



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)

London, 18-20 September 2023



1.2

Working with Europe and the EU – A New Context 18-20 September 2023

Day 1

2. Who does what in the EU policy cycle?

Debriefing of group exercise



Strategic Priorities

European Council

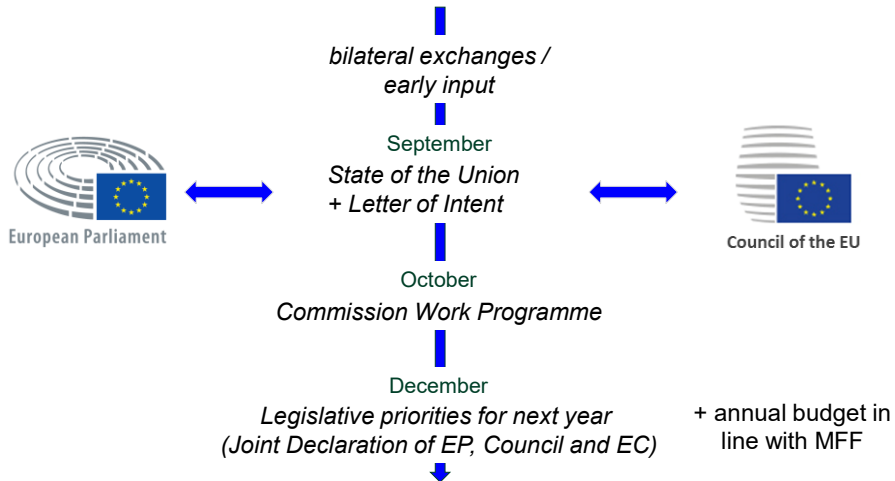
Political priorities
Strategic Agenda 2019-2024

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

Commission Priorities

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

¹ 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 assesment, 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)

'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

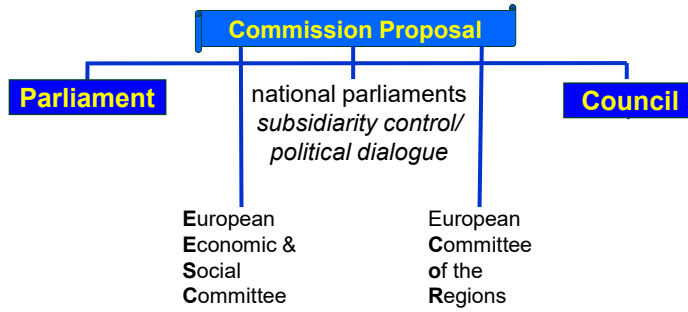
Council Acts (mainly by unanimity)

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	

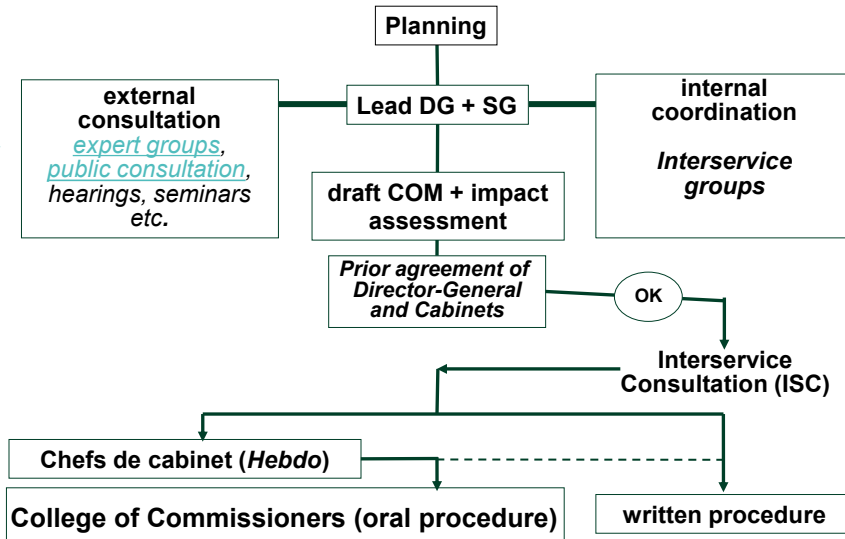
Ordinary legislative procedure: first readings (1)



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)



