



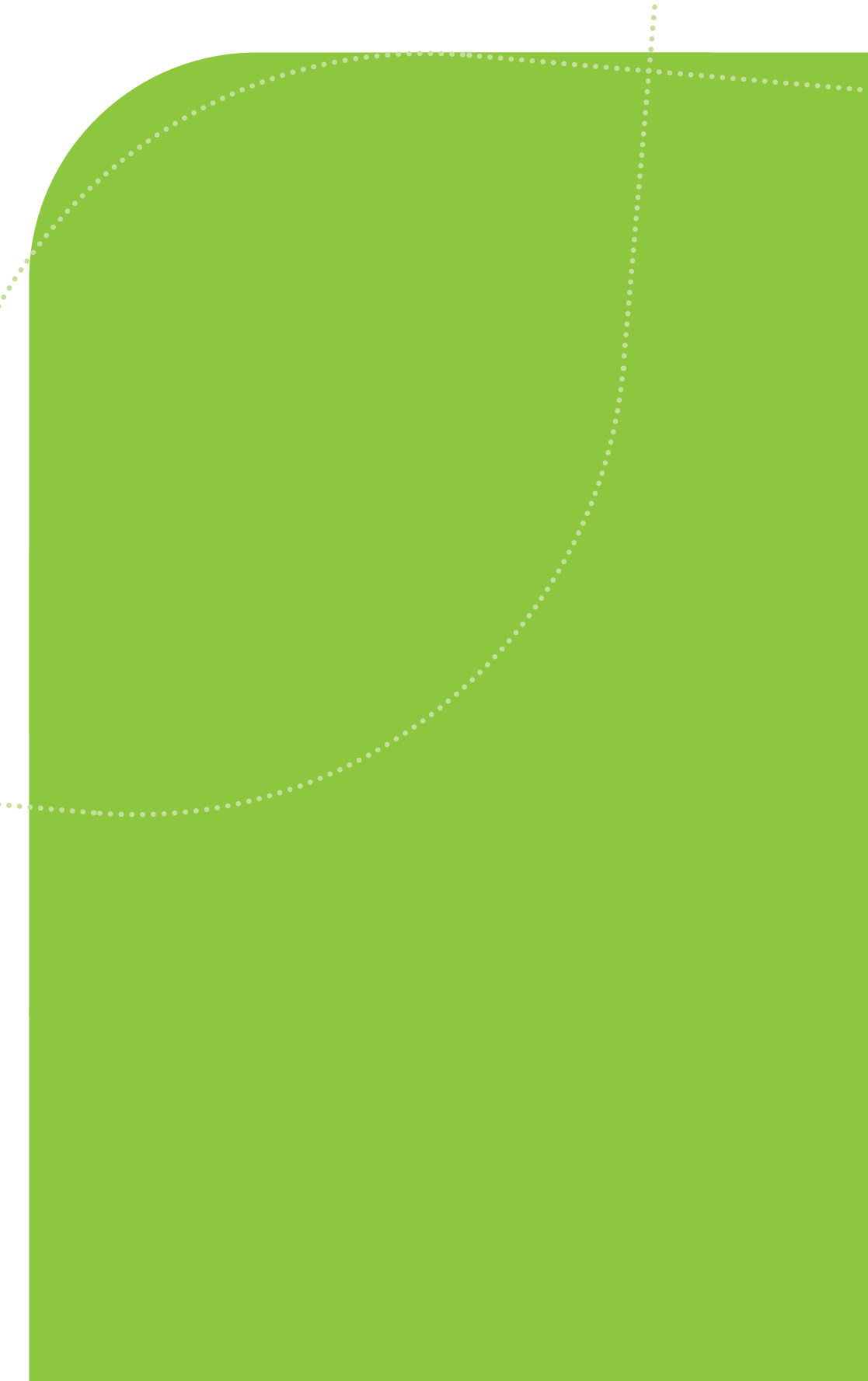
**GREEN EUROPEAN
FOUNDATION**



**2nd
edition**

Manual for Europe

A Beginner's Guide to the EU



Manual for Europe

A Beginner's Guide to the EU

Karl Staudinger

in cooperation with Peter Steyrer and Monika Feigl-Heihs,
Leonore Gewessler, Andrew Murphy and Daniel Schade

2nd edition



The Green European Foundation is a European-level political foundation whose mission is to contribute to a lively European sphere of debate and to foster greater involvement by citizens in European politics. GEF strives to mainstream discussions on European policies and politics both within and beyond the Green political family. The foundation acts as a laboratory for new ideas, offers cross-border political education and a platform for cooperation and exchange at the European level.

Published by the Green European Foundation, 2nd edition 2011
Reprinted in Belgium, April 2013 with minor edits

Project coordination: Leonore Gewessler and Andrew Murphy
Text editing: Andrew Murphy, Andrew Rodgers, Daniel Schade

Production: Micheline Gutman

Printed on 100% recycled paper

Cover picture: © European Union PE-EP/Pietro Naj-Oleari

The views expressed in this publication are those of the authors alone.
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This publication has been realised with the financial support of the European Parliament.
The European Parliament is not responsible for the content of this project.

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FOREWORD

Dear reader,

The past years have shown in a quite dramatic manner that politics at a national level alone cannot provide the solutions we need for the most challenging issues of our time. Recent attempts to overcome Europe's economic and financial problems prove that a true European response is more necessary than ever to respond to these challenges.

This is true especially for what the Greens are fighting for: environmental protection, an efficient use and a safe and sustainable production of energy, a reorientation of our economy to guarantee social inclusion and social security and – on the world stage – peace, development and the consolidation of democracy and fundamental rights.

The problems we face and the goals we are fighting for need people who engage in public issues on the European level. This engagement – like any democratic political activity – needs a knowledge base: who decides about what, how are decisions made, what are the powers and what are the responsibilities of the various institutions and bodies of the European Union and – most importantly – how can citizens interact with them and get involved in agenda setting at the European level.

GEF's mission is to contribute to the emergence of a better understanding and a deeper awareness of the tools the European Union provides to shape our common future and to tackle the challenges of our time together.

This book is part of this effort as it tries to explain the institutional set up of the EU in an easy to comprehend manner and help overcome the feeling that the EU is simply too

complex to be understood. Indeed: the EU is a unique multilevel political system, which in its decision-making process provides for national, regional and even local political actors to be involved in one way or another. This publication will attempt to be your guide to this system. To facilitate your navigation, it provides links to documents and websites that illustrate the practical functioning and actual work of the EU and the necessary information about how to get involved.

The manual was first written for an Austrian green audience when Ulrike Lunacek (today a Member of the Greens/EFA group) and her team wanted to provide campaigners in Austria with a better knowledge of the Union ahead of the 2009 European Parliament election campaign. After the Lisbon Treaty entered into force on 1 December 2009, the manual was updated and printed as a book. GEF then published an English language version, edited and amended for the Europe-wide level.

Due to its tremendous success we are happy to present it now already in its second edition. It has been carefully revised and updated to include new developments and respond to the valuable comments of our readership. Thanks to the active users of this manual it now offers an even better overview of the EU and ways to get involved.

In this sense: continue to read, debate, engage!

Pierre Jonckheer
Co-President Green European Foundation

Andreas Novy
Chairman,
Grüne Bildungswerkstatt

HOW TO USE THIS MANUAL

This manual attempts to provide easily readable quick access to knowledge about the European Union. There is no need to read it from the beginning to the end, just jump to the parts you are interested in.

The manual intends to provide you with basic knowledge of bodies, powers and procedures of the Union – but be prepared that on many occasions you are confronted with the specific view of the Greens on Europe, with their visions and with their successes. On the one hand, this serves as a demonstration of how the institutional set up of the Union can be used to achieve political goals. On the other hand, the manual wants to let you know what Greens do for you at the European level.

Throughout the book you find links that point you to webpages with examples of topics you have just read or with illustrating documents. Since many webdocuments have horribly long URLs, the manual makes heavy use of *bit.ly*, a short

url provider. The path of the links after *www.bit.ly* is customised, e.g. *www.bit.ly/eu-treaties-en* taking you to the consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union or *www.bit.ly/gs-novel-food*, pointing to the procedure file of the Novel Foods Regulation. The customisation of the shortened URL should make it easier to remember.

To navigate through this book, make use of the table of contents and the index on the last pages.

To support your involvement, the manual gives information about the European Citizen's Initiative, provides contact information of the EU institutions and contains a link list to some of the most important civil society actors on the European level. Good luck in your efforts to understand the Union and to get involved!

Karl Staudinger

Editor's note: changes introduced in April 2013 reprint to reflect Croatian accession, planned for July 1st 2013

A. OVERVIEW

The first part of the manual gives you an overview of the European Union. In *Chapter 1* (EU-History) the big lines along which it evolved are sketched, important dates (treaties, accessions) are listed up and the most important stages of its history are outlined. *Chapter 2* (EU-Democracy) explains the main components of the specific setup of the democracy model of the Union. You will read about the citizenship of the European Union and learn, how the European Citizens Initiative operates. *Chapter 3* (Legal System) gives you a picture how the structure of the Unions legal system is built up and what terms like primary and secondary law, directives, regulations, decisions and primacy of EU law mean. You'll also read about the Court of Justice and how Treaties are revised. *Chapter 4* (Responsibilities, Policy Areas) gives you an overview of the competences of the Union and an explanation of the principles of subsidiarity and proportionality.

1. History of the EU

Ideas on how to overcome the limitations and dangers of the nation state system in Europe have risen again and again throughout history.

The need to realise these ideas was never felt more urgently than after World War II. Preventing an occurrence of another major European war is what many believe to have been the strongest motivation behind the creation of the first European institution, the European Coal and Steel Community, which pooled the coal and steel industries among the founding nations. Another strong motive to move forward was the hope for economic recovery and prosperity. The drivers behind this project, the likes of Jean Monnet, Robert Schuman and Alcide de Gasperi, were all national politicians who saw the benefits in acting together across Europe.

At its beginning in 1952, the organization that was set up began with only six member states and very limited competences. Today it has expanded to be an economic and political union of 28 countries, with more than 500 million citizens. And its development has not come to an end, since other countries are negotiating to join this Union.

What the founding states began to develop together was quite unique: A supranational entity equipped with powers its members had given to the new European institutions. The process of the evolution of these institutions reflects the fears they had – and to a remarkable extent – have until today on this path.

The scope of the EU's competencies, *i.e.* which policy areas it has control over, has expanded from regulating the coal and steel industries to encompass the regulation of a single internal market. Europeans can now travel, live and work freely anywhere within the Union and use a common currency in 17 countries.

As important as the range of policies is the mechanism used to make decisions. At first, Member States were able to wield a veto to prevent decisions being made against their interest. However as the number of Member States expanded, and the range of policies over which the Union has competence increased, the use of a veto became a hindrance to the Union. Over the different treaty amendments, this veto power was watered down, to the current situation where it exists only for core sensitive areas such as foreign policy and justice.

As an organisation, the European Union is unique, as Member States have ceded parts of their sovereignty to this supranational entity. It is neither a federal state, nor a simple international institution. Due to this factor, it is difficult to name its nature, and it is often described to *be sui generis*, one of a kind.

Its institutional setup is equally quite distinct from political systems to be found in individual countries, and has evolved over time. The different institutions represent different actors and objectives; the Council to represent Member States, the Parliament to represent the people and the Commission to enforce the laws of the Union and act in the overall interest of Europe.

While the European Commission has kept its initial strong position within the institutional setup, the powers of the European Parliament grew slowly as a result of the fight of its members to attain a decisive position in the lawmaking process of the European Union.

While certain national competences like taxation are still entirely excluded from the European level, a large portion of national legislation today originates at the EU level.

Overall, Europe was not made all at once, but in many subsequent steps fixed in consecutive treaties. The most recent one – the Lisbon Treaty – marks a new level of a supranational democracy, providing the European Union with new means to respond to the challenges of today.

The most important of these developments, from the European Coal and Steel Community to the Lisbon Treaty, are described in the following sections.

1. 1. European Coal and Steel Community – ECSC

From 1952 to 2002, the ECSC was responsible for the implementation of a common market for coal and steel, both of which are essential for the production of goods necessary for war. The purpose of the ECSC Treaty was to integrate the markets for these raw materials to such an extent that they could never again be accessed by ECSC countries to wage war against each other. In particular, this would make war between France and Germany im-

possible in the long term. The ECSC Treaty transferred state powers in this area to the “High Authority” (the predecessor of the Commission). Legislative power was exercised by the Council of Ministers of the Member States, while the Parliamentary Assembly performed advisory functions. The ECSC Treaty expired in 2002, and the ECSC activities were transferred to the European Union.

1. 2. Treaties of Rome – EEC, Euratom

In 1958, the Treaty on the European Economic Community (also referred to as the EEC Treaty or the Treaty of Rome; later renamed as the EC Treaty and subsequently as the Treaty on the Functioning of the EU) and the Treaty establishing the European Atomic Energy Community (often referred to as the Euratom Treaty) came into force. The aim was to establish the “foundations of an ever closer union among the peoples of Europe” (preamble to the Treaty of Rome) and to extend supranational cooperation between Member States, as was practiced in the ECSC, to new areas.

The most important objective of the EEC Treaty was the establishment of a Common Market. As opposed to a mere free trade area where only the circulation of goods is free from restrictions, a common market gives free access to all factors of production. The EEC Treaty therefore was aimed to guarantee the four fundamental freedoms of movement for:

- Goods
- Persons
- Services
- Capital

The free circulation of goods was guaranteed by the customs union, abolishing all duties on goods crossing a border between Member States and by prohibiting measures with an equivalent effect.

Table 1: Accession History

Foundation /Accession	Signing of Treaty	Took effect	Number of members
Foundation: ECSC: Belgium, Germany, France, Italy, Luxembourg, the Netherlands	18/4/1951	23/7/1952	6
Formation: EC and EURATOM; Belgium, Germany, France, Italy, Luxembourg, the Netherlands	25/3/1957	1/1/1958	6
Accession: Great Britain, Denmark, Ireland	22/1/1972	1/1/1973	9
Accession: Greece	28/5/1979	1/1/1981	10
Accession: Spain, Portugal	12/6/1985	1/1/1986	12
Accession: Finland, Austria, Sweden	24/6/1994	1/1/1995	15
Accession: Estonia, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia, Czech Republic, Hungary, Cyprus	16/4/2003	1/5/2004	25
Accession: Bulgaria, Romania	25/4/2005	1/1/2007	27
Accession: Croatia	01/07/2011	01/07/2013*	28

* Accurate as of April 2013

The free movement of persons only referred to the movement for working purposes. It guaranteed citizens of the Member States and their family members the freedom to seek work in any Member State of the Community. (To read about the extension of this freedom please go to the section about the Citizenship of the Union, *page 21*).

The freedom to provide services guaranteed citizens established as providers of services in one Member State to deliver their services to persons living in other Member States.

The free movement of capital abolished limitations on payments and investments within the Member States.

Provisions for the achievement of these goals initially had to be adopted unanimously by the Council on proposals of the Commission. The Parliamentary Assembly was established as a mere advisory body. The impending increase in the use of qualified majority voting in the Council led France to boycott the Council in 1966. This impasse was eventually resolved through the

Luxembourg compromise, as a result of which the Council continued to decide unanimously even in cases where the Treaties would have allowed qualified majority voting.

1. 3. Direct election to the European Parliament

In 1976, the Act concerning the election of the Members of the European Parliament by direct universal suffrage was signed. Until then, the national parliaments of the Member States had sent representatives to what was then called the "Parliamentary Assembly". In 1979 the first direct elections to the European Parliament took place.

1. 4. Southern Expansion

The accession of Greece (1981), Spain and Portugal (1986) brought the issue of redressing economic disparities between richer and poorer Member States to the EU's attention and eventually led to the introduction of Structural Funds in the EEC Treaty (see Single European Act below).

Table 2: Treaties and Reforms

Treaty	Signing	Took effect
ECSC-Founding Treaty	18/4/1951	24/7/1952
Treaties of Rome (the EEC Treaty and the Euratom Treaty)	25/3/1957	1/1/1958
Treaty of Maastricht (formally the Treaty on European Union or TEU). The EEC Treaty was renamed EC Treaty	7/2/1992	1/11/1993
Treaty of Amsterdam amending the Treaty on European Union and the EC Treaty	2/10/1997	1/5/1999
Treaty of Nice amending the Treaty on European Union and the EC Treaty	26/2/2001	1/2/2003
Constitutional Treaty, which would have replaced the existing European Union treaties with a single text	29/10/2004	failed
Treaty of Lisbon which amended the Treaty on European Union and the EC Treaty. The EC Treaty was renamed Treaty on the functioning of the European Union	13/12/2007	1/12/2009

1. 5. Single European Act (SEA)

The Single European Act was the first major revision of the 1957 EEC Treaty and extended the use of qualified majority voting in the Council considerably. The capacity of the European Communities (European Economic Community (EEC), European Coal and Steel Community (ECSC) and the European Atomic Energy Community (Euratom)) to act was therefore improved, particularly in the areas necessary for the implementation of the single market. However, unanimous decisions were still required in many areas, for example in the areas of fiscal policy, the free movement of persons and the rights and interests of workers. The position of the European Parliament (EP) was strengthened by the introduction of the cooperation procedure. In this procedure, unanimity in the Council was required instead of qualified majority voting in all instances where the EP had rejected a common position of the Council or proposed amendments to it.

Additional powers in the domains of social and environmental policies were vested in the European Economic Community. In order to offset some of the impacts from the increase

of competition in the single market, funds for the promotion of economic and social cohesion were incorporated in the EEC Treaty (European Agricultural Guidance and Guarantee Fund (EAGGF), European Social Fund (ESF), European Regional Development Fund (ERDF)).

1. 6. Treaty of Maastricht

The Treaty on European Union (TEU) was signed in Maastricht. It changed the name of the European Economic Community to simply "the European Community", and hence the EEC Treaty was renamed the EC Treaty when the TEU came into force. The Treaty established the European Union under its current name and summarised the various forms of cooperation between Member States in the so-called three pillar model:

- "Common" Policy areas (The Single Market, agricultural policy, etc.)
- Common Foreign and Security Policy (CFSP)
- Cooperation in the areas of justice and home affairs

In the first pillar, the decision-taking procedure involved the Parliament, Council and Commission (supranational level). In the second and third pillars, governments agreed to work together.

The EU's powers were expanded to include the areas of vocational training, culture, young people, consumer protection and trans-European networks.

Through the Maastricht Treaty, European Union citizenship was introduced. The European Parliament's role was further enhanced (by the introduction of the co-decision procedure, extension of the cooperation procedure and the involvement of the EP in the appointment of Commissioners).

The areas where decisions could be made by a qualified majority in the Council were extended to include additional policy areas. The Committee of the Regions was established.

The Maastricht Treaty contained a three-stage plan designed to achieve economic and monetary union as well as the (controversial) euro convergence criteria (Maastricht criteria) which Member States have to fulfil before they can join the single currency.

1. 7. Treaty of Amsterdam

The Treaty of Amsterdam amended the Treaty on European Union and the EC Treaty. It expanded the principle of non-discrimination in the EC Treaty and required Member States to act against discrimination on grounds of nationality, sex, race, ethnic origin, religion, beliefs, disability, age or sexual orientation. The re-written Article 141 of the EC Treaty required compliance with the principle of "equal pay for equal work" in all Member States and made this principle legally enforceable. It also empowered the Council to adopt guidelines to ensure its enforcement. The public was given the right of access to Council documents in the context of its activity as an EU lawmaker.

The co-decision procedure was extended to almost all areas in which the Council made decisions by qualified majority (with the exception of agriculture).

The Amsterdam Treaty extended the principle of subsidiarity (the principle by which actions are only taken by the EU if they cannot be better achieved at a lower administrative level) to all policies, which do not fall within the exclusive competence of the EU.

The Treaty created the position of High Representative to assist the Council Presidency in implementing the Common Foreign and Security Policy. The so-called Petersberg tasks (peacekeeping, crisis management, etc.) were included in the foreign policy of the EU.

The requirements on environmental protection as set out in the Amsterdam Treaty and "in particular, the promotion of sustainable development", were integrated into community policy. In the context of the "area of freedom, security and justice", cooperation in the fields of free movement of persons, external border controls, asylum, immigration, etc. was expanded.

