



International
Academy
Europe Faculty

Working with Europe and the EU ***– A New Context***

Practitioner training for UK civil servants

organised by the European Institute of Public Administration
(EIPA), Maastricht on behalf of
the Foreign, Commonwealth and Development Office (FCDO)

Online, 28 – 30 March 2023



1.2

Working with Europe and the EU – A New Context 28 – 30 March 2023

Day 1

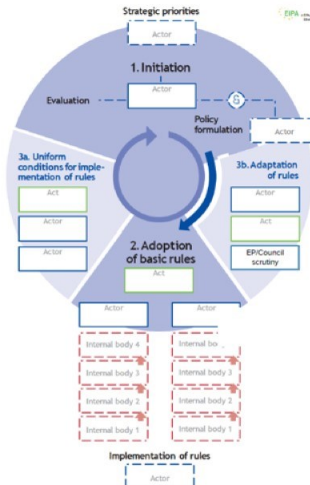
2. Who does what in the EU policy cycle?

Debriefing of group exercise

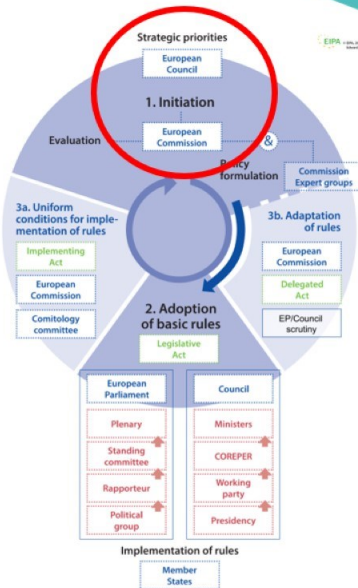


Policy Cycle exercise

- View Mural exercise



The EU legislative policy cycle



Strategic Priorities

European Council

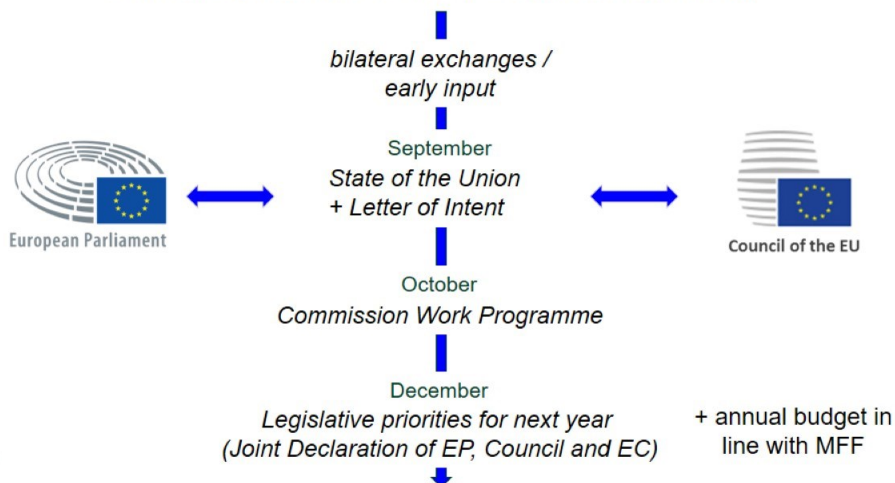
Political priorities
Strategic Agenda 2019-2024

Commission Priorities

Long-term budget
Multiannual Financial Framework
2021-2027
(Commission Proposal
Council with consent of EP)

Annual interinstitutional programming

Political Guidelines 2019-2024 (= Commission priorities)



COMMISSION WORK 2023 PROGRAMME

A Union standing firm and united

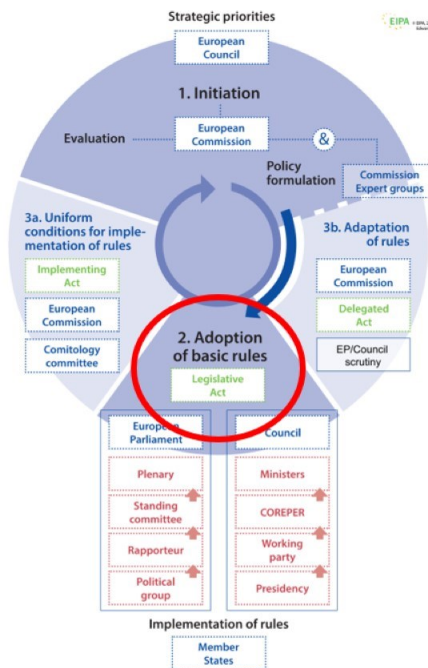
19 October 2022

Annex I: New initiatives¹

Initiative directly or indirectly following up on a proposal of the Conference on the Future of Europe

