



Introduction to EU Governance

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Remarks and caveats

- It is **not a language** course
- Lectures will be taught in English by a none native speaker
- Possibility to dedicate 15 minutes at the end and at the beginning of each lecture for Q&A in French if necessary
- Exam will be in English or French if requested
- Slides will (normally) be available after each lecture
- **“Introduction to” means a primer to**

Course objectives

- **Political analysis of the EU decision making process**

Review of the role and influence of the different EU Institutions , Member States and Civil Society Organisations

- **Political counterpart of European institutional law course**

As an Introduction : The EU action in question: the response to the Haïti humanitarian crisis

- What was the response?
- What was expected from the Union
- What could be done?

The response:

- The early declarations within the EU: C. Ashton, H. Van Rompuy, J.M. Barroso, J.L. Zapatero...But also « louder » voices of the Member States and governments!
- The early visible actions within the EU: France, Belgium (+ Luxembourg), Spain sending first aid supports, UK sending urban search and rescue team, etc.

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The centralized response:

What did the EU HR do in the early hours?

Ashton, 14 January:

- coordinate with: Member States' action, UN, US Secretary of State, Spanish Presidency (planning a meeting of the ministers for 18 January)
- Action: 3M€ from ECHO (Commission), experts on the ground, satellite imagery support and...phone calls.

In the mean time, French President reporting about the actions taken by France (at the very end of the declaration): « *(coordination de l'action avec US, Brésil, Canada) et nous allons travailler étroitement avec l'Union européenne...* ».

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Criticism of the EU action:

- They are focused mainly on C. Ashton: not going to Haïti (*« I am neither a doctor nor a fire fighter »*), late reaction for convening a meeting of the ministers, too much focusing on coordination with the US (meeting with H. Clinton)... Political legitimacy at stake.
- No criticism regarding the amount: 430M € for humanitarian assistance (Commission + Member States + mid-term reconstruction + police reinforcement (within the UN MINUSTAH mission) + engineering capacity...

It is not about the aid but about the visibility: EU main contributor but on the ground the Americans lead the aid!

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What the EU can do in humanitarian assistance?

- Art. 4.4 (Functioning of the EU): shared competence EU - MS in the humanitarian assistance. EU can act in a common policy but it shall not restrain the action of the MS.
- Art. 214: It is part of the external action of the EU, EU and MS actions are complementary, the Commission can take initiatives in order to coordinate the EU-MS actions and reinforce their efficiency
- Common Security and Defence Policy, Art. 43 : the EU can use civilian and military means for humanitarian missions if so decided by the Council, the HR coordinate the civilian and military aspects of these missions.

The Member States are still holding the keys for the humanitarian action...

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Regarding the EU governance:

- First hours of Lisbon era: a new balance to be looked after, expectations of a more efficient action of the EU, difficult ratification of the treaty
- First hours of C. Ashton: not J. Solana, designation contested (MS, European Parliament, public opinion...), and she's British

The MS and the EU structures enter into a *rapport de force*, the first hours and the first successes/failures are decisive!

What can be done:

- CSDP instruments (Art. 43) are still in the hands of the MS and the decision-making process is time consuming
- Personalities (Van Rompuy, Verhofstadt, Barroso...) called for the implementation of a sort of EU-FAST (parallel with what is done in CSDP rapid military reaction)
- Art. 214.5: a Voluntary European Corps for humanitarian assistance will be created (including participation of the European youth)...Part of this EU-FAST?

Need is first to implement these measures or to ease the use of the existing instruments through an increased « European reflex » of the MS.

Do we really need to see C. Ashton walking in Port-au-Prince streets?

The European Paradox

**Feeling in the Members States
population that distrust in EU
Institutions and its policy is
increasing**

The myth about **Brussels/Eurocrats** who
“decide for everything and adopt useless
rules”

Few examples taken from the
website of the European
Commission Representation in the
UK : *Scares stories about the EU
reported in the British Press :*
[Euromyths](#)

EU to police drivers with black boxes

*The European Union is drawing up plans for aircraft-style black box recorders to be fitted to all cars to help the police identify who is responsible for crashes. A £2.4m, three-year study commissioned by the European commission's transport arm has recommended the **mandatory installation of the boxes in all cars.***

The Times, 1 November 2009

- Neither the Commission, the Parliament of the Council have made such proposal.
- The study quoted is a piece of research and the opinions in it represent the views of the consultants who carried it out.

*Crumbs, now home-made cake is dangerous – An EU directive **may force full ingredients lists on all food retailers**. If baking for the school or church fête was not onerous enough, the Government could **soon ban home-made cakes from sale unless they carry a special label declaring whether they contain nuts**.*

The Times, 9 July 2004, page 5

Basic assumption is almost correct :

New EU rules requires pre-packaged food sold in, for example, supermarkets, to be properly labelled with full ingredients lists

Objective : Enable those who suffer from allergies to avoid the often very unpleasant consequences that can ensue after eating the wrong thing.

Directive 2000/13/EC **does not force full ingredients lists on food sold in places like restaurants and fast-food vans.**

The consumer or customer could receive "sufficient information".

How this is done is left **up to individual member states**, providing legislative leeway to avoid the type of over-regulation

Panic as 10,000 hungry vultures go searching for fresh meat

The Times, 6 August 2007

Vultures' revenge? Vultures in Europe are said to be attacking live beings for the first time

The Daily Mail, 7 August 2007

How EU turned vultures in birds of prey

The Daily Telegraph, 16 June 2008

Basic assumption is almost correct : EU Legislation came into force on 1 May 2003 introduced an **obligation to collect and dispose of all fallen animal cadavers**.

Problem such mechanism reduce the available food supply for many endangered necrophagous birds, such as vultures.

But derogations were authorised

Commission agreed to **allow** certain risk material (dead ruminants) to be used to feed necrophagous birds, as long as the necessary safety precautions are taken. The derogation mainly affected France, Greece, Italy, Portugal and Spain, home to the European population of bearded vultures.

EU wants to purge the Queen from our passports
Daily Mail, 10 September 2007

Queen may be dropped from UK passports
Daily Telegraph, 10 September 2007

There has been talk about including in passports a passage on all EU citizens' right to **consular protection outside the EU**

No legal proposal to replace any existing texts or symbols in passports, including references to Her Majesty.

EU bureaucrats might not consider British chocolate the real thing - they want to rename it 'vegelate' or 'milk chocolate with a high milk content'.

The Daily Mail, 8 April 1998, p16

There has **never** been a **proposal** from the Commission to call some kinds of chocolate "vegelate" or "milk chocolate with a high fat content" - just to see them labelled clearly.

Firstly, it was the elected representatives in the **European Parliament** which voted for tougher rules on how chocolate could be described in the EU, not the European Commission.

Secondly, as part of a review of the 1973 Cocoa and Chocolate Products Directive, the Commission has proposed a **system of minimum labelling rules**. The aim is for labels on chocolate to give a clear, neutral and objective indication of the fats used (such as 'non cocoa vegetable fat') in a list of ingredients. This does not mean that chocolate has to be renamed - on the contrary, it would allow different chocolate making traditions to co-exist in a genuinely harmonised market.

Eurobarometer 72 (December 2009)

General trend : did not confirmed the feeling : Trust in the European Institutions remains fairly stable and the tendency not to trust them increases slightly (confidence limits up to 3,1 points)

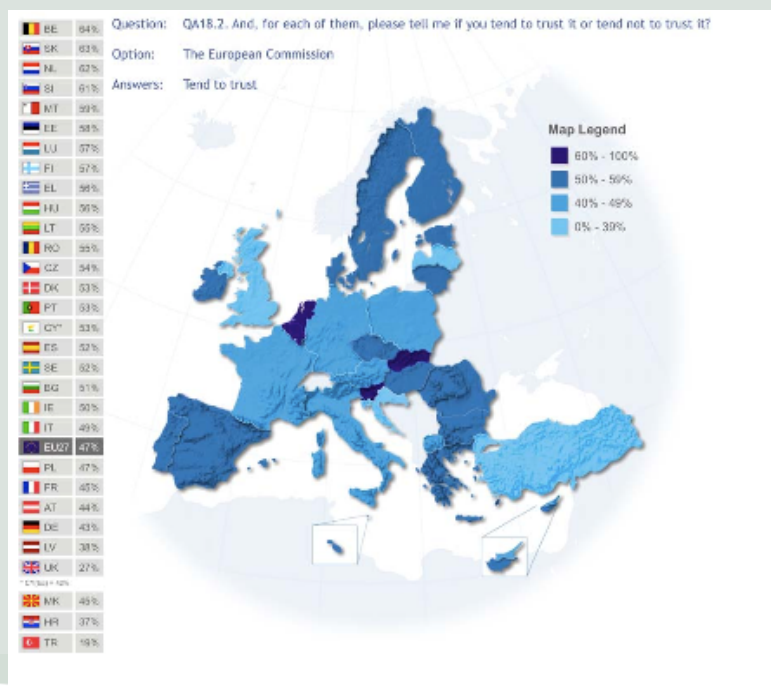
1. European Commission

Spring 1999: 40% tend to trust, 33% tend to not trust

Autumn 2009 46% tend to trust, 32 % tend to not trust

Trust in the European Commission in the Member States ranges from 21% in the UK to 64% in Slovakia

Belgium number of citizens who “trust” the Commission is one of the higher 58%.



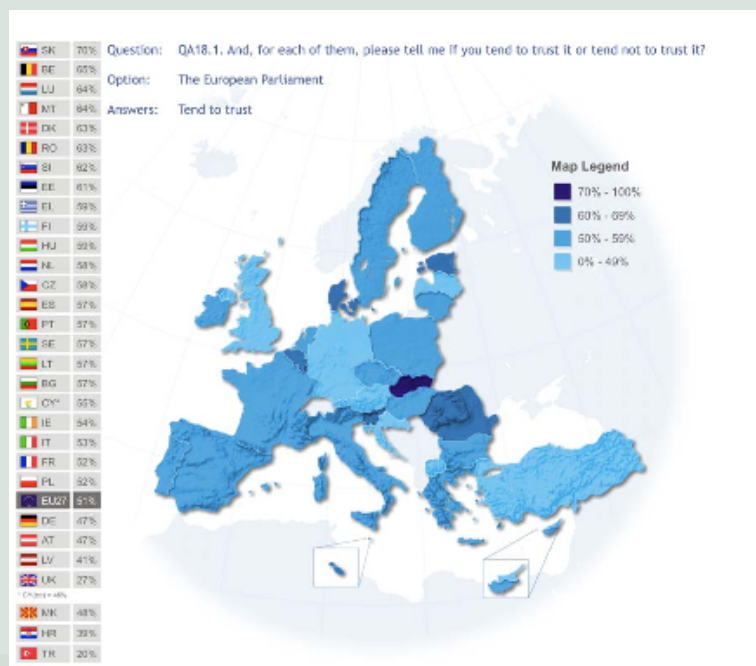
2. European Parliament

EU27: trend is similar to the one of the European Commission

- Spring 1999: 50% tend to trust, 28% tend to not trust
- Autumn 2009 50% tend to trust, 33% tend to not trust

Member States

- UK has the lowest “trust” level : 25% well below Latvia 41% (Belgium 62%)
- Slovakia are the most likely to express trust in the European Parliament (71%) which is surprising because this country had the lowest turnout of all Member States at the 2009 European elections (19.6%).



Eurobarometer 68

Perception of the EU institutions compare to national institutions

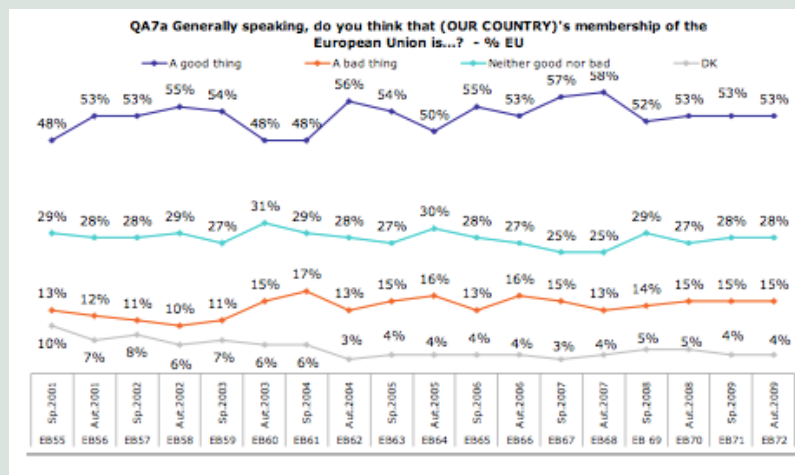
EU 48% tend to trust and 35% tend to not trust

National Government 34% tend to trust and 59% tend to not trust

National Parliament 35% tend to trust and 56% tend to not trust

EU Membership (Eurobarometer 72)

- Membership of the European Union is seen as a **good thing** by 53% whilst only 15% of Europeans consider their country's membership as a bad thing
- Perceptions of the benefits of EU membership in general are also **stable**: 57% of Europeans think that their country has on balance profited from membership whilst 31% feel their country has not benefited



If the feeling of distrust in EU Institutions remains, seeking **EU institutions support** has never been so high :

1. **Financial** crisis: EU comprehensive plan to help the Member States economy to recover.
2. **Textile** : increasing import taxes and quotas to counter Chinese competitors.
3. **Agriculture** and fisheries: larger part of the EU budget is dedicated to agriculture financial support.
4. Strengthening EU **economic and social cohesion** : Structural funds : European Regional Fund, European Social Fund,
5. **Research** : ESA and ITER.
6. **Education** : Socrates (scholarships).
7. **Culture**: Media Europa cinema.