Legally enforceable: Equal pay for equal work

Background: Overtime in the state of Berlin was paid at a lower rate than regular work hours were. Overtime worked by part-time employees was also paid at a lower rate, even when the total number of hours worked by these workers amounted to less than standard full-time working hours. This meant that part-time employees – most of them women – could work a similar number of hours as their full-time colleagues but be paid less.

The European Court of Justice determined that the situation was incompatible with the principle of equal pay for men and women, and ruled:

“Article 141 ECJ (now Art.157 TFEU) is to be interpreted as precluding [such] national legislation ... where:

- in the group of workers subject to that legislation, a considerably higher percentage of women is affected as compared with the percentage of men so affected; and
- the difference in treatment is not justified by objective factors wholly unrelated to discrimination based on sex.”

ECJ Judgement Dec.6, 2007 C-300/06.

www.bit.ly/ejc-equal-pay-en

1.8. Charter of Fundamental Rights of the European Union

In 1999 the European Council convened a convention to draft a Charter of Fundamental Rights of the European Union, called the European Convention. The Convention produced a draft document which was adopted in October 2000, and was solemnly proclaimed by the President of the European Parliament, the Presidency of the Council and the President of the Commission in December 2000.

The Charter contains the following sections: human dignity, freedom (e.g. freedom of expression, the right to asylum), equality (e.g. cultural diversity, integration of people with disabilities), solidarity (e.g. right to information and consultation of workers in companies, social security and social assistance), civil rights (e.g. right to vote for the European Parliament, right of petition, diplomatic protection), Justice (e.g. right to an effective legal remedy and a fair trial) and general provisions (e.g. field of application of the Charter, level of protection).

The legal status of the Charter was initially unclear. It was subsequently included in the Constitutional Treaty and was made legally binding by the Treaty of Lisbon (conditionally for Poland and the UK).

Starting from the date of the Lisbon Treaty's entry into force the Charter has full effect on the institutions of the EU which means, for example, that EU legislation contravening the Charter may be annulled by the Court of Justice of the European Union. The Charter applies to Member States only when they are implementing Union law.

www.bit.ly/eu-charta-en

For more details see *page 21*.

1. 9. Treaty of Nice

The Treaty of Nice amended the Treaty on European Union and the EC Treaty, and was mainly intended to establish the foundations for cooperation in an enlarged EU. Among other changes the Treaty obliged the Council to reduce the size of the Commission by means of a unanimous decision. The right to nominate a Commissioner would be assigned to Member States by way of an equal rotation. This Council decision was never taken however, and in the Treaty of Lisbon, the decision on the reduction of the number of commissioners was postponed until 2014 (before the second Irish referendum on the Lisbon Treaty the Irish were promised that there would be no reduction of the Commission).

The Treaty of Nice altered the distribution of voting weights in the Council and the conditions required for a qualified majority decision. It also determined a new distribution of seats in the European Parliament.

The Eurojust agency was set up in order to combat organised crime.

1. 10. Eastward Expansion

In 1994 at the Copenhagen Summit, following the collapse of the socialist regimes in Eastern Europe, the EC offered Central and Eastern European countries the option to become members of the European Union. The criteria (known as the 'Copenhagen criteria') established for membership were:

- acceptance of the European values (democracy, constitutional state, and human rights);
- a functioning market economy; and
- the adoption of the EU *acquis communautaire* (existing directives and regulations, jurisdiction of the ECJ, etc.).

www.bit.ly/copenhagen-criteria

1. 11. Constitutional Treaty

The need for further reform of the European Union after Nice was undisputed between Member States. In order to prepare the necessary changes, a constitutional convention (the Convention on the Future of Europe) was convened in which 105 members (government representatives, members of national parliaments and the European Parliament, as well as members of the Commission) prepared a draft constitution. The Greens were represented in the Convention by Johannes Voggenhuber and Joschka Fischer (Eva Lichtenberger was involved as a substitute member). The Treaty establishing a Constitution for Europe was signed in October 2004, but failed in the ratification process as a result of the negative outcome of national referenda in France and the Netherlands.

The contents of the Constitutional Treaty were mostly integrated into the Treaty of Lisbon. Certain symbolic aspects of the Constitutional Treaty were not adopted such as a European anthem, a European flag, Europe Day, and the designation of directives and regulations as "framework laws" or "laws" of the EU.

www.bit.ly/eu-constitution-treaty

1. 12. Lisbon Treaty

The Lisbon Treaty contains far-reaching changes to both the Treaty on European Union and the EC Treaty, which was renamed the Treaty on the Functioning of the European Union (TFEU).

Under the Lisbon Treaty, the Charter of Fundamental Rights of the European Union became part of the founding treaties of the EU. The treaty also contains the legal basis for EU accession to the European Convention on Human Rights. With the European Citizens' Initiative, the Lisbon Treaty granted one million EU citizens from a significant number of Member States the right to request that the Commission initiates a legislative process based on their concerns (see the "European Citizens' Initiative" *page 21*).

The introduction of an early warning mechanism gives the national parliaments of the Member States the opportunity to raise objections to the Commission's proposals if they are deemed to violate the subsidiarity principle (see *page 28*). From November 2014, the double majority system will be used as the voting system in the Council (a double majority vote will require 55% of the member countries, representing 65% of the EU population) (see *page 34*).

The meetings of the Council must be public when the Council is acting in its legislative capacity. The co-decision procedure has again been extended and functions as the "ordinary legislative procedure" of the EU.

Through so-called "bridging" clauses, the European Council may (unanimously) decide to authorise the Council to decide by majority vote in cases where the Treaty would require unanimity. In the same way it can allow legislative acts to be adopted with the ordinary legislative procedure where the treaties provide for the respective acts to be passed with a special legislative procedure.

The “triple-shared presidency” of the Council, whereby groups of three member states cooperate for their combined eighteen month terms on a common agenda, gained a legal basis in the Lisbon Treaty.

The High Representative of the Union for Foreign Affairs and Security Policy now serves as both Vice-President of the Commission and Commissioner for External Relations and presides over the Council on Foreign Affairs (“double hat”, see *page 40*).

Police and judicial cooperation (formerly the “third pillar”) are absorbed into the normal European Community Procedures (formerly called “first pillar”). The three-pillar model is thus abolished.

As in the Treaty of Nice, the Lisbon Treaty aims to reduce the number of Commissioners. As mentioned above, it was agreed, in the context of the second Irish referendum on the ratification of the Lisbon Treaty, that the planned downsizing of the Commission would be reversed in a future amendment to the Treaty.

The number of the Members of the European Parliament (MEPs) is set at 751, with a minimum number of 6 and a maximum number of 96 members per state. As a result of the transition to the Lisbon Treaty (which entered into force after the 2009 elections), the Parliament will have 754 members until the next European Parliament elections in 2014, because the limitation of 96 did not apply in 2009 and Germany elected 99 MEPs.

The Lisbon Treaty provides the European Council with its own president, appointed for a period of two and a half years by the European Council by a qualified majority, who will manage the work of the European Council (not to be confused with the Council of Ministers) and will represent the Union as President of the European Council in matters of Common Foreign and Security Policy.

As part of the Common Foreign and Security Policy, the Treaty of Lisbon specifies certain mandatory aspects of defence policy for Member States with the aim of “gradually improving their military capabilities” and requires them, in the event of an armed attack, to provide the attacked Member State with all available assistance and support, with “the specific nature of the security and defence policy of certain Member States” not being affected (referring to the neutrality of Austria and Ireland). Decisions in this area require unanimity in the Council.

The rules for the specific policies of the Union as laid down in Part III of the Treaty on the Functioning of the European Union may be changed in a simplified Treaty amendment procedure by a unanimous European Council decision after the Parliament has been consulted. These treaty modifications can only enter into force once they have been ratified by all Member States (see Treaty amendments, *page 25*).

1. 13. The Greens and Reform of EU Institutions

For the Greens, a robust European Union will be vital if we are to master the challenges of the 21st Century – especially climate change – and ensure sustainable energy supply, social welfare and economic stability.

For this reason they have been closely involved, at all levels of political activity, in the discussion on the reform of the European Union with the aim of developing the rights of the citizens and strengthening democracy in the European Union in order to overcome the nation-state mentality in transnational challenges, and in order to improve the capacity of the Union to act in addressing the great challenges of our time.

The drafting of the Constitutional Treaty by the Convention on the Future of Europe (officially known as the European Convention), from the Green’s perspective, brought about many fundamental advances: the Parliament received

increased rights in the legislative process as well as in budget planning and monitoring, the parliaments of the Member States were provided with an appeal mechanism against excessive EU legislation, the sensitive areas of internal security, judicial and police cooperation, border control, asylum and immigration were transferred from the (democratically precarious) intergovernmental cooperation system to the ordinary legislative procedure, and became subject to judicial review. The Charter of Fundamental Rights of the European Union was made legally binding, and the EU was given the legal basis to access to the European Convention on Human Rights. Bringing about a competitive social market economy was included in the Union's objectives. The fact that the goal of full employment is part of the Treaty on European Union is due to the endeavours of the Greens in the European Convention. The requirement for gender equality was reinforced, as was the commitment to combating social exclusion and discrimination.

Civilian and military resources are, for the first time, attributed equal importance in the area of defence policy, and conflict prevention and peace building are defined as constitutional duties.

Despite this progress, many goals remain unattained: the Greens did not prevail in their attempt to define the European Union as an area of social security, justice and solidarity, the tools required to develop a "social Europe" remain incomplete, European referenda were not permitted, the parliament has no independent right of initiative in the legislative process, and the area of Common Foreign and Security Policy continues to suffer from democratic deficits and a lack of public debate.

In the frenzied controversy surrounding the (unsuccessful) ratification of the Constitutional Treaty and the ratification of the Lisbon Treaty, the vast majority of the member parties of the European Greens decidedly campaigned for the reforms achieved within the Treaty. Most of the Lisbon Treaty reforms were developed

by the European Convention, and were for a large part transposed to the Lisbon Treaty; not to make use of them would have indefinitely postponed fundamental democratic reform of the EU. A look at the current political landscape confirms this assessment: apart from the fact that the economy is almost completely occupying the attention of politicians at this moment, today most of them just would not be willing to go ahead with such far-reaching reforms in any case.

The Greens called for a pan-European referendum to confirm the Constitutional Treaty and the Lisbon Treaty; unfortunately they were not able to have this proposal enacted. A referendum on the same day throughout Europe could have created significant momentum towards a European public sphere.

1. 14. Accession/Enlargement

Any European state can apply to become a member of the European Union on the precondition it respects the values of the Union and is committed to promoting them. Candidate countries must meet the so called Copenhagen criteria (www.bit.ly/copenhagen-criteria) requiring:

- stable institutions that guarantee democracy, the rule of law, human rights and respect for and protection of minorities;
- a functioning market economy, as well as the ability to cope with the pressure of competition and the market forces at work inside the Union;
- the ability to assume the obligations of membership, in particular adherence to the objectives of political, economic and monetary union.

Furthermore countries that want to join the Union must adopt the existing European legislation (*acquis communautaire*) and be able to enforce it through appropriate administrative and judicial structures.

At the beginning of the accession procedure the Council unanimously adopts a negotiating mandate. For the purpose of the accession negotiations the EU legislation is split into 35 chapters (*e.g.* "1. Free movement of goods", "15. Energy", "27. Environment", etc.). Before negotiations actually start the Commission screens the candidate country in each of the 35 chapters to determine the degree it complies with the *acquis communautaire*. If necessary in this stage benchmarks can be defined that have to be met in order to open negotiations in a specific chapter (opening benchmarks). Once negotiations are opened, closing benchmarks determine the conditions to be met by the candidate state to close the respective chapter. Once all chapters are closed – as was the case recently with Croatia on 30 June 2011 – the terms and conditions for the accession are laid down in a Draft Accession Treaty. Having heard the opinion of the Commission and having gained the assent of the European Parliament to this draft treaty the Council decides by unanimous vote to conclude the negotiations. Once this has happened the

Accession Treaty is signed by the representatives of the acceding state and of all Member States of the Union and afterwards ratified by the acceding and the Member states according to their constitutional rules.

Instruments on the way to support the accession process are – among others – accession partnerships, national programs for the adoption of the *acquis*, participation in EU-programs, agencies and committees and political dialogues.

Currently, candidate countries are Iceland, Montenegro, the Former Yugoslav Republic of Macedonia and Turkey. Negotiations are, however, only underway with Iceland and Turkey. The Western Balkans – Albania, Bosnia and Herzegovina, Serbia and Kosovo – are involved in a Stabilisation and Association process focusing on key democratic principles and core elements of the single European market.

2. EU-Democracy

2. 1. The Democratic Model of the EU and its Evolution

The power of the European Union mostly rests with three institutions: the European Parliament, the Council and the Commission.

EU democracy is based on the direct election of members of the European Parliament and the democratic legitimacy of the Council members who, as members of government in their respective countries, are politically accountable to their national parliament.

Because appointments to the Commission involve the European Council and the European Parliament, and because the Commission is accountable to Parliament following its appointment (e.g. through no-confidence votes and parliamentary questions), the Commission is integrated into this model of democracy (see the Democracy Diagram on *page 20*).

The EU Treaties have progressively transferred an abundance of legislative powers to the Union, as a result of which, the powers of the national parliaments have been decreased. For this reason the constitutions of all Member States provide tools to allow national parliaments to exert influence on their government's position in the Council. These instruments have been designed in very different ways, some even go as far as requiring a mandate from parliament, to which the relevant member of the government is bound in Council negotiations. The rights of the Danish Parliament (Folketing) are particularly strong, as the government is required, prior to Council meetings on important matters, to obtain a negotiating mandate from the European Affairs Committee of the Folketing (www.bit.ly/eu-committee-dk). In a similar way, governments of other Member States such as Finland (www.bit.ly/eu-affairs-fi) and Austria (www.bit.ly/eu-affairs-at) can be bound by negotiating mandates from

the EU committees of their national parliaments ahead of Council meetings.

The EU has been accused – and rightly so for many years – of having a democratic deficit, as the powers of the European Parliament were far too weak, and the separation of powers principle was undermined by the strong position of the Council in the legislative process.

That has changed substantially in recent years: the Parliament's position has gradually become stronger and it is able to assert its strength in political reality. The co-decision procedure, in which the Parliament shares legislative power equally with the Council, became the ordinary legislative procedure as a result of the Lisbon Treaty, and is now applicable in most legislative matters. In appointments to the Commission, the Parliament is able to make its power felt through hearings with prospective commissioners; and in both 2004 and 2010 candidates nominated by Member States were replaced by other candidates as a result of the hearings in the Parliament.

In addition to formal improvements, EU democracy has benefited from the specific setup of the EU institutions: the majority of the Parliament – unlike the national parliaments – is not obliged to support a government. This eliminates much of the political party squabbling, which characterises day-to-day politics at the national level and thus provides a comparatively large arena for constructive cooperation. According to many of its members, this makes the work carried out in the European Parliament more exciting and objective in comparison to national parliaments. Nevertheless, party politics do play a decisive role in the European Parliament and it is a big challenge for the Greens to prevail, especially when the two big groups – the European People's Party and the Progressive Alliance of Socialists and Democrats in the European Parliament – are acting together as a "grand coalition". A major weakness of EU democracy, however, is the poor voter turnout in the election of representatives to the

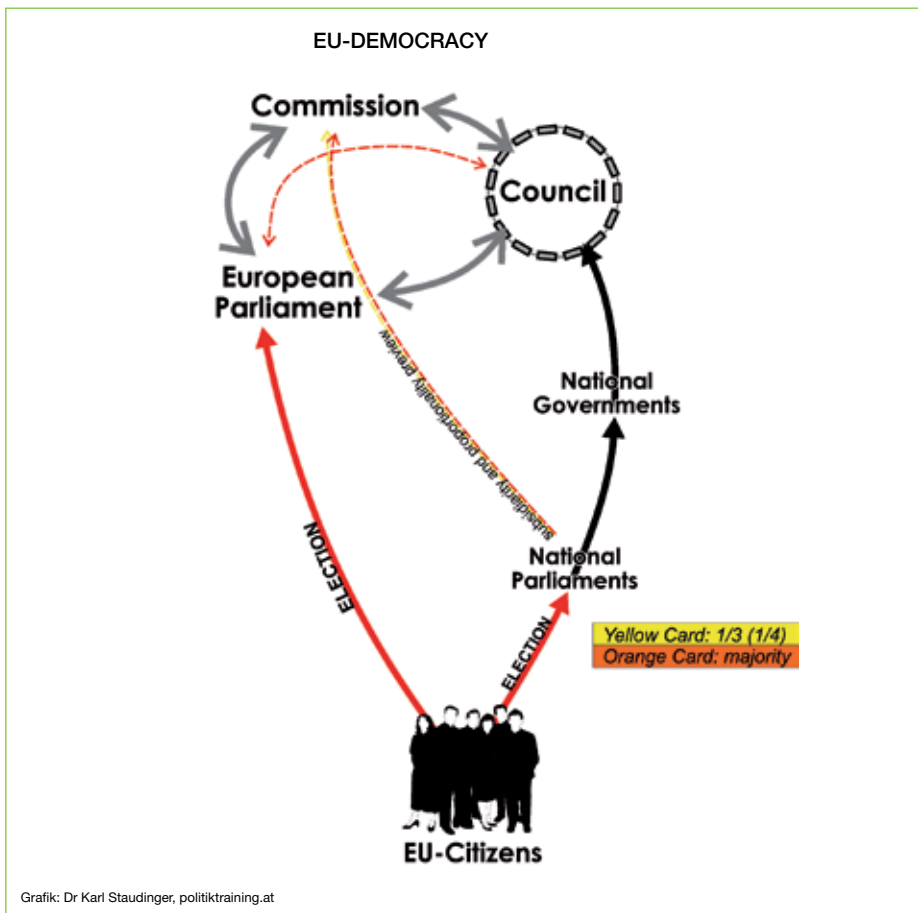
European Parliament, and the fact that the reasons why candidates are elected are often more linked to national politics than to European issues.

One approach to address these problems is the proposal to elect a certain proportion of members of the European Parliament through a pan-European (transnational) list, and thus complement the election of nationally elected individuals with members mandated by a pan-European public. The Greens support this proposal. www.bit.ly/report-transnational-lists

Tasks for further democratic reform in the European Union are:

- the introduction of plebiscites and referenda at EU level;
- the extension of decision-making using both the co-decision procedure and qualified majority voting in the Council to all policy areas - particularly in Common Foreign and Security Policy;
- the introduction of the right of Parliament to initiate legislation; and
- allowing Parliament to cast a vote of no confidence against individual members of the Commission (rather than just against the Commission as a whole).

Diagram 1: EU Democracy



2. 2. Charter of Fundamental Rights (Extract)

- Prohibition of the death penalty
- Prohibition of torture and inhuman or degrading treatment
- Prohibition of forced and compulsory labour
- Active and passive voting rights for EU citizens in local elections in the area of residence
- The right to freedom of expression, including the right to hold opinions and to receive and impart information without interference from public authority and regardless of frontiers
- The right to found political and labour unions and civil society groups and the right to join such associations
- The right to education, particularly the right to free compulsory education
- Prohibition of discrimination on the basis of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political ideology or other opinions, membership of a national minority, property, birth, disability, age or sexual orientation
- The obligation to ensure equality between women and men in all areas, including employment, work and remuneration
- Respect for the rights of older people to lead dignified and independent lives and to participate in social and cultural activities
- The right of workers to the collective defence of their interests, including strikes
- The right to healthy, dignified and safe working conditions
- The right of access to social security benefits and to social services
- Recognition of and respect for access to services of general economic interest

2.3. Citizenship of the Union

Every national of a Member State is a citizen of the Union. The citizenship of the Union is not a substitute for national citizenship, but, on the contrary, supplements citizens' rights at the national level by Union rights.

Specific rights deriving from this status of a citizen of the European Union are:

- the right to move and reside freely within the territory of the Member States;
- the right to vote and to stand as candidate in elections to the European Parliament and in municipal elections in the citizen's Member State of residence;
- the right to enjoy the diplomatic and consular protection of any Member State in third countries where his home state is not represented; and
- the right to petition to the European Parliament, the right to apply to the European Ombudsman and the right to address the institutions and advisory bodies of the Union and obtain reply in any of the Treaty languages.