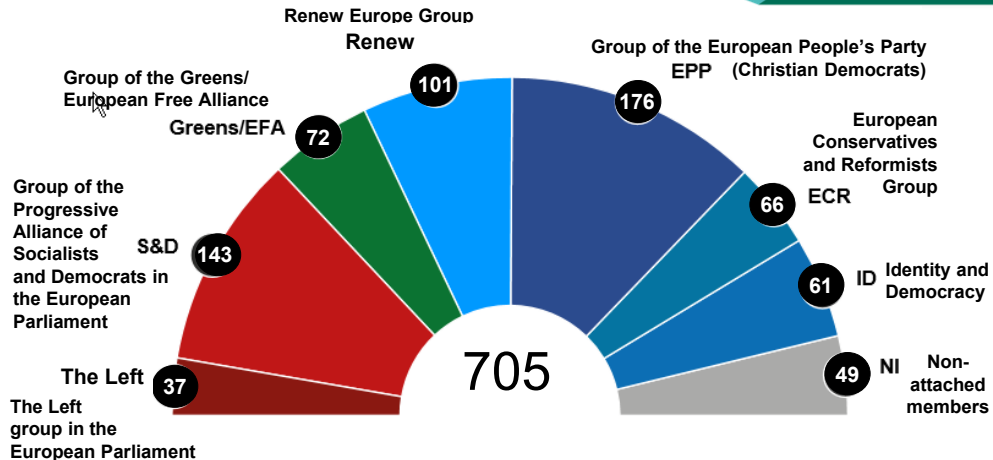
3 cases so far

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 (13 September 2023)



A Group must have at least 23 members from at least 1/4 of Member States

Composition of European Parliament 2024-2029



	2021	2024	Difference
Germany	96	96	=
France	79	81	+ 2
Italy	76	76	=
Spain	59	61	+ 2
Poland	52	53	+ 1
Romania	33	33	=
Netherlands	29	31	+ 2
Belgium	21	22	+ 1
Greece	21	21	=
Portugal	21	21	=
Czech Rep.	21	21	=
Hungary	21	21	=
Sweden	21	21	=
Austria	19	20	+ 1
Bulgaria	17	17	=
Denmark	14	15	+ 1
Finland	14	15	+ 1
Slovakia	13	14	+ 1
Ireland	13	13	=
Croatia	12	11	=
Lithuania	11	11	=
Slovenia	8	9	+ 1
Latvia	8	9	+ 1
Estonia	7	6	=
Cyprus	6	6	=
Luxembourg	6	6	=
Malta	6	6	=
Total	705	720	=

EP: standing committees, June 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	177	25.0	13	26.5
S&D	143	20.4	10	20.4
Renew	101	14.3	7	14.3
Greens/EFA	72	10.2	5	10.2
ID	66	9.1	5	10.2
ECR	62	9.1	5	10.2
The Left	37	5.4	3	6.1
NI	47	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 	16/05/2022
	 POLFJÄRD Jessica	
	 SØGAARD-LIDELL Linea	
	 MATTHIEU Sara	
	 SARDONE Silvia	
	 VONDRA Alexandr	
	 BJÖRK Malin	



[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)

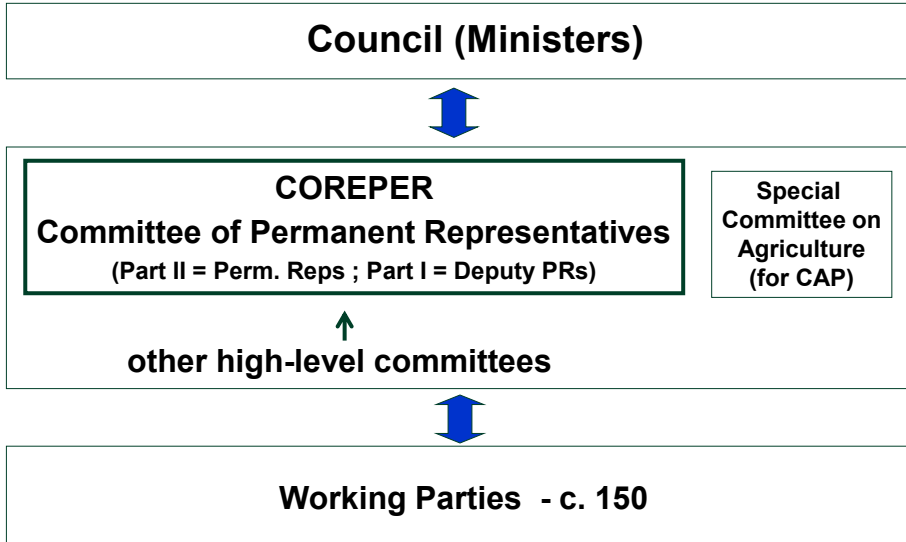
Employment, Social Policy, Health and Consumer Affairs
Competitiveness (Internal Market, Industry, Research and Space)
Transport, Telecommunications and Energy
Agriculture and Fisheries
Environment
Education, Youth, Culture and Sport