No.	Policy objective	Initiatives
A European Green Deal		
1.	Electricity market	Revision of EU's internal electricity market rules (legislative, incl. impact assessment, Article 194 TFEU, Q1 2023)
2.	Renewable hydrogen	EU Hydrogen Bank (legislative or non-legislative, Q3 2023)
3.	Waste reduction	Revision of food waste and textiles aspects of the EU waste framework Directive (legislative, incl. impact assessment, Articles 191 and 192 TFEU, Q2 2023)
4.	New genomic techniques	Legislation for plants produced by certain new genomic techniques (legislative, incl. impact assessment, Q2 2023, responds to Article 241 TFEU Council decision (EU) 2019/1904 'requesting the Commission to submit a study regarding the status of novel genomic techniques under Union law, and a proposal, if appropriate in view of the outcomes of the study')
5.	Animal welfare	Animal welfare – revision of EU legislation (legislative, incl. impact assessment, Articles 43 and 114 TFEU, Q3 2023)
6.	Sustainable food systems	Legislative framework for sustainable food systems (legislative, incl. impact assessment, Q3 2023)

The EU legislative policy cycle



'Legislative acts' and 'legislative procedures'

Basic rules to achieve treaty objectives

- based directly on treaty article(s)
- almost always requires a Commission proposal
- national parliaments check subsidiarity
- Council meets in public to deliberate and vote
- three main procedures with different powers for the EP

Legislative procedures

- **'Ordinary Legislative Procedure' - COD**
 - EP and Council have to agree
 - Council acts by qualified majority

Acts of the European Parliament and of the Council
- **consultation (= a 'special legislative procedure') - CNS**
 - EP gives a non-binding opinion to the Council
- **consent (= a 'special legislative procedure') - APP**
 - EP has to give its agreement to the Council

Council Acts (mainly by unanimity)

The ordinary legislative procedure

- Council acts by qualified majority
- Parliament and Council must agree
- 4 possible moments to reach agreement

	2014-2019 /	19-21 (half)
	Number	Av. length
(months)		
– first reading	356 / 123 (70%)	18 / 12
– early (EP) second reading	41 / 53 (30%)	39 / 36
– (Council) second reading	4	40
– conciliation and third reading	0	
Total OLP acts adopted	401 / 176	

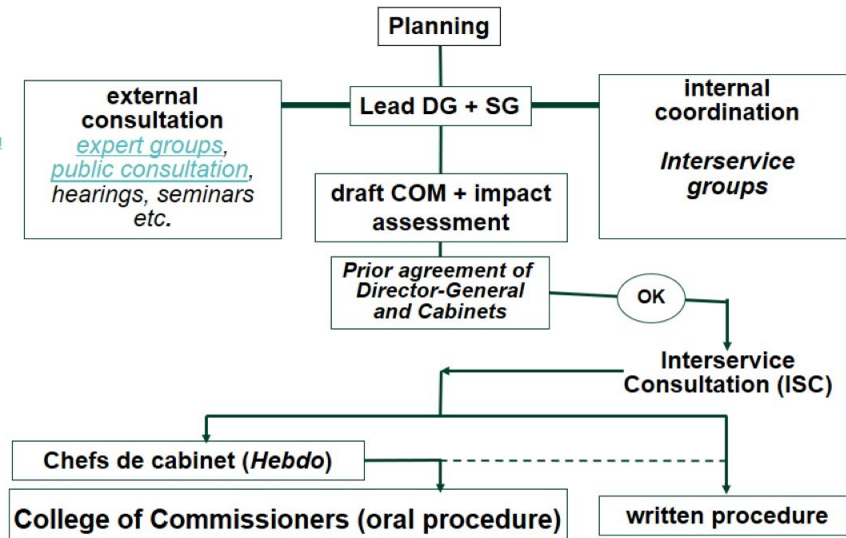
Ordinary legislative procedure: first readings (1)



Elaboration of individual proposals: overview



https://ec.europa.eu/info/law/better-regulation/have-your-say_en



National parliaments and EU legislative procedures

‘Draft legislative acts’ must be sent to national parliaments

8 weeks for ‘**reasoned opinions**’ on **subsidiarity** (Lisbon Protocol)