In practice the most relevant of these rights is the freedom to move and reside within the territory of the Member States. In regard to non-working individuals the right to live in another Member State is limited either by time (3 months) or personal circumstances (proof of sufficient financial means and health insurance) by a regulation. After a continuous period of five years of residence in the host Member State union citizens have the right of permanent residence. These details are laid out in Directive 2004/38/EC.

The Court of Justice of the European Union has developed a very dynamic view of the citizenship of the Union and extended the right of non-national EU-citizens and their family members to reside in Member States and in certain cases even to have access to social security and similar benefits previously only granted to nationals (see *Chapter 10, page 43*).

2. 4. European Citizens' Initiative

The European Citizen's Initiative (ECI) is a new right introduced under the Lisbon Treaty which allows 1 million EU citizens from at least 7 Member States to request the Commission to consider a legislative proposal. If the Commission agrees to

proceed with the proposal, they may introduce a directive or regulation which will have a major impact in that area.

The ECI is a transnational form of direct democracy, the first of its kind in the world, which gives EU citizens the ability to directly shape the Union's policy agenda. It aims to bridge the gap between the operation of the EU and its citizens. It is outlined in Article 11 of the Treaty on European Union, as well as in a regulation detailing how it will operate (211/2011). Since April 1st 2012, the ECI is operable and it has already proved a popular tool, with many registered initiatives. Some of these initiatives focus on green issues such as "Water as a human right" and "End Ecocide (destruction of ecosystems)". All ongoing ECIs are listed in the online official register of the European Commission: <http://ec.europa.eu/citizens-initiative/public/initiatives/ongoing>

How the ECI operates

The ECI is designed to be operated by EU Citizens, with the regulation outlining the support that is available to the organisers, along with the conditions that they must adhere to for a successful ECI.

For those considering organising an ECI, the following are the crucial "need to know" points:

- One million signatures must be gathered in at least a quarter of Member States (currently 7). To qualify as one of those 7 Member States, there is a formula for the minimum number of signatures that need to be gathered (number of MEPs in that Member State x 750) (see Table 3 on the next page).
- An ECI must be addressed to an area where the EU is able to issue a legal act (a regulation, a directive etc.) within the framework of the treaties. A strict interpretation of this provision could mean that initiatives to amend the treaties would be deemed to be inadmissible. The Greens are in favour of a wider interpretation in this regard.
- European Citizens' Initiatives must clearly describe their subject matter. The proposal need not be an exactly detailed legislative proposal, but it must broadly outline the objectives to be achieved and how the proposal will achieve those.
- The organisers must establish an organising committee, with members from at least 7 Member States. The organisers must register their ECI with the Commission.
- The Commission must decide within two months whether a submitted initiative meets the criteria described. It can only refuse the registration on a limited number of reasons, i.e. if the proposal is "outside the framework of the Commission's powers"; it is manifestly introduced with abusive, frivolous or deliberately damaging intent; or, if the initiative manifestly violates the values of the Union (Article 2 EU Treaty).
- Should a registration request be rejected, the Commission must communicate the reasons to the organisers of the initiative. For instance, the Commission has refused the registration of an ECI against nuclear power, on the basis that it has no legislative competence in the area. The Commission's decision can be annulled by the European Court of Justice. In case a proposal is not admissible as an ECI, some subjects could still be formulated as a petition to the European Parliament.
- Once registration of the ECI is approved the organisers have 1 year to gather the necessary 1 million signatures in at least 7 Member States.
- The signature gathering process must be transparent (declaring all forms of financial support), conform to different requirements of signature gathering in individual Member States and must respect data protection rights detailed in the ECI regulation. Signatures can be collected from all EU citizens (nationals of a Member State), who have reached the age required to vote in European Parliament elections (at present 16 years of age in Austria, 18 years in the other Member

States). A highly contentious issue in the negotiations on the implementation of the ECI was the requirement to provide passport or ID card number, which the Greens rejected. Currently there are a number of states that will require the collection of official ID data along with the signature.

- Upon submission of a successful ECI, the Commission must arrange a meeting with the organisers and together with the European Parliament there must be a public hearing on the proposal.
- While the Commission may decline to proceed with the proposal, they must communicate reasons for this to the organisers, but also to the general public.
- If the Commission accepts the proposal, then it will commence the legislative procedure relevant to that area.

The ECI is a further step in the important democratisation of the European Union. In less than one year, 22 requests for registration have been submitted to the European Commission, 14 were accepted as ECIs, demonstrating an enormous appetite by citizens to shape the agenda of the EU. "Water as a human right" is the first ECI to have collected more than 1 million signatures in a period of only six months. Nevertheless, for all on-going ECIs several problems arose in the process, above all connected to the open source software provided by the Commission for signature collection. This even led to an ECI being launched by a group of IT specialists "for a user-friendly central public online collection platform".

GEF has produced a number of publications on the ECI, outlining in greater detail its implications and how it operates.

http://bit.ly/ECI_Flyer2012
http://bit.ly/ECI_PocketGuide
www.bit.ly/GGEP_flyer

Table 3: ECI – minimum number of signatories per Member State

Austria (19 MEPs)	14,250
Belgium (22 MEPs)	16,500
Bulgaria (18 MEPs)	13,500
Croatia (12 MEPs)	9,000
Cyprus (6 MEPs)	4,500
Czech republic (22 MEPs)	16,500
Denmark (13 MEPs)	9,750
Estonia (6 MEPs)	4,500
Finland (13 MEPs)	9,750
France (74 MEPs)	55,500
Germany (99*/96 MEPs)	74,250*/72,000
Greece (22 MEPs)	16,500
Hungary (22 MEPs)	16,500
Ireland (12 MEPs)	9,000
Italy (73 MEPs)	54,750
Latvia (9 MEPs)	6,750
Lithuania (12 MEPs)	9,000
Luxembourg (6 MEPs)	4,500
Malta (6 MEPs)	4,500
The Netherlands (26 MEPs)	19,500
Poland (51 MEPs)	38,250
Portugal (22 MEPs)	16,500
Romania (33 MEPs)	24,750
Slovakia (13 MEPs)	9,750
Slovenia (8 MEPs)	6,000
Spain (54 MEPs)	40,500
Sweden (20 MEPs)	15,000
United Kingdom (73 MEPs)	54,750

* As a result of the particularities of the transition to the Lisbon Treaty, Germany will have 99 MEPs until the next EP election in 2014, after which it will have 96 members in the European Parliament.

3. Legal System

3. 1. Primary Law/Treaties

In establishing the European Community, EURATOM and the European Union, the Member States of the Union concluded treaties, which were amended by the Treaties of Maastricht, Amsterdam, Nice and Lisbon and the Treaties of Accession (see History of the EU, *page 9*). These treaties, comparable to national constitutions, form the basis of the EU legal system and are designated as primary law. The most important issues contained in the treaties are the EU's competencies, the institutions of the EU, the decision making procedures, citizens' rights and judicial control. The fundamental rights guaranteed under the European Convention on Human Rights (ECHR) are expressly incorporated into EU primary law by the Treaty on European Union. The Charter of Fundamental Rights of the European Union also became part of EU primary law.

The most important treaties are:

- The Treaty on European Union (TEU)
- The Treaty on the Functioning of the European Union (TFEU)

Consolidated version of both treaties:

www.bit.ly/eu-treaties-en

3. 2. Secondary law

In order to achieve the objectives of the Union, EU institutions have the right, under the treaties, to pass legally binding acts. These acts are referred to as secondary law.

The three types of acts of the Secondary Law are:

- Regulations
- Directives
- Decisions

3. 3. Primacy of EU-Law over National law

European acts with binding force have primacy over all national law. Member States may not take action which contradicts European law. In principle, the primacy of EU law – also referred to as "supremacy" or "precedence" of EU law – also applies to national constitutional law. Some decisions by national constitutional courts (*e.g.* of France, Poland and Germany) deny this precedence in instances where EU law conflicts with fundamental principles of national constitutional law.

3. 4. Regulations

Regulations are legislative acts which apply immediately. They do not need to be transposed into national law. They are executed by the administrative authorities and courts of the Member States.

Examples:

- Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market.

www.bit.ly/regulation-timber

- Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office.

www.bit.ly/regulation-asylum-support

- Regulation (EU) No 994/2010 of the European Parliament and of the Council of 20 October 2010 concerning measures to safeguard security of gas supply.

www.bit.ly/regulation-gas-supply

3. 5. Directives

EU directives are legislative acts which require Member States to achieve a particular result without instructing the means by which they are to do this. In order to comply with directives, Member States might have to make changes to national laws to achieve the required objectives. Member States are free to decide as to the

manner and methods of their implementation, however, the objectives of directives are mandatory. Directives regularly include deadlines for their implementation by Member States.

Should directives not be implemented by the deadline, they can, in certain circumstances, have direct legal effects. In particular, starting from the expiry of the implementation deadline, citizens are entitled to any rights which they are granted by the directive and are able to enforce them even against contravening national law.

Examples:

- Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts, implemented through procurement acts by the Member States.

www.bit.ly/directive-procurement

- Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, implemented through equality acts by the Member States.

www.bit.ly/directive-equal-treatment

- Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, implemented through spatial planning acts by the Member States.

www.bit.ly/directive-environmental-impact-assessment

3. 6. Decisions

Decisions are aimed at specific target groups, which are referred to specifically or individually in the decision. Decisions frequently attract much public attention. They are best illustrated using examples.

Examples:

- Commission decision on the imposition of a fine against Microsoft of €497 Million for the

abuse of their dominant market position.

www.bit.ly/decision-microsoft

- Decision of the European Parliament and of the Council concerning a mechanism for monitoring greenhouse gas emissions in the Community and for implementing the Kyoto Protocol.

www.bit.ly/decision-kyoto

- Commission Decision on establishing harmonised efficiency reference values for separate production of electricity and heat.

www.bit.ly/decision-heat-power

3.7. The Court of Justice

The Court of Justice has to ensure, "that in the interpretation and application of the Treaties the law is observed" by the Union's institutions and Member States. (See *Chapter 10, page 43* for more details).

3.8. Treaty Revisions

The Treaty on European Union (TEU) provides an ordinary and a simplified procedure for Treaty revisions.

Both procedures start with a proposal either of a Member State, the European Parliament or the Commission. A proposal is to be submitted to the European Council.

The simplified revision procedure only applies if the proposal aims at amending provisions of Part Three ("Policies and Internal actions ") of the Treaty on the Functioning of the European Union (TFEU). After consulting the European Parliament and the Commission and – in case of institutional changes of the monetary area, the European Central Bank – the European Council may unanimously adopt the proposal. The decision of the European Council has to be approved ("ratified") by the Member States according to their constitutional rules. The simplified revision procedure does not apply to proposals aiming to increase the competences of the European Union.

In all other cases treaty amendments are to be achieved by the ordinary revision procedure. After consulting the Parliament and the Commission the European Council decides by simple majority to examine the proposal and the President of the European Council has to convene a convention of representatives of the national Parliaments and the European Parliament, of the Heads of State or Government of the Member States and of the Commission (and the Central Bank in case of changes in the monetary area). The task of the convention is to prepare and adopt by consensus a recommendation to a conference of the governments of the Member States.

Instead of convening a convention the European Council may also by simple majority decide to define the terms of reference for an intergovernmental conference to determine "by common accord" the amendments to the Treaties. These amendments enter into force after being ratified by the Member States according to their constitutional rules.

Bridging Clauses/Passerelles

A much more simplified way to change certain provisions of the Treaties is provided by the so called bridging clauses. The European Council may decide that certain legal acts that require unanimous decisions of the Council may be adopted by majority vote. Similarly the European Council can transfer a legal matter from a special legislative procedure to the ordinary legislative procedure. In both cases these decisions – which are in fact changes to the Treaties – have to be notified to the national parliaments who may oppose them. If such opposition is no-

tified to the European Council within six months the "bridging" decision shall not be adopted. If there is no opposition of a national parliament the European Council adopts its decision by unanimous vote after achieving the consent of the European Parliament.

The difficulty to revise the Treaties

In recent years the difficulties of major revisions of the Treaties have become visible in a European Union of 28 Member States. In the European Council bargaining of national interests between Member States often dominated discussions. With European issues being overshadowed by national interest it was often getting difficult to gain the support of the citizens for a common European cause. In most of the recent treaty ratifications countries had to or wanted to hold a referendum to ratify the treaty revision. Referenda on European issues then turned out to become referenda on domestic affairs of the respective countries. The latest examples of France, Ireland or the Netherlands, highlighted the problems of having national popular votes on EU-wide political issues. On the positive side they also resulted in a renewed recognition of increasing citizens' participation in the European Union. The introduction of European political foundations and the European Citizens' Initiative can be seen as results of this learning process.

4. EU Responsibilities and Policy Areas

4.1. Competences of the EU

The competences of the EU are strictly limited to areas explicitly transferred to the Union by the Treaties.

They are divided in three main types:

- **Exclusive competences** exist where only the European Union is able to legislate and adopt legally binding acts. Areas in which the Union has exclusive competences are the customs union, competition rules necessary for the functioning of the internal market, monetary policy for the Member States whose currency is the euro, the conservation of marine biological resources under the common fisheries policy and the common commercial policy.
- **Shared competences**, in which the Member States and the Union both have the power to adopt legally binding acts. The Member States can exercise their powers only in so far as the Union has not exercised, or has decided to stop exercising, its competence. Most policies of the EU fall under this category. Examples are the internal market, certain aspects of social policy, economic, social and territorial cohesion, agriculture and fisheries (excluding the conservation of marine biological resources which is an exclusive competence), environment, consumer protection, transport, trans-European networks, energy, the area of freedom, security and justice, and certain common safety concerns in public health matters. Some shared competences allow parallel actions of the Union and the Member States, e.g. the areas of research, technological development, development cooperation and humanitarian aid.
- **Supporting, coordinating or complementary competences**, in which the Union is able to

act without overriding Member States' competencies and with little direct involvement. The Union adopts measures (e.g. to support the coordination of the economic policies of the Member States), defines guidelines for the coordination of employment policies, takes initiatives to ensure the coordination of social policies and carries out actions to support, coordinate or supplement the actions of the Member States in the fields of protection of human health, industry, culture, tourism, education, vocational training, youth and sport, civil protection and administrative cooperation.

4.2. Union Policies under the Treaty on the Functioning of the European Union (TFEU)

Part three of the Treaty on the Functioning of the European Union (TFEU) sets out the policies of the European Union and specifies which legal procedures and requirements are to be applied when legal acts are to be adopted.

The following table of contents from this part of the Treaty gives a good overview of the policies of the European Union. Please keep in mind that this list contains competences of all different categories explained above.

- Internal market
- Free movement of goods
- Agriculture and fisheries
- Free movement of persons, services and capital
- Area of freedom, security justice
- Border controls
- Asylum
- Immigration
- Judicial cooperation
- Police cooperation
- Transport
- Common rules on competition, taxation and approximation of laws
- Economic and monetary policy
- Employment
- Social policy

- The European Social Fund
- Education, vocational training, youth and sport
- Culture
- Public health
- Consumer protection
- Trans-European networks
- Industry
- Economic, social and territorial cohesion
- Research, technological development and space exploration
- Environment
- Energy
- Tourism
- Civil protection
- Administrative cooperation

In addition to this are policies under the area of Common Foreign and Security Policy, which are subject to special rules (principle of unanimity, weaker role of Commission and Parliament, not within the jurisdiction of the European Court of Justice).

The eur-lex search engine (www.bit.ly/search-eu-law) is a good way to find EU directives, regulations and decisions in the various policy areas, via a subject area search.

4. 3. Subsidiarity, Proportionality, Early Warning System

In areas where the EU does not have exclusive responsibility, the principles of subsidiarity and proportionality apply.

The principle of subsidiarity states that EU measures may only be undertaken if objectives cannot be sufficiently achieved at national, regional or local level.

The principle of proportionality requires that that any action by the Union should not go beyond what is necessary to achieve the objectives of the Treaties.

At the beginning of the EU legislative process, the national parliaments have the opportunity to scrutinise Commission proposals and

to raise objections if they believe that the proposal contravenes the principle of subsidiarity (referred to as the “early warning mechanism”). In order to enable this scrutiny the Commission communicates its proposals simultaneously to the Council, the Parliament and the national parliaments. National parliaments have eight weeks in which to submit reasoned opinions why they deem the proposal to violate the principle of subsidiarity.

Every parliament has two votes in the early warning mechanism. If the parliament of a Member State consists of two chambers, each of them has one vote.

If the number of objections reaches a third of the possible number of votes, the Commission must review its proposal and reach a well founded decision on whether to retract the proposal, change it or stand by it. If the proposal concerns the area of freedom, security and justice, a quarter of the national parliamentary votes is sufficient to trigger a review. Objections of this strength are referred to as a “yellow card”.

If, however, the number of objections reaches a simple majority of the votes of the national parliaments, any decision by the Commission to stand by the proposal must be put before the Council and the European Parliament. If 55% of the members of the Council or a (simple) majority of votes in Parliament decide that the proposal contravenes the principle of subsidiarity, the legislative process is taken no further. Objections of this strength from the national parliaments are referred to as an “orange card”.

The interparliamentary exchange of information on www.ipex.eu is an excellent resource, showing the current status of proposals, including any opinions and objections from the national parliaments which have been communicated to the Commission.

Furthermore national parliaments are entitled to take action against legislative acts infringing the subsidiarity principle.

B. INSTITUTIONS, BODIES AND PROCEDURES

This part of the manual presents the institutions and bodies of the European Union, explains how Parliament, Council, Commission and European Council are comprised, what their powers are and how decisions are made. You will get acquainted with absolute and simple majorities in the Parliament and with unanimity and majority voting, with weighted votes, double majority voting and blocking minorities in the Council and bridging clauses in the European Council and how the Economic and Social Committee and the Committee of the Regions contribute to the EU-legislation. You will learn about the appointment of the Commissioners and their dismissal, about the special role of the High Representative for Foreign Affairs and Security Policy and about the external representation and external action of the Union. The dynamic role of the Court of Justice of the European Union is illustrated and we will talk about the task of the European Court of Auditors.

A very important chapter of this part deals with legislative procedures in the EU. You will learn about the ordinary legislative procedure (co-decision procedure) and special legislative procedures (consent, consultation), about the First, Second and Third Reading, about the conciliation committee, about procedures without involvement of the Parliament and about the open method of coordination.

Finally we deal with the influence of lobbyists on the legislative process, the imbalance between corporative lobbying and the lobbying efforts of NGO's and the present state of transparency rules in the EU.

5. European Parliament

5.1. Composition

The Treaty on European Union states that:

"The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats." (Article 14 para.2 TEU)

The actual allocation of seats among the Member States is decided by the Council and the Parliament. The principle of "degressive proportionality" is a deviation from the principle of "one man one vote". Degressive proportionality is illustrated by the fact that a German Member of Parliament (MEP) represents around 800,000 citizens, whereas a Maltese MEP represents just 80,000. The principle of degressive proportionality is adopted to allay concerns of smaller Member States that the Community would be dominated by larger Member States by giving them a strong voice in the Parliament.

Transition to the Lisbon Treaty

At the time of the European elections in June 2009, the Lisbon Treaty was not yet in effect; 736 representatives were elected in line with Nice Treaty, 99 of which in Germany.








Under the Lisbon Treaty, which came into effect on 1 December 2009, however, the total seats in the Parliament is set at 751, with a minimum number of 6 and a maximum number of 96 members per state. In order that no elected member is forced to leave the Parliament when it increases to 751 members, the three surplus German representatives will remain and the Parliament will consist of 754 members until the next elections. The increase in the number of MEPs necessitates a Treaty amendment, which was agreed at the June 2010 Conference of the Representatives of the Governments of the Member States (www.bit.ly/cig-mep), and at the time of writing is in the process of being ratified by the national parliaments of the Member States. The additional 18 MEPs will become full-right MEPs once the ratification round has been finalised and there is no timetable for this.