How to explain this paradox ?

Lack of **perception** of the EU decision making process and of its Institutions

- Difference between Commission, Council, President of the EU Council, CFSP High Representative, Rotative Presidency
- Not a “real” democracy?

EU system is perceived as far too **complex**

- How is it ruled?
- Who decides what?

EU regulation is considered as too **intrusive** and highly (too) **technical**
Essentially technical regulations

Worsening factors

1. Perception of **inability of the EU to solve real issues**: unemployment, security (food safety, terrorism).
2. Even if EU Institutions act effectively, they **rarely get credits for it**.
3. MS do not communicate on “Brussels Decisions” and usually **blamed it for difficult decisions that they themselves have agreed or requested**.

Raise the question on how the EU **decision making system** works ?

Not legally but politically

Answer from the EU Commission : Better Regulation strategy

Better Regulation Strategy in the EU

Organised among **three lines** of action

- Promoting the design and application of better regulation tools at the EU level, notably simplification, **reduction of administrative burdens** and impact assessment.
- Working more closely with Member States to ensure that better regulation principles are applied consistently **throughout the EU by all regulators.**
- Reinforcing the constructive dialogue between **stakeholders and all regulators at the EU and national levels.**

EU Commission views means on better regulation in the EU:

To **Simplify** and **modernise** the existing legislation through :

- **Codification**: one text without amending it

2008 : 436 acts could be codified, Commission finalised 229
(142 adopted)

- **Revision** : amending

- **Recast** : amending and codification

Directive on Consumer Rights (4 in 1), Air transport (3 in 1)

- **Repeal** : end of its validity

Covers around 2500 acts

Simplification : (January 2009)

- 132 new initiatives have been tabled by the Commission

- 75 of them have been adopted

- 50 are pending between the Council and the Parliament.

- Should reduce the **acquis** by 10 % (1300 legal acts, 7800 pages)

Screening of the **present proposals** and withdrawn if necessary

Commission has withdrawn 108 proposals since 2005

New legislation :

- Listed in the Commission annual Legislative and Work Programme

Might be extended to any proposal which has an “significant impact”

- To be submit to impact assessments

Intend to analyse both benefits and costs of the proposal by considering its potential economic, social and environmental impacts including proportionality and subsidiarity principles

Taking inputs from stakeholders

- Over 400 have been completed since 2002, (2008: 135)

How to analyse EU Governance ?

How to understand the term “governance” ?

- **Several definitions** and associated term: corporate governance, internet governance, clinical governance, global governance, good governance, policy governance, governance structure, e-governance, internet governance forum, technology governance,..;
- Initially used in connection with several contemporary **social sciences**, especially economics and political science.

- Originates from the need of economics (as regards corporate governance) and political science (as regards State governance) for an all-embracing concept capable of conveying **diverse meanings not covered by the traditional term "government"**.
- Referring to the exercise of power overall, the term "governance", in both corporate and State contexts, embraces **action by executive bodies, assemblies** (e.g. national parliaments) and **judicial bodies** (e.g. national courts and tribunals).
- The term "governance" corresponds to the so-called post-modern **form of economic and political organisations**.

Definition of EU Governance by EU Institutions

“The debate on European governance, launched by the Commission in its White Paper of July 2001, concerns all the **rules, procedures and practices affecting how powers are exercised** within the European Union. The aim is to adopt **new forms of governance** that bring the Union closer to European citizens, make it more **effective, reinforce** democracy in Europe and **consolidate** the **legitimacy** of the institutions. The Union must reform itself in order to **fill the democratic deficit** of its institutions. This governance should lie in the **framing and implementation of better and more consistent policies** associating **civil society organisations** and the European institutions. It also entails improving the **quality** of European legislation, making it clearer and more effective. (...).”

Definition of EU Governance by EU Institutions

Governance as a decision making process

New Governance objective :

- **Reinforce** democracy in Europe and **consolidate** the **legitimacy** of the institutions.
- **Implementation of better and more consistent policies** associating **civil society organisations** and the European institutions
- Improving the **quality** of European legislation

Analyse will be done through the **role** and the **competencies** of the **actors** in the EU decision making process

Three groups of potential actors

- EU Institutions
- Members States
- Civil Society Organisations

EU Institutions

The Institutions « stricto sensu »

- I. The **European Council** and its Presidency
- II. The **Council of Ministers**
- III. The **Commission**
- IV. The **Parliament**
- V. The **Court of Justice**
- VI. The European Court of Auditors
- VII. The European Ombudsman
- VIII. The European Data Protection Supervisor

2. Advisory bodies

1. European Economic and Social Committee
2. Committee of the Regions

3. Financial Bodies

1. European Central Bank
2. European Investment Bank
 - European Investment fund

4. Interinstitutional bodies

1. Office for Official Publications of the European Communities
2. European Personnel Selection Office
3. European Administrative School

5. Decentralized Bodies or Agencies

The Common and Foreign Security Policy

- European Union Institute for Security Studies (Paris)
- European Union Satellite Centre (Madrid)
- European Defence Agency (Brussels)

Police and Judicial Cooperation in Criminal Matters

- Europol (The Hague)
- European Police College (CEPOL) (Hampshire)
- Eurojust (European Body for the Enhancement of Judicial Cooperation (The Hague)

Executive Agencies


- Education, Audiovisual and Culture Executive Agency (EACEA) (Brussels)
- European Research Council Executive Agency (ERC) (Brussels)
- Executive Agency for Competitiveness and Innovation (EACI) (Brussels)
- Executive Agency for the Public Health Programme (PHEA) (Luxembourg)
- Research Executive Agency (REA) (Brussels)
- Trans-European Transport Network Executive Agency (TEN-TEA) (Brussels)

Community Agencies

- Community Fisheries Control Agency (CFCA) (Brussels)
- Community Plant Variety Office (CPVO) (Angers)
- European Agency for Safety and Health at Work (EU-OSHA) (Bilbao)
- European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX) (Warsaw)
- European Aviation Safety Agency (EASA) (Köln)
- European Centre for Disease Prevention and Control (ECDC) (Stockholm)
- European Centre for the Development of Vocational Training (Cedefop) (Thessaloniki)
- European Chemicals Agency (ECHA) (Helsinki)
- European Environment Agency (EEA) (Copenhagen)
- European Food Safety Authority (EFSA) (Parma) - European Foundation for the Improvement of Living and Working Conditions (EUROFOUND) (Dublin)

- European Fundamental Rights Agency (FRA) - previously EUMC (Vienna)
- European GNSS Supervisory Authority (GSA) (Brussels)
- European Institute for Gender Equality (under preparation)
- European Maritime Safety Agency (EMSA) (Lisbon)
- European Medicines Agency (EMA) (London)
- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) (Lisbon)
- European Network and Information Security Agency (ENISA) (Heraklion)
- European Railway Agency (ERA) (Valenciennes)
- European Training Foundation (ETF) (Torino)
- Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (Alicante)
- Translation Centre for the Bodies of the European Union (CdT) (Luxembourg)

To sum up

- The European paradox
- The definition of the term Governance by the EU Institutions
- The EU Institutions
- Understanding EU Institutions Not an easy task even after Lisbon 

2. Members States Authorities

1. Governments (Executive power)

National, Regional, Local Authorities

EU Governance and Federal Government

Belgium, German Landers, Italy, United Kingdom

How do they act at the EU level when they have one seat per MS ?

Implementation of the Subsidiarity Principle

2. Parliaments (Legislative power)

High Chamber, Low Chamber, Regional Parliament

3. Courts and Tribunals (Judicial power)

3. The population

Acts:

- By appointing EU and National Representatives through election
EU, National MP, President,...
- Through Civil Society Organisation (CSO, Lobbies) established by different Group of Interests

Cultural, economical, environmental, consumers

Could be accredited to

The European Parliament : List of accredited lobbies (1798 organisations and 2960 (long term) individuals have been accredited)

The Commission : List of accredited lobbies (non mandatory system implemented directly on a voluntary basis by CSO, 2570 interest representatives are registered)

EU Institutions

1. The European Council : From informal to formal

1. Analysis through treaties provisions

Origins and development

- **1958** : **EC Treaties** did not attribute an institutional role
- Heads of States met **informally** and occasionally from **1961**
- **December 1974** decision to hold regular (informal) meetings to ensure progress and consistency in **EC** activities and **Political Cooperation**

Single European Act (1986)

Article 2:

*The European Council shall bring together the **Heads of State** or Government of the Member States and the **President** of the Commission.*

*They shall be **assisted** by the Ministers for Foreign Affairs of the Member States and by a Member of the Commission.*

*The European Council shall meet at **least twice a year**.*

Single European Act granted an **legal basis** for the European Council and focused :

- On its **composition** : Heads of States or Government and the President of the Commission
- On its **organisation** : meet at least twice per year
- **Competencies** are not defined

Maastricht Treaty (1992)

Article D

*The European Council shall provide the Union with the **necessary impetus for its development and shall define the general political guidelines thereof.***

*The European Council shall bring together the **Heads of State** or Government of the Member States and the **President** of the Commission. They shall be assisted by the Ministers for Foreign Affairs of the Member States and by a Member of the Commission.*

*The European Council shall meet at **least twice a year**, under the chairmanship of the Head of State or Government of the Member State which **holds the Presidency** of the Council*

*The European Council shall submit to the European Parliament a **report after each of its meetings and a yearly written report on the progress achieved by the Union.***

The Maastricht Treaty established the EU Council:

- As a **formal** institution of the EU (not EC)

No legislative powers : “Guidelines”

- Chairs by the **rotative presidency**
- Initiated to define its **competencies**

General Political Guidelines of the EU

- Formal relationship with the **Parliament**

EU has become political and not only political

Amsterdam Treaty 1997: defines more precisely its competencies :

- **Article J3 (EU):**

1. *The European Council shall define the **principles** of and general **guidelines** for the common **foreign and security** policy, including for matters with **defence** implications.*
2. *The European Council shall decide on **common strategies** to be implemented by the Union in areas where the Member States have important interests in common.*

- **Article 109 Q (EC):** *The European Council shall each year consider the **employment situation** in the Community and adopt conclusions thereon, on the basis of a joint annual report by the Council and the Commission.*

2001 Nice Treaty laid down rules governing the **venue** of its meeting :

Declaration 22 :

*As from 2002, **one** European Council meeting per Presidency will be held in **Brussels**.*

When the Union comprises 18 members, all European Council meetings will be held in Brussels.

Lisbon Treaty (2010) European Council became **formal**

Article 13 (EUT) establishes the list of EU institutions which includes the EU Council

The Union's institutions shall be: ...

*- the **European Council**,...*

*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**.*

Article 15

*1. 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**.*

No add on, excepts the recall of its lack of legislative power

*2. The European Council shall consist of the **Heads of State or Government** of the Member States, together with its **President** and the **President of the Commission**. The **High Representative of the Union for Foreign Affairs and Security Policy** shall take part in its work.*

New participants

- The President
- CFSP High Representative, formally as long as he/she participated since Maastricht but as Secretary General

3. *The European Council shall **meet twice every six months**, convened by its President. When the agenda so requires, the members of the European Council **may decide** each to be **assisted** by a minister and, in the case of the President of the Commission, by a member of the Commission. When the situation so requires, the **President shall convene a special meeting** of the European Council.*

- Convened and organised by the President
- Larger participation of Member States Ministers on ad hoc basis (not anymore assisted only by Foreign Affairs)

4. *Except where the Treaties provide otherwise, decisions of the European Council shall be taken by **consensus**.*

- Member State Representatives have an right of veto
- Quorum of two thirds necessary
- Member State may hold one mandate
- If vote the President and the President of the Commission do not participate

5. *The European Council shall elect its **President**, by a **qualified** majority, for a term of two and a half years, renewable once. In the event of an impediment or serious misconduct, the European Council can end the President's term of office in accordance with the same procedure.*

Appointed, revoked by Member States

6. *The President of the European Council:*

- (a) *shall **chair** it and drive forward its work;*
- (b) *shall 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 the General Affairs Council;*

In between two institutions, right of initiative?

- (c) *shall endeavour to **facilitate** cohesion and consensus within the European Council;*

(d) *shall present a **report** to the European Parliament after each of the meetings of the European Council. The President of the European Council shall, at his level and in that capacity, 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 of the Union for Foreign Affairs and Security Policy.*

No clear division of competencies

*The President of the European Council shall **not** hold a national office*

2. How treaties provisions are implemented

Composition

Heads of State or Government of the Member States and its President

- To comply with French and Finnish situation where the President is both the Head of State and Chief Executive
- Under the *cohabitation* in France both were attending occasionally the Council Meeting and the Finnish President does not necessary attend the meeting

The President

He was appointed by **consensus** at an informal meeting of the EUC in November 2009 :

*At their informal meeting in Brussels today, the Heads of State or Government **reached a political agreement** on the following appointments : President of the European Council Mr Herman VAN ROMPUY will be the President of the European Council. He will be elected by the European Council, for a period of two and a half years, renewable once.*

Nevertheless the Swedish Prime Minister raised
the stick of qualified majority to convince

...

