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GREEN EUROPEAN FOUNDATION

Europe for Beginners

A Green Guide to the EU

Revised and extended version

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FOUNDATION

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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.

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Foreword

GEF was born in 2008, in the wake of the founding of other European political foundations, and was tasked with a very wide and ambitious mandate: to contribute to the democratic development of the European public sphere, with the EU, its role, and its future as its main themes.

We undertook this work within the normative vision of the European political ecology described by the European Green Party and the Green Group in the European Parliament: a vision of "unity within diversity" across the continent, but firmly critical of the political decisions and orientations of the Christian-Democrats, Social-Democrats and Liberals both at the national level and in the European institutions.

From this perspective, from 2008 to 2015, political and social events have led to catastrophic situations in some countries and, in general terms, they seem to have resulted in a long-lasting period of stagnation. In this sense, the European Union, which built its legitimacy on the basis of its outcomes in terms of peace, economic growth and full employment, is being deeply challenged, even with regard to fundamental rights, such as the rights of refugees, freedom of expression or free movement and free residence. This diagnosis is not, however, shared by most of the political "establishment", who prefer to stress, and not without some justification, that the European Community was built in 60 years through the management of national tensions and through the progressive definition of common interests that led, eventually, to an increase of its competences and its members, along with its cultural diversity.

The current period is both tragic and fascinating. Tragic, because wars have not disappeared from the continent and because, contrary to what we could have imagined (mainly for those generations born in the first years after 1945), Europeans did not irreversibly enter into an era of democracy that is open to the world. Rather, inequality, discrimination and xenophobia are still commonplace.

But it is also fascinating because, despite everything, the European house is still standing; because, for better or for worse, the political responses are based de facto on greater coordination, even integration, of national policies; and because, if we believe in Eurobarometers, a majority of Europeans still perceive themselves as citizens of the Union. However, many analysts believe that the EU is "at a crossroads".

Amid this maelstrom, the national and European forces of political ecology today have only a limited capacity for political influence and hesitate on the share of competence between the Union, the Member States and the regions, particularly when linked to the ways of improving and increasing democratic participation in political decisions. In sum: the federal approach we have is no longer shared by all Greens.

This is why GEF has, since its beginnings, devoted part of its resources to transnational training activities addressed mainly to young Green activists. We hope that we can in this way contribute, via exchanges of knowledge, to reflection and the debate among ecologists and, so, to increase our capacity for action at the European level.

Witnessing current political developments, now, in 2015, we have our work cut out for us! In order to support our actions, GEF publishes studies and reports, often produced in direct collaboration with MEPs; maintains websites, particularly that of the Green New Deal; and, last but not least, it publishes the ambitious Green European Journal.

"Europe for Beginners: A Green Guide to the EU" is a short "textbook", complementary to our usual publications. Many thanks to Josiah Mortimer and Ferran Rosa who have written the different chapters under the guidance of Aurélie Maréchal, the director of GEF.

This guide sets out to provide a general introduction to the European Union and, to that end, traces the history of European integration (from the Treaty of Rome just after the Second World War to the Treaty of Lisbon and the current economic and financial crisis) and presents the place for democracy at the EU level and the role of EU citizens and their rights. It also presents succinctly but clearly the main EU institutions, such as the European Parliament, the Council of Europe and the European Council, the European Commission, and the Court of Justice of the European Union, and the way they interact to make decisions. Additionally, the guide goes through the way the EU makes law and sets its budget and presents the main features of the Economic and Monetary Policy and the Foreign Policy of the European Union.

This publication does not, however, limit itself to merely describing the European Union, its institutions, its processes and its history, but has tried to combine it with the perspective of the Greens. That is why we have tried to provide ample examples of actions of the Green Group at the European Parliament and, in some cases, their successes. We hope, thus, that this guide will help us to reinvent the European project and further convince readers that alternatives to the current political choices are not only needed, but possible.