5. 2. Tasks and Powers

The European Parliament has a large number of tasks and rights. The most important of these are:

- Together with the Council, the Parliament passes EU legislation, usually using the “ordinary legislative procedure”, according to which the Parliament can block a legislative proposal of the Commission, or can negotiate amendments to it with the Council (see diagram *page 49*). In special legislative procedures the position of the Parliament is weaker [approval and consultation procedures, see decision-making processes, *page 47*].
- Together with the Council, the Parliament adopts the budget of the European Union (see *page 52*).
- The Parliament may request that the Commission submit a proposal for a regulation or directive on issues it considers a Union act to be required for the purpose of implementing the Treaties (example: www.bit.ly/ep-initiative-ec).
- The European Parliament elects the President of the Commission and, following a number of hearings held in public, votes on whether or not to approve the College of Commissioners as a whole (debate on the appointment of the Barroso II Commission www.bit.ly/ep-barroso-2). The Parliament can also hold a vote of no confidence on the entire Commission – not, however, on individual Commission members.
- The Parliament can set up inquiry committees to examine EU institutions, public administrative bodies of Member States or persons responsible for the application of EU law (e.g. “Equitable Life Assurance Society” committee, report www.bit.ly/ep-inquiry-elas).
- The Parliament audits the Commission and the Council via parliamentary questions (e.g. www.bit.ly/ep-oral-question-ex01).
- It is incumbent on the President of the European Council to inform the European Parliament of the results achieved by the European Council.
- The committees of the Parliament can draw up own-initiative reports and contribute to resolutions in Parliament on subjects within their remit (e.g. www.bit.ly/ep-report-sustainable-jobs).
- In the area of foreign policy, although the Parliament has few rights to participate in decision-making, it is informed of the decisions of the European Council and influences the Council via committee hearings, reports, resolutions and recommendations.

5. 3. Distribution of Seats in the European Parliament (as of April 2013)

	Citi- zens	EPP	S&D	ALDE	Greens/ EFA	ECR	GUE/ NGL	EFD	NA	Total per Member State	
	(mil- lions)									A*	B*
Belgium	10,9	5	5	5	4	1		1	1	22	21
Bulgaria	7,5	7	4	5				1	1	18	17
Croatia	4,4	6	5				1			12	11
Czech Republic	10,5	2	7			9	4			22	21
Denmark	5,6	1	5	3	1	1	1	1		13	13
Germany	81,8	42	23	12	14		8			99	96
Estonia	1,3	1	1	3	1					6	6
Ireland	4,5	4	3	4			1			12	11
Greece	11,3	7	8	1	1		3	2		22	21
Spain	46,2	25	23	2	2		1		1	54	54
France	65,1	30	13	6	16		5	1	3	74	74
Italy	60,6	34	22	5		1		10	1	73	73
Cyprus	0,8	2	2				2			6	6
Latvia	2,2	4	1	1	1	1	1			9	8
Lithuania	3,2	4	3	2		1		2		12	11
Luxembourg	0,5	3	1	1	1					6	6
Hungary	10,0	14	4			1			3	22	21
Malta	0,4	2	4							6	6
The Netherlands	16,7	5	3	6	3	1	2	1	5	26	26
Austria	8,4	6	5	1	2				5	19	18
Poland	38,2	29	7			11		4		51	51
Portugal	10,6	10	7		1		4			22	21
Romania	21,4	14	11	5					3	33	32
Slovenia	2,1	4	2	2						8	8
Slovakia	5,4	6	5	1				1		13	13
Finland	5,4	4	2	4	2			1		13	13
Sweden	9,4	5	6	4	4		1			20	20
UK	62,4		13	12	5	27	1	10	5	73	73
Total	502	269	188	85	58	54	34	35	28	754	751

Source: www.europarl.europa.eu and Eurostat 2010 www.bit.ly/eu-population

*A: Current – *B: Allocation for 2014 European Parliament elections

Parliamentary Group Titles in the 7th Legislative Term

EPP European People's Party
(Christian Democrats)

S&D Progressive Alliance of Socialists and
Democrats in the European Parliament

ALDE Alliance of Liberals and
Democrats for Europe

GREENS/EFA The Greens/European
Free Alliance

ECR European Conservatives
and Reformists

GUE/NGL European United Left/
Nordic Green Left

EFD Europe of Freedom and Democracy

NA Non-attached

5. 4. Proportion of Women in the Parliamentary Groups in the European Parliament (as of July 2011)

	Wom- en	Men	Total	Propor- tion of women
Greens/EFA	29	27	56	51.79%
ALDE	39	46	85	45.88%
S&D	74	111	185	40.00%
EPP/CD	86	178	264	32.58%
GUE/NGL	10	24	34	29.41%
EFD	3	24	27	11.11%
ECR	8	48	56	14.29%
NI	6	23	29	20.69%
Total	255	481	736	34.65%

The proportion of women increased by 4.6% at the 2009 European Parliament elections.

5. 5. Formation of Political Groups in the European Parliament

A political group in the European Parliament must consist of at least 25 members, who must be elected in at least a quarter of the Member States (currently seven).

In the European Parliament, the Greens together with the European Free Alliance (representatives of regionalist parties) have built a group which consists of 58 members (gaining 12 at the 2009 European Parliament elections). The representatives of the group were elected in 15 different Member States (see distribution of seats above).

5. 6. Committees of the European Parliament

AFET	Foreign Affairs
DROI	Human Rights (subcommittee)
SEDE	Security and Defence (subcommittee)
DEVE	Development
INTA	International Trade
BUDG	Budgets
CONT	Budgetary Control
ECON	Economic and Monetary Affairs
EMPL	Employment and Social Affairs
ENVI	Environment, Public Health and Food Safety
ITRE	Industry, Research and Energy
IMCO	Internal Market and Consumer Protection
TRAN	Transport and Tourism
REGI	Regional Development
AGRI	Agriculture and Rural Development
PECH	Fisheries
CULT	Culture and Education
JURI	Legal Affairs

LIBE	Civil Liberties, Justice and Home Affairs
AFCO	Constitutional Affairs
FEMM	Women's Rights and Gender Equality
PETI	Committee on Petitions
SURE	Policy Challenges Committee
CRIS.....	Financial, Economic and Social Crisis

5. 7. Voting Procedures in the Parliament

Parliamentary resolutions are usually passed by a majority of votes cast (simple majority); the presence of a third of the members is required for a quorum (the minimum number of members which must be present in order for a vote to take place). Some decisions – such as amendments to the position of the Council in the Second Reading – require a majority of all

members of the Parliament to vote in favour (absolute majority); in other cases a two-thirds majority is needed, such as, for example, for a vote of no confidence against the Commission.

www.bit.ly/ep-rules-of-procedure

5. 8. Petitions to the Parliament

Citizens of the Union have the right to request support from the European Parliament regarding matters within the remit of the European Union. Petitions may be submitted in writing or online (www.bit.ly/ep-online-petition). The Committee on Petitions looks into possible human rights violations; may take up concerns with national, regional and local authorities and reports back to the plenary session. The objective is to resolve the issue using existing non-judicial remedies, as long as the petition is well-founded.

6. Council of the European Union

In the Council of the European Union (officially the Council, and commonly referred to as the Council of Ministers), government representatives from the Member States decide on actual EU policy in the various subject areas. The composition changes according to the topic (e.g. Council of Environment Ministers, Welfare Ministers, Transport Ministers, Finance Ministers, etc., (www.bit.ly/council-configurations)). The Council of the European Union should not be confused with the European Council, where heads of state and government meet. The most important task of the Council is – together with the European Parliament – to adopt directives and regulations (EU legislation), in most areas using the "ordinary legislative procedure". In some policy areas (such as social security and taxation), the Council only has to consult the Parliament (consultation process). The Common Foreign and Security Policy is set out by the Council, the Parliament has only limited influence. The Council sets the European Union budget in collaboration with the European Parliament.

6. 1. Council Presidency

The presidency of the Council rotates between the Member States every six months. The order of rotation is set out in a Council decision (www.bit.ly/council-presidencies-en), which also establishes a system of 18-month cooperation programmes for three Member States holding consecutive presidencies. The essential task of the presidency is to find common ground for the different positions of Member States in the Council and to work out compromises.

6. 2. Qualified Majority in the Council

Most Council decisions require a so-called qualified majority. Until 2014, this has to be calculated using a system of weighted votes. In accordance with the Lisbon Treaty, a double majority system will be applied starting from November 2014. An explanation of the two methods follows.

Emergency Brake

The Treaty provides an "emergency brake" in three cases of qualified majority voting for Member States who consider the draft legislative act to affect fundamental aspects of its social security or its legal system. The respective Member State may request to refer the matter to the European Council whereby the ordinary legislative procedure is suspended. The European Council has to discuss the matter and – within four months – either refer it back to the Council to terminate the suspension of the procedure or take no action or request the Commission to submit a new proposal. The matters concerned are measures to provide freedom for movement of workers, including payments of benefits to residents, and judicial cooperation in criminal matters and the approximation of the definitions of severe criminal offenses.

6. 3. Weighted Votes of Member States

Under the weighted voting system, the votes of Council members are weighted according to the population of the Member States. A Council decision, which requires a qualified majority, is adopted if:

- it gains the approval of the majority of the Member States; and
- the total of the weighted votes of these Member States reaches 260 (out of a maximum of 352).

Conversely, half of the Member States or 93 weighted votes are required in order to block a decision (blocking minority, see page 36). If a Member State demands to check whether those voting in favour represent 62% of the EU population, and the result of this check is negative, the decision is not adopted.

On the Council web server there is an excellent tool available which calculates the qualified majority: www.bit.ly/voting-calculator-council

Example: Council vote (First Reading) on the amendment of the Working Time Directive. www.bit.ly/council-working-time-1

In the following table, the number of weighted votes per Member State is shown on the left.

The second column lists the Member States in each size category; the population is shown in brackets. The third column shows the number of Member States in each size category; the last column lists the total number of weighted votes by size category.

Table 4: Weighted votes in the Council

Number of votes	Member States (Population)	Number of Member States	Total
29	Germany (81.8 million), France (65.1 million), United Kingdom (62.4 million) and Italy (60.6 million)	4	116
27	Poland (38.2 million) and Spain (46.2 million)	2	54
14	Romania (21.4 million)	1	14
13	The Netherlands (16.7 million)	1	13
12	Belgium (10.9 million), Greece (11.3 million), Portugal (10.6 million), Czech Republic (10.5 million) and Hungary (10.0 million)	5	60
10	Bulgaria (7.5 million), Austria (8.4 million) and Sweden (9.4 million)	3	30
7	Croatia (4.4 million), Denmark (5.6 million), Finland (5.4 million), Ireland (4.6 million), Lithuania (3.2 million) and Slovakia (5.4 million)	6	42
4	Estonia (1.3 million), Latvia (2.2 million), Luxembourg (0.5 million), Slovenia (2.1 million) and Cyprus (0.8 million)	5	20
3	Malta (0.4 million)	1	3
	Total	28	352

6. 4. Double Majority Voting in the Council

According to the Treaty of Lisbon, a qualified majority is reached if:

- at least 55% of the Member States vote in favour of a proposal; and
- the Member States voting in favour represent a total of at least 65% of the population of the European Union.

In order that the proposal be blocked, however, the votes against must represent more than 35% of the EU population and come from at least four Member States (see Blocking Minority below).

There are currently 28 Member States, and 55% of 28 is 15.4. Therefore, at least sixteen states must vote in favour, in order to fulfil the first requirement.

The six largest Member States represent more than 65% of the population; however, for a qualified majority to be reached, a further ten states must vote with them in order to achieve the required approval of at least sixteen states.

A double majority may be reached, for example, if the five largest and the ten smallest Member States approve a legislative proposal – one of many possible combinations for a majority. Although qualified voting with double majority will be introduced only from 1 November 2014, in accordance with the Lisbon Treaty, beyond this any member can demand that the weighted voting system be used instead of the double majority until 31 March 2017.

At www.bit.ly/council-double-majority (German website eu-info.de) there is a majority calculator, which can be used to see which combinations will achieve a double majority.

6. 5. Blocking Minority

Under the weighted voting system (applicable until 2014), in addition to the majority of Member States (15 of 28) approving a proposal, a total of 260 out of 352 votes must be cast in favour of a proposal. In this system, a blocking minority of 93 votes can only mathematically occur if it comes from 4 Member States (see Table 4 page 35).

In double majority voting, a blocking minority is achieved if at least 13 Member States vote against a proposal, or if all the votes against together represent more than 35% of the EU population and originate from at least 4 Member States.

Should only 3 Member States representing more than 35% of the EU population vote against a proposal, the threshold of a blocking minority will not be reached and the decision will be passed if all other Member States vote in favour of the proposal. This is an exception to the above stipulation that the votes in favour must represent 65% of the EU population.

6. 6. Weighted Votes vs. Double Majority

An assessment of the two models is difficult because of the many possible combinations. In terms of how the two systems treat population, the double majority system is clearly advantageous to the larger countries.

Under the weighted voting system, the 10 smallest Member States have 51 votes, which is a fifth of the necessary 260 votes required for the vote to pass. These same 10 Member States however only represent about 5% of the EU population, and under the double majority system this is only around one-thirteenth of the required 65% of EU population (necessary for the vote to pass).

Table 5: Population, Proportional Representation and Number of Votes

	Inhabitants	Proportion of EU population	Number of Votes (weighted voting system)
Belgium	10.918.405	2,15%	12
Bulgaria	7.504.868	1,48%	10
Croatia	4.412.137	0,87%	7
Czech Republic	10.532.770	2,08%	12
Denmark	5.560.628	1,10%	7
Germany	81.751.602	16,13%	29
Estonia	1.340.194	0,27%	4
Ireland	4.480.176	0,88%	7
Greece	11.329.618	2,24%	12
Spain	46.152.926	9,10%	27
France	65.075.310	12,84%	29
Italy	60.626.442	11,96%	29
Cyprus	804.435	0,16%	4
Latvia	2.229.641	0,44%	4
Lithuania	3.244.601	0,64%	7
Luxembourg	511.840	0,10%	4
Hungary	9.986.000	1,97%	12
Malta	417.608	0,08%	3
Netherlands	16.654.979	3,29%	13
Austria	8.404.252	1,66%	10
Poland	38.200.037	7,54%	27
Portugal	10.636.979	2,10%	12
Romania	21.413.815	4,22%	14
Slovenia	2.050.189	0,40%	4
Slovakia	5.435.273	1,07%	7
Finland	5.375.276	1,06%	7
Sweden	9.415.570	1,86%	10
United Kingdom	62.435.709	12,32%	29
Total population of the EU	506.901.280	100,00%	

Source: Eurostat Total population 2011, www.bit.ly/eu-population-en

Under the double majority system, it is relatively easy for the larger states to combine to make more than the 35% required for a blocking minority, as the population of the three largest states already total more than this amount. If the three largest states vote against, only one more Member State would be needed to trigger a blocking minority (as four Member States in total are required for this). Under the weighted votes model, the three largest states together with the smallest would still only amass 90 votes, which is not enough for a blocking minority.

On the other hand, in terms of how the two systems treat the state criterion, the double majority system favours the smaller states. According to the weighted votes model, the 14 largest states have more than the necessary voting power (267, seven more than needed). In the case of a double majority, this would not in fact be sufficient, since 55% of the Member States must vote in favour, which is 16 out of 28 members.

6.7. Unanimity in the Council/ Bridging Clauses

If a certain legal act requires unanimity in the Council, any Member State is able to impede it (veto). The capacity of the Council to act in such cases is considerably weaker than in majority decisions. The cases where the treaties have required unanimous decisions in the Council have been lessened over the course of the EU's history. Unanimity is, for example, still required for the issuance of regulations on taxation, freedom of movement of goods, social policy, labour rights, linguistic rules for intellectual property, water resources, spatial planning and decision-making under the Common Foreign and Security Policy.

The Lisbon Treaty introduced so-called bridging clauses to switch from unanimity to majority voting in the Council or to switch from a special legislative procedure to the ordinary legislative procedure.

According to the general bridging clause, the European Council may adopt a decision allowing the Council of Ministers to act by qualified majority in a given area or case where the Treaty on the Functioning of European Union would usually require a unanimous vote.

Before adopting a decision of this kind, the European Council has to notify the national parliaments of its intention. Should one of the national parliaments raise an objection within six months of being notified, the decision cannot be adopted. The European Council must obtain the consent of the European Parliament (absolute majority), and it must adopt the decision unanimously.

Similarly, the European Council may resolve to change from a special legislative procedure to the ordinary legislative procedure; however, this is not possible in the areas of military or defence.

6.8. Legal Bases for Council Decisions

On the web server of the Commission there is a document which lists the legal bases of legislation for the various EU policies, and the Council majority required for measures in each policy area (www.bit.ly/legal-bases-en).

6.9. COREPER

COREPER is the French acronym for the Committee of the permanent representatives (ambassadors) of the Member States. This committee is tasked with the preparation of the work of the Council and plays a very decisive role since in most cases the work of negotiating agreements is done and finished by COREPER. In other words: Most of the agenda of the Council meetings are so-called "A Points" which are passed by the Council without debate.

7. European Council

The European Council meets twice every six months and is made up by the heads of State and Government of the Member States, along with the President of the Commission and the High Representative of the Union for Foreign Affairs and Security Policy.

The European Council is chaired by the President of the European Council, who is elected by the European Council by qualified majority for a term of two and a half years. The first person in this position is Herman Van Rompuy. The European Council establishes the overall direction for the development of the

European Union, and formulates guidelines, defines general political goals and stimulates action on this subject. It is not active in legislative processes, as this is reserved for the Ministerial Councils.

The European Council (www.european-council.europa.eu) should not be confused with the Council of the European Union (see [page 34](#)) or the Council of Europe (www.coe.int). In the Council of Europe, states come together with the aim of protecting human rights under the European Convention on Human Rights. The Council of Europe also contains many members which are not Member States of the European Union.

8. European Commission

The Commission is tasked with safeguarding the interests of the European Union as a whole. Commission members are appointed by nomination from their home country, but they do not act as their countries representatives, rather – on the contrary – they are required to be completely independent whilst carrying out their duties.

The Commission is, on the one hand, a body tasked with the execution of policy; however, it also plays an important role in the legislative process. For example, legislative procedures can only be initiated by the Commission (the Commission has sole right of initiative). The Commission participates in the entire legislative process, and the statements it makes may exert significant influence (see ordinary legislative procedure, *page 47*).

The Commission has the task of ensuring compliance with EU law throughout the Member States (as the "guardian of the Treaties"). For this purpose, the Commission may sometimes take a Member State or other institution to the European Court of Justice to resolve the dispute.

In addition, the Commission is responsible for the implementation of the EU budget.

It negotiates agreements between the EU and third parties, and represents the Union in international organisations.

8. 1. Appointment of the Commission

Each Member State is entitled to nominate a commissioner. According to the Lisbon Treaty, it is intended that, from November 2014, the number of members of the Commission will not exceed two thirds of the number of Member States and that the right to nominate Commissioners will be assigned to Member States on the basis of equal rotation. The Council can, however, unanimously decide to change this number (the Irish were, in connec-

tion with the second referendum on the Lisbon Treaty, promised that the number of commissioners would not be reduced).

At the beginning of the appointment procedure, the European Council nominates a candidate for President of the Commission, and the European Parliament votes on whether or not to approve the appointment. Members of the Commission – including the High Representative of the Union for Foreign Affairs and Security Policy – are nominated by Member States in collaboration with the President of the Commission. Each candidate must participate in a hearing before the relevant committee of the European Parliament in which his/her professional capacity and his/her independence will be carefully assessed. The Parliament votes on whether or not to approve the Commission as a whole, and following this, the Council must approve the Commission by qualified majority.

Example:

At the hearing of candidates for the appointment to the Commission after the 2009 European elections (Barroso II), Rumiana Jeleva, the Bulgarian candidate for commissioner for International Cooperation, Humanitarian Aid and Crisis Response, was accused of inconsistencies regarding her declaration of financial interests. She was deemed, particularly from the perspective of the Greens and the Social Democrats, to have not satisfactorily explained these inconsistencies. In order to avoid disruption to the appointment of the entire Commission, her candidacy was withdrawn and Bulgaria put Kristalina Georgieva forward in her place, who went on to have a very positive hearing before the Committee on Development.

8. 2. The Special Role of the High Representative of the Union for Foreign Affairs and Security Policy

The High Representative of the Union for Foreign Affairs and Security Policy is at the same time the Commissioner for External Relations and Vice-President of the Commission, and presides over the Council of Foreign Affairs. For this combination of offices – one, in the Commission, and the other, in the Council – the term “double hat” is used. (see also *chapter 9. External Representation and External Action of the Union, page 42*)

8. 3. Dismissal of the Commission, Removal of Commissioners

The European Parliament can recall the entire Commission through a motion of no confidence. In order for the motion to carry, two thirds of all votes cast must be in favour, and a majority of all members of Parliament must have voted this way.