Find an equilibrium between:

- Right and left
- Small and big Member States
- Old and New Member States
- East and West, North and South
- Gender



When the President is met the Parliament



To sum up

The President and the EUC

- Analysis through Treaties provisions
- How Treaties provisions are implemented

Who participate ?

- The President of the **Commission**
- High Representative of the Union for Foreign Affairs and Security Policy

Attending also certain Council Meetings:

- Member States Ministers
- Commissioner(s)
- Deputy Secretary General of the Council and Secretary General of the Commission

Meetings are organised among a *Club-like atmosphere*

- Access to the meeting rooms are **restricted**
Meetings are not public
- Participants met regularly also in other forums
Intensive networking, separate dinners, bilateral contacts in margin of the EUC meeting
- But slow down by the necessity of **full interpretation** during the working session and whispering translation during scheduled meals

Chaired until 2010 by the Rotating Presidency

-No separate delegation

2008 Slovenia, France

2009 Czech Republic, Sweden

2010 Spain, Belgium

Belgium held the presidency in 58, 61, 64, 67, 70, 73, 77, 82, 87, 93, 2001, 2010

- Objective of the rotation mechanism was to fight against the risk of an partial chair

Since January 2010 :The president of the EU Council chairs all the meetings

Informal/intimacy inside and the opposite outside

- Large **national delegation** normally limited since 2002 to 20 participants per Member State including one for the President of Commission and 5 participants for the High Representative

Potentially a maximum of 565 participants

- Large technical and security staff

- Meeting covered by thousands of **journalists**

Around 4000 accredited journalists from 766 different media representing 62 countries

Number of journalists attended the European Council meeting in December 2008 was 1746.

EUC February 11 2010

9h15-10h15 - Arrival of members of the delegations at the Solvay library(not in protocol order)

10h15-10h30 - Meeting with the President of the European Parliament

10h30-10h35 – Family Photograph (December 2009)

10h35 -13h00 - First working session of the European Council

13h00 -14h30 - working lunches

14h30 – 16h30 Second working session of the European Council

16h35 Arrival of members of the delegations at the Justus Lipsius building

17h30 - Press conference by the President of the European Council at the Justus Lipsius building

National press briefings

Other categories of participant playing a role in the margins of the European Council

- President of the **Parliament** since 1980 is invited to give the views of European Parliament

At the beginning of the meeting

- Political leaders of **candidate** countries are sometimes invited to discuss relevant issues on the second day

Perceived as essentially “symbolic”

- **Third countries** could be invited to exchange views if time allowing it

Prime Minister Allawi of Iraq in 2004

- Possibilities of Exchange of views with **CSO Representatives**

December 2007: Mr Ernest-Antoine Seillière, President of Business Europe and Ms Maria Helena André, Deputy Secretary-General of ETUC

February 2010 – Jean Claude Trichet, President of the European Central Bank

Number and location of meetings

Four “regular” Formal Meetings per year

- One at the end of each Presidency (June and December)
- One in Spring usually devoted to social and economic questions (Lisbon process) : Next March 19/20 2009
- One in Autumn
- Produced Presidency Conclusions and Declarations

Organised in Brussels unless in exceptional circumstances and proposed by the President with the agreement of the Council (decided by consensus)

Extraordinary meetings

- Decided by the President/Presidency(?)
- “when the situation so requires” international events such
September 2001 (New York terrorists attack), March
2004 (Madrid terrorists attack), September 2008
(Georgia)

Informal meetings

- Decided by the President/Presidency(?) to smooth decision on
specific and controversial issues
London 2005 (Future of Europe) Berlin 2007 (Berlin
declaration (not EU declaration)) Bruxelles 2008
(Financial crisis), Bruxelles 2009 (economic situation),
Bruxelles 2010 (economic and financial stability)

Informal Meeting of the Heads of States or Governments of February 11 2010 : Statement by the Heads of State or Government of the European Union

All euro area members must conduct sound national policies in line with the agreed rules.

*They have a **shared responsibility** for the economic and financial stability in the area. In this context, we **fully support the efforts** of the Greek government and their commitment to do whatever is necessary, including adopting additional measures to ensure that the ambitious targets set in the stability programme for 2010 and the following years are met.*

*We **call** on the Greek government to implement all these measures in a rigorous and determined manner to effectively reduce the budgetary deficit by 4% in 2010.*

*We **invite** the Ecofin Council to **adopt** at its meeting of the 16th of February the recommendations to Greece based on the Commission's proposal and the additional measures Greece has announced.*

*The Commission will **closely monitor** the implementation of the recommendations in liaison with the ECB and will propose needed additional measures, drawing on the expertise of the IMF. A first assessment will be done in March.*

*Euro area Member states will take determined and **coordinated** action, if needed, to safeguard financial stability in the euro area as a whole.*

*The Greek government **has not requested** any financial support.*

Meetings usually last two days

- Exception the Nice in December 2000 last 5 days
- Extraordinary and Informal usually one day

Others forms of meetings :

- **Conference of Europe** : since 1998 brought together EU + candidate countries + countries covered by the stabilisation and association process (Albania, Bosnia and Herzegovina, Montenegro, Serbia, Kosovo) + EFTA (Iceland, Norway, Liechtenstein and Switzerland).
- **IGCs** where issues on treaties reform are negotiated and decided

EUC Function

Official texts are inadequate to describe EU Council function even if the treaty precise that its function is to *define the general political directions and priorities*.

Six main roles could be identified :

1. Providing strategic guidelines and political impetus

- Original function

- Head of States have sufficient individual power to ensure concrete action at the EU level
- All main decisions of the EU have been initiated or approved by the EU Council

Could be track back to one or more meetings of the EU council : new policies initiative (economic and monetary union) fight against terrorism, reform of the treaties, new Member States,...

2. Shaping Foreign policy

- Attempt to coordinate Member States foreign policies even before CFSP : Georgia, Terrorism,...

3. Decision-making on Community matters

- Even if it does not participate in the elaboration and adoption of EC legislation
- Become an “additional” forum or “appeal chamber”
 - If Ministers meeting in Council forum unable to find a compromise
 - The colour of European passport, taxation,...
 - Issues of special interest for the EU
 - Economic and monetary union,...

4. Extra Treaty decision making

Issues of domestic importance to the Members States

- Seat of EU Institutions and others “agencies”
- Senior appointment within the EU Institution
 - HRCFSP, President of the Commission and the President of the EUC (Lisbon Treaty)

5. Amending the treaties

Become more directly involved in treaties revision process
Constitution and Lisbon Treaties

6. Engaging in open coordination (The Lisbon Process)

- Responsibility added on 2000
- Special Spring Meeting on social and economical issues

European Council Agenda : What determines whether or not a particular issue will find its way on the EUC Agenda ?

- **Agenda prepared by the President in cooperation with the President of the Commission and the Rotating Presidency**
- **No clear rules depends essentially on several factors:**
 - Nature of the issue (Lisbon Treaty and Ireland)
 - Controversial aspect (Energy and climate change)
 - International events (Haiti)

- **No obligation for the Council to refer any specific matters to EU Council**
 - Not often concerns by highly technical matters unless strong political impact (common or national)
 - All majors decision go through the EUC for clearance or for detailed discussion

Consequences ?

- A annotated draft Agenda is proposed to General Affairs Council

Impact of the EUC on the Council political authority

Principle

- Input of the EUC political decision : not legally binding unless adopted by the Council
 - With the relevant legal procedure
- The Council might not act unless principles/guidelines have not been laid down by the EU Council

Councils are **not affected equally**

- Foreign Affairs Council
 - Concerns by CFSP and EC matters
 - Often implementation of EUC guidelines
- Sectoral Councils
 - Avoid to overloading the hierarchy
 - Avoiding to politicise technical matters

Preparation, proceedings and follow up of the EUC

According to the **rules** it is the Council (GAC) task to prepare EUC

Practise

- Responsibility shared between **Council's various preparatory** bodies
- **Strategic** and political input prepared by the **President/Presidency** assisted by the Council Secretariat

Agenda proposed by the Presidency is discussed in detail by **COREPER** and agreed by GAC. It contains four groups of items:

1. Items to be **approved** or endorsed without discussion;
2. Items for **discussion** with a view to defining general political **guidelines**;
3. Items for **discussion** with a view to adopting a **decision** (in the context of enlargement and in exceptional cases);
4. Items for **discussion**, but not intended to be the subject of **conclusions**.

Tasks of the President and of the rotating Presidency :
“Ironing potential difficulties”

Attempt to reach an agreement between delegations **before**
the meeting

Wordings

Content of the discussion not always predictable

Bilateral meetings in order to sound MS views

Agreeing in advance as much as possible on the draft
conclusions to be endorsed or on the objectives of
the meeting

EUC “Detailed agenda” of December 10/11 2009 as stated by
Swedish Presidency

The Presidency intends to **restrict** the agenda for the European Council to items
which will **actually** be discussed by the Heads of State or
Government. (...)

I. Institutional issues

p.m. entry into force of the Lisbon Treaty

II. The economic, financial and employment situation

The European Council will **take stock of efforts** underway in response to the
economic and financial crisis. It will **assess the state of play** and set
orientations for future work in particular as regards the development of
coordinated exit strategies and where appropriate for the implementation
of the European Economic Recovery Plan.

As a follow up to the Council’s work, it will also discuss the complete package
setting up a structure for financial supervision in order to ensure that the
new supervisory framework is put in place in the course of 2010.

III. The Stockholm Programme An open and secure Europe serving the citizens

The European Council will be invited **to adopt the new multi-annual programme** in the field of Freedom, Security and Justice ("Stockholm Programme").

IV. Working towards an agreement at the Copenhagen conference on climate change

The European Council will **assess the state of negotiations** at the Copenhagen conference on climate change and take all necessary decisions to contribute to its successful outcome.

V. External relations

(poss.) p.m.

Central role of the Council General Secretariat

- Council **Permanent** structure

- Provide the intellectual and practical infrastructure for the different Council structure : working party, Permanent Representatives Committee, Council of Ministers and European Council (President and the rotating Presidency)

Role depend on the size and experience of the MS in charge

It remains to be seen how such role will evolve with the new President

- **Input** could be logistical, substantive and even political

Carries out the practical preparation for meetings and drafts reports, notes, minutes and records and prepares draft agendas

- During the EUC meeting, working sessions could be **suspended** to allow
 - Bilateral contact between the President/Presidency and MS : the Confessional
 - Allowing MS to report back to their delegation
- Decision are taken by **consensus** except for some majors appointment such as the designation of the Commission President and the President of the Council

- Only the Presidency conclusions are made **public** at the end of the meeting
- **Enumerates** the agreements reached during the meeting
 - Was considered as the document to evaluate results obtained by the MS holding the Presidency
- Working session are **recorded** but only the SG could have access to verify a specific point in the discussion
- The **follow up** of the EUC is assumed by
 GAC (EC), COPS (CFSP and ESDP), CATS (JHA)

The conclusions could take **various forms**:

- **Political declarations** on matters of external or internal policy
- **Request to the Commission** to draft a report or a proposal on specific matter
- Political **guidelines** for national representatives who have reached an impasse when discussing something at Council or a **lower level** in the hierarchy
- **Instructions** to the Council to implement internal reforms

The EUC of 11/12 December 2009

I. Institutional issues

1. The European Council **welcomes** the entry into force of the Treaty of Lisbon on 1 December. The Treaty provides the Union with a stable and lasting institutional framework and will allow the Union to fully concentrate on addressing the challenges ahead
2. The intensive preparatory work carried out during the Swedish Presidency, as set out in the Presidency's report (EUCO 5/09), has allowed for a smooth entry into force of the Treaty. On 1 December Herman Van Rompuy took office as President of the European Council and Catherine Ashton as High Representative of the Union for Foreign Affairs and Security Policy.

3. The European Council invites the High Representative to rapidly present, on the basis of the Presidency report adopted by the European Council on 29 October 2009, the proposal on the organisation and functioning of the **European External Action Service** with a view to its adoption, together with the related legal acts, **by the end of April 2010**. Member States will continue to provide input in this area.

4. The European Council **welcomes** the launch by the Commission of a public consultation on the citizens' initiative. It invites the Commission to present a legislative proposal as soon as possible, with a view to its adoption within the first half of 2010.
5. Further to the European Council's conclusions of December 2008 and June 2009, the Spanish Government submitted a proposal for the amendment of the Treaties as regards **transitional measures concerning the composition of the European Parliament**. The European Council decided to consult the European Parliament and the Commission with a view to rapidly examining this proposal.

Declaration on Iran

The European Council underlines that the European Union since 2004 has been working for a diplomatic solution of the issue of Iran's nuclear programme. The European Council **expresses its grave concern** that Iran has so far done nothing to rebuild confidence of the international community in the exclusively peaceful nature of its nuclear programme.

The fact that Iran **has constructed a clandestine enrichment** facility near Qom, in breach of its obligations, and the declaration of an intent to construct further plants have further deepened the European Council's concerns.

The European Council again urges Iran to **comply fully and without further delay with its obligations under the relevant resolutions** of the United Nations Security Council and the IAEA, notably to meet the requirements set out by the IAEA Board of Governor's resolution of 27 November 2009.

The European Council regrets that **Iran has not agreed with the IAEA** to a scheme of nuclear fuel supply for the Tehran research reactor, which would contribute to build confidence while responding to Iran's need for medical radio-isotopes.