Member States have 2 votes each (may be 1 per chamber)

if 1/3 of votes are against, the draft must be reviewed

(1/4 for Police Cooperation / Judicial Cooperation in Criminal Matters)

3 cases so far

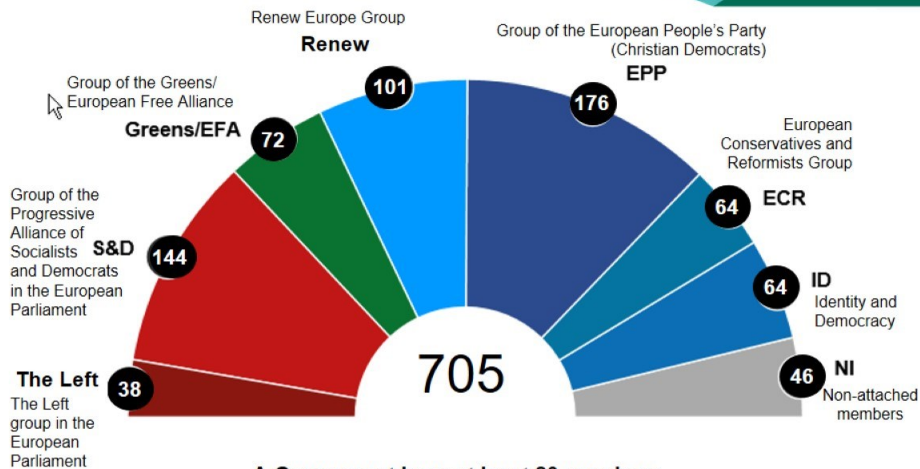


if a simple majority is opposed, draft must be reviewed;
if Commission maintains proposal, Council or Parliament may halt
procedure at first reading (55% of Council or majority of votes in EP)
– no cases so far



NB – also ‘**opinions**’ under ‘political dialogue’

European Parliament, 2019-2024 (20 March 2023)



EP: standing committees, March 2023

Standing committees	Abbreviation	Members#
Environment, Public Health and Food Safety	ENVI	88
Subcommittee on Public Health	SANT	30
Foreign Affairs	AFET	79
Subcommittee on Human Rights	DROI	30
Subcommittee on Security and Defence	SEDE	30
Industry, Research and Energy	ITRE	78
Civil Liberties, Justice and Internal Affairs	LIBE	69
Economic and Monetary Affairs	ECON	61
Sub-committee on Tax Matters	FISC	30
Employment and Social Affairs	EMPL	55
Transport and Tourism	TRAN	49
Agriculture and Rural Development	AGRI	48
Internal Market and Consumer Protection	IMCO	45
Regional Development	REGI	43
International Trade	INTA	43
Budgets	BUDG (COBU)	41
Women's Rights and Gender Equality	FEMM	37
Petitions	PETI	35
Culture and Education	CULT	31
Budgetary Control	CONT (COCOBU)	30
Fisheries	PECH	28
Constitutional Affairs	AFCO	28
Development	DEV	26
Legal Affairs	JURI	25

Composition by group

'The composition of the committees shall, as far as possible, reflect the composition of Parliament.' (Rule 209)

Group	Plenary MEPs*	Plenary %	TRAN MEPs*	TRAN %
EPP	176	25.0	13	26.5
S&D	144	20.4	10	20.4
Renew	101	14.3	7	14.3
Greens/EFA	72	10.2	5	10.2
ID	64	9.1	5	10.2
ECR	64	9.1	5	10.2
The Left	38	5.4	3	6.1
NI	46	6.5	1	2.0
Total	705		49	

Each Group within the Committee has a **Coordinator**.

EP examination of proposals: procedural steps (1)

One of the 20 standing Committees is the **Committee Responsible**.

Others may be invited to give an **Opinion** (Rule 56 – also informal '56+'),
or be **Associated** (Rule 57).

Joint Meetings/Votes are possible (Rule 58).

A Political Group is given the file by agreement among the
Group **Coordinators**.

EP examination of proposals: procedural steps (2)

That Political Group nominates
the **Rapporteur** for the file.

Other Groups nominate
Shadow Rapporteurs.

