another Member State, although the cases of the latter kind remain extremely rare. Only six interstate cases have been decided by the court.

The commencement of proceedings before the Court of Justice is preceded by a preliminary procedure conducted by the Commission, which gives the Member State the opportunity to reply to the complaints against it. The court has decided that if the European Commission does not send the formal letter to the violating member state no-one can force them. If that procedure does not result in termination of the failure by the Member State, an action for breach of Union law may be brought before the Court of Justice.

If the Court finds that an obligation has not been fulfilled, the Member State concerned must terminate the breach without delay. If, after new proceedings are initiated by the Commission, the Court of Justice finds that the Member State concerned has not complied with its judgment, it may, upon the request of the Commission, impose on the Member State a fixed or a periodic financial penalty under Article 260 of the TFEU.

CJEU - EUROPEAN COURT OF JUSTICE (ECJ)

ACTIONS FOR ANNULMENT

By an action for annulment under Article 263 of the Treaty on the Functioning of the European Union, the applicant seeks the annulment of a measure (regulation, directive or decision) adopted by an institution.

The Court of Justice has exclusive jurisdiction over actions brought by a Member State against the European Parliament and/or against the Council (apart from Council measures in respect of State aid, dumping and implementing powers) or brought by one Union institution against another.

The General Court has jurisdiction, at first instance, in all other actions of this type and particularly in actions brought by individuals.

The Court of Justice has the power to declare measures void under Article 264 of the Treaty on the Functioning of the European Union.

**CJEU - EUROPEAN COURT OF
JUSTICE (ECJ)**

ACTIONS FOR FAILURE TO ACT

Under Article 265 of the Treaty on the Functioning of the European Union, the Court of Justice and the General Court may also review the legality of a failure to act on the part of a Union institution.

However, such an action may be brought only after the institution has been called on to act.

Where the failure to act is held to be unlawful, it is for the institution concerned to put an end to the failure by appropriate measures.

**CJEU - EUROPEAN COURT OF
JUSTICE (ECJ)**

APPLICATION FOR COMPENSATION BASED ON NON-CONTRACTUAL LIABILITY

Under Article 268 of the Treaty on the Functioning of the European Union (and with reference to Article 340), the Court of Justice hears claims for compensation based on non-contractual liability, and rules on the liability of the Union for damage to citizens and to undertakings caused by its institutions or servants in the performance of their duties.

APPEALS ON POINTS OF LAW

Under Article 256 of the Treaty on the Functioning of the European Union, appeals on judgments given by the General Court may be heard by the Court of Justice only if the appeal is on a point of law. If the appeal is admissible and well founded, the Court of Justice sets aside the judgment of the General Court. Where the state of the proceedings so permits, the Court may itself decide the case. Otherwise, the Court must refer the case back to the General Court, which is bound by the decision given on appeal

**CJEU - EUROPEAN COURT OF
JUSTICE (ECJ)**

CJEU - EUROPEAN COURT OF JUSTICE (ECJ) - REFERENCES FOR A PRELIMINARY RULING

References for a preliminary ruling are specific to Union law. Whilst the Court of Justice is, by its very nature, the supreme guardian of Union legality, it is not the only judicial body empowered to apply EU law.

That task also falls to national courts, in as much as they retain jurisdiction to review the administrative implementation of Union law, for which the authorities of the Member States are essentially responsible; many provisions of the Treaties and of secondary legislation - regulations, directives and decisions - directly confer individual rights on nationals of Member States, which national courts must uphold.

National courts are thus by their nature the first guarantors of Union law. To ensure the effective and uniform application of Union legislation and to prevent divergent interpretations, national courts may, and sometimes must, turn to the Court of Justice and ask that it clarify a point concerning the interpretation of Union law, in order, for example, to ascertain whether their national legislation complies with that law. Petitions to the Court of Justice for a preliminary ruling are described in Article 267 of the Treaty on the Functioning of the European Union.

A reference for a preliminary ruling may also seek review of the legality of an act of Union law. The Court of Justice's reply is not merely an opinion, but takes the form of a judgment or a reasoned order. The national court to which that is addressed is bound by the interpretation given. The Court's judgment also binds other national courts before which a problem of the same nature is raised.