Pierre Jonckheer and Susanne Rieger
Co-presidents
Brussels, December 2014

Foreword to the revised and extended edition

In many EU member states, citizens are increasingly turning their backs on politics. They are turning away from the established parties and looking to new movements to provide solutions, movements such as Podemos in Spain and Syriza in Greece, but also Pegida in Germany. Protestors initially target national governments but now EU politicians, too, are increasingly sensing citizens' growing doubts about the European project. Fear about the future, unemployment and poverty play a big role. But nationalist stirrings are also contributing to this growing reluctance towards, and rejection of, the European Union.

Although EU policies have a direct influence on everyday life, they feel worlds away to most EU citizens, whether they relate to major current events such as the conflict in Ukraine, the Greek crisis, the ongoing refugee crisis in the Mediterranean, or specific laws, such as the abolition of roaming fees or the fight against tax dumping. They have become irrelevant to many people. We are simply not getting our message across nor communicating what it is exactly that we do in the European Parliament and the other EU institutions. This brochure has been written to redress this balance.

It is not simply a matter of more information. Instead, we need to understand how to give the EU the popularity boost it so badly needs, how we can win back support for, and confidence in, the European Union. Unfortunately, the EU is getting a lot wrong. One example is Greece. The exclusive focus on austerity reforms has worsened existing problems and overwhelmed the country and its people. Our Green vision was and is that there can be no solidarity without responsibility. And we believe that EU citizens would consider these policies irresponsible if they resulted in a Member State leaving the monetary union. Greens are instead committed to stabilising the euro by deepening EU political integration.

The only way to boost the EU's popularity is to defend our shared European values and standards. These must apply equally whether within or outside the EU. We cannot simply sit by while thousands drown in the Mediterranean. When migrants die in the Mediterranean our European values die too. Similarly, we cannot allow a situation where a head of government in Hungary can propose the reintroduction of the death penalty unchallenged by their national party counterparts in Berlin and elsewhere. The EU received the Nobel Peace Prize and every day it must work to make sure that it deserves it.

But we shouldn't doubt or relativise what the EU has achieved either. We shouldn't forget the last century or simply consign it to history. It is good that this brochure reviews and reminds us of EU history. Remembering the world wars, the Holocaust, the cold war and the fall of the Berlin wall means understanding the importance and validity of the underlying idea of the European integration project. We wanted, and want, to rise above national distinctions and the hazardous, short-sighted focus on national concerns. In 2014, Russia's annexation of Crimea and breach of international law, one hundred years after the outbreak of the First World War, made it clear how crucial it is for both ourselves and our Eastern neighbours that we continue to defend and promote European ideals.

Sometimes a certain amount of distance is needed in order to be able to assess things clearly and accurately. The Colombian writer Hector Abad has this distance when he discusses the EU in the magazine 'Les lettres International": "Europe is not a mistake and not rubbish. There's a lot wrong with it and it must be reformed. The world will never be a paradise but the achievement over the last sixty years of uniting European nations together in a cooperation based on solidarity is, up until now, of all the experiments carried out so far on Earth, the one whose result least closely resembles hell." Clearly, in Colombia, a country where violence is commonplace and democracy constantly under threat, the EU evokes strong feelings of yearning.

Our task is to maintain what we have and further build on these achievements. Together with EU citizens and with courage, commitment and patience.