**e.g. auctions
in ENVI**



2. Establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC

ENVI/9/08744

***I 2022/0095(COD) COM(2022)0142 – C9-0132/2022

Responsible:
ENVI

Opinions:
ITRE
IMCO

Decision taken: S&D (3 points)

3. Substances that deplete the ozone layer and repealing Regulation (EC) No 1005/2009

ENVI/9/08798

***I 2022/0100(COD) COM(2022)0151 – C9-0143/2022

Responsible:
ENVI

Opinions:
JURI

ENVI Co-ordinators
meeting 28 April 2022

Decision taken: EPP group (1 point)

Appointing the Rapporteur and Shadows

Ecodesign for Sustainable Products Regulation

Committee responsible	Rapporteur	Appointed
 Environment, Public Health and Food Safety	 BONAFÈ Simona – Shadow rapporteur  POLFJÄRD Jessica  SØGAARD-LIDELL Linea  MATTHIEU Sara  SARDONE Silvia  VONDRA Alexandr  BJÖRK Malin	16/05/2022



[https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2022/0095\(COD\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2022/0095(COD)&l=en)

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EP examination of proposals: procedural steps (3)

Committee work

- Commission presentation of the proposal
- may be hearings...
- Draft Report by Rapporteur, deadline for other members to propose additional draft amendments
- vote on **Report** (= draft amendments to the Commission proposal)



Vote in committee: show of hands (left) and roll call vote (right).
© European Union 2014 - European Parliament

Council configurations

**The Council is a single institution,
but Ministers meet in 10 configurations.**

General Affairs (GAC)
Foreign Affairs (FAC)
Economic and Financial Affairs (ECOFIN)
Justice and Home Affairs (JHA)

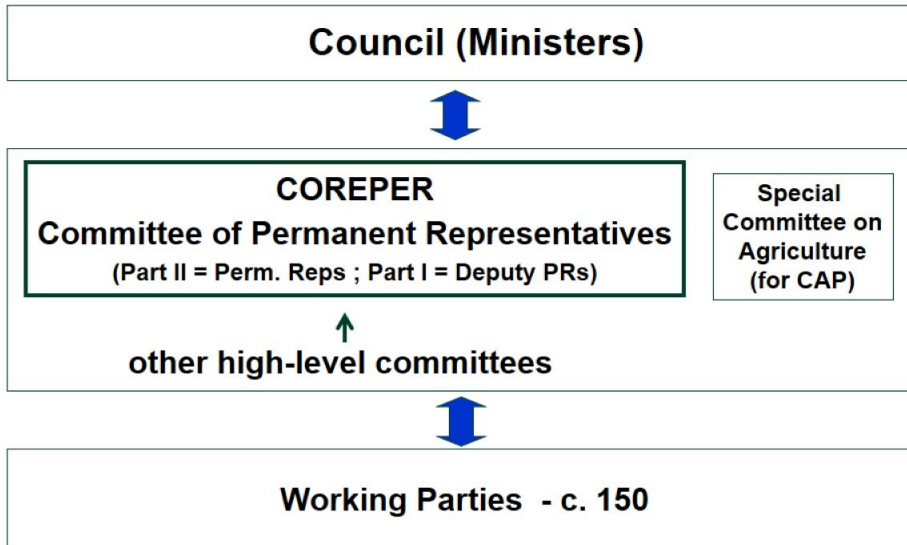
Employment, Social Policy, Health and Consumer Affairs
Competitiveness (Internal Market, Industry, Research and Space)
Transport, Telecommunications and Energy
Agriculture and Fisheries
Environment
Education, Youth, Culture and Sport

Coreper*

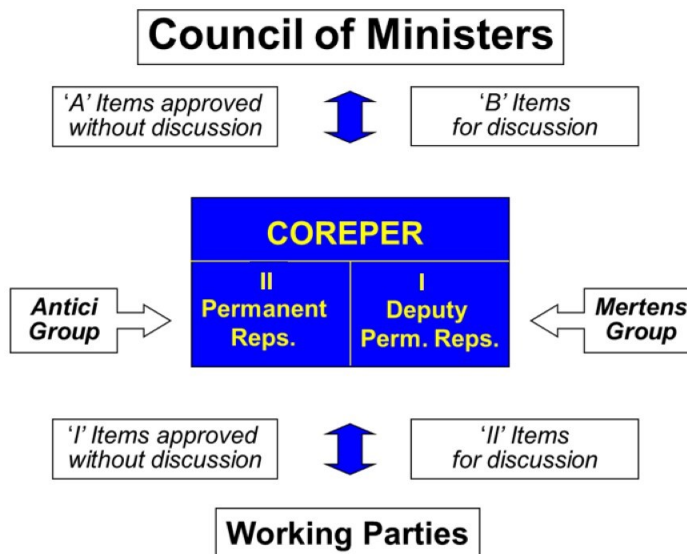
} **Pt. II**

} **Pt. I**

Council bodies



Decision-making in the Council



Examination of proposals in the Council (OLP)

The Council can adopt a proposal by qualified majority.