The European Council notes with great concern that Iran has **failed to take up repeated offers** by China, France, Germany, Russia, the United Kingdom, the United States and the EU High Representative Javier Solana to further discuss its nuclear programme and other issues of mutual concern. It nonetheless remains committed to work for a diplomatic solution of the issue of Iran's nuclear programme. The offer of negotiations remains on the table.

2. Around the EU Council

High Representative of the
Union for Foreign Affairs and
Security Policy : Catherine
Ashton

- **Was previously the Secretary General of the EU and High Representative for the Common Foreign and Security Policy**

Javier Solana

- **Appointed by the EUC** for a five years mandate (2009)
Assisted by EU Personal representative (6), EU Special Envoy (1) and EU Special Representative (11)

- **Clear mandate** but **no power** of decision or constraint

Should be the one to answer the phone if the world caught fire... Might be the one to call but he has no fire extinguishers.

Essentially a representative of the UE

Since December 2009 :Article 18 EUT

- 1. The **European Council**, acting by a qualified majority, with the agreement of the President of the Commission, shall **appoint** the High Representative of the Union for Foreign Affairs and Security Policy. The European Council may end his term of office by the same procedure.*
- 2. The High Representative shall **conduct** the Union's **common foreign and security policy**. He shall contribute by his proposals to the **development** of that policy, which he shall carry out as mandated by the Council. The same shall apply to the **common security and defence policy**.*
- 3. The High Representative shall **preside** over the Foreign Affairs Council.*

*4. The High Representative shall be one of the **Vice-Presidents of the Commission**. He shall ensure the consistency of the Union's external action. He shall be **responsible within the Commission** for incumbent on it in external relations and for coordinating other aspects of the Union's external action. In exercising these responsibilities within the Commission, and only for these responsibilities, the High Representative shall be bound by Commission procedures to the extent that this is consistent with paragraphs 2 and 3.*

Not anymore the Secretary General of the Council....

Does it change something ?

The EUC Presidency

Previously

- Preparing and chairing the EUC
- Acting on behalf of the EU in international organisation : UN General Assembly, OSCE,...
- Efficiency is linked to the personality of the head of State of the MS holding it.

Presidency priorities linked to the MS fields of interests

Czech Republic 2009: Priorities

Europe without barriers

- Europe without internal economic, cultural and value barriers for individuals, entrepreneurs and economic entities
- Europe open to the world, but not defenceless against illegal activities and attacks
- Political and historical meaning

Priorities

- Economy : *European Economic Recovery Plan*
- Energy: *Climate Energy Package*
- EU in the world : Eastern dimension of the *European Neighbourhood Policy*.

Spain 2010 : Priorities

1. Full implementation of the Treaty of **Lisbon**.
2. Coordination of economic policies to promote recovery and **sustainable growth** throughout Europe: launching of Europe 2020.
3. Strengthening of the **European Union's foreign policy** to turn it into a real global player.
4. Fostering a Europe of **rights and freedoms** at the service of citizens

United Kingdom 2005 : Priorities

1. Economic reform and social justice

Economic reform, Better regulation, Working Time Directive, Services Directive, Financial Services Action Plan, The Chemicals Regulation (REACH)

2. Security and stability

Counter terrorism, People trafficking and migration, Enlargement

3. Europe's role in the world

Doha Development Agenda, Africa, Climate change, Peace, stability and reform in the Middle East, Peace and stability in the Balkans, Defence capability, Reform of the EU's sugar regime

Finland 2006 : Priorities

1. The future of the EU and enlargement

2. Competitiveness : innovation and energy policies

3. External relations : Russia, Transatlantic relations and Asia

4. Justice and home affairs : lives up to its citizens' expectations in combating international crime, human trafficking and terrorism

2. The Council of Ministers

Who does what ?

- National Representatives decide : The Ministers in the Council
- Officials prepare the ground : The preparatory bodies
- Bureaucrats organise and advice : The Council Secretariat
- Taking turn at the wheel : The presidency and HRCFS

Main **decision making body** of the EU

- All major EC and CFSP acts have to be adopted by the Council

Raise/Has raised concerns regarding the non democratic decision making process

- Several configuration but **one single body**

Attended by Member States Ministers and the Commissioner in charge of the issue.

Its power has been affected by the Lisbon Treaty :
codecision has become the rule

Council not fully aware of it... swift case

February 11, 2010, European Parliament plenary rejected by a vote of 378 to 196 the agreement reached in 2009 between the EU and the U.S. to allow access by U.S. law enforcement authorities to the **payment database of the financial consortium SWIFT**.

New codecision procedure applies to all proposals still in the « pipelines »

The agreement **had been negotiated between the EU Council of Ministers** and the European **Commission** with the U.S. government to allow continued access to the database.

Parliament has expressed concerns regarding the level of data protection provided for in the agreement (civil liberties and has rejected the agreement

For reasons of organisation, it is divided presently in 10 configurations (previously 9 and before 22):

1. General Affairs
2. *External Relations*
3. Economic and Financial Affairs (“ECOFIN”)
4. Justice and Home Affairs
5. Employment, Social Policy, Health and Consumer Affairs
6. Competitiveness (Internal Market, Industry and Research)
7. Transport, Telecommunications and Energy
8. Agriculture and Fisheries
9. Environment
10. Education, Youth and Culture

Composition

TEU 16 (LT) rather short: *The Council shall consist of a representative of each Member State at ministerial level, who may commit the government of that Member State in question and cast its vote.*

Ministerial ? Definition depends on each MS

Practice differs (Senior, Junior, Regional)

Possibility for a MS to be represented by an other (239TFEU)

- Not more than one
- Used often by small Member States
- Quorum half or just over half of the total of MS

Example : 2993th Council meeting - Education, Youth and Culture - Brussels, 15 February 2010

Belgium: Mr Pascal SMET	Flemish Minister for Education, Youth, Equal Opportunities and Brussels Affairs
Bulgaria: Ms Petya EVTIMOVA	Deputy Minister for Education, Youth and Science
Czech Republic: Ms Jana MATESOVÁ	Deputy Minister for Education, Youth and Sports
Denmark: Mr Bertel HAARDER	Minister for Education and Minister for Nordic Cooperation
Germany: Mr Helge BRAUN	Parliamentary State Secretary to the Federal Minister for Education and Research
Estonia: Mr Gert ANTSU	Deputy Permanent Representative
Ireland: Ms Geraldine BYRNE NASON	Deputy Permanent Representative
Greece: Mr. Leonidas ROKANAS	Deputy Permanent Representative
Spain: Mr Ángel GABILONDO PUJOL Ms Maria Victoria BROTO COSCULLUELA	Minister for Education Counsellor

France: Mr Philippe LEGLISE-COSTA	Deputy Permanent Representative
Italy: Mr Giuseppe PIZZA	State Secretary for Education, Universities and Research
Cyprus: Mr George CHACALLI	Deputy Permanent Representative
Latvia: Mr Mareks Gruskevics	State Secretary
Lithuania: Mr Raimundas Karoblis	Deputy Permanent Representative
Luxembourg: Ms Michèle EISENBARTH	Deputy Permanent Representative
Hungary: Mr Zoltán LOBODA	State Secretary for Education and Culture
Malta: Mr Clyde PULI	Parliamentary Secretary for Youth and Sport in the Ministry of Education and Culture
Netherlands: Ms Sharon DIJKSMA	State Secretary for Education, Culture and Science
Austria: Ms Beatrix KARL	Federal Minister for Science and Research
Poland: Ms Lilla JARON	Deputy State Secretary for Science and Higher Education
Portugal: Ms Isabel VEIGA Mr José MARIANO GAGO	Minister for Education Minister for Science, Technology and Higher Education

Romania:

Mr Daniel Petru FUNERIU

Minister for Education, Research, Youth and Sports

Slovenia:

Ms Alenka KOVŠČA

State Secretary for Education and Sports

Slovakia:

Mr Peter BENO

Mertens

Finland:

Ms Henna VIRKKUNEN

Minister for Education

Sweden:

Ms Karin PILSÄTER

State Secretary for Education, Higher Education and Research

United Kingdom:

Baroness Delyth MORGAN

Parliamentary Under Secretary of State for Children, Young People and Families

Mr Andy LEBRECHT

Deputy Permanent Representative

Commission:

Ms Androulla VASSILIOU

Member

Council Configurations are not determined by the Treaties

- Except General Affairs Council and Foreign Affairs Council
- Decided by the EUC adopted by qualified majority (TFEU 236)

Number of Council configurations have been drastically reduced but the number of meetings was not reduced proportionally

- 1980 : 15 and 60 meetings
- 1990 : 22 and 90 meetings
- 2000 : 16 and 77 meetings
- 2004 : 9 and 76 meetings

It took nearly 18 years (from July 1967 to April 1985) to reach the 1000th meeting, 12 more years to reach the 2000th (April 1997) and a further 12 to reach the 3000th on March 10.

Around 83 meetings per year

Sectoral differentiation but **one single body** : Any subject could be submitted to any configuration

Example : 2986st Council meeting : Agriculture and Fisheries - Brussels, 14- 16 December 2009

ITEMS DEBATED

TOTAL ALLOWABLE CATCHES (TACS) AND QUOTAS FOR 2010	7
ANIMAL WELFARE LABELLING SCHEME & ESTABLISHMENT OF A EUROPEAN NETWORK OF REFERENCE CENTRES FOR THE PROTECTION AND WELFARE OF ANIMALS	26
OBLIGATIONS OF OPERATORS WHO PLACE TIMBER AND TIMBER PRODUCTS ON THE MARKET	30
PROTECTION OF ANIMALS USED FOR SCIENTIFIC PURPOSES	31
STATE AIDS FOR HUNGARY, ITALY, LATVIA AND LITHUANIA.....	32
DAIRY MARKET QUARTERLY REPORT	33
SIMPLIFICATION OF THE CAP	34
FUTURE OF THE CAP: RURAL DEVELOPMENT POLICY	35
A BETTER FUNCTIONING FOOD SUPPLY CHAIN IN EUROPE	36
ANY OTHER BUSINESS	37

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– Implementation of Lisbon Treaty: Delegated acts.....	42
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EXTERNAL RELATIONS

– EU special representative for the crisis in Georgia - new financial reference amount.....	42
– EU police mission for Palestine	42

COMMON FOREIGN AND SECURITY POLICY

– Restrictive measures (Belarus - Iran - Uzbekistan)	43
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ECONOMIC AND FINANCIAL AFFAIRS

– International accounting standards - committee procedure with scrutiny	44
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HEALTH

– Radioisotopes - <i>Council conclusions</i>	45
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ENVIRONMENT

– Future international climate agreement with Iceland - <i>Council conclusions</i>	45
– LIFE-Nature projects - <i>Council conclusions</i>	45

And who participated ?

Belgium:

Ms Sabine LARUELLE

Mr Kris PEETERS

Bulgaria:

Mr Georgi KOSTOV

Czech Republic:

Mr Jakub ŠEBESTA

Mr Stanislav KOZÁK

Denmark:

Ms Eva KJER HANSEN

Mr Troels Lund POULSEN

Germany:

Mr Gert LINDEMANN

Estonia:

Mr Helir-Valdor SEEDER

Ireland:

Mr Brendan SMITH

Mr Tony KILLEEN

Greece:

Ms Aikaterini BATZELI

Minister for SMEs, the Self-Employed, Agriculture and Science Policy

Minister-President of the Flemish Government and Flemish Minister for the Economy, Foreign Policy, Agriculture and Rural Policy

Deputy Minister for Agriculture

Minister for Agriculture

Deputy Minister for Agriculture, Commodities Section

Minister for Food, Agriculture and Fisheries

Minister for the Environment

State Secretary at the Ministry of Food, Agriculture and Consumer protection

Minister for Agriculture

Minister for Agriculture, Fisheries and Food

Minister of State at the Department of Agriculture, Fisheries and Food (with special responsibility for Fisheries, Forestry and the Marine)

Minister for Rural Development and Food

Spain:

Ms Elena ESPINOSA MANGANA

Mr Eduardo CABANILLAS

France:

Mr Bruno LE MAIRE

Italy

Mr Vincenzo GRASSI

Cyprus:

Ms Egly PANTELAKIS

Mr George CHACALLI

Latvia:

Mr Jānis DŪKLAVS

Lithuania:

Mr Kazimieras STARKEVIČIUS

Mr Mindaugas KUKLIERIUS

Luxembourg:

Mr Romain SCHNEIDER

Minister for the Environment and the Rural and Marine Environment

Secretary General of the Minister of Agriculture and Rural Development of the Autonomous Community of Castile-Leon

Minister for Food, Agriculture and Fisheries

Deputy Permanent Representative

Acting Permanent Secretary, Ministry of Agriculture, Natural Resources and Environment

Deputy Permanent Representative

Minister for Agriculture

Minister for Agriculture

Vice-Minister for Agriculture

Minister for Agriculture, Viticulture and Rural Development

Hungary:
Mr József GRÁF

Minister for Agriculture and Rural Development

Malta:
Mr George PULLICINO

Minister for Resources and Rural Affairs

Netherlands:
Ms Gerda VERBURG

Minister for Agriculture, Nature and Food Quality

Austria:
Mr Walter GRAHAMMER
Ms Edith KLAUSER

Deputy Permanent Representative
Director-General, Federal Ministry of Agriculture,
Forestry, Environment and Water Management