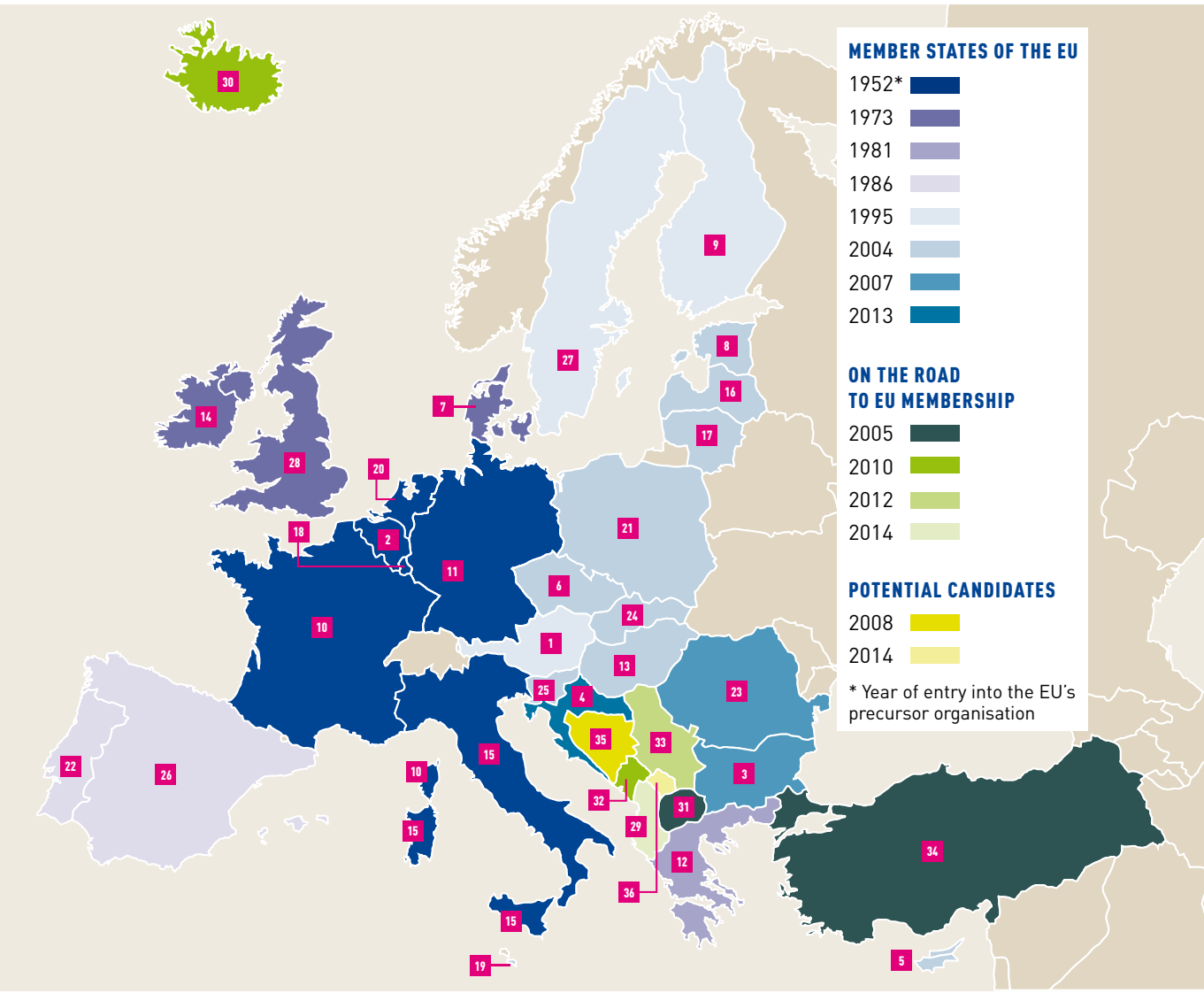
Brussels, May 2015

Rebecca Harms and Philippe Lamberts
Co-Presidents of the Greens/EFA Group in the European Parliament

1 | A HISTORY OF THE EU

The EU has a long a complex history dating back to the post-war years. *Europe was certainly not built overnight, or according to a single, ready-made plan*, but is the result of politicians having learnt their lesson from the wars in Europe and of a process of trial and error as a way of overcoming new problems.

This chapter explores its humble beginnings as a coal and steel regulator, analysing its growing power, expansion and democratisation over the years and taking you through the Treaties that constitutes the European Union today.