The Commission may alter its proposal "as long as the Council has not acted" (Art.293 TFEU).

The Council acts by unanimity if the Commission cannot accept an amendment to its proposal.



	Weighting (%)
Germany	18.59
France	15.16
Italy	13.32
Spain	10.60
Poland	8.41
Romania	4.25
Netherlands	3.96
Belgium	2.60
Greece	2.37
Czechia	2.36
Sweden	2.33
Portugal	2.31
Hungary	2.17
Austria	2.00
Bulgaria	1.53
Denmark	1.31
Finland	1.24
Slovakia	1.21
Ireland	1.13
Croatia	0.86
Lithuania	0.63
Slovenia	0.47
Latvia	0.42
Estonia	0.30
Cyprus	0.20
Luxembourg	0.14
Malta	0.12

Qualified-Majority Voting, 2023

A qualified majority needs

55%* of Member States
("at least 15" = 15/27)

AND

65% of population.

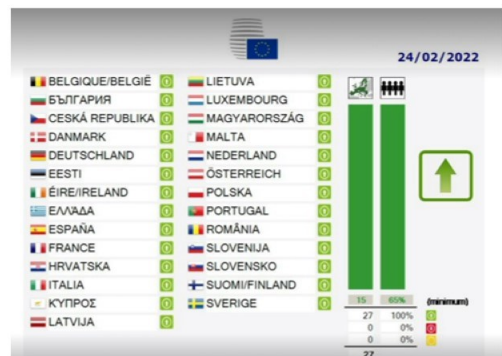
A blocking minority needs

45% of Member States

OR

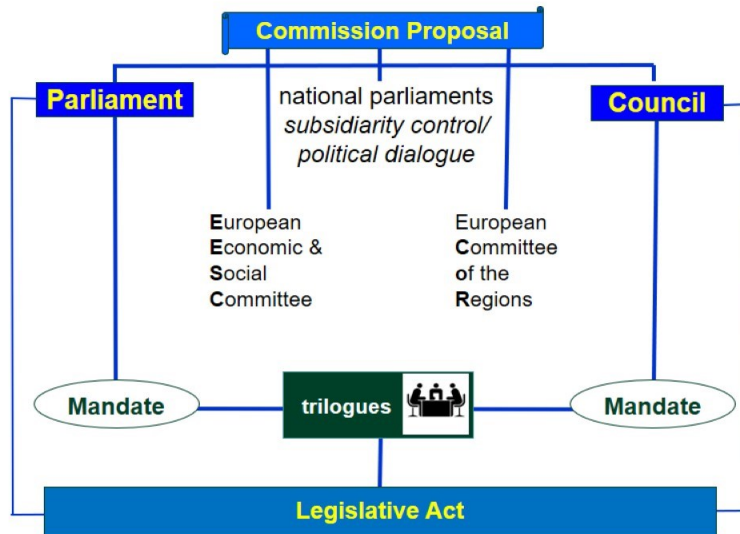
35% of population
(≥ 4 Member States)

* 72% if not on proposal by Commission or High Representative (=20/27)



<https://www.consilium.europa.eu/en/council-eu/voting-system/voting-calculator/>

Ordinary legislative procedure: first readings (2)



Council mandates for interinstitutional negotiations

- Proposals are examined in a Working Party (technical discussion among officials)
- Coreper** (the Committee of Permanent Representatives) may give a **mandate** to the Presidency.
- The **Council** may agree a (Partial) **General Approach** as the basis for negotiations.



71% (34) in 2021

29% (14) in 2021

The Commission is usually present at all levels.

EP mandates for interinstitutional negotiations

First reading

1. **Committee mandate:** Committee decides to negotiate on the basis of its Report (Plenary has opportunity to vote on that decision.)

OR

2. **Plenary mandate:** Committee sends Report to Plenary, which sends an amended text back to Committee.