Coreper*

} Pt. II

} Pt. I

Council bodies



Council bodies

Provisional Agenda Coreper II, 21 and 23 June 2023

<https://data.consilium.europa.eu/doc/document/CM-3435-2023-INIT/en/pdf>



Provisional Agenda Coreper I, 14 and 16 June 2023

<https://data.consilium.europa.eu/doc/document/ST-10436-2023-REV-2/en/pdf>

Council bodies – foreign policy, security and defence

- The Political and Security Committee (PSC)
- The European Union Military Committee (EUMC)
- Committee for Civilian Aspects of Crisis Management (CIVCOM)
- The Politico-Military Group (PMG)
- Security and Defence Directorate (SECDEFPOL.DMD)
- Integrated approach for Security and Peace Directorate (ISP)
- The European Union Military Staff (EUMS)
- The Civilian Planning and Conduct Capability (CPCC)
- The Military Planning and Conduct Capability (MPCC)
- European Defence Agency (EDA)
- European Security and Defence College (ESDC)
- European Union Institute for Security Studies
- European Union Satellite Centre

https://www.eeas.europa.eu/eeas/csdp-structure-instruments-and-agencies_en

Council bodies – Working Party on the United Kingdom

Established 2020, Chaired by the Council Secretariat

Meeting 16 June 2023 – provisional agenda

1. Trade and Cooperation Agreement

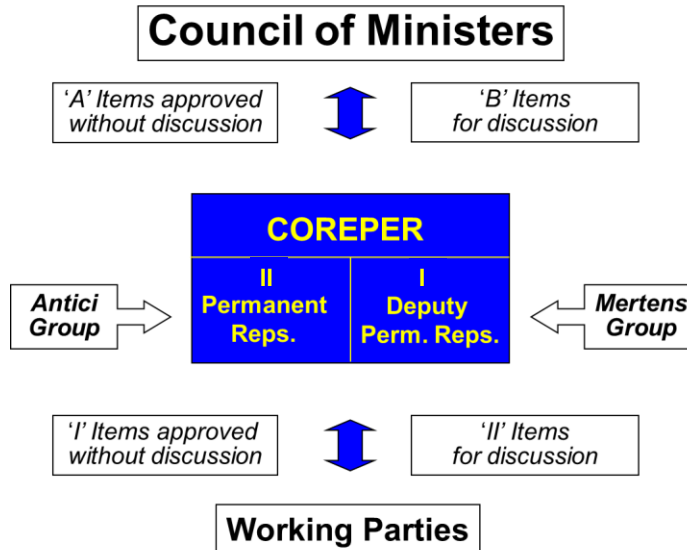
- a) Preparation of the meeting of the EU-UK Parliamentary Partnership Assembly to be held on 3 and 4 July 2023
 - Information by the Commission

2. Withdrawal Agreement

- a) Debrief of the 1st Enhanced Coordination Mechanism on VAT and excise of 15 June 2023 (WK 7432 2023)
 - Information by the Commission
- b) Preparation of the meeting of the Specialised Committee on the implementation of the Windsor Framework to be held on 23 June 2023 (WK 7858 2023)
 - Information by the Commission