MEMBER STATES OF THE EU
(year of entry)

1 Austria (1995)
2 Belgium (1952)
3 Bulgaria (2007)
4 Croatia (2013)
5 Cyprus (2004)
6 Czech Republic (2004)
7 Denmark (1973)
8 Estonia (2004)
9 Finland (1995)
10 France (1952)
11 Germany (1952)
12 Greece (1981)
13 Hungary (2004)
14 Ireland (1973)
15 Italy (1952)
16 Latvia (2004)
17 Lithuania (2004)
18 Luxembourg (1952)
19 Malta (2004)
20 Netherlands (1952)
21 Poland (2004)
22 Portugal (1986)
23 Romania (2007)
24 Slovakia (2004)
25 Slovenia (2004)
26 Spain (1986)
27 Sweden (1995)
28 United Kingdom (1973)

ON THE ROAD TO EU MEMBERSHIP
Candidate countries (year of application)

29 Albania (2014)
30 Iceland (2010)
31 Macedonia (2005)
32 Montenegro (2010)
33 Serbia (2012)
34 Turkey (2005)

POTENTIAL CANDIDATES
Countries who were identified as potential candidate and who started a Stabilisation and Association agreement

35 Bosnia and Herzegovina (2008)
36 Kosovo (2014)

1.1 The Big Idea

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 has never been 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. In 1951, Belgium, Luxembourg, the Netherlands, France, Italy and Germany signed the Treaty of Paris, which established the European Coal and Steel Community, which had very limited competences. The treaty entered into force in 1952.

What the founding states began to develop together was quite unique: a supranational entity equipped with powers given to it by its members. The evolution of these new European institutions reflected hopes of overcoming nationalism as the major cause of tensions between neighbouring states in Europe.

1.2 Starting with Coal and Steel

1953: European Coal and Steel Community >>

In a direct attempt to control the industries that are key for waging war, French Foreign Minister Robert Schuman proposed in 1950 that national French and German coal and steel production should be brought under the control of a **"High Authority"** (the predecessor of the Commission) that would also bring in other European countries. Thus Italy, Belgium, Luxembourg and the Netherlands joined this authority when it was brought into being in 1952.

Effective up until 2002, the **European Coal and Steel Community** (ECSC) was responsible for the implementation and regulation 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 used by ECSC countries to wage war against each other. In particular, this was meant to make war between France and Germany impossible in the long term.

Legislative power was exercised by the **Council of Ministers** of the Member States, while the Parliamentary Assembly, composed by delegates nominated by national parliaments, performed advisory functions.

1.3 "An ever closer union": the Treaty of Rome

Establishing a Common Market and a Parliamentary Assembly.

1957: Treaty of Rome signature
1966: Luxembourg compromise >>

Following the establishment of the ECSC, a more formal basis for European economic integration was needed as cooperation and powers grew, giving birth to the **Treaty of Rome** that was signed in 1957 and entered into force in 1958. The aim was to establish the foundations of an ever closer union among the peoples of Europe" and to extend **supranational** cooperation between Member States, as was practiced in the ECSC, to new areas.

The most important objective of the Treaty of Rome, however, was the establishment of a Common Market. As opposed to a mere free trade area where only the circulation of goods and services is free from restrictions, a common market also grants free mobility to factors of production. **The EEC Treaty therefore was aimed at guaranteeing the four fundamental freedoms of movement for:**

Goods – guaranteed by: the customs union, abolishing all duties on goods crossing a border between Member States, and prohibiting measures with an equivalent effect.

Persons – movement for working purposes. Guaranteed citizens of the Members States and their family members the freedom to seek work in any Member State of the Community.

Services – guaranteed citizens established as providers of services in one Member State to deliver their services to persons living in other Member States.

Capital – abolished limitations on payments and investments within the Member States.

Proposals by the Commission for the achievement of these goals still had to be adopted unanimously by the Council, while the **Parliamentary Assembly composed of nominated delegates of national parliaments** was established as a mere advisory body. The impending increase in the use of qualified majority voting (QMV) *(see chapter 4 for more details on QMV)* in the Council led France (under Charles de Gaulle) to boycott it in 1965 because France feared that its national sovereignty could be compromised, in what was known as the "empty chair crisis". 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.

Concerns over inequalities between Member States' economic progress were what drove the proposals for Structural Funds in the Treaty of Rome, including the European Social Fund (ESF – the oldest fund, set up in 1957), and the European Regional Development Fund (ERDF – running from 1975).

Democratisation

1979: First direct elections to the European Parliament >>

However, the political makeup of Europe was to change. 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 the "Parliamentary Assembly".