'Early second reading'

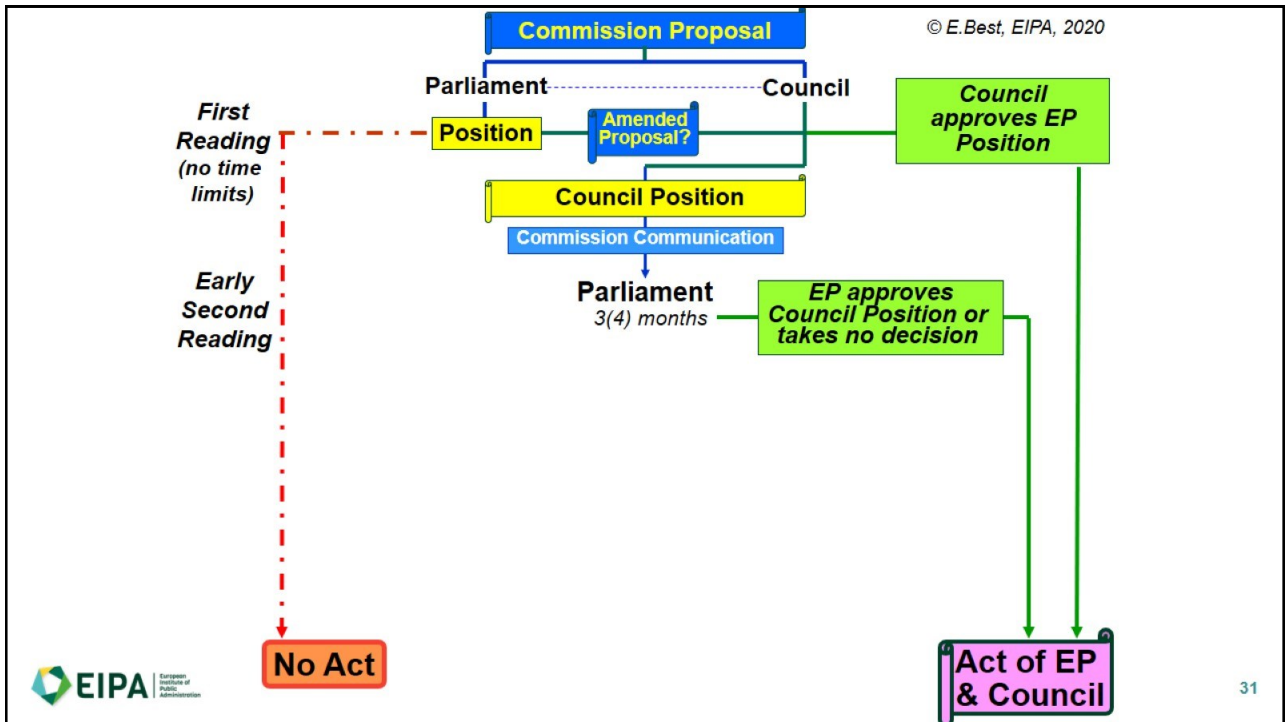
3. Plenary adopts a Legislative Resolution containing the EP Position.

Trilogues

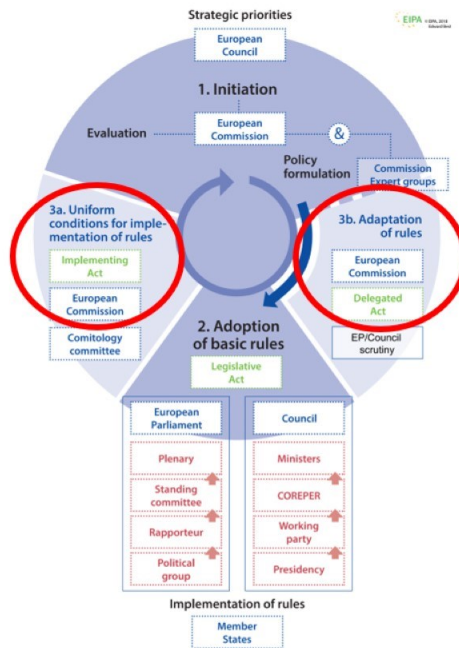
Parliament	Rapporteur, Chair or Vice-Chair, shadow rapporteurs report back to Committee
Council	Presidency reports back to Coreper
Commission	Line DG/Commissioner, Secretariat-General