Individual commissioners may be relieved of office by the European Court of Justice at the request of the Council or the Commission if they no longer fulfil the conditions required for the performance of their duties or in cases of serious misconduct.

8. 4. Implementation of EU Law – Comitology

Regulations and directives often specify the scope of the Commission’s implementing powers. The system which exists to exercise this power is referred to as “Comitology”. Unique to the EU, this is a complex system of Committees which, until recently, consisted of Commission officials and national experts but without much influence by the Parliament.

Post-Lisbon Treaty, the EU agreed to new rules overseeing this procedure. These new procedures, while still complex, will give the European Parliament more powers at the expense of Member States. These rules were agreed in March 2011, and so it will take a period of time before their effectiveness can be evaluated.

Occasionally this process can have important and far-reaching implications, for example the attempt to repeal the bans on growing genetically modified maize in Austria and Hungary by the Commission (www.bit.ly/comitology-gmo-austria).

The legislation on these new procedures can be accessed at the following link:
www.bit.ly/implementing-powers-en

9. External Representation and External Action of the Union

9.1. The President of the European Council

Aside from his or her duties of chairing the European Council the President of the European Council represents "at his level and in that capacity" the Union in its external relations – "without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy".

9.2. The High Representative of the Union for Foreign Affairs and Security Policy

According to the Treaty on European Union (TEU) these policies are to be conducted by the High Representative for Foreign Affairs and Security Policy. The High Representative is appointed by the European Council with qualified majority and may be removed from office the same way.

The first person in this function is Catherine Ashton. Her tasks are to chair the Foreign Affairs Council, to deliver proposals on the development of its policies and to implement its decisions. She represents the Union in common foreign and security policy matters, she conducts the political dialogue with countries, organisations and institutions outside of the Union and she represents the Union in international organisations and conferences.

At the same time she is member and Vice-President of the Commission and had to present herself in a hearing to the Parliament before the Parliaments vote on the new Commission. Within the Commission she is responsible for the Commission's external relations and for coordinating external aspects of the tasks of other commissioners.

She has to consult the Parliament regularly on the main aspects of the Union's common foreign and security policy and shall ensure that the Parliament's views are taken into consideration.

9.3. The European External Action Service (EEAS)

The External Action Service is to assist the High Representative. It was established through a Council decision after a very intensive debate between Ms. Ashton and the Parliament in which the Parliament maintained the services' political and budgetary accountability to the Parliament.

The External Action Service maintains diplomatic relations on behalf of the European Union to nearly all countries. At present the network of the EEAS comprises 136 delegations representing the Union and keeping the EU informed about political developments in any part of the world. The Situation Center, a department of the EEAS, gathers intelligence for the Union.

10. Court of Justice of the European Union

The Court of Justice of the European Union is the EU institution comprising the Court of Justice, the General Court and the Civil Service Tribunal.

The task of the Court of Justice of the European Union is to ensure "compliance with the law" in the interpretation and implementation of the Treaties, but also in directives, regulations and other EU legislation. The Court of Justice of the European Union has been a major impetus for European integration through its rulings, especially through its interpretations of the founding treaties of the EU.

The Court of Justice and the General Court are both made up of one judge per Member State. The judges are appointed by the governments of the Member States by mutual agreement, for six years. Re-appointment is permitted. The Court of Justice is assisted by eight Advocates-General.

The Court of Justice rules on references for preliminary rulings (see below), on actions against Member States for not fulfilling their obligations (see below), on actions for annulment, on actions for failure to act, appeals and reviews.

The courts of the Member States may make a request for a preliminary ruling from the Court of Justice, asking how EU legislation should be interpreted in a given situation. If in a pending case before a court or tribunal of last resort questions arise on how EU legislation should be interpreted to that case, the national court is obliged to refer the matter to the Court of Justice of the European Union who delivers a preliminary ruling on the submitted questions.

An important lever for the implementation of European Union law in Member States is the authority of the Commission to bring Member States before the Court of Justice for viola-

tion of treaties (not fulfilling their obligation). Before this takes place, an investigative procedure is carried out in which the Member State can justify its actions and is given the opportunity to remedy its treaty violation, in order that no action be brought against it.

The General Court (previously known as the "Court of First Instance") decides about direct actions brought by natural or legal persons against acts of the institutions of the EU and against regulatory acts, actions brought by Member States against the Commission and actions brought by Member States against the Council *e.g.* in the field of state aid.

The Civil Service Tribunal deals with disputes between the European Union and its civil servants.

A useful website with a search engine of the judicature of the ECJ is www.curia.europa.eu

The Dynamic of the Court's rulings

According to its founding treaties the European Union is committed to the rule of law. Compliance to law in relations between states can be difficult since states tend to follow political arguments whenever the application of a legal rule is not in favour of their interest. To establish the rule of law within the European Communities (today European Union) therefore was a big challenge, especially since the enforcement powers of the Union are comparatively weak and the Union is largely dependent on the courts and authorities of the Member States in this respect. On the other hand the different traditions and cultures of jurisdiction of the Member States come into play whenever the Court of Justice of the European Union has to decide about how to interpret and apply the Treaties and the law based on them.

To give an example from economic law: The treaties guarantee the free movement of goods and ban customs duties, quantitative restrictions on imports and measures of equivalent

effect. When a German retailer was prohibited to import “Cassis de Dijon” from France, because that liqueur had less alcohol than prescribed by German regulations, the retailer brought proceedings to the national courts. In the course of these proceedings the highest national court referred the case to the European Court of Justice and asked how the said bans should be interpreted in that case. The answer was that the requirement of a certain alcoholic strength was a measure of equivalent effect to restricting the free movement of goods and that the reasons brought forth by the German government – e.g. that less alcohol would increase the threat of habitual drinking and therefore endanger consumer health – were not sufficient to allow the German restrictions although they were applied equally to German and foreign liqueurs. (*Rewe vs Bundesmonopolverwaltung für Branntwein*, www.bit.ly/cassis-de-dijon).

In another case the Court delivered its interpretation of the free movement of persons and the citizenship of the European Union by affirming the right of a French student to receive student loans in the UK. The Court came to this solution since the student had already lived in England before and had integrated into the British society. (*Dany Bidar vs London Borough of Ealing*, www.bit.ly/bidar-vs-ealing).

A third famous case of the Court of Justice has special green connotations: Dieter Janezek, a Bavarian Green, had complained that the German authorities had not set up an emergency plan to react when pollution exceeded certain thresholds for fine dust (particulate matter). In the national proceedings the German authorities had argued that Janezek could have used other remedies to protect his interests as inhabitant of a street where thresholds had been exceeded more often than permitted by a directive of the European Union. The European Court ruled, though, that the directive’s provisions were clear enough to give citizens an individual right to claim its implementation. (*Janezek vs Bavaria*, www.bit.ly/particulate-matter).

The effectiveness of the rule of law is a crucial element of the effectiveness of the European Union as a whole. It results not only from the quality of the judgements of the Court of Justice but also from the willingness of the national courts to cooperate with it.

11. Economic and Social Committee (EESC)

The Economic and Social Committee is an advisory body which is consulted on specific areas of European Union legislation. These areas are set out in the Treaty on the Functioning of the European Union.

The Committee is made up of various economic and social representatives (especially employer and employee representatives). Its members are appointed by the Council on the basis of nominations from the Member States.

Website: www.eesc.europa.eu

12. The Committee of the Regions (CoR)

The Committee of the Regions is an assembly of local and regional authority representatives and provides sub-national authorities with a voice in the EU. The Committee must be consulted during the legislative process on issues that affect the regions. These issues are set out in the Treaty on the Functioning of the European Union.

The members of the Committee are appointed by the Council on the basis of nominations from the Member States.

Website: www.cor.europa.eu

Europe of the Regions

Regions as entities below the state level with their common culture and history are often seen as a chance to bring the European Union closer to its citizens. The breaking down of the borders between the members states has enabled and encouraged neighbouring regions to join and cooperate to develop economic, cultural and social potentials often under the label EUREGIO. A good example of regional coopera-

tion of this kind is the oldest EUREGIO, which was founded in 1958 and comprises parts of Lower Saxony and of North Rhine Westphalia in Germany and the bordering region of the Netherlands. Its members are regions and local communities. In its charter its aims and tasks are defined as follows: support of the cooperation of the members; development and implementation of programs and projects; lobbying for the cross-border interests of the region; consulting its members, citizens, enterprises, organizations and authorities.

Regional cooperation of this kind has been strongly encouraged and funded by EU-programs (e.g. INTERREG). Regions do play an important role in the cohesion policy of the European Union where programs are especially addressing economic potentials from a regional perspective.

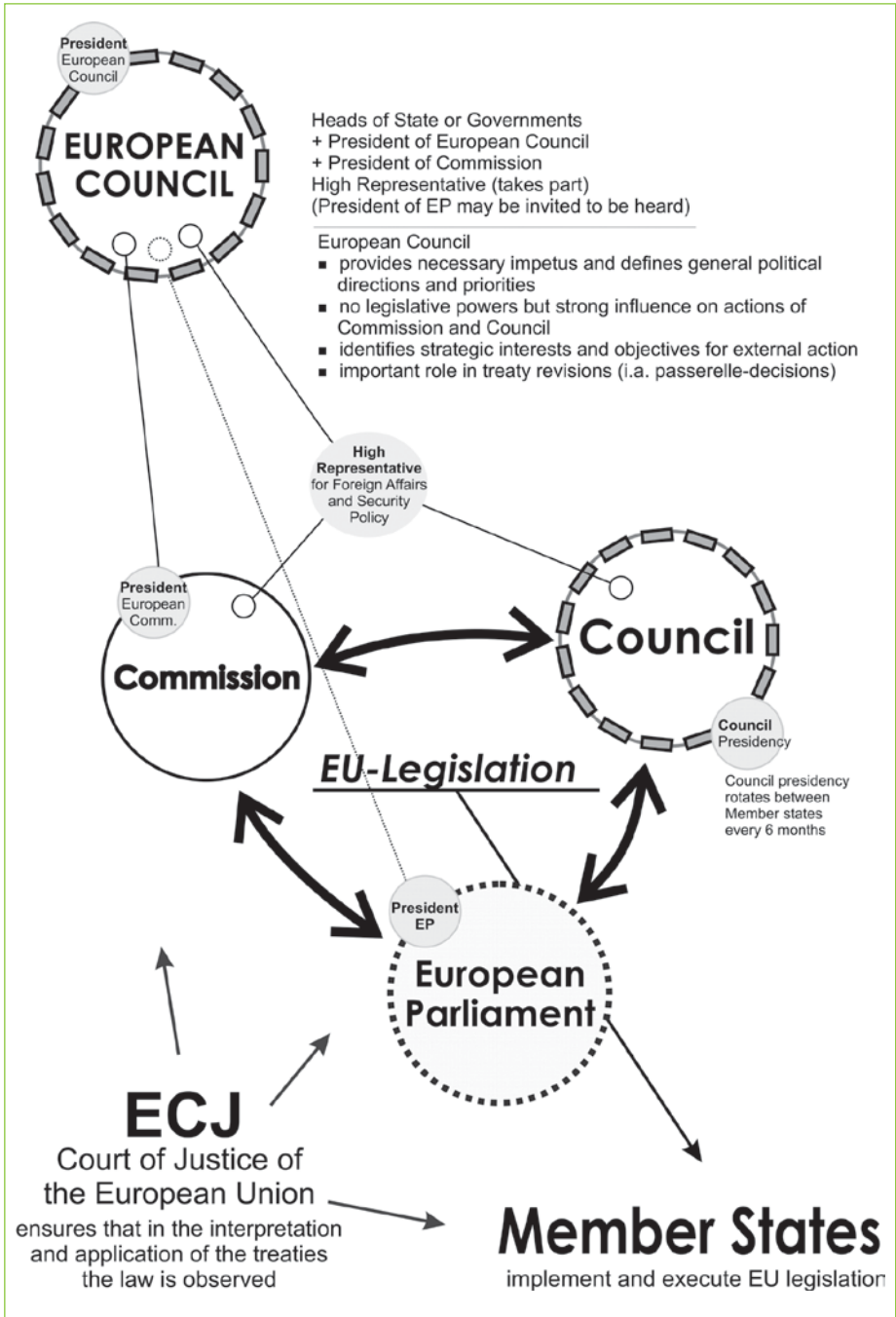
Regions have joined and proposed a "Europe of the Regions" giving more power and influence on European policies to representatives of regions and communities. The most important organisation of the European Regions is the Assembly of European Regions with 270 member regions from 34 countries.

13. The European Court of Auditors

The European Court of Auditors has one member per Member State. The Court is responsible for reviewing the accounts detailing all revenue and expenditure of the Community and assessing the legality, regularity and efficiency of budget management.

Website: www.eca.europa.eu

Diagram 2: The Institutions and how they interact



14. The Decision-making Process in the Legislative Procedure

For each policy area – and often for specific tasks within policy areas – the treaties establish the different ways in which the Council can reach a decision (unanimously or by qualified majority) and the way in which the European Parliament participates in the legislative procedure. A list of the legal basis for legislation in the various policy areas can be found on the web server of the Commission:

www.bit.ly/legal-bases-en

14. 1. Ordinary Legislative Procedure (Co-decision Procedure)

The most fundamental aspects of the ordinary legislative procedure are given below. A very detailed step-by-step guide to this procedure is available on the Commission's website, with information including the average duration of individual steps, the concrete practice of compromise and the points of order, etc..

www.bit.ly/cod-step-by-step

In most cases, EU legislation is made using the so-called co-decision procedure, which, since the Lisbon treaty, is called the "ordinary legislative procedure". In this process, the European Parliament can propose modifications to a legislative proposal of the Commission over the course of several readings. It is not possible to pass legislation without the consent of Parliament using the co-decision procedure.

The co-decision procedure has been established as the standard legislative procedure for EU directives and regulations (hereinafter referred to as legal acts) (see diagram 3 page 49).

Preliminary Procedure

An important stage of the legislative process takes place before the Commission even presents a proposal: during its preparation. The stimulus for the proposal may come from

the Commission itself, from conclusions drawn at meetings of the European Council, from European Parliament resolutions, from lobbyists – or, in the future – it may also come from European Citizens' Initiatives. At this stage, the Commission regularly carries out public consultations (www.bit.ly/ec-consultations). Important legislative projects are also prepared by Green Papers (basic information, alternative actions and ideas, the framework for discussion) and White Papers (concrete proposals and the basis for their further development).

Commission's Proposal

At the beginning there is – as with any EU legislative process – a proposal from the Commission, which is forwarded to the European Parliament, the Council and the national parliaments. National parliaments may raise an objection to the proposal within 8 weeks of notification, if they consider there to be an infringement of subsidiarity (see description of "Subsidiarity, Proportionality, Early warning mechanism" page 28).

In certain cases, the Economic and Social Committee and/or the Committee of the Regions will also be consulted, and their statements will be brought to the attention of the Parliament and the Council.

First Reading

The Parliament carries out the first reading of the proposal during which it determines its position, which may suggest a number of amendments to the proposal. The first reading is concluded by a vote on the proposal (simple majority). The position of the Parliament, including any amendments, will be forwarded to the Council. The legislation is adopted if the Council approves this position as it stands in its first reading. If not, it adopts its own position and communicates it to the Parliament with explanations.

Second Reading

At this stage, the act is adopted if Parliament approves the Council's position or fails to reach a decision within three months. The Parliament may, however, reject the Council's position or request amendments to it. Both resolutions require a high level of approval, namely the majority of all members of the Parliament (absolute majority).

If the decision is made to reject the position of the Council, the process comes to an end and the act is not adopted; requests for amendments, however, are referred back to the Council.

Should all of Parliament's amendments be approved by the Council, the act is adopted. At each point when Parliament requests amendments from the Council the Commission gives its position. Any amendments which are rejected by the Commission can only be approved by the Council through a unanimous decision. If the Council rejects the requested amendments, or has not approved all the amendments within three months, a conciliation committee must be convened within six weeks from this date.

Conciliation Committee

The Conciliation Committee is made up of all members of the Council and an equal number of members of the Parliament. The Commission is also represented and is consulted throughout the process. The task of the Conciliation Committee is to develop, within six weeks, a joint text for the act. Should this

process fail, the act has failed. If it succeeds, the joint text is sent to the Council and the Parliament for approval.

Third Reading

The Council and the Parliament must both approve the joint text for the act at this point if it is to succeed. A qualified majority is required in the Council and a majority of votes cast (simple majority) is required in the Parliament.

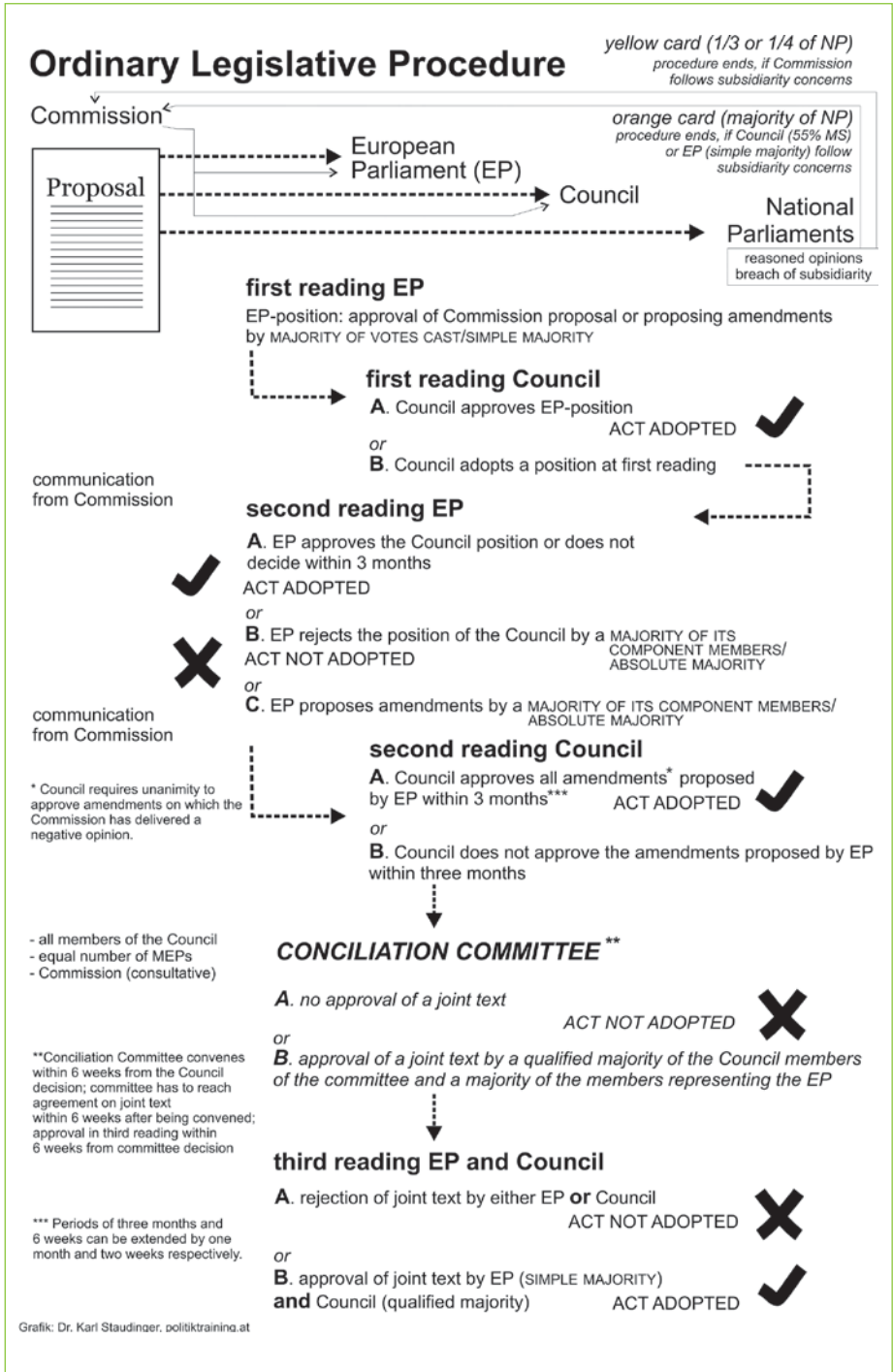
Extension of Time Periods

The three month long time periods mentioned above may each be extended by one month, while the 6 week period may be extended by two weeks.