In 1979 the first direct elections to the European Parliament took place after it had **gradually gained more powers**, for example through the 1970 Treaty of Luxembourg and 1975 Treaty of Brussels, which gave it greater budgetary responsibilities, including the ability to reject the budget and scrutinise accounts. Green parties were for the first time represented in the European Parliament in the 1984 elections as part of the Rainbow Group (including the Federation of the Green Alternative European Left, Agalev-Ecolo, the Danish "People's Movement against Membership of the European Community" and the European Free Alliance).

In 2002 the EP election process was amended to ensure elections in Member States were conducted using proportional representation, a development the Greens wholeheartedly supported.

Shortly after, the accession of Greece in 1981, and Spain and Portugal in 1986 – in all three cases just a decade or so after democratisation on the national level – brought the issue of redressing economic disparities between richer and poorer Member States to the EU's attention .

1.4 Towards One Market – the Single European Act

Paved the way for a single market, strengthened the EP and reduced unanimous voting.

1986: Single European Act >>

What was it?

The year of Spanish and Portuguese accession, 1986, also saw the implementation of the Single European Act (SEA). The SEA was the first major revision of the 1958 Treaty of Rome. Note that at that time what was referred to as "the European Communities" encompassed the European Economic Community (EEC), the European Coal and Steel Community (ECSC) and the European Atomic Energy Community (Euratom).

The SEA strengthened the position of the European Parliament (EP) through the introduction of the **cooperation procedure**. In this procedure, unanimity in the Council was required instead of qualified majority voting in all instances in which the EP had rejected a common position of the Council or proposed amendments to it.

In terms of competences, **additional powers for social and environmental policies** were vested in the European Economic Community. The search for a more social Europe led to the creation of the Social Chapter in 1989.

Why did they do it?

The SEA was designed **to move from merely a "common" market to a single market** by further removing barriers to trade and increasing the harmonisation of standards among Member States.

However, this goal was difficult to achieve on the basis of existing treaties, notably because of the decision-making process at the Council, which imposed unanimity for the harmonisation of legislation.

The impact

The Single European Act paved the way for the creation of the Euro through the Maastricht Treaty.

It extended the use of qualified majority voting in the Council considerably. This boosted the capacity of the European Communities to act, particularly in the areas necessary for the **implementation of the single market**, although unanimous decisions were still required in many areas – for example in the areas of fiscal policy, the free movement of persons and workers' rights.

While qualified majority voting was now possible in many areas of EU legislation, unanimous decisions of the Council could still be required if the European Parliament refused to give assent to proposed legislation, which strengthened the Parliament's position within the European institutions.

Moreover, in the long term it ensured greater effectiveness for the EU as it **reduced the institutional barriers to law-making**. As by the mid-80s the European Community had 12 members – double the original six – the SEA enabled the European Community to continue to grow by making it easier to pass legislation.

Overall, Greens viewed the social and environmental elements of the SEA, such as the contribution towards protecting workers' health, the reduction of development discrepancies between the regions, the protection and improvement of the quality of the environment and the prudent and rational utilisation of natural resources, as a step forward, with the more pro-European Greens also championing the deepening of European integration.