Poland:
Mr Marek SAWICKI

Minister for Agriculture and Rural Development

Portugal:
Mr António Manuel SERRANO

Minister for Agriculture, Rural Development and Fisheries

Romania:
Mr Achim IRIMESCU

Minister Counsellor

Slovenia:
Mr Milan POGAČNIK

Minister for Agriculture, Forestry and Food

Slovakia:
Mr Ján SLABÝ

State Secretary at the Ministry of Agriculture

Finland:
Ms Sirkka-Liisa ANTILA

Minister for Agriculture and Forestry

Sweden:
Mr Eskil ERLANDSSON
Mr Rolf ERIKSSON

Minister for Agriculture
State Secretary, Ministry of Agriculture

United Kingdom:
Mr Huw IRRANCA-DAVIES

Parliamentary Under-Secretary, Marine and Natural
Environment

Mr Richard LOCHHEAD

Cabinet Secretary for Rural Affairs and the Environment,
Scottish Government

Ms Michelle GILDERNEW

Northern Ireland Minister for the Department of
Agriculture and Rural Development

Council decision making process

Recall:

- Acts by a qualified majority except where the Treaties provide otherwise.
- 345 votes are distributed among member states.
- Qualified majority is reached if at least 255 votes in favour are cast by at least 14 Council members.
- In addition, a Council member may ask for confirmation that the votes in favour represent at least 62% of the EU population.
- New provisions on qualified majority will apply as from 1 November 2014

Distribution of votes for each MS

Germany, France, Italy, United Kingdom :	29
Spain, Poland :	27
Romania :	14
Netherlands:	13
Belgium, Czech Republic, Greece, Hungary, Portugal:	12
Austria, Bulgaria, Sweden :	10
Denmark, Ireland, Lithuania, Slovakia, Finland :	7
Cyprus, Estonia, Latvia, Luxembourg, Slovenia :	4
Malta :	3
TOTAL <input checked="" type="checkbox"/>	345

To sum up

- The EUC
- The Council of Ministers
 - Composition
 - Decision making process

Council internal decision making process

- Proposal **drafted** by the Commission
- Send to the **Council** and the **Parliament**
- Inside the **Council**

COREPER and others preparatory bodies :
 COPS (political and security committee), EFC
 (Economic and Financial Committee), CATS
 (police and judicial cooperation) Article 133
 (207TFUE) Committee

- Working Groups : around 150 

COREPER

Established at the same time that the Council

- First meeting in **1958** (since has hold more 2300 meetings)
 - Meet on weekly basis for at least one day (formal and informal meetings, special invitation by the Presidency)
- Considered as the ***de facto* main decision making body**
 - All Council decisions have to be considered by Coreper
 - Members have developed an *esprit de corps* characterized by mutual trust and responsiveness, tend to develop into a consensus reflex and aids the process of negotiation in which they are constantly engaged

Composition

Members are resident in Brussels and hold an diplomatic status

- Senior official with the rank of ambassador
- Head of the Member States Permanent Representation

One per Member States : tasks to *represent the UK's interests in the EU. We are civil servants drawn from a wide range of British Government Departments. We spend our time negotiating and lobbying on behalf of the UK* (Kim Darroch UK. Per. Rep.)

Assisted by Deputies (senior official often ambassadorial level)

Divided in Coreper I and II

- Operate **independently**, each has its own areas of competencies
- Initially Coreper II (ambassadors) was dealing with high **political issues** and Coreper I (deputies) was entrusted with the **remainder**
- Distinction is presently unclear, most of the issues are combination of two

Coreper II “political”

Normally prepares the work for General Affairs Foreign Affairs, Ecofin, JHA Council

Agenda :

Coreper I “technical”

Normally prepares the work for the remaining Council such as Employment, Social Policy, Health and Consumer Affairs, Competitiveness (Internal Market, Industry and Research), Transport, Telecommunications and Energy, Agriculture and Fisheries, Environment, Education, Youth and Culture

Agenda :

Function

Not clearly defined by the TFUE:

Article 240 TFEU

1. A committee consisting of the Permanent

*Representatives of the Governments of the Member States shall be responsible for **preparing** the work of the Council and **for carrying out the tasks** assigned to it by the latter.*

The Committee may adopt procedural decisions in cases provided for in the Council's Rules of Procedure.

- Assures **consistency** of the Union policies and actions (horizontal coordination)
 - Two Coreper for 10 Council Configurations
- Partly responsible for the follow up of EU Council decisions
- Participates to the Conciliation Committee with the European Parliament (co-decision procedure)



- Interface** between Council (even EU Council) and Working groups
- Coordination and oversight of the work of Working groups
 - Adopting conclusion, substantive discussion of issues that were not settle down
 - Preparation for the Council decision
 - Grouping items into two sections
 - Point A (I) to be adopted by the Council (agreement exists within Coreper)
 - Point B (II) to be discuss by the Council (no agreement within Coreper)

2311th MEETING OF THE PERMANENT REPRESENTATIVES
COMMITTEE (Part 1) Wednesday 10 (10:00) March 2010

1. Adoption of the agenda

I (1)

2. Reply to written questions put to the Council by Members of the European Parliament (+)

- (a) n° E-6050/09 put by Izaskun Bilbao Barandica and Jeanine Hennis-Plasschaert
"Piracy off the coast of Somalia"
6961/10 PE-QE 189
- (b) n° P-6267/09 put by Magdi Cristiano Allam
"Member States' autonomy and the right to life"
6958/10 PE-QE 187
- (c) n° E-0028/10, E-0029/10, E-0030/10 and E-0031/10 put by Georges Lyon
"Dismantling and safe disposal of old nuclear submarines in Scotland - follow-up to the
European Commission's answer to questions E-5431/09 to E-5434/09"
6960/10 PE-QE 188

- 13. Proposal for a Directive of the European Parliament and of the Council laying down the framework for the deployment of **Intelligent Transport Systems** in the field of road transport and for interfaces with other transports modes (LA)
 - Endorsement of the agreement on the remaining open issues (Adaptation to the Lisbon Treaty)
17564/08 TRANS 493 TELECOM 238 IND 236 CODEC 1896 (x)
7109/10 TRANS 54 TELECOM 22 IND 32 CODEC 172
- 14. Draft Council Decision on the participation of the European Union in the negotiations on a legally binding instrument on **mercury** further to Decision 25/5 of the Governing Council of the United Nations Environment Programme (UNEP)
 - Adoption
6725/1/10 ENV 98 COMER 29 MI 59 ONU 24 REV 1
- 15. Draft Council Decision on the participation of the European Union in the negotiations on the revision of the Protocol to the 1979 Convention on Long-range **Transboundary Air Pollution** to Abate Acidification, Eutrophication and Ground-level Ozone
 - Adoption
6752/1/10 ENV 100 ENT 15 ONU 25 REV 1

6. Draft Commission Decision on the safety requirements to be met by European standards for certain products in the sleep environment of children pursuant to Directive 2001/95/EC of the European Parliament and of the Council (**Text with EEA relevance**)
 - Decision not to oppose adoption
7080/10 CONSOM 26 MI 72

7. Proposal for a Council Decision on the signing of the Cooperation Agreement on a Satellite Navigation between the European Community and its Member States and the Kingdom of Norway
 - Adoption
6647/10 TRANS 36 MAR 10 AVIATION 19 RECH 63 N 5
6303/10 TRANS 33 MAR 9 AVIATION 14 RECH 45 N 6

8. Proposal for a Decision of the European Parliament and of the Council repealing Council Decision 79/542/EEC drawing up a list of third countries or parts of third countries, and laying down animal and public health and veterinary certification conditions, for importation into the Community of certain live animals and their fresh meat (**First-reading**)
 - Approval of the European Parliament's draft position
6382/1/10 AGRILEG 12 CODEC 112 REV 1

The Working Groups

Principles

- Could be permanent, temporary or *ad hoc*
- Usually created by the Council to support/prepare the decision (proposed by Coreper)
- No official decision are adopted, result of discussion are reported to Coreper for decision

Organisation

- Around 20/30 meetings per day organised in Brussels
In 2004 : 3971 meetings (2705 in 1997)
- Meet at various intervals from weekly to several months

Composition

Government representatives normally operating on the basis of instructions emanating from their capital

Participants are supposed to have the relevant **expertise** in the subject area

Coming from Permanent Representation or send from Capital
Who finances for the travel expenses ?

Size of the “delegation” links to Member States decision but usually not more than one seat per MS around the table

Commission representatives participate to present and defend the proposal to be discuss

Officials from the **Council Secretariat** provide the necessary administrative and legal back up for the negotiations

Support the Presidency who chairs and prepares the meeting

Function and working methods

Normally Working groups are considered as **technical** bodies

Concentrate on technical parts of each dossier

Nevertheless could not be only technical as its tasks is to reduce the number of problem areas to be dealt with by Coreper and subsequently the Council

Agenda could contain two types of items sent initially by Coreper

New dossiers that require discussion on every point

Dossiers all ready discussed at Coreper or even Council after initial discussion in the concerned working group and returned for further discussion on particular points

Each point is discussed in turn to raise/obtain an **consensus**

Discussion could continue until the Presidency judges that such consensus has been obtained or nothing further could be achieved

Point I : Consensus exists and the dossier to be adopted by Coreper usually without debate (more than 80% of agenda items)

Point II : No consensus necessity to require guidelines to Coreper to go further

No voting but relevant voting rules clearly in the mind of MS delegation

Report to Coreper is drafted by the Council Secretariat

Analyse of the different Council Configurations

1. General Affairs Council

TEU 16.6: *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.*

Triple role:

- Preparation for and follow-up to meetings of the European Council
- **Coordination** of the different policy areas carried out by the Council's other configurations
- **Transversal** issues concern **more than one Union policies**

Negotiation on EU enlargement, preparation of the Union's multi-annual budgetary perspective or institutional and administrative issues.

2984th Council meeting General Affairs, Brussels, December 2009

ITEMS DEBATED

PREPARATION OF THE DECEMBER EUROPEAN COUNCIL.....	7
COUNCIL WORK PROGRAMME - TRIO OF PRESIDENCIES.....	8
ENLARGEMENT/STABILISATION AND ASSOCIATION PROCESS	9

OTHER ITEMS APPROVED

ENLARGEMENT

– Financial package for the accession negotiations with Croatia - <i>Council conclusions</i>	21
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GENERAL AFFAIRS

– Composition of the European Parliament - Transitional measures	21
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Iceland

21. Iceland is a country with long and deep democratic roots, with the potential to make a significant contribution to the EU, both strategically and politically. The country is already closely integrated with the EU in several areas, through its membership of the European Economic Area and the Schengen area.
22. The Council recalls that it invited the Commission in July 2009 to submit its opinion on Iceland's application for membership in the European Union. The application will be assessed according to the principles set out in the Treaty and the criteria defined by the Copenhagen European Council in 1993, as well as the December 2006 European Council conclusions on the renewed consensus for enlargement. The Council agrees to return to the matter when the Commission has presented its opinion.
23. In addition, the Council notes that the inclusion of Iceland as a country eligible for pre-accession assistance, under the Instrument for Pre-Accession (IPA), would contribute to preparations for its candidacy.

2. Foreign Affairs Council

TEU (LT) 6.6 : *The Foreign Affairs Council shall elaborate the Union **external action** on the basis of strategic **guidelines** laid down by the European Council and ensure that the Union action is consistent.*

Deals with the whole of the Union's **external action** :

- Common Foreign and Security Policy (CFSP)
- European Security and Defence Policy (ESDP)
- Foreign trade policy
- Development cooperation.

CFSP and ESDP

Who does what : inside the Council and with the participation of the Council ?

- **COPS** (Council subgroup)

Sitcen (EU CIA?)

- **High Representative**

Personal Representatives, Special Representatives, Special Envoy and Counter-terrorism Coordinator

- **European External Action Service**

“Troika”

*Foreign Affairs Minister of the Member State holding the **Presidency**, the **High Representative**, the **European Commissioner in charge of external relations and European neighbourhood policy***

Agencies

- European Union Institute for Security Studies (Paris)
- European Union Satellite Centre (Madrid)
- European Defence Agency (Brussels)

European External Action Service

Article 27.3: *In fulfilling his mandate, the High Representative shall be assisted by a European External Action Service. This service shall work in cooperation with the diplomatic services of the Member States and shall comprise **officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States.** The organisation and functioning of the European External Action Service shall be established by **a decision of the Council.** The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission.*

Established by

- Adopted by the Council alone but includes Commission staff
- Proposed by the HR
- Work in close cooperation with MS Diplomatic services

And to assist who ?

In principle under the **authority of the HR** and should **assist** her to fully carry out her mandate as defined in the Treaty.

But also (as stated by the Council in October 2009): *To ensure the consistency and better coordination of the Union's external action, the EEAS should also **assist the President of the European Council and the President as well as the Members of the Commission** in their respective functions in the area of external relations as well as closely cooperate with the Member States.*

Nevertheless

While the EEAS will have geographical desks dealing with the candidate countries from the overall foreign policy perspective, enlargement will remain the responsibility of the Commission

*Trade and the development policy as defined by the Treaty, should remain the **responsibility** of relevant Commissioners and DGs of the Commission.*

To sum up

- Council internal decision making process
COREPER, Working Groups
- The Council of Ministers configuration
General Affairs
Foreign Affairs

Political and Security Committee (COPS/PSC)

1992 Maastricht Treaty established officially CFSP

- Carry into the EU frameworks the European Political Cooperation and its Political Committee (PoCo) established by the European Single Act
- Attended initially by MS Foreign Affairs Political Directors and presently by officials for Permanent Representation

1999 Helsinki EU Council agreement to carry out on MS voluntary basis the Petersberg Tasks (joint disarmament operations, peace-keeping tasks,...)