<https://data.consilium.europa.eu/doc/document/CM-3196-2023-INIT/en/pdf>

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

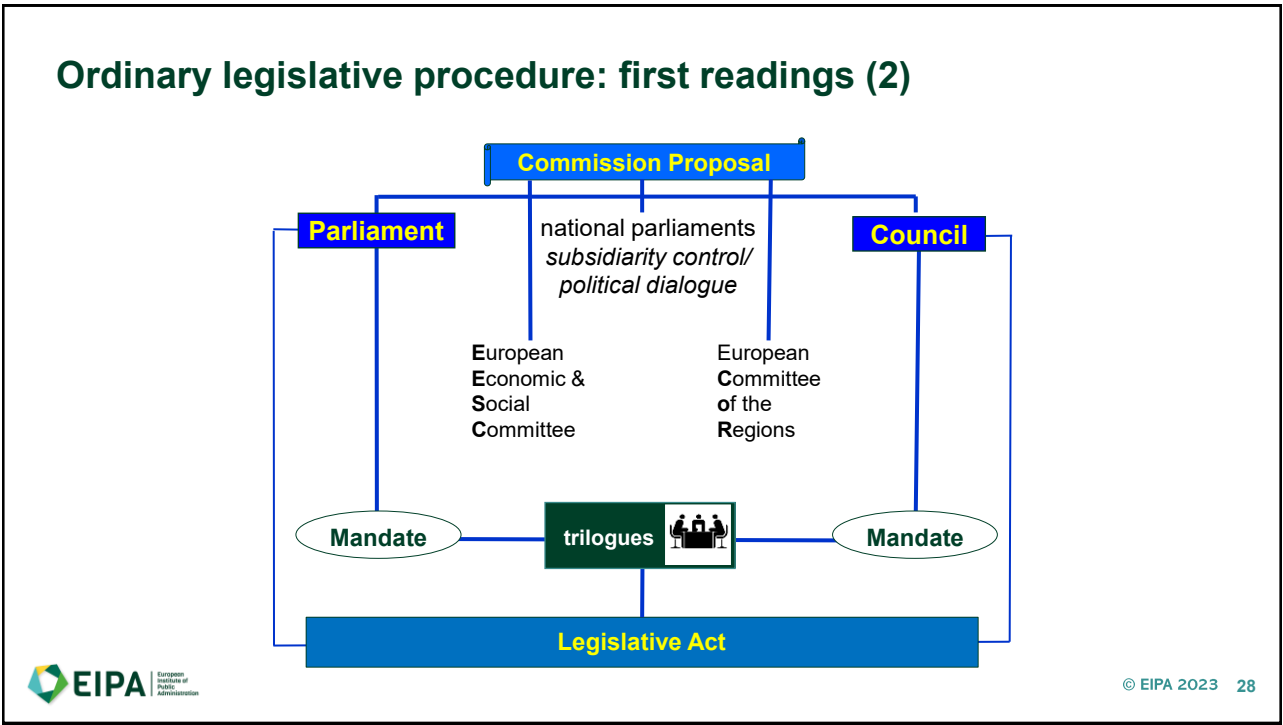
A qualified majority needs
55%* of Member States
 (“at least 15” = 15/27)
AND
65% of population.

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/>

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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
49% (48) in 2022

29% (14) in 2021
51% (49) in 2022

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'