Although such a reference may be made only by a national court, which alone has the power to decide that it is appropriate to do so, all the parties involved - that is to say, the Member States, the parties in the proceedings before national courts and, in particular, the Commission - may take part in proceedings before the Court of Justice. In this way, a number of important principles of Union law have been laid down in preliminary rulings, sometimes in answer to questions referred by national courts of first instance.

CJEU - EUROPEAN COURT OF JUSTICE (ECJ)

REFERENCES FOR A PRELIMINARY RULING

These are the first references by each constitutional court:

1997 : Constitutional Court of Belgium : case C-93/97, Fédération Belge des Chambres Syndicales de Médecins ASBL

1999 : Constitutional Court of Austria : case C-143/99, Adria-Wien Pipeline GmbH

2007 : Constitutional Court of Lithuania : case C-239/07, Sabatauskas

2008 : Constitutional Court of Italy : case C-169/08, Presidente del Consiglio dei Ministri v. Regione Sardegna

2011 : Constitutional Court of Spain : case C-399/11, Melloni

2013 : Constitutional Council of France : case C-168/13 PPU, Jeremy

2014 : Constitutional Court of Germany : case C-62/14, Gauweiler

2014 : Constitutional Court of Slovenia : case C-526/14, Kotnik

2015 : Constitutional Court of Luxembourg : case C-321/15, ArcelorMittal Rodange et Schifflange SA

2015 : Constitutional Court of Poland : case C-390/15, Polish Ombudsman

2016 : Constitutional Court of Romania : case C-673/16, Coman

CJEU - EUROPEAN COURT OF JUSTICE (ECJ) - LANDMARK DECISIONS

Over time ECJ developed two essential rules on which the legal order rests: direct effect and primacy. The court first ruled on the direct effect of primary legislation in a case that, though technical and tedious, raised a fundamental principle of Union law. In *Van Gend en Loos* (1963), a Dutch transport firm brought a complaint against Dutch customs for increasing the duty on a product imported from Germany.

The court ruled that the Community constitutes a new legal order, the subjects of which consist of not only the Member States but also their nationals.

The principle of direct effect would have had little impact if Union law did not supersede national law. Without supremacy the Member States could simply ignore EU rules. In *Costa v ENEL* (1964), the court ruled that member states had definitively transferred sovereign rights to the Community and Union law could not be overridden by domestic law.

CJEU - EUROPEAN COURT OF JUSTICE (ECJ) - LANDMARK DECISIONS

Another early landmark case was *Commission v Luxembourg & Belgium* (1964), the "Dairy Products" case. In that decision the Court comprehensively ruled out any use by the Member States of the retaliatory measures commonly permitted by general international law within the European Economic Community. That decision is often thought to be the best example of the European legal order's divergence with ordinary international law. *Commission v Luxembourg & Belgium* also has a logical connection with the nearly contemporaneous *Van Gend en Loos* and *Costa v ENEL* decisions, as arguably it is the doctrines of direct effect and supremacy that allow the European legal system to forego any use of retaliatory enforcement mechanisms by the Member States. Links between the direct effect doctrine and the suppression of inter-state retaliation between the EU member states can be found in many of the landmark early decisions of the European Court of Justice, and in the writings of the influential French judge, Robert Lecourt, perhaps the most important member of the Court between 1962 and 1976.

Further, in the 1991 *Francovich* case, the ECJ established that Member States could be liable to pay compensation to individuals who suffered a loss by reason of the Member State's failure to transpose an EU directive into national law. C-6/90

CJEU - GENERAL COURT - COMPETENCE

The General Court hears disputes (such as those by persons who have been refused a trade mark by EUIPO, the EU Trade Mark and designs registry).

The creation of the General Court instituted a judicial system based on two levels of jurisdiction: all cases heard at first instance by the General Court may be subject to a right of appeal to the Court of Justice on points of law only.

On 2 November 2004 the Council adopted a decision establishing the European Union Civil Service Tribunal. This new specialised tribunal, composed of seven judges, heard and determined at first instance disputes involving the European Civil Service. Its decisions were subject to a right of appeal before the General Court on points of law only. Decisions given by the General Court in this area might exceptionally be subject to review by the Court of Justice. The European Union Civil Service Tribunal was duly constituted into law on 2 December 2005. It was dissolved on 1 September 2016, leading to the doubling of the number of judges at the General Court.

Since February 2020 the General Court is composed of 54 Judges.