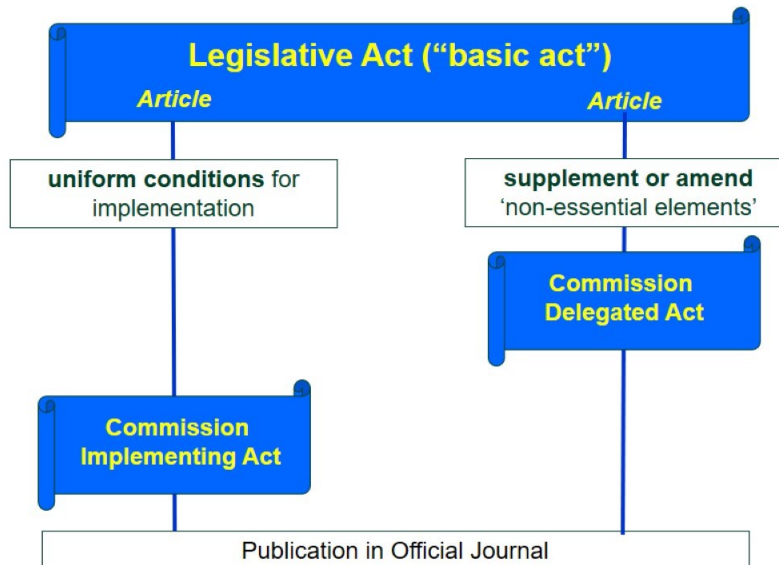
Trilogue meeting - © European Union (2017) - European Parliament



The EU legislative policy cycle



Delegated and implementing acts: basic difference



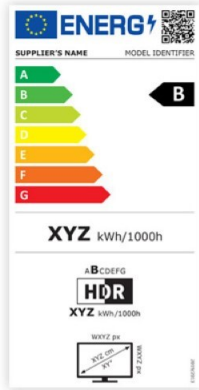
Basic, delegated and implementing acts: example

Regulation (EU) 2018/1999 of 11 December 2018 on the Governance of the Energy Union and Climate Action

Commission Delegated Regulation (EU) 2020/1044 of 8 May 2020 supplementing Regulation (EU) 2018/1999 with regard to values for global warming potentials and the inventory guidelines and with regard to the Union inventory system

Commission Implementing Regulation (EU) 2020/1208 of 7 August 2020 on structure, format, submission processes and review of information reported by Member States pursuant to Regulation (EU) 2018/1999

Delegated acts:example



REGULATION (EU) 2017/1369 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 4 July 2017

setting a **framework** for energy labelling and repealing Directive 2010/30/EU

Article 16

1. The Commission is empowered to adopt **delegated acts** in accordance with Article 17 in order to supplement this Regulation by establishing detailed requirements relating to labels **for specific product groups**.



COMMISSION DELEGATED REGULATION (EU) 2019/2013
of 11 March 2019

supplementing Regulation (EU) 2017/1369 of the European Parliament and of the Council with regard to energy labelling of electronic displays and repealing Commission Delegated Regulation (EU) No 1062/2010

Implementing acts:example

REGULATION (EU) No 1151/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 21 November 2012

on quality schemes for agricultural products and foodstuffs

Article 52

Decision on registration

2. If the Commission receives no notice of opposition or no admissible reasoned statement of opposition [...] it shall adopt implementing acts [...] registering the name.

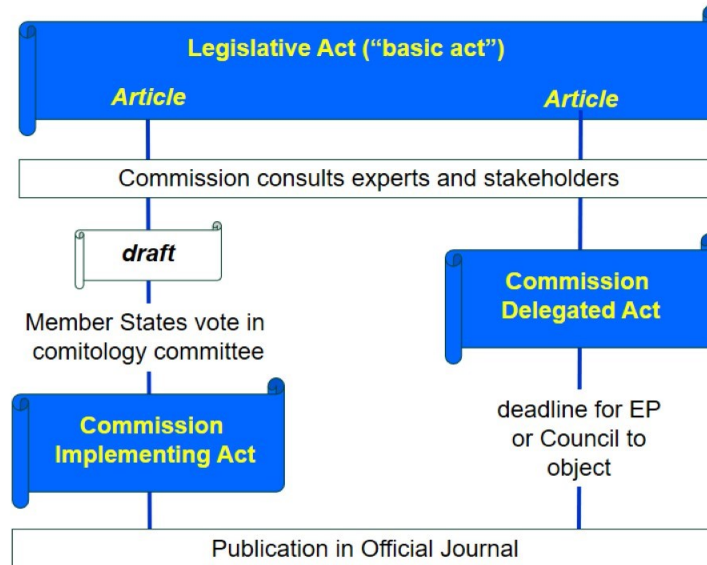


COMMISSION IMPLEMENTING REGULATION (EU) 2020/1198
of 7 August 2020

approving a non-minor amendment to the specification for a name entered in the register of protected designations of origin and protected geographical indications ('Piave' (PDO))



Delegated and implementing acts: who does what



Implementing acts

The Commission *drafts* implementing acts

Ex ante control by the Member States through 'comitology committees'

The legislator specifies whether committees will follow the 'advisory' procedure (Art.4) and/or the '**examination procedure**' (Art.5 - **two variants**).