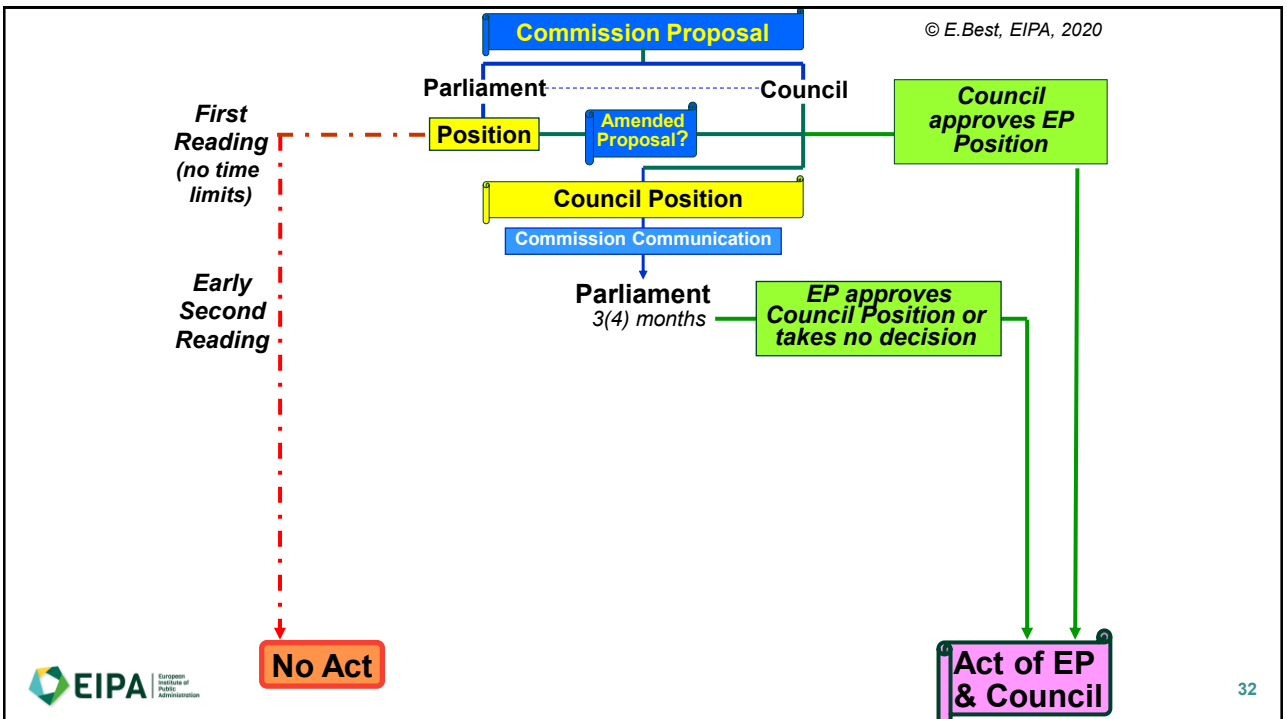
3. Plenary adopts a Legislative Resolution containing the EP Position.

Trilogues

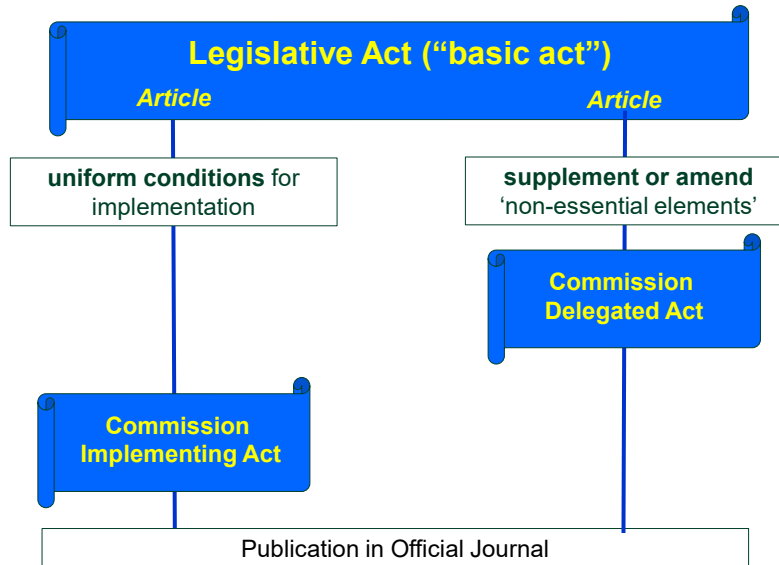
- Parliament** **Rapporteur, Chair or Vice-Chair, shadow rapporteurs**
report back to Committee
- Council** **Presidency**
reports back to Coreper
- Commission** **Line DG/Commissioner, Secretariat-General**



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



Delegated and implementing acts: basic difference



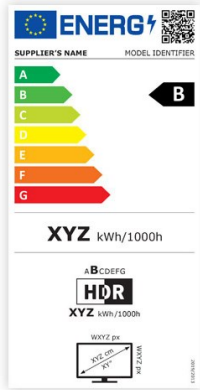
Basic, delegated and implementing acts: example

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.