The Judges are appointed for a renewable term of six years by common accord of the governments of the Member States.

The members of the General Court elect their president and the presidents of the Chambers of five Judges from among their number for a renewable period of three years.

There are no permanent Advocates General attached to the General Court.

However, the task of an Advocate General may be performed in a limited number of cases by a Judge nominated to do so. In practice this has been done occasionally.

CJEU - GENERAL COURT - COMPOSITION

CJEU – GENERAL COURT – JURISDICTION

The General Court, like the Court of Justice, has the task of ensuring that the law is observed in the interpretation and application of the Treaties of the European Union and the provisions adopted by the competent Union institutions.

To fulfil its main task, the General Court has jurisdiction to hear and determine at first instance all direct actions brought by individuals and the Member States, with the exception of those to be assigned to a 'judicial panel' and those reserved for the Court of Justice.

Categories of direct actions

Actions for annulment (against acts of the Union institutions)

Actions for failure to act (against inaction by the Union institutions)

Actions for damages (for the reparation of damage caused by unlawful conduct on the part of a Union institution)

Actions based on an arbitration clause (disputes concerning contracts in public or private law entered into by the Union, containing such a clause)

Actions concerning the civil service - As of 2006 these cases were transferred to the new Civil Service Tribunal (disputes between the Union and its officials and other servants)

Subject-matter of direct actions: all matters, including: agriculture, State aid, competition, commercial policy, regional policy, social policy, institutional law, trade mark and design right law, transport.

CJEU - GENERAL COURT - PROCEDURE

The General Court has its own Rules of Procedure. As a rule, the Court's procedure includes a written phase and an oral phase.

The proceedings are conducted in a language at the petitioner's choosing.

As in the European Court of Justice, the working language of the Court is nevertheless French, and this includes the language the judges deliberate in and the drafting language of preliminary reports and judgments.

CJEU - GENERAL COURT - PROCEDURE (ii)

The Court is separated into 9 divisions (called 'chambers') sat by 3-judge benches, except for the 7th division whose bench is sat by 4 judges.

Each chamber has an extended composition of 5 judges. Cases are assigned by the President of the Court to a relevant divisional presiding judge.

The presiding judge assigned to the case then chooses a judge-reporter (judge-rapporteur) from the judges of the division, whose clerks write a preliminary report (rapport préalable) based on the parties' pleadings and applicable law.

CJEU - GENERAL COURT - PROCEDURE (iii)

- ▶ At the close of the written phase and, as the case may be, on adoption of measures of inquiry, the case is argued orally in open court.
- ▶ The proceedings are interpreted simultaneously, if necessary, into various official languages of the European Union.
- ▶ The judges then deliberate based on a draft judgment prepared by the judge-reporter.
- ▶ The Court's final judgment is handed down in open court.

The image features a low-angle shot of several European Union flags flying on tall poles in front of a modern building with a grid-like facade. The scene is partially obscured by a large, semi-transparent green geometric overlay on the right side. The text 'OTHER INSTITUTIONS' is centered in a bold, light green font.

OTHER INSTITUTIONS

COURT OF AUDITORS

One member for each member State;

It audits the revenue and expenditure of the Union (Art. 287.1 TFEU)

The audit is to be based on the record of the Union and if necessary, performed on the spot on the premises of any body that manages EU revenue or receives any payments from the EU budget

It has investigative powers, but no powers to prosecute for fraud

It is obliged to report any irregularity to the appropriate body

It can collaborate with MS' audit institutions

It can help EP and the Council in exercising their powers of control over the implementation of the EU budget;

It produces an Annual Report at the end of every financial year, very important for the decisions over the new budget

EUROPEAN COMMITTEE OF THE REGIONS (COR) - PRINCIPLES

There are three main principles at the heart of the Committee's work:

Subsidiarity

This principle, enshrined into the Treaties at the same time as the creation of the CoR, means that decisions within the European Union should be taken at the closest practical level to the citizen. The European Union, therefore, should not take on tasks which are better suited to national, regional or local administrations.

Proximity

All levels of government should aim to be 'close to the citizens', in particular by organising their work in a transparent fashion, so people know who is in charge of what and how to make their views heard.

Partnership

Sound European governance means European, national, regional and local government working together - all four are indispensable and should be involved throughout a "multi-level governance" decision-making process.