- Necessity for a permanent body to structure to guide such operation, capable of meeting at short notice
- PoCo was disbanded and replaced by COPS (Council Decision January 21 2001 (2001/78/CFSP) setting up the PSC

Composition

- Like Coreper composed of senior official based at the Permanent representation
MS has started to add a small, specialized staff, including military one in their Permanent Representation
- Delegates of the Commission attend COPS meetings with no voting rights

- Chaired initially by the Presidency and might/ should be presently by High Representative
- In the past the “opting out clause” was invoked by Danish Presidency and ESDP
- Meet for two days on weekly basis in Brussels

Function

TUE article 38 :

*COPS shall monitor the **international situation in the areas covered by the CFSP** and contribute to the **definition of policies** by delivering opinions to the Council **at the request** of the Council or of the High Representative of the Union for Foreign Affairs and Security Policy or on its **own initiative**. It shall also monitor the **implementation of agreed policies**, without prejudice to the powers of the High Representative.*

*Within the scope of this Chapter, the Political and Security Committee shall exercise, under the responsibility of the Council and of the High Representative, the **political control and strategic direction of crisis management operations** referred to in Article 43. The Council **may authorise** the Committee, for the purpose and for the duration of a crisis management operation, as determined by the Council, to take the relevant decisions concerning the **political control and strategic direction of the operation**.*

COPS contacts:

- Close and regular contacts with all EU bodies involved in the CFSP and ESDP
HR, SP, PR, Commission
- Regular contacts with non EU bodies
Bilateral (Russia, USA), Multilateral (NATO, UN)

COPS competencies :

- Delivering opinions to base the EU External policies adopted by the Council (GAERC) either
 - on request of the Council
 - on its own initiative
- Ensuring that policy agreed by the Council is properly implemented
- Taking operational decisions to implement crisis management operation under ESDP

Risks of competencies overlapping with Coreper ?

- *Without prejudice to article 240*

EU Navfor Somalia : example crisis management operation by COPS

Mission decided by Council Joint Action 2008/851/CFSP
(November 2008) extended up to December 2010

MS participating: Italy, Netherlands, Germany, France, Spain, Belgium, Luxemburg and Greece.

EU NAVFOR ATALANTA operates in a zone that comprises the southern Red Sea, the **Gulf of Aden and part of the Indian Ocean**

Forces: Twelve frigates and maritime aircrafts are currently participating in Operation

First engagement on December 25 by German frigate to assist a 65,000 tonnes Egyptian bulk carrier facing a pirate attack

Content of the missions granted by the Council

- The protection of vessels of the WFP (World Food Programme) delivering food aid to displaced persons in Somalia;
- The protection of vulnerable vessels cruising off the Somali coast, and the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast. Political control and strategic direction:

Political control granted to PSC

*Under the responsibility of the Council, the PSC shall exercise the political control and the strategic direction of the EU military operation. The Council hereby **authorises the PSC** to take the relevant decisions in accordance with article 25 of TEU. This autorisation shall include **the powers to amend** the planning documents including the Operations Plan, the Chain of Commands and the Rules of Engagement.*

Troika

Two possibilities :

Composed by the Presidency/Commission/High Representative of the Council

- Helps to smooth handover between presidencies
- Provides support for small MS who don't have the resources, human and physical, to hand over the heavy burden of EU Presidency

16 January 2009 ministerial Troika meeting EU – South Africa at Kleinmond near Cape Town.

First ministerial Troika during the Czech EU Presidency.

This form of political dialogue is part of the strategic partnership between the EU and South Africa which started in November 2006. A ministerial Troika EU – South Africa is normally held during each Presidency.

*The plenary meeting of the **Troika will be attended** by the South African Minister of Foreign Affairs, Nkosazana Dlamini Zuma, and EU Commissioner for Development and Humanitarian Aid, Louis Michel. (plus the Deputy Foreign Minister of Sweden)*

*The main points on the agenda are the joint EU-Africa Strategy, **energy cooperation** between the EU and South Africa, the **global financial crisis, food safety, environment/ climate change**, negotiations about an Economic Partnership Agreement (EPA) between the EU and the Southern African Development Community (SADC) and the security situation on the African continent.*

*The ministerial Troika will also discuss **organising the first meeting between the EU Political and Security Committee (PSC) and the Republic of South Africa** and the first meeting of the EU-South Africa Energy Dialogue Forum during the Czech Presidency.*

Second possibility

Composed of the past/current/succeeding presidency

- Try to coordinate the managing of the “wheel”

A social troika meeting with delegates and the social platform has been organised in April 2010

High Representative is assisted by Personal Representative Special Representatives, Special Envoy

10 EU Special Representatives

Afghanistan, the African Great Lakes Region, Bosnia and Herzegovina, Central Asia, Kosovo, the former Yugoslav Republic of Macedonia, the Middle East, Moldova, the South Caucasus and Sudan.

4 Personal Representatives

WMD, Human rights, Parliamentary affairs, African peacekeeping capabilities.

Burma and EU Special Envoy for Myanmar

EU Counter-Terrorism Coordinator

Acting for ?

As they have defined it (Council website):

HR : *assists the Council in foreign policy matters, through contributing to the formulation, preparation and implementation of European policy decisions. He acts on behalf of the Council in conducting political dialogue with third parties.*

SR: *promote European Union policies and interests in troubled regions and countries and play an active role in efforts to consolidate peace, stability and the rule of law.*

SE : *coordinates the European Union's efforts to bring about positive change in Burma/Myanmar*

PR (WMD) : *coordinates, helps implement and further develop the EU WMD Strategy, gives sharper focus to these issues in the dialogue with third countries. Today, her office is also responsible for the implementation of the EU SALW Strategy, adopted in 2005, and assists EU Member States in their efforts to coordinate policies in the area of conventional arms exports controls.*

Counter-Terrorism coordinator : *coordinates the work of the Council of the EU in the field of counter-terrorism, maintain an overview of all the instruments at the Union's disposal, closely monitor the implementation of the EU counter-terrorism strategy, and ensure that the Union plays an active role in the fight against terrorism.*

Appointed for

But CFSP/ESDP **means of action** are ruled and implemented by MS

What they have achieved ?

Acting as an **coordinator** with no power of constraints on actors implementing the policy

Exemple : Kosovo :

- Council declaration "On 17 February 2008 the Kosovo Assembly adopted a resolution which declares Kosovo to be independent.

The Council notes that Member States will decide, in accordance with national practice and international law, on their relations with Kosovo.

- EU SR for Kosovo : My aim is a Kosovo that is committed to the rule of law and to the protection of minorities and of cultural heritage.

3. Foreign Trade Policy

Concerns mostly **bilateral negotiations** with third countries and multilateral negotiations within the World Trade Organisation (WTO) : Doha Round Negotiations

EU represented by the Commission

- Commission acting on the basis of a mandate granted by the GAERC (GAC or FAC after Lisbon)
- Content of the mandate is negotiated with Member States within the Council

Trade Policy Committee (207 TFUE)

- Council subgroup to assist the Commission in the negotiation of agreement between the EU and one or more states or international organisations
- Acts as a Commission watchdog for MS in trade negotiation

Trade Policy Committee in constant dialogue with the Commission during the course of negotiations to engage modification of EU's positions if necessary

- Composed like Coreper with officials for Permanent Representations and Experts from Capitals

Meet at two level

Related Working Groups

Working Party of Foreign Relations Counsellors (Sanctions), Working Party on the Law of the Sea, Working Party on Conventional Arms Exports, Working Party on Dual-Use Goods, Working Party on European Arms Policy, Working Party on Trade Questions, Working Party on the Generalised System of Preferences, Export Credits Group, Working Party on Commodities

4. Development cooperation

Community policy on development co-operation is aimed at **complementing the development** policies pursued by the Member States.

The main emphasis in Community development co-operation policy is on co-operation with **African, Caribbean and Pacific** (ACP) States.

Focus first on former EU MS “old colonies”

- Yaoundé (1963), Lomé I (1975) to IV (2000)
- Cotonou Partnership Agreement (2000/20)

Set out the framework for the **Community's trade relations** and development cooperation

EU humanitarian aid : ECHO

Objective : relief and protection on non-discriminatory basis to help people in third countries, particularly the most vulnerable among them, and as a priority those in developing countries, **victims of natural disasters, man-made crises**, such as wars and outbreaks of fighting, or exceptional situations or circumstances comparable to natural or man-made disasters

How : by **financing** the **purchase** and delivery of any product or equipment needed for the implementation of humanitarian operations, including the construction of housing or shelter for the victims, ...

EU one of the main actors in providing humanitarian aid (around 53% of international official development aid)

One of the main players to provide assistant to population affected by a crisis (natural or man made)

The table gives a breakdown of DG ECHO expenditure over the last five years:

In millions of Euros	2005	2006	2007	2008	2009
1. Community budget	631	643	741	938	884
<i>Humanitarian aid</i>	606	618	492	535	571
<i>Food aid</i>	(1) pm	(1) pm	220	363	280
<i>Disaster preparedness (Dipecho)</i>	18	19	20	32	34
<i>Support expenditure</i>	7	6	9	8	9
2. Cotonou Agreement – EDF	23	28	28	-	37
TOTAL	654	671	769	938	931

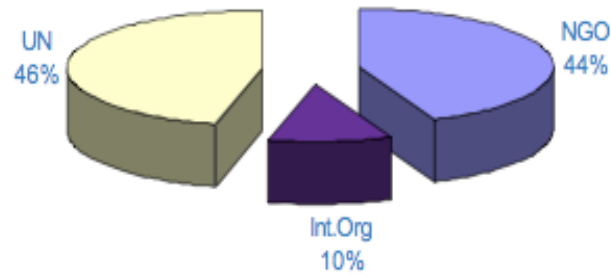
(1) Managed by EuropeAid till 2006

Who: Implemented either at the request of and by international or **non-governmental agencies and organisations** from a Member State or a recipient third **country**.

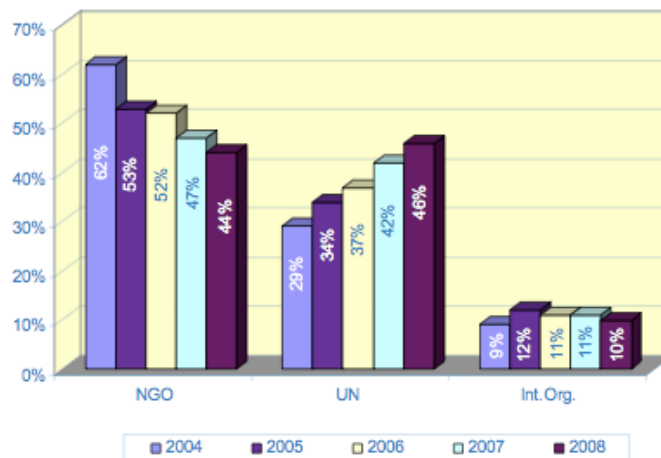
Decision to launch an operation decided by **Commission** within the guidelines defined by a dedicated Council Committee

A dedicated Council working group which adopts decisions by qualified majority

Share of DG ECHO funding by category of partner
2008



Funding by category of partner (2004-2008)
[with food aid as from 2007]



Attempt to coordinate EU Civil protection Assistance in emergency situation : MIC

Monitoring and Information Centre :

- One tool of the EU Civil Protection Mechanism (rapid response capability)
- Global Disaster Alert and Coordination System (GDACS)
 -
- Acts for emergency operation **in but also out** of the EU
 - In : on request by Participating States (27 MS, Nw, Liech, Is)
 - Out :
 1. Request by country affected by the disaster
 2. Presidency consultation by the Commission
 3. Council might take the lead (crisis management)

MS/ Commission instrument

- **Focal** point for the exchange on requests and offers of assistance
 - **Information** provider (early warning notification) : MIC daily
 - **Coordinates** Civil protection assistance :
 - Headquarters level, by matching offers to needs, identifying gaps in aid and searching for solutions, and facilitating the pooling of common resources where possible
 - On the site of the disaster through the appointment of EU field experts, when required.
- Floods in France (2002) and Central Europe (Romania) (2005) or in Bolivia (2007), Prestige Accident in 2002, Forest Fire in Spain (2006), Toxic spill in Ivory Coast (2006) Tsunami in Asia, Hurricane in USA, Earthquake in Haiti

II. Economic and Financial Affairs Council Configuration : Ecofin

- Composed by **Economics** and **Finance** Ministers of the Member States, as well as Budget Ministers when budgetary issues are discussed.
- Shared by the rotating Presidency
- Meets **once a month**. (formally and informally)
- Decides mainly by **qualified majority**, in consultation or codecision with the European Parliament, with the exception of **fiscal matters** which are decided by unanimity.