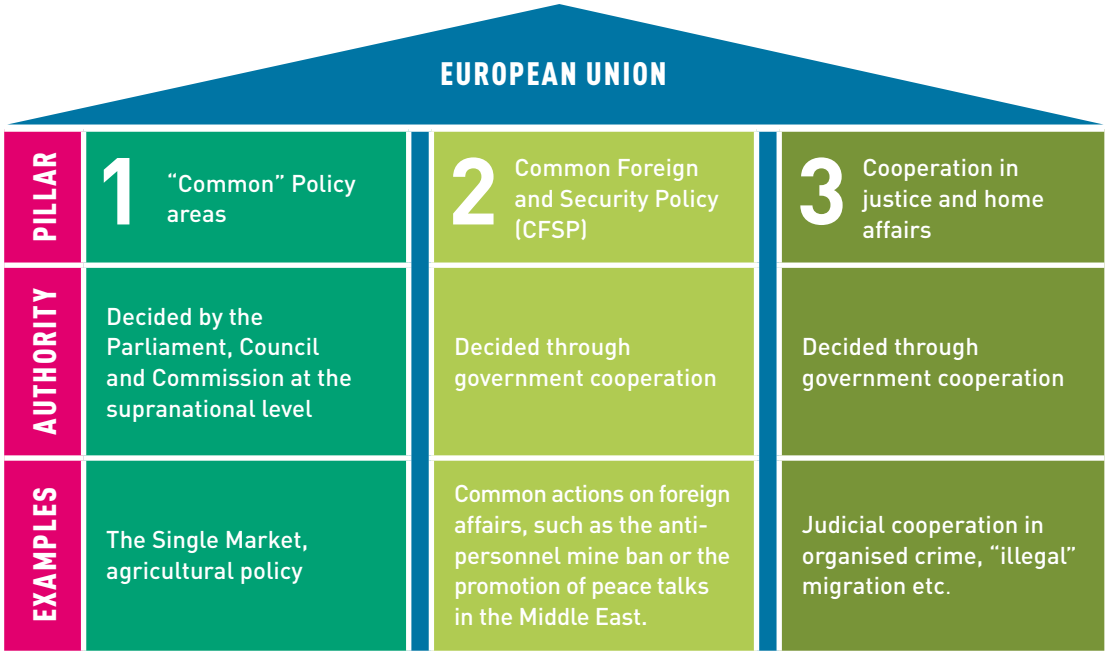
1.5 Maastricht: Euros and the Union

Established the three pillars, the EU, and the Euro.

1992: Maastricht Treaty signature >>

What was it?

The Treaty on European Union (TEU), signed in Maastricht, **established the European Union under its current name** and prepared the introduction of the Euro, building on the Single European Act. The various forms of cooperation between the Member States were summarised in the so-called "three pillar model":



Additionally, **the EU's powers were expanded to include six new policy areas:** vocational training, culture, young people, consumer protection, trans-European networks and industrial policy. Although some of these policy areas remain shared with the Members States, this enabled the EU to develop exchange programmes for young people and socio-educational and cultural activities *(see chapter 3 for more details on the EU's powers in all policy areas)*.

European Union citizenship was also introduced, giving citizens of a Member State automatic citizenship of the Union, ncluding the right to travel, work and live freely, to vote and stand in local and EU elections in their country of residence, to petition the EP and to complain to the EU ombudsman *(read more about this in the next chapter)*.

Moreover, the European Parliament's role was further enhanced by the introduction of the co-decision procedure, the extension of the **cooperation procedure** and the involvement of the EP in the appointment of Commissioners *(see chapter 3 for more details on these procedures)*. In sum, the EP gained equal status with the Council of Ministers on "first pillar" policies – i.e. those not related to foreign, security, police and justice issues.

The areas where decisions could be made by a qualified majority in the Council were extended to include additional policy areas such as health, the environment, and economic policy, while some important fields, including taxation, remained subject to unanimity. The **Committee of the Regions** was also established *(see page 58)* while the Economic and Social Committee *(EESC), set up with the Rome Treaty, was further reinforced (read more about EESC in chapter 3)*.

The Maastricht Treaty contained a three-stage plan designed to achieve economic and monetary union through the **"Euro convergence criteria"** (Maastricht criteria), which states have to fulfil before they can join the single currency *(see chapter 4 for more details)*.

Enlarging the EU: How does it Work?

The Copenhagen Summit took place in 1994 after the collapse of the Soviet regimes in Eastern Europe. At the summit, the EC offered Central and Eastern European countries the option of becoming members of the European Union if they fulfilled the following requirements, known as the **"Copenhagen criteria"**, for membership:

- 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.

These criteria are still used today to determine if a country is a suitable candidate for EU membership. In addition, it is also required that the new members adopt the existing European legislation **[acquis communautaire]** and have the ability to enforce it through appropriate administrative and judicial structures. However, once a country has acquired membership, the country's policies are no longer checked against the above criteria.