EUROPEAN COMMITTEE OF THE REGIONS (COR) - SCOPE AND COMPOSITION

Scope

The Treaties oblige the European Commission and the Council of the European Union to consult the Committee of the Regions whenever new proposals are made in areas that have repercussions at regional or local level. Outside these areas, the Commission, Council and European Parliament have the option to consult the CoR on issues if they see important regional or local implications to a proposal. The CoR can also draw up an opinion on its own initiative, which enables it to put issues on the EU agenda.

The CoR has gained the right (privileged status) to approach the European Court of Justice after Lisbon

Composition

The CoR has 329 full members and the same number of alternate members. The number from each EU country reflects the size of its population, but ranges from a representation of an average of 88087 citizens of Malta per seat to 3.45 million citizens per German seat. Its members are locally and regionally elected representatives including mayors, regional presidents and councillors.

EUROPEAN COMMITTEE OF THE REGIONS (COR) - INTERNAL STRUCTURE

Internal structure

President: Elected for a two-and-a-half-year term at the plenary assembly, the President guides the Committee's work, chairs plenary sessions and is the CoR's official representative.

CoR commissions - The CoR structures its work by means of six thematic commissions, which specialise in topical areas:

- CIVEX: citizenship, governance, institutional and external affairs
- COTER: territorial cohesion policy;
- ECON: economic policy;
- ENVE: environment, climate change and energy;
- NAT: natural resources and agriculture;
- SEDEC: social policy, employment, education, culture and research.

They prepare draft opinions and hold conferences and seminars focused on their areas of competence. Each commission has approximately 100 members (each member can be part of two commissions) and is supported by a secretariat within the administration. A special Commission for Financial and Administrative Affairs (CFAA) is also established to assist the CoR Bureau.

EUROPEAN COMMITTEE OF THE REGIONS (COR) - WORKS

- ▶ **Opinions:** The European Commission, Council of Ministers and European Parliament consult the CoR when drawing up legislative texts (directives, regulations, etc.) on areas affecting local and regional authorities. The draft texts are forwarded to the relevant CoR commission. A rapporteur is then appointed to draw up the Committee's opinion. This draft opinion must be adopted by the CoR commission before being discussed at the plenary session. Once it has been approved in plenary, the official opinion is sent to all the European institutions and published in the Official Journal of the European Union.
- ▶ **Resolutions:** Resolutions enable the Committee to express its view on important and topical issues. The CoR's political groups or 32 CoR members can draw up resolutions.
- ▶ **Studies and other publications:** The CoR produces studies on various aspects of the local and regional dimension of the EU (education, transport, social issues, enlargement, etc.). They are drawn up with the help of outside experts. The CoR also produces publications for both the general public and for regional and local players, aimed at explaining its activities and outlining current political developments.

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE (EESC)

The European Economic and Social Committee (EESC) is an EU advisory body comprising representatives of workers' and employers' organisations and other interest groups. It issues opinions on EU issues to the European Commission, the Council of the EU and the European Parliament, thus acting as a bridge between the EU's decision-making institutions and EU citizens.

- ▶ What does the EESC do?
 - ▶ It gives the interest groups a formal say on EU legislative proposals. Its three key tasks are to:
 - ▶ ensure that EU policy and law are geared to economic and social conditions, by seeking a consensus that serves the common good
 - ▶ promote a participatory EU by giving workers' and employers' organisations and other interest groups a voice and securing dialogue with them
 - ▶ promote the values of European integration, and advance the cause of participatory democracy and civil society organisations.

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE (EESC) - COMPOSITION

EESC members represent the variety of civil society organisations across Europe, including businesses, trade unions and other interests. They are nominated by national governments and appointed by the Council of the EU for renewable 5-year terms. The number of members per country depends on that country's population.

The EESC elects its President and 2 Vice-Presidents for two-and-a-half-year terms. Members belong to one of three groups:

- ▶ employers
- ▶ workers
- ▶ other interest groups (e.g. farmers, consumers).

The European Ombudsman investigates complaints about poor administration by EU institutions or other EU bodies. These may be lodged by citizens or residents of EU countries or by EU-based associations or businesses.

▶ What does the Ombudsman do?

- ▶ The Ombudsman investigates different types of poor administration, for example:
 - ▶ unfair conduct
 - ▶ discrimination
 - ▶ abuse of power
 - ▶ lack of information or refusal to provide it
 - ▶ unnecessary delays
 - ▶ incorrect procedures.