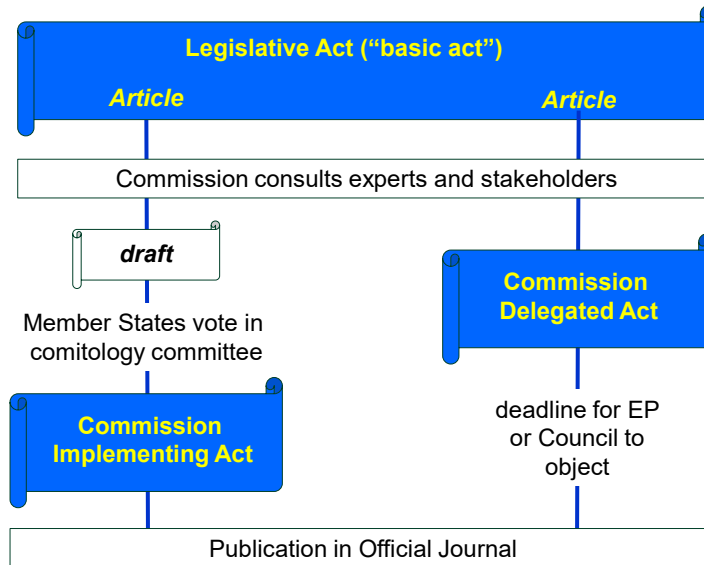


COMMISSION IMPLEMENTING REGULATION (EU) 2020/1198
of 7 August 2020

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.

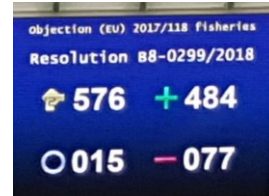
Delegated acts

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 1,578 as of 11 June 2023)



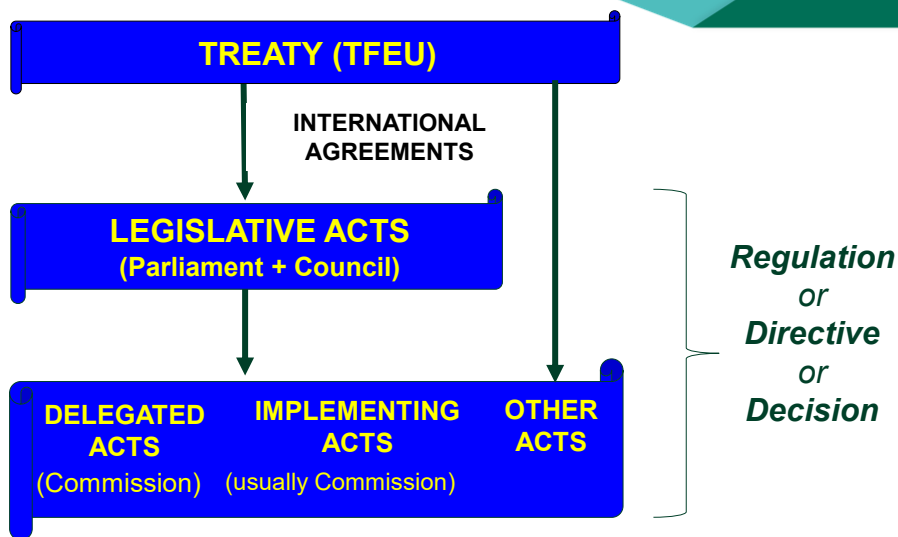
Either Council or EP may revoke the whole delegation.



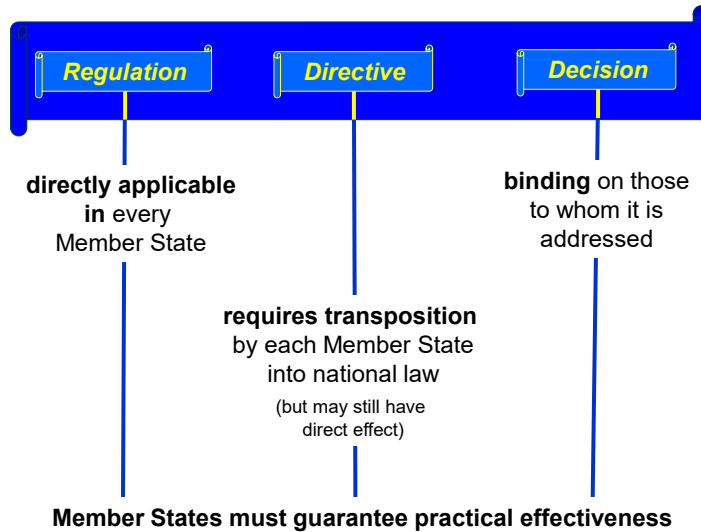
Register of delegated and implementing acts

<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