One major subgroup Economic and Financial Committee (**EFC**)

- Several **working groups** : Working Party on Financial Questions, Working Party of Financial Counsellors, Working Party on Financial Services, Working Party on Tax Questions, Code of Conduct Group, Budget Committee, Working Party on Combating Fraud, Working Party on Insurance

Tasks

- Preparation and adoption of the EU **Budget** (with the Parliament)
 - 133 billions Euro (2009)
- Economic policy coordination, economic surveillance
- Monitoring of Member States' **budgetary policy and public finances**
 - Convergence and stability programme
- Financial markets and capital movements
 - New Directives to control acquisition in the financial sector or the “single euro payment area”
- Economic relations with third countries.
 - Bilateral agreement
- Euro (legal, practical and international aspects)

The Eurogroup

Composed of the Member States whose currency is the **euro**

16 MS : last member Slovakia

When the Ecofin Council examines dossiers related to the euro and EMU, the representatives of the Member States whose currency is not the euro do not take part in the vote of the Council

Informal body

Not a configuration of the Council

Meets normally the day before the Ecofin meeting

Deals with issues relating to the Economic and Monetary Union (EMU).

PRESS RELEASE 3003rd Council meeting Economic and Financial Affairs Brussels, 16 March 2010

*The **Council examined** a communication from the Commission assessing action taken by Greece in response to the decision it took on 16 February on the correction of Greece's excessive deficit.*

*The **Council welcomed** the first report by Greece, submitted on 8 March, and the Commission's communication.*

*It shared the Commission's view that **Greece is appropriately implementing** the Council's decision and Greece's stability programme.*

It welcomed the additional measures announced by the Greek government on 3 March, amounting to 2% of gross domestic product (GDP) and consisting of permanent revenue-increasing measures and permanent expenditure cuts in equal shares.

*In line with the Commission's assessment, **the Council considered that these additional measures appear sufficient to safeguard budgetary targets for 2010, provided that they are implemented effectively, fully and in a timely manner.***

*In its 16 February decision, adopted under article 126(9) of the Treaty on the Functioning of the European Union, **the Council:***

- gave notice to Greece to bring its government deficit below 3% of GDP, the reference value set by the EU treaty, by 2012;

- set out a timetable of measures to be taken, including a target of 8.7% of GDP for its 2010 budgetary deficit, which represents a 4 percentage points reduction from the estimated 12.7% deficit for 2009;
- set 16 March as the first of a series of deadlines for reporting on measures taken;
- stated that, to the extent that a number of risks associated with the specified deficit and debt ceilings materialise, Greece would announce, in its first report, additional measures to ensure that the 2010 budgetary target is met.

Greece has been subject to an excessive deficit procedure since April 2009.

Statement of the President of the Eurogroup, the Commission and the ECB following the request of financial support by the Greek government (April 24 2010)

*The President of the Eurogroup, the Commission and the ECB take note of the **request** by the Greek government to activate the financial support mechanism.*

*The Euro area Member States will decide the **activation of this mechanism**, in accordance with the statements by the Heads of State and Government of 25 March 2010 and the follow-up statement by the Eurogroup of 11 April 2010. The **support will be based on the programme that is currently being prepared by the Commission, the ECB and the IMF together with the Greek authorities.***

Statement by Herman VAN ROMPUY President of the European Council on the Greek request to activate the mechanism agreed by the European Council

The President of the European Council has been informed of the Greek request to activate the mechanism agreed by the European Council on 25 March. As agreed by Eurogroup Finance Ministers on 11 April, the European Commission, the ECB and the IMF are currently assessing the situation in Greece and negotiating a joint programme with the Greek authorities

On this basis, Euro area Member States will decide on the amount of support and conditionality.

Member States have engaged the necessary steps at national level in order to be able to deliver swift assistance to Greece.

The President of the European Council will remain in close contact in the course of this process with the Spanish Presidency, the President of the Commission, the President of the Eurogroup and the President of the European Central Bank.

3. The European Commission

Introduction

Appears to be in competition and/or in cooperation with the Council and the European Parliament

None could act alone: Commission holds the right of proposal and Council/EP hold the right of decision

Lead to the so-called community method : obtaining consensus

Commission shall promote the general interest of the Union and take initiatives to that end (17 EUT)

Normally independent of national governments.

Composition

27 Commissioners

One per MS up to October 31 2014 

Number of Commissioners should (have) decrease in the future

Nice Treaty

- Not clearly defined

Number should be less than the number of MS

Should be chosen on a rotation system based on the principle of equality

New system should be decided unanimously by the Council

Lisbon Treaty

From November 2014 : number should be two third (18) of the number of MS and chosen on a strictly equal rotation between MS (no more than one mandate of difference between MS) Unless the European Council, acting unanimously, decides to alter this number

Decision has been adopted to maintain 27 Commissioners as *requested* by Ireland to ratify the Lisbon Treaty

The difficult relationship between Commissioners and their Member States

Principle : Commissioners have to be independent from *their* MS

Commissioner code of conduct

Ethical issues : Declaration of financial interests, No private activities, declaration of professional activities of their spouses, could hold Honorary Post only (no decision making power) in NGO or educational institution, more than 150€ **Gift** to be register

Payment of salaries, allowances and pensions of Commissioners are determined by the Council

- The basic salary of a member of the Commission is currently €20.278,23 per month (the Vice-Presidents earn €22.531,36, the High Representative earns €23.432,62 and the President earns €24.874,62).
- The salary is subject to Community tax. There are 14 marginal tax rates, ranging from 8% to 45%.

After mandate activities

- Occupation during the year after they have ceased to hold office should be declared to the Commission and if in relation with the portfolio, it should be referred to an ethical committee
- Transitional allowance is paid for three years, beginning on the day after leaving office. This allowance is between 40% and 65% of the final basic salary, depending on the length of service.

Difficulties

- Commissioners are proposed by MS
- Interference with national election and national political agenda
- The difficulties come back at the end of the mandate

Designation

- Appointed every **5 years** (within 6 months of the European Parliament Election)
1985 (Delors), 1995 (Santer) 2000 (Prodi), 2004 (Baroso), 2009 (Baroso)
- **President** is appointed by the **European Council** by qualified majority and approved by the **EP**
If the proposed candidate does not receive a majority of votes, the European Council have to, within one month, propose another candidate
- **Commissioners** are selected by the President from a list of three nominees proposed by each **Member State**

- The **Council, with the agreement of the President** adopts the list of nominees by qualified majority and communicates it to the European Parliament for approval
- **Parliament** interviews each nominee and **votes** it consent on the whole team
- The new Commission is **formally appointed by the Council**, acting by qualified majority

- Commission remains politically **accountable to Parliament**
 - EP has the power to **dismiss the whole Commission** by adopting a motion of censure.
- Commissioners have to resign if asked to do so by the President

Designation of the Commission

- European Council appoints the President
Manuel Barroso
- President appointment approved by The European Parliament
- Preparation of the questionnaire by each EP Committee
 - Objective : scrutiny Commissioners proposed policies
 - One leading Committee plus representation of Committees related

Member State proposed their candidates not necessary MP
Adoption by the Council with the approval of the President

Definition of Portfolio by the President

Barroso communication to Vivian Reding : *You will be the Commissioner with responsibility for Justice, Fundamental Rights and Citizenship. You will also Vice President. As in the past, **changing circumstances may** also mean that I will need to take a fresh look at the mix of portfolios in the course of the mandate and may change responsibilities accordingly...*

As President, I am determined to ensure that the College of Commissioners is the political heart of the Commission. You know from your own experience how collegiality is central to how the commission works. Being a College means that all can contribute to decisions, and all share collective responsibility once initiatives are adopted. The Commission must be a team, working together effectively to ensure the coherence and consistency of Commission policies.

Adoption of the questionnaire by the EP and transmission of answers by the proposed commissioners

Commissioners hearings at the EP

2004 Difficulties with :

- Buttiglione rejected for previous political declaration considered as not compatible with the proposed portfolio (Justice, Freedom and Security)

I may think that homosexuality is a sin, and this has no effect on politics, unless I say that homosexuality is a crime.

- Kovacs (Hungary) mostly “lack” of competencies in its portfolio field (taxation and custom union)

2009 Difficulties with : **Roumiana Jeleva** mostly “lack” of competencies in its portfolio field International Cooperation, Humanitarian Aid and Crisis Response

Postponed the vote by Baroso (2004 and 2009)

EP could not reject one commissioner

New proposal by the President

New hearings

Approval by the EP and designation by the European Council

Commission 2009/14 (Parliament approval 488 in favour to 137 opposed and 72 abstentions)

Organisation

Staff figures

- Around **25 000** official and temporary agents
 - Administrative officials, experts, translators, interpreters and secretariat.
- Around **9 000** external agents
 - Temporary, seconded national experts, service of agency, technical and administrative assistance.
- Majority of Belgians (20%), French (10,2%), Italians (10,4%) and Germans (8,4%)

Location

- Essentially in Brussels (more than 17 000), Luxembourg (more than 3000) and Italy (more than 1000)
 - Commission Agencies established in other Member States
 - Representation in all EU MS
 - External Services in third States
 - Cap Verde, Chili, China, Congo, Fiji, Island, Macedonia, USA ... (list)

Divided in Directorate General and Services

By Policies : Agriculture and Rural Development, Climate Action, Competition, Economic and Financial Affairs, Education and Culture, Employment, Social Affairs and Equal Opportunities, Energy, Enterprise and Industry, Environment, Executives Agencies, Fisheries and Maritime Affairs, Mobility and Transport, Health and Consumers, Information Society and Media, Internal Market and Services, Justice, Freedom and Security, Regional Policy, Research, Taxation and Customs Union

By Services : Development, Enlargement, EuropeAid - Co-operation Office External Relations, Humanitarian Aid Office - ECHO, Trade, General (European antifraud services, Eurostat, Publication Office, General Secretariat, Press and Communication), Internal (Budget, Personnel and Administration, Interpretation), Legal Service

Division more or less established on the Commissioners portfolio

EU Commission role

Holds the **right of initiative** to propose legislation to Parliament and the Council

- Responsible for drawing up proposals for new European legislation
- Within the limits defined by the subsidiarity and proportionality principle
- Decisions within the Commission are adopted by a majority of its members (article 219)

Formal votes are extremely rare

Interferes in the Council activities/decision making

- “28th Member State” no right to vote but fully participates in negotiations
Speaks, proposes, advocates,...
- Could always withdraw the proposal at any stage before the Council obtains an agreement on it
- Could be only overruled by MS unanimity

Weaker role in the second and third pillar

- No right of initiative but fully participates

Manages and implements EU policies and the budget

- Commission supervises **the spending made by national and local authorities**
No direct spending by the Commission : ‘Interreg’ and ‘Urban’ programmes (creating cross-border partnerships between regions and helping regenerate declining urban areas) or the ‘Socrates’ programme of Europe-wide student exchanges
- **Implementation of policies adopted by Parliament and the Council**
 - Common Agricultural and Fisheries Policy
 - Competition Policy
Authorises or prohibits **mergers** between companies
Controls MS financial support to industries to avoid distortion of competition.

Commission is assisted when implementing adopted policies by Committees : the Comitology

- Implementing EC legislation could be done **directly** by the Council, by Member States and by the Commission

Council reluctance to grant implementing power to the Commission

- Necessity to **supervise** the Commission when implementing EU legislation

- Establishment of Committees

Around 270

Composed by MS representatives similar
Council Working Groups

- Chaired by the Commission

- Committee opinion may be binding or not binding

Different procedures (regulatory, advisory, management, regulatory with safeguards)

TABLE I – TOTAL NUMBER OF COMMITTEES

Policy sector	2007	2008
Enterprise and Industry (ENTR)	33	34
Employment, Social Affairs and Equal Opportunities (EMPL)	4	5
Agriculture and Rural Development (AGRI)	31	28
Transport and Energy (TREN)	35	36
Environment (ENV)	35	35
Research (RTD)	5	6
Information Society and Media (INFO)	9	9
Fisheries and Maritime Affairs (MARE)	4	4
Internal Market (MARKT)	13	14
Regional Policy (REGIO)	1	1
Taxation and Customs Union (TAXUD)	11	10
Education and Culture (EAC)	6	7
Health and Consumers (SANCO)	17	17
Justice, Liberty and Security (JLS)	21	24
External Relations (RELEX)	3	3
Trade (TRADE)	12	12
Enlargement (ELARG)	3	3
EuropeAid (AIDCO)	9	8
Humanitarian Aid (ECHO)	1	1
Statistics (ESTAT)	9	9
Budget (BUDG)	2	2
Anti-Fraud Office (OLAF)	1	1
Information Technology (DIGIT)	1	1
TOTAL	266	270

Guardian of the Treaties

To enforce European law (jointly with the Court of Justice)

- Assuring that EU law is properly applied in all MS.
- Transposition does not mean it is properly done....
- If not the Commission **could** launch an **infringement procedure** (not judicial)

Sending to the government an **official letter** mentioning

- Why the Commission considers this country is infringing EU law
- Fixing a deadline for sending to the Commission a detailed reply

If procedure fails to put things right, the Commission could refer the case to the Court of Justice, which has the power to impose penalties

Negotiated in the name of the European Union on the international stage for certain policies

Within the mandate granted by the Council (WTO,...)