Example:

A vivid example of a stormy political debate during a legislative process was the attempt to amend the Working Time Directive (www.bit.ly/cod-working-time). In 2008, the Council attempted to amend the Working Time Directive to allow a maximum working week of up to 65 hours, and to remove the requirement for inactive on-call working time to mandatorily count as working time. This was against the position of the Parliament, who insisted on a maximum working week of 48 hours, including on-call time. In the conciliation committee between the Council and the Parliament no agreement was reached. The amendment of the Working Time Directive failed, and any future amendment will have to be initiated by a completely new Commission proposal.

Diagram 3: Ordinary Legislative Procedure



14. 2. Special Legislative Procedures (Consent and Consultation Procedures)

Special legislative procedures are characterised by the fact that the Council adopts a legislative act, but the European Parliament does not participate on an equal footing.

14. 2. 1. Consent procedure

In the consent procedure, the Council adopts legislation based on the Commission's proposal after having received Parliament's approval (by absolute majority in the EP). The Council's decision is normally made by unanimous vote. Where provided for in the treaties, the opinion of the Economic and Social Committee and the Committee of the Regions will be sought.

Example:

Council Decision on the multi-annual financial framework
(www.bit.ly/multiannual-ffw-2007-2013).

14. 2. 2. Consultation Procedure

In the consultation procedure, the Council adopts legal acts on the Commission's proposal after consulting the European Parliament. In some policy areas, the Economic and Social Committee (EESC) and the Committee of the Regions (CoR) are also consulted. The Council is not bound by the positions of the EESC, CoR or the European Parliament. The Council must come to its decision unanimously. For cross-border family law regulations and certain areas of social policy, the Council may, following approval of the Parliament, unanimously decide to transfer these policy areas to the ordinary legislative procedure.

Example:

Council Decision on guidelines for the employment policies of the Member States
(www.bit.ly/employment-policies-2010).

14. 3. Procedures without the involvement of the European Parliament (EP)

In the area of Common Foreign and Security Policy (CFSP), the Council decides unanimously on most issues without the participation of the European Parliament. The European Parliament participates in this policy area only in a restricted number of issues (including the organisation and functioning of the European External Action Service, procedures for the urgent financing of initiatives in the context of the CFSP, association agreements, agreements with specific financial implications, etc.).

The High Representative of the Union for Foreign Affairs and Security Policy has the duty to inform Parliament about the development of Union policies in this area and has to listen to the views of Parliament on a regular basis. Websites:

www.bit.ly/council-gasp-en
www.bit.ly/ec-gasp-en

14. 4. The Open Method of Coordination (OMC)

The open method of coordination is designated as "soft law". It does not set any binding rules; rather it serves to coordinate national policies by comparing the achievements of Member States. Best practices are highlighted and practices deemed conflicting to the achievement of common goals are criticised. The method can be effective as competition between Member States is encouraged and their ambition to be better than others (or at least to not be among the worse) is fostered.

The OMC was first established in the treaties for the area of employment policy, and was later extended to other areas, particularly social policy. The criteria for comparing the policies of Member States should, in general, be set by guidelines (for example: the guidelines for the employment policies of the Member States www.bit.ly/employment-policies-2010).

The Greens have repeatedly pointed out that the European Union requires regulatory powers in key policy areas such as social and economic policy and that the open method of coordination is not suitable to address major challenges in these areas.

14. 5. Lobbying in the EU

The legislation of the European Union sets the regulatory framework for an area of 500 million citizens. There is a vast variety of interests aiming to influence this legislation, especially when market interests are touched.

At the same time the bodies of the Union are sparsely staffed and depend on information provided by external experts. This led to a system of committees supporting the bodies of the EU in drafting, adopting and implementing directives, regulations and decisions of the Union.

More than 10,000 lobbyists are trying to exert influence on the Commission, the Council and the European Parliament, many of them are members of the about 2,000 committees and expert groups working for the European institutions and have a very close access to decision makers in Brussels.

Lobbyists are paid not elected. Their influence raises serious concerns about the democratic quality of decision making in the European Union and threatens to diminish trust in the EU institutions. Still lobbying can also connect legislators to citizens. Among the interest representatives working in Brussels there are also civil society actors engaged for interests ranging from protection of the environment to social inclusion and other common interests.

Disturbing though is the imbalance between the lobbying power of big business and of NGOs. In the field of the regulation of financial markets a group of Members of the European Parliament from different political groups explicitly launched a call on civil society to create non-governmental organizations in order to provide counter-expertise to the massive lobbying efforts of the finance industry (www.finance-watch.org).

One way to deal with the democratic concerns arising from the activities of lobbyists is to achieve transparency about who each lobbyist works for and who pays how much money for his work.

The Commission and the Parliament have agreed to set up a Transparency Register (the Council unfortunately only "welcomed" this effort but does not participate in it). The scope of the register covers all activities "carried out with the objective of directly or indirectly influencing the formulation or implementation of policy and the decision-making processes of the EU institutions". All organisations and self-employed individuals engaged in such activities "are expected" to register. The Greens demand that registration should be mandatory and hope to have this enacted in the next review of the regulation of the register.

The agreement between Commission and Parliament includes a code of conduct and sets up a procedure to deal with complaints concerning an alleged breach of the code of conduct. www.bit.ly/eu-transparency-register

C. EU BUDGET AND ECONOMIC AND MONETARY UNION

This Part of the Manual explains where the financial means of the EU come from and how its spending is regulated. You will read about the multiannual financial framework, about the British rebate, about the difference between payments and commitments, the major areas of expenditure in 2011 and the budgetary procedure.

The second chapter of this part illuminates the evolvement of the monetary union and the convergence criteria. You will learn about the Euro, the Stability and Growth Pact and the European Central Bank.

Finally we deal with the present economic and financial crises and give you a picture of the Greens' view on European Economic Governance.

15. The European Union Budget

15. 1. EU Revenue

The most important sources of EU revenue are:

- **Customs duties and sugar levies.** Revenue 2011: € 16.8 billion
- **Value added tax (VAT) based resources** levied on the VAT bases of the Member States. In most Member States the same percentage (0.3%) is levied on the harmonised base, for the period 2007-2013 this rate is reduced for Austria (0.225%), Germany (0.15%), The Netherlands (0.1%) and Sweden (0.1%). Revenue 2011: € 13.8 billion
- **Gross national income (GNI) based resources.** Revenue 2011: € 95 billion

The EU must not accumulate debt. Making loans in order to generate revenue is out of the question. Therefore, to date, there has been no EU bond.

Detailed information can be found at www.bit.ly/current-eu-budget (This webpage always refers to the EU budget of the current year).

15. 2. Multiannual Financial Framework

The multiannual financial framework is a regulation on the main budgetary priorities for the next few years which is adopted by the Council after obtaining the consent of the Parliament. The current financial framework corresponds to the years 2007-2013 and encompasses a total of € 864 billion for that period.

15. 3. British Rebate

The British agriculture sector is, in comparison to the agriculture sectors of other EU Member States – especially in comparison to the French sector – small. With this argument and considering the significant EU expenditure in this sector, Margaret Thatcher demanded a reduction in the UK's payment of contributions to the EU in 1984 ("I want my money back!" Margaret Thatcher at the 1984 EU Summit in Fontainebleau). Negotiations to end the British rebate in conjunction with EU budgetary reform have taken place several times in recent years, so far without success.

15. 4. EU Expenditure

In 2011, the budget of the Union foresees € 126.5 billion in payments and a total of € 141.9 billion including commitments. (Commitments refer to the right to sign contracts and to call for tenders. The difference between payments and commitments shows that the commission is entitled to commit to more than it will actually pay in 2011.)

Table 6: EU Expenditure 2011

Sustainable growth (including competitiveness and cohesion)	€ 53.3 billion
Preservation and management of natural resources (including direct aids & market related expenditures and rural development, environment & fisheries)	€ 56.4 billion
Citizenship, freedom, security and justice	€ 1.5 billion
EU as global player	€ 7.2 billion
Total administration costs (€ 3.3 billion of which is for the Commission)	€ 8.2 billion

15. 5. Budgetary Procedure

The Commission produces a draft of the EU budget for the following year on or before 1 September. The Council decides on its position by 1 October. If the Parliament approves the Council's position, or does not come to a decision within 42 days, the budget plan is approved. If the EP requests amendments to the budget in this period, a conciliation committee is convened. If the Council however accepts the EP amendments within 10 days, the budget is approved and the Committee will not be convened. If the Council does not accept the EP amendments, and the conciliation committee is able to produce a compromise text within 21 days, this text must be approved by the EP and the Council within another 14 days. The budget is approved if at least one of the two institutions adopts the entire compromise text and the other institution does not come to a decision within 14 days. If one of the two bodies rejects the entire compromise text and the other institution does not come to a decision, the Commission must propose a new draft. The same applies if the Council approves the compromise text, but it is rejected by the Parliament.

On the other hand, if the Parliament approves the compromise text and it is rejected by the Council, the Parliament may decide to keep all or some of the original amendments it proposed in the first reading. The budget is then considered to be approved in the form of the compromise text, including these amendments.

15. 6. Green Positions concerning the EU budget

Greens maintain that the introduction of an environmental and financial transaction tax could serve as an own resource of the Union and would contribute a great deal to the financing of the Union whilst reducing the need for contributions of the Member States. The financing of the Union could thus become more transparent and more ecological, while at the same time, this tax could contribute to the regulation of the financial markets.

In the debate prior to the adoption of the budget 2011, Helga Trüpel, Member of the Greens/EFA Group and the Group's coordinator for the budget committee, called for an ambitious budget, arguing that in times of financial crises, a strong Union is urgently needed and the new EU competences in the fields of climate protection, foreign policy and energy have to be financed.

The Greens call for a "Green New Deal", which would lead to a reallocation of spending in the budget: cuts in the funding of non-sustainable policies, an end to funding for ITER (the International Thermonuclear Experimental Reactor) and cuts in the subsidisation of agricultural exports, airports and highways.

On the other hand an alternative budget as demanded by the Greens would invest heavily in sustainable policies such as, for example, a sustainable fisheries policy, innovative transport policy and a modernisation of building insulation. Helga Trüpel also called for better funding of research and development and a clear focus on renewable energies.

16. Economic and Monetary Union

16. 1. Stages of Monetary Union

The goal of a common economic and monetary union was achieved in three stages. The first stage was the unrestricted movement of capital between the Member States and increased cooperation among the central banks. In the second stage, cooperation between central banks and the coordination of monetary policy was further strengthened. In the third stage, the exchange rates of the participating Member States (see 16.2. below) were permanently fixed.

The European Central Bank (see below) and the national central banks of all Member States (including non-Euro Member States) cooperate within the European System of Central Banks on matters pertaining to monetary policy within the EU.

As the sovereign debt crises in several Eurozone countries have demonstrated, more effective European economic governance is required to keep the Euro stable. However, the Union is lacking certain necessary instruments for that purpose at present. The requirement of unanimity in the Council for adopting measures in this area prevents decisions that could stabilise the Eurozone. The open method of coordination which is used in this area is not sufficient to meet the challenges the single currency is facing.

16. 2. Euro Convergence Criteria

As a prerequisite for adopting the single currency, criteria were set in the Maastricht Treaty that must be met before a Member State can adopt the Euro. The criteria (also known as the Maastricht criteria) are as follows:

- price stability: the inflation rate must not exceed the average of the three best performing Member States by more than 1.5%;

- national budget deficit must be no more than 3% of gross domestic product (GDP);
- total national debt must not exceed 60% of GDP;
- exchange rates: observance of the normal fluctuation margins provided for by the exchange-rate mechanism of the European Monetary System, for at least two years, without devaluing against the Euro;
- long-term interest rates: the nominal long-term interest rate (e.g. government bonds) must be no more than 2% higher than the average of the interest rates of the three best performing Member States.

16. 3. Euro

The Euro was introduced on 1 January 2002 in Belgium, Germany, Ireland, Spain, France, Greece, Italy, Luxembourg, the Netherlands, Austria, Portugal and Finland. Since then, Slovenia (2007) Cyprus and Malta (2008), Slovakia (2009) and Estonia (2011) have adopted the euro. The Euro is, after the dollar, the world's second most important currency. The total value of the currency in circulation even exceeds the corresponding dollar value.

16. 4. Stability and Growth Pact

In order to monitor the budget deficits and national debt of the Member States within the Eurozone, the Stability and Growth Pact was agreed on, on the initiative of Germany. The main features of the Stability and Growth Pact were incorporated into the Treaty on the Functioning of the European Union (Article 126 TFEU).

On this basis, the budgetary policies of the Member States are under constant review by the Commission, and the Commission is able to impose substantial fines on Member States which violate the criteria.

The "six-pack" of legislation, which entered into force in December 2011, toughens the rules of the Stability and Growth Pact in order to make it more difficult for Member States to

break maximum deficit and debt levels and to ensure compliance. Recommendations by the Commission will be automatically adopted, unless a majority of Euro Area Member States votes against them.

To appease creditor nations, the rules contained in the 'six-pack' were elevated to treaty status through the European Fiscal Compact Treaty. This Treaty came into force on January 1st 2013.

16.5. European System of Central Banks and the European Central Bank

In the European System of Central Banks (ESCB), the national central banks of all 27 Member States work together with the European Central Bank:

- to ensure price stability in the European Union; and
- to support the general economic policy objectives of the Union (in particular a high level of employment and balanced economic growth) to the greatest extent possible without causing an adverse effect on price stability.

The decision-making bodies of the European Central Bank (ECB) are in charge of the European System of Central Banks. The ECB's two main decision-making bodies are the Executive Board, made up by a President, Vice-President and four other members of recognised standing and experience, and the Governing Council, which comprises the members of the Executive Board and the governors of the national central banks of Eurozone states. The members of the Executive Board are appointed by the European Council by qualified majority on the recommendation of the Council of Ministers after consultation with the European Parliament and the ECB Governing Council. The members serve for a term of 8 years.

Website: www.ecb.int

16.6. Economic Governance

The present economic and financial crisis shone a light on a weakness of the Eurozone set-up that the Greens have pointed to for a long time: a common currency needs to be backed by a common economic policy.

To improve this situation the first steps towards a European Economic Governance have been undertaken. New mechanisms and treaty provisions are now in the process of being finalised, which will allow the EU to act in a more comprehensive and coherent way when major monetary problems emerge in the Eurozone.

The current Stability and Growth Pact mechanisms to prevent excessive public budget deficits did not work since they ended up as horse-trading mechanisms in the Council where big states like France and Germany blocked sanctions when they exceeded the deficit-limits. Stronger enforcement mechanisms are therefore required to ensure fiscal discipline is maintained within the Eurozone. However, this touches on issues such as national sovereignty and social spending, which has complicated the ability to find a resolution to this problem.

Greens strongly support solidarity with Member States targeted by finance speculators. But European Economic Governance requires more: Sustainable budget policy is a sine qua non for recovery and for implementing the Green New Deal, but besides reducing expenditure public finances also need a raise of income by taxing financial transactions. Eurobonds would be an important tool to make European public finances less vulnerable to financial speculation. Economic imbalances between Member States are a threat and must be reduced.

D. EU AGENCIES

This part of the manual gives you an overview about agencies of the EU and about the different ways they are established. You will find a description of some agencies especially interesting from the viewpoint of Greens and a list of all agencies.

17. EU Agencies

The EU has established a number of agencies to fulfil certain tasks. With the exception of the executive agencies and the European Defence Agency, their head offices are distributed amongst Member States and are decentralised.

These agencies can be grouped as follows:

- Community agencies established by a regulation from the Council or from the European Parliament and the Council together
- Agencies for community security and defence policy established by the Council using joint actions
- Agencies for police and judicial cooperation established by a Council decision or under the Europol Convention between Member States (Europol)
- Executive agencies established for a fixed period of time by the Commission

17. 1. Examples of Community agencies

European Union Agency for Fundamental Rights (FRA)

This agency collects and analyses data on fundamental rights in Member States, develops methods and standards for comparing data on fundamental rights, conducts research and publishes reports on its own initiative or on the initiative of the European Parliament, the Council or the Commission. Its head offices are in Vienna, Austria.

www.fra.europa.eu

The agency is not authorised to analyse individual complaints or issue legal opinions.

Example:

Understanding and preventing discriminatory ethnic profiling: A guide

www.bit.ly/prevent-ethnic-profiling

European Environment Agency

The European Environment Agency provides independent information on the environment to aid decision-making on environmental policy in the Union and Member States, and supports them in integrating of environmental considerations into economic policy. Its main offices are in Copenhagen, Denmark.

www.eea.europa.eu

It furthermore coordinates the European Environment Information and Observation network.

www.eionet.europa.eu

Example:

The European environment – state and outlook 2010 (SOER 2010) with comprehensive individual assessments (e.g. on the state of the environment in different Member States).

www.eea.europa.eu/soer

European Food Safety Authority

The European Food Safety Authority (EFSA) assesses risks regarding food and animal feed safety in the European Union. Its head offices are in Parma, Italy.

www.efsa.europa.eu

Examples:

- *Scientific opinion on Transmissible Spongiform Encephalopathy (TSE)[1] infectivity in the tissues of small ruminants such as goats and sheep.*

www.bit.ly/efsa-bse

- *Opinion of the Scientific Panel on Genetically Modified Organisms on a request from the Commission related to the Austrian invoke of*

Article 23 of Directive 2001/18/EC (unsuccessfully) backing the Commissions attempt to repeal the Austrian ban on genetically modified maize MON810.

www.bit.ly/efsa-gmo

Greens are very sceptical about the work of EFSA. In October 2010, it became public that the chair of EFSA, Diana Banati, had failed to disclose her seat on the board of the International Life Science Institute (ILSI), which advises biotech corporations like Monsanto, Bayer and BASF. Banati quit her job at ILSI but the impartiality of the European Food Safety Authority remains questionable.

European Agency for Operative Cooperation at the External Borders

The European Agency for the Management of Operative Cooperation at the External Borders of the European Union (FRONTEX) coordinates operational cooperation between

Member States and supports them in securing the external borders of the EU. Its tasks include risk analysis, coordination, assistance in the training of border guards, technical support, the provision of rapid border intervention teams in unforeseen crisis situations, and support in re- *Table 7: Community agencies repatriation and deportation activities.* The head offices of the agency are in Warsaw, Poland. www.frontex.europa.eu

Activities of Frontex are often questionable from a human rights perspective. The Greens in the EP argue that the EU should pay greater attention to freedom and human rights in its interior and border policy, and that this should be stated more clearly in Frontex's mandate.