At the beginning of the accession procedure the Council unanimously adopts a negotiating mandate. For this purpose the EU legislation is split into 35 chapters (e.g. Energy, Environment, etc.). First, the Commission screens the candidate country to determine the degree to which it complies with the *acquis communautaire* in each chapter. Then **"closing benchmarks"** are determined as conditions to be met by the candidate to close the respective chapter. Once conditions are met – this can take several years, as is the case for most current candidates – a Draft Accession Treaty is produced. The Council decides by unanimous vote to conclude the negotiations after receiving an opinion of the Commission and the assent of the European Parliament. Finally, the Accession Treaty is signed and then ratified by the acceding state and all Member States of the Union.

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

There are currently **five candidate countries** planning or negotiating to join the EU – Albania, Montenegro, Serbia, Macedonia, and Turkey. Bosnia and Herzegovina and Kosovo are involved in a pre-accession process called Stabilisation and Association (SAA), which focuses on key democratic principles and core elements of the single European market. Following the pro-European "Euromaidan" movement, Ukraine is also expected to apply for membership in 2020. Greens support the expansion of the EU as part of a process of further democratisation but are aware that, in most candidate countries, the road to compliance with the Copenhagen criteria will be a long one.

Why did they do it?

The push for the Maastricht Treaty stemmed from a desire to deepen EU integration in the wake of the fall of the Soviet Union. The establishment of the Euro – as part of a full single market – was mandated by the Single European Act, and therefore the EU was asked to **further economic integration**. European Commission President Jaques Delors was a major driver of the push for the "ever closer cooperation of the peoples of Europe".

The majority of Green parties were of the opinion that Maastricht endangered the Green vision of Europe. The Treaty did too little in terms of environmental policy, relegating it to an appendix of the communities' economic policy. Their main criticism was directed toward the introduction of the Euro: Greens questioned the establishment of the common currency without adequate regulatory and fiscal tools to govern it. More generally, they were critical of the Treaty because it inspired intergovernmental decision-making, and took more powers away from national parliaments without passing them on to the EP. Furthermore, the Greens feared that the Treaty's provision for a Common Foreign and Security policy (CFSP), giving priority to the military dimension and strategically linking to NATO, would lead to the "militarisation of the EU" and threaten the perspective of a peaceful global order.

The impact

Maastricht marked a milestone in the process of European economic integration and development. It **established the European Monetary Union** that would be central to the economic future of the EU. On top of this, the creation of European citizenship (read more about the rights of EU citizens in chapter 2) furthered the very idea of a European public.

Paving the way for the Treaties of Amsterdam and Nice, Maastricht is seen as one of the most significant treaties of post-1945 European history.

1.6 | Rights, Democracy and Growth: Amsterdam

Framework for further expansion, more powers for Parliament, European citizenship, stronger rights.

1997: Treaty of Amsterdam signature
1999: Treaty of Amsterdam implementation >>

What was it?

The Treaty of Amsterdam amended the Treaty on European Union and the EC Treaty to **create a framework for further EU expansion**. It did this by bringing the Schengen Agreement (which abolished border controls) within the body of EU law, as well as codifying the Social Chapter, which had been left out of Maastricht under British opposition. Amsterdam signalled a move from a merely intergovernmental to a more supranational EU.

More specifically, the co-decision procedure, first introduced by the Maastricht treaty, was further extended to almost all areas in which the Council made decisions by qualified majority, with the exception of agriculture. The Amsterdam Treaty also extended the principle of **subsidiarity**, underlying the actions and conditions under which the European Union can take actions in the areas where it does not have the right of exclusive competence.

The difference between an intergovernmental and a supranational EU

INTERGOVERNMENTAL COOPERATION is when states work together without giving powers to a "higher" institution that has the power to compel them. The European Council is seen as this kind of body as it directly represents the governments of the Member States.

SUPRANATIONAL DECISION MAKING means participating states confer some of their decision-making powers upon supranational institutions that they have created, such as the European Parliament and the European Commission in the case of the EU.