Interference between Commission, Presidency and Council Secretariat

Commission is not a monolith even if acts by collegial decision

- Potential divisions of views between commissioners
- Potential personal relationship between Council Members and Commissioners

Suspicion atmosphere between Commission and Council Secretariat

- Council Secretariat supported by a less permanent structure (rotating presidency)
- Competitive relation between Commission and Council Legal Services
Different views on the interpretation of the Community law

Different phases of the relationship

Agenda setting

Presidency defines meetings agenda and priorities but Commission has the right of initiative for first pillar issue.

Pre-negotiation of proposals

- MS tend to influence unilaterally the drafting of an Commission proposal.
- Easier if the Commission presents an “Communication” rather than a fully drafted legislative proposal

Gathering feedback

- Council Members have an individual political responsibility (defend national interests and their citizen acceptability)
- Commission no direct pressure, could have a more longer-term perspective

Negotiation

- Commission could act in debate as an “protagonist” or as an “mediator”

4. The European Parliament

Introduction

- Elected for a 5 years term (2004, 2009)
- Since 1979 **MPs** have been elected by direct universal suffrage
- Cost around **2,8€** per inhabitant 1% or one fifth of the total administrative costs of all EU institutions
 - 1.32 billion : 44% for staff expenses, mainly salaries for the 5,800 employees working in the administration and, to a lesser extent, in the Political Groups.
- Met for the first time **1958** with 142 MP and gradually increased with German unification and successive enlargements up to 785.
- After the 2009 elections the number of seats has been reduced to **732**
- Essential rules are fixed by article 14 TUE
 - Maximum MP number 750 (plus its President) with a minimum of 6 per MS and a maximum of 96
 - MP number per MS shall be decided by the EU Council

MPs by Member State

Numbers : (2004) (2009)

Minus ten: Estonia (6) (6), Cyprus (6) (6), Latvia (9) (9), Luxembourg (6) (6), Malta (5) (6), Slovenia (7) (7) : (39) (40)

Minus twenty: Denmark (14) (13), Ireland (13) (12), Lithuania (13) (12), Austria (18) (19), Bulgaria (18) (18) Slovakia (14) (13), Finland (14) (13), Sweden (19) (20) : (123) (120)

Minus thirty: Belgium (24) (22), Czech Republic (24) (22), Greece (24) (22), Hungary (24) (22), Netherlands (27) (26), Portugal (24) (22) : (147) (136)

Over thirty: Romania (35) (33), Germany (99) (96), Spain (54) (54), France (78) (74), Italy (78) (73), Poland (54) (51), United Kingdom (78) (73) : (476) (454)

Total: 785 (absolute majority: 393) (376)

% of the EU population

Structure and Time Organisation

Strasbourg : One week of plenary session per month in Strasbourg (full session).

Brussels :

- Additional plenary settings
- Two weeks for Parliament's committees meetings

Luxembourg : Parliament's secretariat

5000 staff, a third is devoted to translation

Remaining week is devoted to meetings of the different political groups

MP set by Political groups and not in national delegation

Divided in seven "political groups" and one "none attached group"

Organisation

President : Jerzy Burzek (Poland) Hans-Gert Pöttering (Germany) Jozep Borrell (Spain), Pat Cox, Nicole Fontaine,...

Bureau : Responsible for Parliament's budget and administrative, organisational and staff matters.

Quaestors, Responsible for administrative matters relating directly to MEPs

Conference of Presidents made up of the President of Parliament and political groups chairmen.

- Responsible for Parliament's political organisation
- Establishes the size and terms of reference of parliamentary committees and delegations
- Decides on the distribution of seats in the Chamber
- Draws up the timetable and agenda for plenary sessions

Conference of Committees Chairmen regarding the work of the committees and plenary-session agendas

Work of sessions is prepared by three kinds of Committees



Parliamentary Committees: **Internal Policies**

Budgets, Budgetary Control, Economic and Monetary Affairs, Employment and Social Affairs, Environment, Public Health and Food Safety, Industry, Research and Energy, Internal Market and Consumer Protection, Transport and Tourism, Regional Development, Agriculture and Rural Development, Fisheries, Culture and Education, Legal Affairs, Civil Liberties, Justice and Home Affairs, Constitutional Affairs, Women's Rights and Gender Equality, Petitions

Parliamentary Committees: **External** Policies

Committee on Foreign Affairs (Subcommittee on Human Rights, Subcommittee on Security and Defence), Committee on Development, Committee on International Trade

Special Committees

Financial, Economic and Social Crisis

Temporary or **Inquiry** Committees

Temporary committee on Climate changes

Former: Policy Challenges and Budgetary Means of the Enlarged Union 2007-2013, Alleged use of European countries by the CIA for the transport and illegal detention of prisoners, Foot and Mouth Disease, Human Genetic and others new technologies of modern medicines, Echelon Interception System,...

A. Parliament Legislative Power

Codecision mechanism (normal procedure) TFUE 289, 294

- Commission tables a proposal to the Council and the EP
- EP analyses it and could approve, amend or reject it (**first reading**)

Last for eight months on average.

Simple majority is required to amend the Commission proposal

- Commission could alter its legislative proposal, enabling it to incorporate European Parliament amendments

The **Council** :

- **accepts** without alteration the Commission's proposal, amended or not by the European Parliament and the proposal could be adopted

Informal tripartite meetings attended by representatives of the European Parliament, the Council and the Commission in order to obtain an agreement at first reading

- **adopts** a Common Position

Council will act by a qualified majority with the agreement of the Commission if its position differs from that of the Commission, unanimity will be require.

Takes from seven months to several years

Commission communication on the Council common position

EP analyses the common position and the Commission Communication (**second reading**)

Procedure strictly limited in term of amendments and time (3 months plus one)

Discuss within the dedicated Committee and adopted by the plenary

The **act is considered as adopted** in accordance with the common position if the **European Parliament** :

- **endorses** the common position as it stands;
- **fails** to adopt amendments as a result of not obtaining an absolute majority of its Members;
- **does not take a decision** within the stipulated time limit;

Rejection of the Council common position and the act is deemed not to have been adopted.

Require the votes of an absolute majority

European Parliament may propose amendments to the Council common position, and the text thus amended is forwarded to the Council and the Commission

The **Commission** delivers an opinion on the European Parliament's amendments

- The **Council** has a period of three months, following receipt of the European Parliament's amendments, in which to **approve them**

By a qualified majority or unanimously if the Commission has delivered a negative opinion

If not the President of the Council, in agreement with the President of the European Parliament, will convene a meeting of the **Conciliation Committee** within six weeks (may be extended by two weeks) (**third reading**)

Composed by **equal number of representatives** of the Council and of European Parliament, as well as the Commissioner responsible.

Each delegation to the Conciliation **Committee have to approve** the joint text in accordance with its own rules

No possibility for the Commission to prevent the Council from acting by a qualified majority without its agreement

Text adopted or rejected

B. Parliament Budgetary Role

Budget of the EU ?

2009 : 133,8 billion € (40% for CAP, 45 % for innovation, employment and regional development programmes)

- No EU right to levy any taxes or borrowings
- Resources made available by MS

1. **Traditional own resources** (TOR) consist of customs duties, agricultural duties and sugar levies.
2. **'VAT resource'** (contribution by the Member States equivalent to 1% of the final selling price of a common base of goods and services)
3. **'GNP resource'** (contribution by each Member State on the basis of its share of the Community's total GNP, with a maximum rate of 1.27%)

Around 69 % of total resources

Budget expenditure :

- **Compulsory** expenditures arising directly out of Union regulations
Common Agricultural Policy subsidies
- **Non-compulsory** expenditures
Structural fund subsidies and administrative expenditures

EP role ?

- Has the “Final word”
- Commission drafted a budget proposal
- Analysed by the Council and proposed to the EP
- Analysed by EP adopted or amended
- If amended send back to the Council
- New Council proposal
- Analysed by the EP and adopted

C. Parliament Political Role

CFSP : « rather weak »

- Council obligation to inform on developments in the CFSP matters
- MP have the right to put questions and makes recommendations to the Council
- Consulted for certain international agreements (EU and third countries)
- Adopts Resolutions

WTO

- Gives its agreement to the outcomes of negotiations undertaken by the European Union.
Through recommendations to the European Commission, the Union’s main negotiator.

Charter of Fundamental Right

- Proclaimed by The European Commission, the European Parliament and the Council of the European Union (December 2000, Nice European Council)

Human Rights

- Report on the human rights issue each year (Situations in countries outside the EU and situations within the Union).
- Adoption of resolutions condemning governments that breach human rights
 - China : We cannot compromise on principles on human rights and the rule of law (D Sterck Head of EP delegation)
- Adoption of resolutions to enhance the debate or support the adoption of an EU Regulation
 - Torture Regulation
- Sakharov Prize for Freedom of Thought
 - Award to personality who has distinguished themselves in the struggle for human rights (awarded since 88).
 - Hu Jia (Chinese political activist) (2008), Russian civil rights defence organization Memorial (2009)

Co-decision in several issues as explained in the different Council Configuration

European Parliament, Council and Commission : competition and collaboration

Parliament and Commission

- The question of legitimacy
 - Political* body legitimates through direct universal suffrage
 - Technical* body and legitimacy granting by EP
 - Approval of the Commission proposed by its President
 - Commission remains politically **accountable to Parliament**
 - EP has the power to **dismiss the whole Commission** by adopting a motion of censure
 - EP analyses and comments the annual work program of the Commission
 - Possibility to ask the Commission to present a proposal but no power of constraint
- Extended right to send parliamentary question to the Commission

Parliament and Council

- The question of legitimacy

Political body legitimates by direct universal suffrage

Political body and Members legitimate due to their national political system

Council as an body as no direct legitimacy

- EMPs could not attend Council meetings but Council Members could attend most EP sessions

EP president invited at the beginning of EU Council

- Increasing of the codecision mechanism made the decision mechanism more publicly and put Council under pressure to develop new tactics and convincing positions

- Rejection of the budget : EP ultimate weapons

Has been use three times (1979, 1982, 1984)

- To stop the war escalation an informal process has been adopted : “Triologue”

Commission, Council and EP

Parliament influencing the Council

- Impact on the **content and ratification** of the Council decisions
 - Veto on the budget
 - Codecision mechanism (rejecting first reading)
- Explicit, implicit right of initiative affecting the **content of the Council's agenda**
 - Cooperation between EP and Commission to drive through an EP initiative
- Power of **scrutiny**
 - Written and oral question to the Council

5. Civil Society Organisation

-**Different** from institutionalised advisory bodies or specialised Agencies:

- Committee of Regions, European Economic and Social Committee
- European Environment Agency, European Medicine Agency

-**Defined by the Commission** as “activities carried out with the objective of influencing the policy formulation and decision-making processes of the European institutions”

- Various term to define such activities :

Interest Group, Pressure Group, Promotion Group, Lobbies

- Usually considered by the population as “**counterproductive**”

Its objective are only to support private interests and not common/global interest

Rather **numerous** but difficult to quantify exactly

1992 Commission report estimated

3000 lobbies active in Brussels and Strasbourg

- 1000 EU trade Association
- 750 NGO

Representing various interests : Consumers, Protection of the Environment, Religious interest, Families, Youth, Third world aid,...

- 500 Major Companies
- 150 Regional Offices
- 130 Law firms
- Unspecified number of Consultants

Others estimated the number up to 15 000 and believed they spend at least 90 million euros per year

Various degree of organisation

I. Association of Associations

- Federation of Association : UNICE, CEFIC
- Branch of International Association : Greenpeace

II. Non formal structure and even virtual one

EMRA : European Modern Restaurant Association (Mac Do, Pizza Hut, Burger King) : No office no permanent representation

III. Firms form

Law firms, Consultants,...

Could represent private or public interests

Defence of the interests of one **economic actors**

Producers, traders, importers, consumers, ...

Defence of the so considered “**global interests**” (civic interest)

Environment, Religions, ...

Could be direct or non direct profit organisations

- International, European, National, Regional Federation or Association
- EU dedicated law firms, public- relations consultant, technical consultant,...

Civil Society Organisation Strategies

EU decision making process offers **numerous of entries** for lobbies intervention

- I. Parliament, Commission, Council,
- II. Member States institutions

Problem is not a shortage of access but rather to choose the right one

Official consultation mechanism

Lot of advisory bodies established by the EU institutions in particular the Commission to gather information

Unofficial consultation

Try to be considered as an reliable source of information by the decision makers

Strategies could take three forms

1. Negative

Proposals exist

Face on opposition to Commission proposals

Proposing untenable counter proposals

Farming lobbies

2. Reactive

Proposals exist

Prudence prevails over action

Monitoring, informing, public relations

Influence the actors at different levels

3. Proactive

Built alliance

Be present at the beginning of the process, even before

Contact with drafter and not only senior officials

The White paper on Governance

New Principle :

- Adopt an less top down approach
- Completing its policies with non legislative instruments

New Rules

- **Better involvement and more openness**
 - Inform on decision making process
 - Reinforce interaction with Regions, Local Government, Civil Society
 - Establish minimum standards for consultation
 - Guarantee among organisation representation
- **Better policies, regulation and delivery**
 - Action needed if yes
 - EU level required if yes
 - Combine it with the more accurate policy tools
 - Allow flexibility in the implementation of the rules

- Global Governance

Boost effectiveness and enforcement of
International instruments

- Dialog with third countries not only Governments
- One voice of the EU at the international representation

- Refocused institutions

Establish an overall strategy

Establishing long term objective

- Follow up by “Better regulation” system