Example:

RABIT 2010: Deployment of Rapid Border Intervention Teams on the Greek-Turkish border.

www.bit.ly/frontex-rabit2010

17.2. Lists of EU agencies

Table 7: Community agencies

Official name	Abbreviation	Location	Year of foundation
Agency for the Cooperation of Energy Regulators	ACER	Ljubljana	2009
European GNSS Supervisory Authority	GSA	Brussels	2004
European Union Agency for Fundamental Rights	FRA	Vienna	2007
European Marine Safety Agency	EMSA	Lisbon	2002
European Railway Agency – promoting safe and compatible railway systems	ERA	Valenciennes	2004
European Agency for Operative Cooperation at the external borders	FRONTEX	Warsaw	2005
European Aviation Safety Agency	EASA	Cologne	2003
European Network and Information Security Agency	ENISA	Heraklion	2005
European Agency for Safety and Health at Work	EU-OSHA	Bilbao	1996
European Medicines Agency	EMA	London	1995
European Food Safety Authority	EFSA	Parma	2002
European Monitoring Centre for Drugs and Drug Addiction	EMCDDA	Lisbon	1993
European Chemicals Agency	ECHA	Helsinki	2007

Official name	Abbreviation	Location	Year of foundation
Community Fisheries Control Agency	CFCA	Vigo	2005
European Institute for Gender Equality	EIGE	Vilnius	2006
European Training Foundation	ETF	Turin	1994
European Foundation for the Improvement of Living and Working Conditions	EUROFOUND	Dublin	1975
European Centre for the Development of Vocational Training	Cedefop	Thessaloniki	1975
European Centre for Disease Prevention and Control	ECDC	Stockholm	2005
European Environment Agency	EEA	Copenhagen	1994
Community Plant Variety Office	CPVO	Anger	1995
Office for Harmonization in the Internal Market – trademarks and design	OHIM	Alicante	1999
Translation Centre for the Bodies of the European Union	CdT	Luxembourg	1994

Note: The websites of the agencies can generally be found by replacing the letters LLL with the agency's abbreviation in the following sample URL. www.LLL.europa.eu

Table 8: Agencies for the Community security and defence policy

Official name	Abbreviation	Location	Year of foundation
European Defence Agency	EDA	Brussels	2004
European Institute for Security Studies	ISS	Paris	2001
European Union Satellite Centre	EUSC	Torrejón de Ardoz	2002

Table 9: Agencies for political and judicial cooperation in criminal cases

Official name	Abbreviation	Location	Year of foundation
European Union's Judicial Cooperation Unit	EUROJUST	The Hague	2002
European Police College	CEPOL	Hampshire	2005
European Police Office	EUROPOL	The Hague	2002

Table 10: Executive agencies

Official name	Abbreviation	Location	Years active
Education, Audiovisual and Culture Executive Agency	EACEA	Brussels	2006-2015
European Research Council Executive Agency	ERC Executive Agency	Brussels	2007-2017
Trans-European Transport Network Executive Agency	TEN-T EA	Brussels	2006-2015
Research Executive Agency	REA	Brussels	2009-2017
Executive Agency for Health and Consumers	EAHC	Brussels	2005-2015
Executive Agency for Competitiveness and Innovation	EACI	Brussels	2004-2015

E. THE GREENS AND GEF: A POLITICAL PARTY AND A FOUNDATION AT THE EUROPEAN LEVEL

In this part of the manual you will learn about political parties and foundations at the European level and about the European Green Party (EGP) and the Green European Foundation (GEF). You will read about their structure, their funding and their accountability towards the European Parliament.

We explain why Europe is so important to the Greens, we list some of the successes of the Greens in the European institutions and we present the Green's visions for Europe.

18. Political Parties and Foundations at the European Level

18. 1. Political Parties at the European Level

Article 10 of the Treaty on European Union (TEU) says:

“Political parties at the European level contribute to forming European political awareness and to expressing the will of citizens of the Union.”

A regulation of the European Parliament and the Council establishes how political parties are defined at the European level and how they are financed. www.bit.ly/regulation-eu-parties

A political party at the European level must meet one or both of the following conditions:

- it must either be represented by members of the European Parliament or members of national parliaments, regional parliaments or regional assemblies in at least one quarter of the Member States; or
- have received at least three per cent of the votes cast in at least one quarter of the Member States at the most recent European Parliament elections.

In addition to the above, it must also:

- respect, in its programme and activities, the principles of freedom, democracy, human rights and fundamental freedoms, as well as the rule of law; and
- have participated in elections to the European Parliament or have expressed an intention to do so.

The Greens/European Free Alliance political group in the European Parliament www.greens-efa.eu is an affiliation of members of parliament from two political parties at the European level: the European Green Party www.europeangreens.eu (see below) and the European Free Alliance Party www.e-f-a.org. The latter is an affiliation of regional parties advocating democracy, human rights, regionalism and decentralisation.

18. 2. Political Foundations at the European Level

Political foundations at the European level are affiliated with a political party at the European level and complement its objectives by performing, in particular, the following tasks:

- contributing to the debate on European issues and on the process of European integration;
- organising and supporting seminars, training, conferences and studies; and
- serving as a framework for national political foundations, academics, and other relevant actors to work together at European level.

Parties and foundations at the European level receive financial contributions out of the budget of the European Parliament. In 2010, ten political parties and nine political foundations at the European level received grants from the European Parliament.

www.bit.ly/grants-european-parties

www.bit.ly/grants-european-foundations

Parties and foundations at the European level are obliged to publish their income and expenses, as well as their assets and liabilities on an annual basis, and publish a list of their donors and the amount they donated for all donations above € 500. They must not accept anonymous donations, donations from the budgets of political groups in the European Parliament, donations from any company over which public authorities exercise a dominant influence, donations of more than € 12,000 per year per donor, or donations from a public authority from a non-EU country.

18. 3. European Green Party (EGP)

In the European Green Party (EGP), 37 member parties and 10 observer parties from European countries (not only from EU Member States) are united in one transnational party.

In their charter, the European Greens refer to their roots in environmental and anti-nuclear movements, peace movements, feminist movements, human rights movements, movements for Third World solidarity and movements against poverty and for social justice within our own societies.

The charter also says:

From these origins, European Greens have come together to form our own political family. We stand for a free, democratic and social Europe in a peaceful, equitable and environmentally sustainable world. We defend values like justice, human and citizens' rights, solidarity, sustainability and the right of each individual to lead their own lives, free from fear.

The bodies of the European Greens are:

- The Congress, with 400 representatives of the member parties, which decides on the common policy of the European Green Party. The representatives are allocated to the member parties proportionately according to their share of the vote at the most recent European or national elections. Green members of the European Parliament and representatives of the Federation of Young European Greens (FYEG) are also members of the Congress.
- The Council, which is comprised of 108 delegates of the member parties and Green members of the European Parliament as well as FYEG representatives. It is responsible for the policy of the European Green Party between party congresses.
- The Committee, comprising nine people, two of which act as co-chairs for the European Green Party.

EGP's website www.europeangreens.eu includes a map including more information of the member parties.

18. 4. Green European Foundation (GEF)

The Green European Foundation is one of thirteen European-level political foundations. European-level political foundations were established with the aim of facilitating the engagement of citizens in European debates and enabling informed political participation in the European Union. GEF strives to mainstream discussions on European policies and politics both within and outside the Green political family.

GEF's goals are:

- to contribute to the development of a lively European sphere of public debate by engaging citizens in political dialogue;
- to contribute to the 'Europeanisation' of Green political debate;

- to provide a platform for networking between Green actors at the European level; and
- to develop and disseminate expertise on key European issues within and beyond the Green political family.

GEF is a not-for-profit organisation which has two main decision-making bodies: the Board of Directors and the General Assembly. Members of the General Assembly represent GEF's three main stakeholders: national Green foundations from around Europe (currently 12 national foundations are represented in the General Assembly), the European Green Party and the Green Group in the European Parliament.

GEF focuses on three mutually interlinked axes of work.

Study and debate: GEF carries out and invests in research on a variety of European topics, with the results disseminated either through its own publications or the translation and publication of existing studies or surveys.

Education and training: GEF promotes Green capacity-building across Europe. Training and political education – provided through transnational workshops, panel debates and conferences – help to raise citizens' awareness of Green political solutions to the challenges Europe faces. It furthermore enhances the ability of Green actors to work on European issues.

Networking Green Europe: GEF acts as a framework for cooperation between Green actors on the European level. Contributions from a diverse range of European partners are vital to create and encourage European debate, and this helps to ensure the sustainability of GEF's work.

Website: www.gef.eu

19. Europe and the Greens

19. 1. Why is the EU important for the Greens?

The history of the European Union shows how war as a means of deciding conflicts can be overcome. This history of success brings responsibility in its wake: Europe can and must make its own contribution to world peace.

Our world is interlinked: transport and communication networks led to a degree of globalisation of the economy which was unthinkable only a few decades ago. This development was fostered and exploited mainly by multinational corporations.

What we need is a political framework on the transnational level to defend the common good. Politics needs to face up to major corporations and determine the conditions for their activities.

The European Union provides a platform for action to execute this task. The European Commission, Council and Parliament constitute an institutional framework within which political responses to the challenges of our time can be democratically developed and implemented under the rule of law.

The question of how the EU should use its powers is the subject of political discussions within and between the EU institutions. The Greens have recognised the need for European solutions, and thus, cooperate closely and effectively at the European level themselves, more so than any other political party. As a result of their unity and consistency, the Greens manage again and again to significantly influence the decisions of the European Parliament. The Greens/EFA group is the fourth largest group in the Parliament, yet their political weight is even greater than this.

19.2. Green successes

Examples of Green successes in the European Parliament include:

Financial regulation and banker's pay

Green MEPs played a central role in the revision of EU rules on the banking sector. As part of a review of the EU capital requirements directive, Green amendments introducing a cap on bankers' bonuses and providing for greater transparency of banks' accounts were included in the final legislation. Green MEP Philippe Lamberts was instrumental in achieving this key reform for financial sector prudence and social justice.

www.bit.ly/bank_bonus

Binding energy savings measures

With the EU and its Member States set to fall short of the EU's target to reduce energy consumption 20% by 2020, Green MEPs played a key role in the review of overarching EU legislation on energy efficiency. As part of the revision, Green MEP Claude Turmes, who was the legislation's draftsman, ensured the inclusion of measures binding on energy service providers, requiring them to deliver annual energy savings.

www.bit.ly/energy_saving

Active inclusion of people excluded from the labour market

With the report by the Green rapporteur Jean Lambert on the active inclusion of people excluded from the labour market, the European Parliament committed itself to the right to a minimum income to enable people to live in dignity.

www.bit.ly/gs-active-inclusion

Defending internet freedom and rejecting ACTA

Led by Jan Philipp Albrecht MEP, Greens were very active against the ratification of the anti-counterfeiting trade agreement (ACTA) from

the outset of negotiations. Strengthened by citizens' support, Greens contributed to the rejection of ACTA by the European Parliament, ending any possibilities of ratification by the European Union.

www.bit.ly/defeat_ACTA

Tackling financial speculation

After tough negotiations by the Green rapporteur Pascal Canfin, the European Parliament approved an agreement on new EU legislation which included a ban on the selling of naked credit default swaps (CDS) on the sovereign debt of European countries, as well as curbs on the practice of short-selling. It was the first time that the EU forbade a specific financial product.

www.bit.ly/finacial_speculation

Reducing sulphur pollution from ships

Despite intense industry lobbying, the final legislative agreement introduced stricter limits on sulphur emissions from ships for Sulphur Emission Control Areas by 2015 and for all EU seas by 2020. Green MEP Satu Hassi, who brokered the final legislative agreement as the EP's rapporteur, succeeded in reducing air pollution in Europe and improve public health.

www.bit.ly/ship_pollution

Renewable Energy Directive

The energy requirements of the European Union are planned to be met by at least 20% renewable energy by 2020, a great success for the Parliament and the Greens. Building on the previous success, a new goal is currently under negotiation for 2030. EP rapporteur on the dossier and Green MEP Bas Eickhout advocated for an ambitious and binding 2030 target for renewable energy, aiming at a 45% share.

www.bit.ly/gs-renewable-energy

Exterior policy resolutions of the EP

Upon an initiative of the Greens, the European Parliament passed resolutions on, e.g. Guantanamo, the status of the untouchables (dalits) in India, the status of refugees in

Lampedusa and the anti-ballistic missile system of the USA. Example:

www.bit.ly/gs-guantanamo-resolution

Protection of human rights

Following a green initiative, the European Instrument for Democracy and Human Rights was introduced to protect and safeguard people lobbying for the defence of human rights.

www.bit.ly/gs-eidhr

Prohibitions on dangerous financial products

In the discussion about the reform of the European System of Financial Supervisors the Greens argued for tighter regulation than that which was proposed by the Commission, and many of their positions were eventually adopted by the European Parliament. The ability of the European Financial Markets Supervisory Authority Supervisory to prohibit the trade of risky financial products on the single market was based on a Green initiative.

www.bit.ly/gs-esma

Peace Building Partnership

In negotiations between the Parliament, Council and Commission, the Greens were able to introduce the Peace Building Partnership as a new EU instrument for foreign policy.

www.bit.ly/gs-peace-building

European Youth Guarantee Scheme

The Greens strongly pushed for EU measures to address the high levels of youth unemployment in Europe and advocated a 'youth guarantee scheme' from the outset of the crisis. This Guarantee, approved by the Council in February 2013, ensures that young people under the age of 25 are entitled to receive a good-quality offer of employment, education, apprenticeship or traineeship within a period of four months after becoming unemployed or leaving formal education.

www.bit.ly/youth_guarantee

Prevention of the Via Baltica with the support of the Committee on Petitions

In collaboration with Polish NGOs and thanks to their petition against the Via Baltica, it was possible to prevent the construction of a motorway through the Rospuda valley in Poland.
www.bit.ly/gs-rospuda-valley

Recognition of on-call time in the Working Time Directive

As part of the attempt to amend the Working Time Directive, the Greens decided to take a position against the Council, which did not want to recognise on-call time as working time. The Parliament supported this attitude and rejected the position of the Council; however, the amendment of the directive failed due to the Council's refusal to compromise.
www.bit.ly/gs-working-time

20. Green Visions for Europe

The most important components of the Green Vision for Europe are:

A Europe of the Citizens

The European Union is a political platform open to outside influences. Interest groups and lobbies have known this for a long time and act accordingly. The Greens want to support the citizens of the EU Member States in their endeavour to turn the Union into a union of the citizens, who are able to fully participate and face up to powerful business lobbies. This requires time, information and serious opportunities for citizens to help shape Europe. The Greens called for a pan-European referendum to endorse the constitutional treaty and the Lisbon Treaty. Unfortunately, this proposal was rejected.

The introduction of the European Citizens' Initiative is an important step towards direct democracy at European level, which still has to be developed further and put into practice.

Furthermore, citizens should have the possibility to directly express their desires on important pan-European topics in referenda.

The hard-won rights and liberties of citizens must not be sacrificed in the fight against terrorism and alleged security threats. Digital rights must be equal to civil rights. Governmental and economic interests must not have priority over the citizens' private sphere.

More democracy

Over the course of the history of the EU, governments in Member States have shamelessly used the opportunity to implement policies without effective parliamentary control. The European Parliament has become the engine of the fight for more democracy in the Union and has made important progress.

To consolidate this role, the Parliament needs to have an independent right of legislative initiative (which is currently a monopoly of the Commission).

To promote the European dimension in European Parliament elections, the Greens are campaigning for the establishment of pan-European lists, where a certain number of members (for example 10%) of the European Parliament are elected using pan-European lists (complementing members elected at the national level).

The Greens seek a major overhaul of the lobbying register for the European Commission, with mandatory registration and detailed disclosure requirements for funding, as well as comprehensive reporting requirements.

The Greens advocate the principle of public access to the documents of EU institutions. In cases of dispute, the European Ombudsman will decide on applications for the access to documents.

Energy turnaround, Green jobs, European Community for Renewable Energy

The Greens call for the enormous potential of renewable energy to be used extensively without any further delay. They advocate that in 2030, at least 50% of electricity generated in Europe should come from renewable sources.

A serious commitment to an energy revolution could create millions of jobs in Europe in the area of renewable energy and related fields.

The Greens call for the creation of a European Community for Renewable Energy (ERENE), which would lay the foundations for a transition to an energy supply system based on 100% renewables energy.

Transport turnaround in Europe

The structure of transport in the Union must become fit for the future. The direct and indirect subsidies of inefficient and environmentally damaging forms of transport, such as air and road transport, must be abandoned. Goods traffic must be moved from road to rail to a much larger extent.

Organic farming, a Europe free of genetic engineering, animal protection

The future of agriculture lies in the area of organic farming and fair trade. The forthcoming review of the Common Agricultural Policy should be used to support farmers in the sustainable production of high-quality food stuff within the framework of a new European agricultural policy.

A prerequisite for this is the creation of a zone free from genetically engineered foodstuff encompassing the entire European Union.

The Greens call for the prohibition of animal transport over long distances, they support the prohibition of the fur trade and advocate that animal tests should be gradually replaced by other methods.

The End of Deregulation, effective control of financial markets

The EU requires a systemic change from careless deregulation to efficient control of financial markets. The three recently founded European Supervisory Authorities must also be free from interference from the Council.

Financial speculation must be curbed by the introduction of a financial transaction tax, which would also be an important source of funds for the European Union.

Reinforcement of social rights of EU citizens

The Greens do not want a Europe that permits social dumping and exploitation of people. Workers' rights must be raised; the Greens strictly oppose a levelling of the standards of labour rights.

In the European Union, nobody should have to suffer from the humiliation of having to live in poverty. Governments should introduce minimum salaries that are legally binding and regulated by collective agreements, as well as a minimum income above the poverty line for those receiving social security.

Europe's role in the world

Europe's bitter experience of war and totalitarian systems, and the difficult reconstruction period which followed, made possible by outside support (the Marshall plan), is an incentive to stand up for a peaceful Europe; a Europe committed to non-violent conflict solutions, to disarmament and arms control, and to support for developing countries.

The Greens support a Europe that uses its strong position in international trade not for the exploitation of resources in underdeveloped countries, but for supporting their development in solidarity.

In the same manner, economic interests must not interfere with the Union's commitment to human rights.

The EU and its Member States together are the largest contributors to global development funds - more than half of all development funds world-wide come from the EU. It is therefore important that help is given where it is truly needed, and that it is processed as effectively and economically as possible – for example, by means of improving coordination amongst donors. Furthermore, the Greens assert that the development plans of developing countries should be taken into consideration when distributing funds, and that donors do not solely implement projects according to their own concepts of development.

Of particular concern is not only the quality but also the quantity of support: the current crises (the food, energy and economic crises, not to mention the climate crisis) hit people in the poorest countries the hardest, despite that fact they did not cause these crises. We require many more billions of euros to tackle the effects of the climate crisis, which is noticeable already today (expansion of deserts, storms, floods, desertification of fertile land, etc.). At present, donors are not providing the necessary funds to tackle these problems. The Greens therefore call for an increase to development funds up to 0.7% of gross national income – a UN target for more than 40 years!

Asylum and protection from prosecution

The protection from prosecution is a human right. The Green vision is for a Europe that recognises this right in its entirety. All Member States share responsibility for guaranteeing this protection. Refugees must not be sent back at the exterior borders of the Union before their need for protection has been assessed.

Instead, it is necessary to establish a binding and transparent European-wide system to process asylum claims. The human right to asylum must not be undermined and refused to a persecuted person.

Migration

Europe has always been a continent of migration. People who want to live in the EU should be given a fair chance. The siege mentality of “Fortress Europe” must be overcome.

The attraction of Europe to immigrants is a chance for both sides – for the migrants and for the EU. Europe requires political concepts which take advantage of the benefits of immigration, so that people can come to the EU in a legal and controlled way.

In the EU, immigrants must have equal rights, equal pay and the opportunity to gain European Union citizenship and participate in political life.

F. APPENDICES

21. Information, contacts

Europe direct

Toll-free telephone number to call Brussels: 00800 6 7 8 9 10 11 from all Member States.

EU Information Offices in the Member States

The Commission and the European Parliament maintain representation and information offices in all Member States. Postal addresses, e-mail addresses, websites and telephone numbers are listed on this site:

www.bit.ly/eu-local-offices

European Parliament

- Allée du Printemps B.P. 1024/F, F-67070 Strasbourg, Tel.: +33 3 8817 4001
 - Rue Wiertz, B.P. 1047, B-1047 Brussels, Tel.: +32 (2) 284 DW 2111
- www.europarl.europa.eu

The Legislative Observatory with up-to-date agendas and information on current legislative procedures.

<http://www.europarl.europa.eu/oeil/>

WebTV channel of the European Parliament:

www.europartv.europa.eu

Council of the European Union

Rue de la Loi 175, B-1048 Brussels,
Tel.: +32 (2) 285 6111
www.consilium.europa.eu

European Commission

Rue de la Loi 200, B-1048 Brussels,
Tel.: +32 (2) 29 91111
www.ec.europa.eu

European Communities Court of Justice (ECJ)

With a search engine for the database on the jurisdiction of the Court.
L-2925 Luxembourg, Tel.: +352 4303 -1
www.curia.europa.eu

Online Hearings

http://ec.europa.eu/yourvoice/consultations/index_en.htm

Online Petitions to the European Parliament

European Parliament webpage on EU citizens' right to petition, with an online form for submitting petitions to the European Parliament.
www.bit.ly/ep-online-petition

European Ombudsman

Nikiforos Diamandouros, B.P. 4031,
Avenue du Président Robert Schumann,
F-67001 Strasbourg, Tel.: +33 (3) 8817 2313
www.ombudsman.europa.eu

European Commission Transparency Initiative

http://ec.europa.eu/transparency/eti/index_de.htm

Register of interest representatives:

<https://webgate.ec.europa.eu/transparency/regrin/welcome.do>

22. Websites of Civil Society Initiatives on EU Policies

Below is a list of websites of organisations which try to influence the EU through liaison offices in Brussels and by working in collaboration with lobbying and campaign initiatives.