▶ How is the Ombudsman chosen?

- ▶ The European Parliament elects the Ombudsman for a renewable 5-year term. This is one of its first tasks when newly elected.

EUROPEAN OMBUDSMAN

EUROPEAN CENTRAL BANK (ECB) - TASKS

The European Central Bank (ECB) manages the euro and frames and implements EU economic & monetary policy. Its main aim is to keep prices stable, thereby supporting economic growth and job creation.

What does the ECB do?

Sets the interest rates at which it lends to commercial banks in the eurozone (also known as the euro area), thus controlling money supply and inflation

Manages the eurozone's foreign currency reserves and the buying or selling of currencies to balance exchange rates

Ensures that financial markets & institutions are well supervised by national authorities, and that payment systems work well

Ensures the safety and soundness of the European banking system

Authorises production of euro banknotes by eurozone countries

Monitors price trends and assesses risks to price stability.

EUROPEAN CENTRAL BANK (ECB) - COMPOSITION

The ECB President represents the Bank at high-level EU and international meetings. The ECB has the 3 following decision-making bodies:

Governing Council - the main decision-making body.

Consists of the Executive Board plus the governors of the national central banks from eurozone countries.

Executive Board - handles the day-to-day running of the ECB.

Consists of the ECB President and Vice-President and 4 other members appointed for 8-year terms by the leaders of the eurozone countries.

General Council - has more of an advisory & coordination role.

Consists of the ECB President and Vice-President and the governors of the central banks from all EU countries.

EUROPEAN CENTRAL BANK (ECB) – WORKS

The ECB works with the national central banks of all EU countries. Together they form the European System of Central Banks.

It leads cooperation between central banks in the eurozone. This is referred to as the Eurosystem.

The work of the governing bodies

Governing Council - assesses economic and monetary developments, defines eurozone monetary policy and fixes the interest rates at which commercial banks can borrow from the ECB.

Executive Board - implements monetary policy, manages day-to-day operations, prepares Governing Council meetings and exercises powers delegated to it by the Governing Council.

General Council - contributes to advisory and coordination work and helps to prepare for new countries joining the euro.

EUROPEAN INVESTMENT BANK (EIB)

The European Investment Bank (EIB) is jointly owned by the EU countries. **It seeks to:**

- ▶ boost Europe's potential in terms of **jobs & growth**
- ▶ support action to mitigate **climate change**
- ▶ promote EU policies **outside the EU**.

What the EIB does?

- ▶ The Bank borrows money on capital markets and lends it on favourable terms to projects that support EU objectives. About 90 % of loans are made within the EU. **None of the money comes from the EU budget.**
- ▶ The EIB provides 3 main types of products and services:
 - ▶ **Lending** - about 90 % of its total financial commitment. The Bank lends to clients of all sizes to support growth and jobs, and this support often helps to attract other investors.
 - ▶ **'Blending'** - allowing clients to combine EIB financing with additional investment.
 - ▶ **Advising and technical assistance** - maximising value for money.

The EIB makes loans above EUR 25 million directly. Where smaller loans are involved, it opens credit lines for financial institutions that then lend funds to creditors.

- ▶ The Publications Office of the European Union (Publications Office), based in Luxembourg, is an interinstitutional office whose task is to publish the publications of the institutions of the European Union
- ▶ WEBSITE: <https://op.europa.eu/en/web/general-publications/publications>

THE PUBLICATIONS OFFICE OF THE EUROPEAN UNION (interinstitutional body)

- ▶ The European Personnel Selection Office (EPSO) became operational in January 2003. Its task is to set competitive examinations for recruiting staff to work in all the EU institutions. This is more efficient than having each institution organise its own recruitment competitions. EPSO's annual budget of roughly €21 million is 11% less than what the EU institutions used to spend on recruitment.
- ▶ WEBSITE: https://epso.europa.eu/home_en
- ▶ WHY AN EU CAREER? - https://epso.europa.eu/why-eu-careers_en
- ▶ HOW TO APPLY? - https://epso.europa.eu/how-to-apply_en
- ▶ JOB OPPORTUNITIES: https://epso.europa.eu/job-opportunities_en

EUROPEAN PERSONNEL SELECTION OFFICE (interinstitutional body)