Examination procedure - Member States vote by qualified majority.

The legislator refers to articles of Regulation 182/2011.



The Council may also adopt implementing acts, mainly in CFSP.

Delegated acts

The Commission *adopts* delegated acts.

ex post control by Council and Parliament

The Commission may not publish the delegated act if either Council or EP 'objects' within the time limit given (min. 2 + 2 months).

13 objections by EP and 7 by Council
(out of 1461 as of 17 October 2022)

objection (EU) 2017/118 fisheries		
Resolution 88-0299/2018		
👉 576	+	484
○ 015	-	077

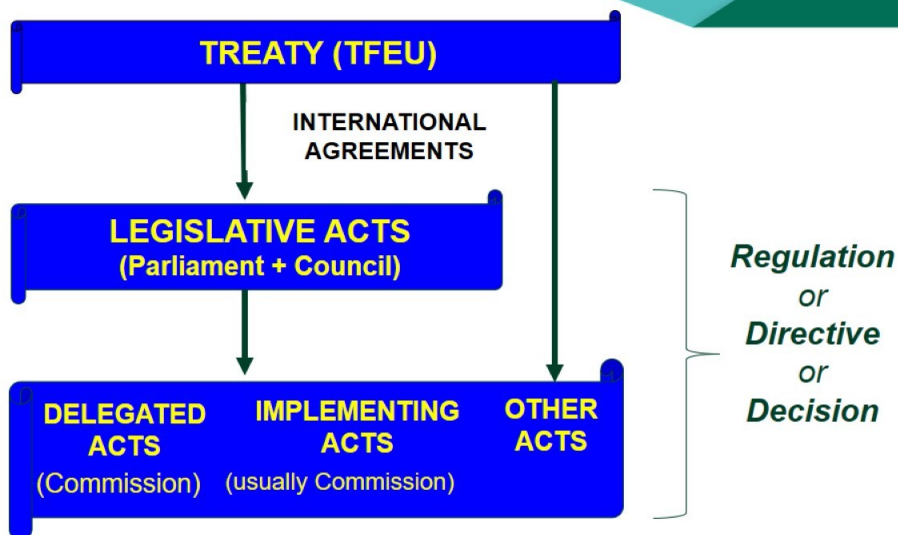
Either Council or EP may revoke the whole delegation.



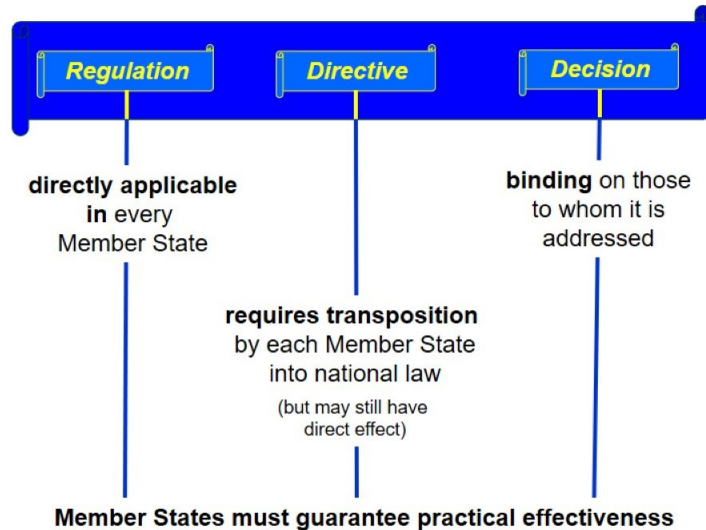
Register of delegated and implementing acts

<https://webgate.ec.europa.eu/regdel/#/home>

EU legally binding acts - hierarchy



EU legally binding acts – instruments



Other institutional actors shaping EU policies

- EU Advisory Bodies
 - European Economic and Social Committee
 - European Committee of the Regions
- European External Action Service (EEAS)
- European Social Partners
- National Parliaments

EU Agencies

various roles:

- information-gathering, networking
- operational activities
- inspection reports, technical expertise
- binding decisions



https://europa.eu/european-union/about-eu/agencies_en#goto_2

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