European Movement

www.europeanmovement.eu

The European Movement is an international organisation open to all political, economic, social and cultural trends in civil society.

European Youth Forum

www.youthforum.org

Independently established by youth organisations, the European Youth Forum is made up of more than 90 National Youth Councils and International Non-Governmental Youth Organisations, which are federations of youth organisations in themselves. Its goal is to organise young people in order to represent their common interests.

European Women's Lobby

www.womenlobby.org

Founded in 1990 with 12 national member organisations, the European Women's Lobby is one of the oldest and best established European-level civil society NGOs. Over the last 20 years, EWL membership has grown steadily to reach more than 2500 organisations across 30 European countries.

Age Platform Europe

www.age-platform.eu/en

AGE Platform Europe is a European network of around 150 organisations of and for people aged 50 or over, representing directly over 28 million older people in Europe.

European Social Platform

www.socialplatform.org

The Platform of European Social NGOs (Social Platform) is the alliance of representative

European federations and networks of NGOs active in the social sector.

European Network of Political Foundations

www.european-network-of-political-foundations.eu

The "European Network of Political Foundations – independent actors in democracy promotion, development cooperation and political dialogue", established in 2006, is a cooperation structure, serving as a communication and dialogue instrument between national political foundations in Europe and the Institutions of the European Union, as well as civil society actors in the fields of democracy promotion and development cooperation.

EU-Lobby-Control

www.corporateeurope.org

The transparency Initiative Corporate Europe Observatory observes and documents the actions of large economic and political organisations trying to influence EU policy in Brussels. See also their German partner organisation Lobbycontrol – www.lobbycontrol.de. EU-Lobby-Control offers virtual tours to the offices of large industrial lobbyists in Brussels: www.eulobbytours.org

ALTER = Alliance for Lobbying Transparency & Ethics Regulation

www.alter-eu.org

The "Alliance for Lobbying Transparency and Ethics Regulations" (ALTER-EU) is a coalition of more than 160 civil society groups, unions and academic and political institutions that try to fight the growing influence of business lobbyists on the agenda of the EU.

European Citizen Action Service (ECAS)

www.ecas.org

ECAS, with an office in Brussels manned with 12 members of staff, wants to strengthen civil society lobbying elements relative to better financed lobbies by means of information, advice and action. They describe themselves as follows: "ECAS was created in 1990 as

an international non-profit organization, independent of political parties, commercial interests and the EU Institutions. Our mission is to enable NGOs and individuals to make their voice heard with the EU by providing advice on how to lobby, fundraise, and defend European citizenship rights.”

Climate Alliance

www.klimabuendnis.org

The Climate Alliance of European cities with Indigenous People of the rainforest / Alianza del Clima e.V., is Europe’s largest network of cities and local communities for climate protection. Its purpose is the preservation of the global climate.

EU-Agricultural Transparency-Initiative

www.farmsubsidy.org

This is the website of the transparency initiative for EU agricultural policy. This website contains detailed country overviews on agricultural subsidies and their (uneven) distribution. It makes more interesting reading than many detective stories.

Environmental and other NGOs in Brussels European Environmental Bureau

www.eeb.org

The EEB, set up in 1974, is Europe’s largest coalition of grass-roots environmental organisations.

www.eu-koordination.de/index.php?page=48

The EU coordination office of *Deutscher Naturschutzring*, the German League for Nature and Environment, lists a number of NGOs with representative offices in Brussels that are mainly active in environmental areas.

CONCORD - European NGO Confederation for Relief and Development

www.concordeurope.org

CONCORD has 22 national platforms and 18 international networks as members. This umbrella organisation represents more than 1,600 development NGOs *vis-à-vis* the political institutions of the EU.

EU Civil Society Contact Group

<http://act4europe.horus.be>

The EU Civil Society Contact Group brings together eight large rights and value based NGO sectors – culture, environment, education, development, human rights, public health, social and women.

Finance Watch

www.finance-watch.org

In June 2010, European elected officials in charge of regulating financial markets and banks launched a call to civil society to create a non-governmental organization capable of developing a counter-expertise on activities carried out on financial markets by the major operators (banks, insurance companies, hedge funds, etc.). Finance Watch produces and shares expertise, communicates knowledge and advocates for public interests.

The members of these sectoral platforms are European NGO networks. They bring together the voices of hundreds of thousands of associations across the Union, linking the national with the European level, representing a large range of organised interests.

23. Table of links

The table below lists the links used throughout the manual which point you to specific webpages illustrating the work of the EU institutions, the Greens, NGOs, etc..

The links are grouped according to where the information is provided or whose work is illustrated by it.

European Union

Charter of Fundamental Rights of the European Union (OJ 2000, PDF) – www.bit.ly/eu-charta-en

Consolidated Versions of the Treaty on European Union/TEU and the Treaty on the Functioning of the European Union/TFEU (OJ 2010, PDF) – www.bit.ly/eu-treaties-en

EU population data (Eurostat) – www.bit.ly/eu-population-en

Legal bases and voting procedures for the various EU policy areas – www.bit.ly/legal-bases-en

A directory for Commission representation offices, Parliament information offices, EU delegations and offices around the world and European Public Spaces – www.bit.ly/eu-local-offices

Search engine interface for EU law (Eur-Lex) – www.bit.ly/search-eu-law

Treaty establishing a Constitution for Europe (Council, PDF. NOTE: This treaty failed to be ratified and is not in force, but still is an important and interesting document illustrating the democratic development of the EU) – www.bit.ly/eu-constitution-treaty

Presidency Conclusions, which discusses EU enlargement, Dec.2001 (PDF) – www.bit.ly/laeken-declaration

Copenhagen Criteria as preconditions for enlargement – www.bit.ly/cop-criteria

European Parliament

EP Rules of Procedure (EP 2010, PDF) – www.bit.ly/ep-rules-of-procedure

EP Website on Citizens' AGORA (EP) – www.bit.ly/ep-agera

European Parliament Website – www.europarl.europa.eu

Example of a parliamentary question (EP 2010) – www.bit.ly/ep-oral-question-en

Intergovernmental Conference document on Numbers of MEPs (Council, PDF) – www.bit.ly/cig-mep-en

User interface for online petitions to the Parliament (EP) – www.bit.ly/ep-online-petition

Web-TV-Channel of the European Parliament – www.europartv.europa.eu

Council of the European Union

Commission proposal to repeal Austrian GMO ban (Council 2009, PDF) – www.bit.ly/comitology-gmo-austria

List of the various council configurations (Council) – www.bit.ly/council-config

List of presidencies until 2020 (Council) – www.bit.ly/council-presidencies-en

Voting Results on 1st Reading of the Working Times Directive (Council 2008, PDF) – www.bit.ly/council-working-time-1

The Council website information on High Representative of the Union for Foreign Affairs and Security Policy (Council) – www.bit.ly/council-gasp-en

Website of the Council – www.consilium.europa.eu

European Council

European Council Website – www.european-council.europa.eu

European Commission

The Commission Website – www.ec.europa.eu

Debate and Vote on the appointment of the Barroso II Commission (EP 2010) – www.bit.ly/ep-barroso-2

European External Action Service's (EEAS) Peace Building Partnership established by the European Commission – www.bit.ly/gs-peace-building

European Instrument for Democracy and Human Rights (Commission) – www.bit.ly/gs-aidhr

Global Energy Efficiency and Renewable Energy Fund (Commission) – www.bit.ly/11x0UmK

High Representative of the Union for Foreign Affairs and Security Policy (Commission) – www.bit.ly/ec-gasp

Open consultations (Commission) – www.bit.ly/ec-consultations

Step by step guide to the ordinary legislative procedure (Commission) – www.bit.ly/cod-step-by-step

More EU related organisations

Climate Alliance – www.klimabuendnis.org

Committee of the Regions – www.cor.europa.eu

European Central Bank (ECB) – www.ecb.int

European Citizen Action Service – www.ecas.org

European Confederation for Relief and Development – www.concordeurope.org

European Court of Auditors – www.eca.europa.eu

European Court of Justice – www.curia.europa.eu

European Economic and Social Committee – www.eesc.europa.eu

European Environment Information and Observation Network – www.eionet.europa.eu

European Environmental Agency – www.eea.europa.eu

European Food Safety Agency – www.efsa.europa.eu

FRONTEX Agency – www.frontex.europa.eu

Fundamental Rights Agency (FRA) – www.fra.europa.eu

Ombudsman of the European Union – www.ombudsman.europa.eu

Permanent Forum of European Civil Society – www.forum-civil-society.org

Political Parties, Parliamentary Groups

European Free Alliance (EFA) – www.e-f-a.org

European Green Party (EGP) – www.europeangreens.eu

Grants from EP to political parties at European level 2004-2010 (EP, PDF. This list details the funding to all political parties at the European level as of 2010) – www.bit.ly/grants-european-parties

Information about parties at European level (EP) – www.bit.ly/european-parties

Greens/EFA political group in the EP – www.eurogreens.eu

Regulation on European political parties including financial rules (Eur-Lex 2007) – www.bit.ly/regulation-eu-parties-en

Transparency NGOs

Alliance for Lobbying Transparency & Ethics Regulation – www.alter-eu.org

Corporate Europe Observatory – www.corporateeurope.org

Corporate Europe Observatory webpage containing a cybertour through the EU-quarter in Brussels – www.eulobbytours.org

Finance Watch– www.finance-watch.org

Lobby Control (German) – www.lobbycontrol.de

Website providing data on EU farm subsidies – www.farmsubsidy.org

National Parliaments

Information on the Folketing (DK) EU-Committee (Folketing, PDF) – www.bit.ly/eu-committee-dk

Information on the Eduskunta (FI) EU-Committee (Finnish Parliament) – www.bit.ly/eu-affairs-fi

Information on the Austrian EU-Committee (Austrian Parliament) – www.bit.ly/eu-affairs-at

Interparliamentary EU Information Exchange website – www.ipex.eu

Decisions

Decision on anti-competitive activities by Microsoft (Eur-Lex, PDF) – www.bit.ly/decision-microsoft

Decision establishing harmonised efficiency reference values for separate production of electricity and heat (Eur-Lex, PDF) – www.bit.ly/decision-heat-power

Decision on guidelines for the employment policies of the Member States (Eur-Lex) – www.bit.ly/employment-policies-2010

Decision concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol (Eur-Lex) – www.bit.ly/decision-kyoto

Directives

Directive on the assessment of the effects of certain plans and programmes on the environment (Eur-Lex) – www.bit.ly/directive-environmental-impact-assessment

Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (Eur-Lex) – www.bit.ly/directive-equal-treatment

Procedure files

Procedure file amendment to Working Time Directive (EP2004-2009) – www.bit.ly/cod-working-time

Procedure file Financial Markets Authority (EP 2010) – www.bit.ly/gs-esma

Procedure file Implementing Powers/new comitology (EP) – www.bit.ly/implementing-powers-en

Procedure file Multiannual Framework 2007-2013 (EP) – www.bit.ly/multiannual-ffw-2007-2013

Procedure file Novel Foods repeal (EP 2008-2010) – www.bit.ly/gs-novel-food

Procedure file Renewable Energy Directive (EP 2008) – www.bit.ly/gs-renewable-energy

Procedure file Protocol on the Implementation of the Alpine Convention in Transport Protocol (EP 2008-2010) – www.bit.ly/alpine-procedure

Regulations

Regulation establishing a European Asylum Support Office (Eur-Lex) - www.bit.ly/regulation-asylum-support

Regulation on the coordination of procedures for the award of public works contracts (Eur-Lex) – www.bit.ly/directive-procurement

Regulation concerning measures to safeguard security of gas supply (Eur-Lex) – www.bit.ly/regulation-gas-supply

Regulation on the obligations of operators for timber and timber products (Eur-Lex) – www.bit.ly/regulation-timber

Reports

Lambert (Greens/EFA) report on the active inclusion of people excluded from the labour market (EP) – www.bit.ly/gs-active-inclusion

Report on the crisis of the Equitable Life Assurance Society (EP 2007) – www.bit.ly/ep-inquiry-elas

Report of the Committee on Petitions on i.a. the activities of the committee concerning the Via Baltica and the Rospuda Valley/Poland – www.bit.ly/gs-rospuda-valley-en

Draft report on developing the job potential of a new sustainable economy, Schroedter (Greens/EFA) (EP 2010, PDF) – www.bit.ly/ep-report-sustainable-jobs

Resolutions

EP resolution concerning the implementation of the European Citizens' Initiative (EP 2009) – www.bit.ly/ep-initiative-eci

Motion for a resolution on the return and resettlement of the Guantánamo detention facility inmates (EP 2009) – www.bit.ly/gs-guantanamo-resolution

Statements

European Food Safety Authority review on BSE/TSE infectivity (EFSA 2010) – www.bit.ly/efsa-bse

European Court of Justice judgment on equal payment (ECJ, 2008) – www.bit.ly/ecj-equal-pay-en

Opinion of the EFSA Scientific Panel concerning Austrian ban of GMOs (EFSA 2004) – www.bit.ly/efsa-gmo

EU Agency for Fundamental Rights – Understanding and preventing discriminatory ethnic profiling: A guide (FRA) – www.bit.ly/ethnic-profiling

Vote Calculators for the Council

Double Majority Vote Calculator (eu-info.de) – www.bit.ly/council-double-majority

Qualified Majority Vote Calculator (Council) – www.bit.ly/voting-calculator-council

Acknowledgement

Many people including the editorial team supported me in the preparation of this manuscript for the brochure. I would like to thank Dr. Peter Steyrer in particular for his input and contributions to the preparation of the first version of the brochure in Austria, and Daniela Graf and Leonore Gewessler for their initiative and support in reviewing the English version of the manuscript.

Juan Behrend supervised the text creation in a competent manner. Thank you very much!

Kurt Greussing compiled most of the list of NGOs in Brussels (*page 68*). Thank you!

The office of GEF managed and supported the translation of the manual. Thanks especially to Leonore Gewessler for bearing with me and my preferences!

The following sources were used to prepare chapter 19 "Europe and the Greens" and chapter 20 "Green Visions for Europe":

- A Green Deal for Europe. Manifesto for the European election campaign 2009
- Green Achievements. Paper provided by the advisors of the Greens/EFA group
- The Green's Book. Policy Papers of the Greens in the European Parliament

Many thanks to everybody who made a contribution.

Finally, I would like to thank Univ. Prof. Dr. Thomas Eilmannsberger for his critical review of the manuscript, and the members of the Austrian office of the European Parliament (www.europarl.at) for supporting my research work.

Karl Staudinger

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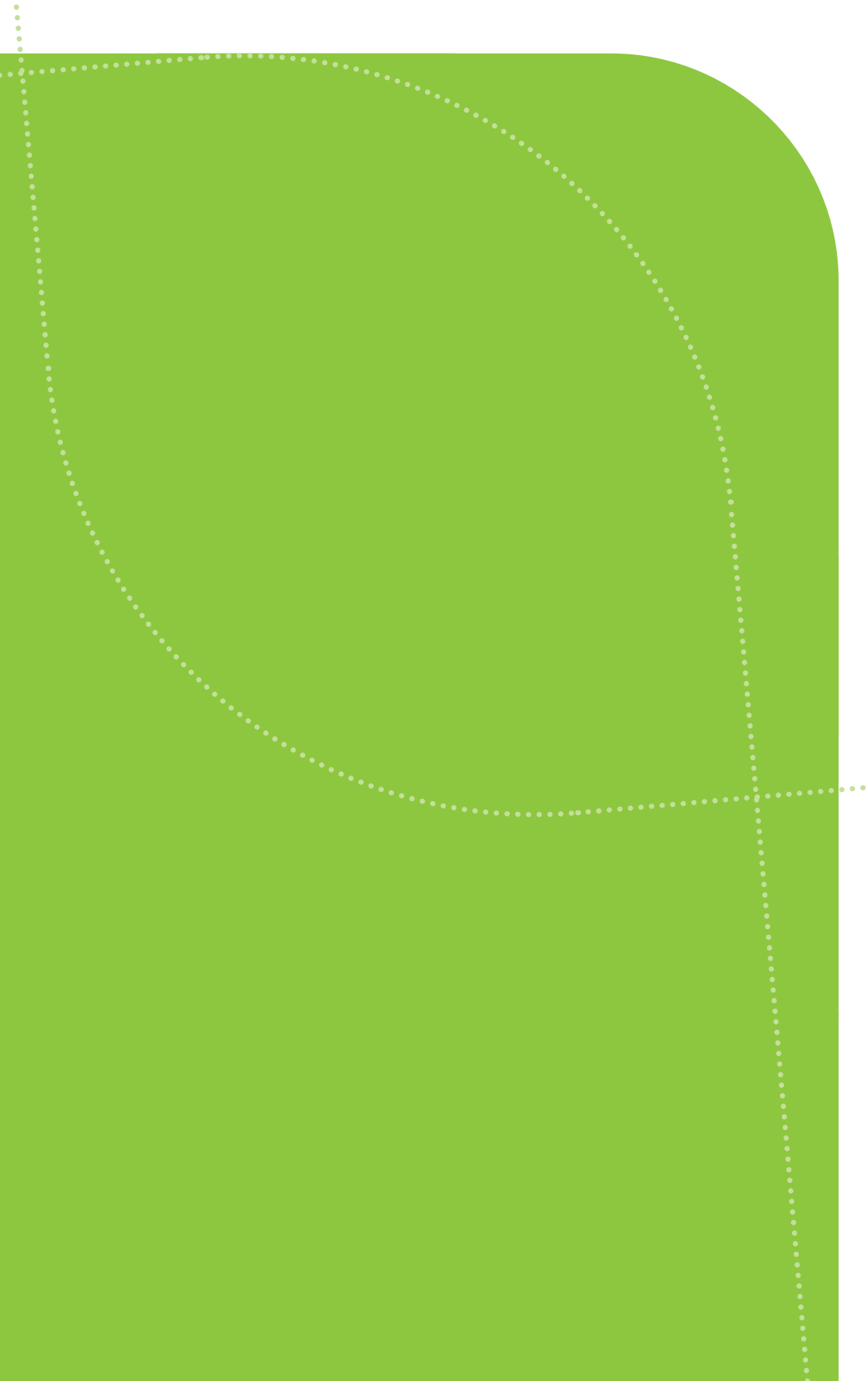
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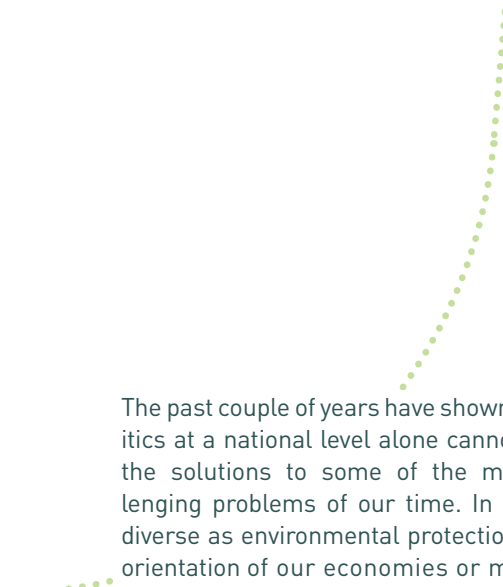
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The past couple of years have shown that politics at a national level alone cannot provide the solutions to some of the most challenging problems of our time. In issues as diverse as environmental protection, the re-orientation of our economies or migration: transnational issues require transnational political solutions. The European level – and indeed the EU-level – of policy making becomes more and more important.

People who would like to be politically active on the European level need a knowledge base. Who decides about what and how? How can citizens get involved? And what is the EU actually responsible for?

This book is part of GEF's effort to foster greater involvement in European politics. It tries to explain the EU in an easy to understand manner, provides links to a wealth of documents and websites that illustrate the practical functioning of the Union and highlights possibilities for citizens to shape the Union's political agenda.

Read, debate, engage!



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