The EU combines elements of both, but with supranationalism seen as part of the EU's perceived drift towards greater federalism. Greens are generally in favour of supranationalism in EU legislation as this ensure decisions are made within the EU decision-making framework, with more accountability, transparency and equal participation of all actors – although this framework and EU democracy in general are far from perfect (see next chapter). Intergovernmental cooperation at EU level is, on the other hand, often perceived as an instrument used by some countries to bypass the ordinary EU law-making processes and in which horse trading practices are virulent and big states can impose their views behind closed doors.

The Treaty created the position of **High Representative**, who also has the role of Vice-president of the Commission 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.

Environmental protection was also integrated into community policy, emphasising the promotion of sustainable development. In the **Area of Freedom, Security and Justice**, police and judicial cooperation in the fields of free movement of persons, external border controls, asylum, immigration and so on was expanded (for instance, by facilitating greater cooperation in the detection and investigation of crimes).

In addition, Amsterdam built on the EC Treaty's principle of **non-discrimination**, requiring Member States to act against discrimination on grounds of nationality, sex, race, ethnic origin, religion, beliefs, disability, age or sexual orientation. It demanded compliance with the principle of **"equal pay for equal work"** in all Member States and made this principle legally enforceable. Importantly for democracy, the public was also given **right of access** to most Council documents related to its role as an EU lawmaker. The Greens played a key role in bringing about this decision, which heralds a new era of democracy and transparency, and in making sure that the "right of access to documents" rules were genuinely implemented.

Why did they do it?

The Amsterdam Treaty has been described as "tying up the loose ends left over from the Maastricht Treaty" – particularly with regards to social rights and Schengen. In comparison to Maastricht it is a relatively minor Treaty, but did lead the way for expansion to Central and Eastern European countries.

The impact

The institutionalisation of an EU enlargement framework including the Copenhagen criteria helped to expand the EU to European countries formerly part of the Soviet bloc and their democratisation. Moreover, Amsterdam took further steps towards internal EU democratization, strengthening the EU and promoting social and civil rights for EU citizens.

However, many Greens, including the Irish, condemned the Treaty's extension of the military dimension of the Common Foreign and Security Policy – a broad critique was that no parliamentary control of military actions was foreseen – a problem that still exists today.

A charter of rights

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. This charter was made legally binding with the Lisbon Treaty *(read more in Chapter 2)*.

1.7 Adapting to the Expansion: the Nice Treaty

Expanded the Parliament, new voting system in the Council, attempted to shrink the Commission.

2001 Nice Treaty signature
2003 Nice Treaty implementation >>

What was it?

The Treaty of Nice was designed to enable the institutions of the EU to cope with ten new Member States.

It did this by planning a reduction in the **size of the Commission**, whereby 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.

Further to this however, the Treaty of Nice altered the **distribution of voting weights in the Council** and the conditions required for a qualified majority decision, while determining a new distribution of (and increase in) seats in the European Parliament, necessary with a dozen more EU members.

The Nice Treaty introduced a number of new measures on judicial, security and defence matters. For example, a new agency, Eurojust, was established to facilitate judicial cooperation against organised crime, working alongside the intelligence agency Europol and others.

Why was it passed?

The Nice Treaty was mainly intended to **establish the foundations for cooperation in an enlarged EU.** Despite controversies, such as Ireland's rejection of the Treaty and French opposition to an increase in German MEPs, the largely technical changes were seen as necessary for the EU's spread into Central and Eastern Europe.

The impact

Nice had some obvious effects.For example, the continued extension of QMV paved the way for more effective decision-making in the Council of Ministers, while integrating much of Eastern Europe into a democratically anchored institutional structure.

Yet one of the most important impacts of this "technocratic" Treaty actually came about through its rejection – the **difficulties in ratifying it led to the European Council launching a "period of reflection"**. This culminated in the Constitutional Treaty and, subsequently, Lisbon.

1.8 The European Convention: Failure and Victory?

A Constitution for Europe, new institutional settlement, extension of majority voting.

2004 European Convention signature >>

What was it?

The need for further reform of the European Union after Nice was undisputed between Member States. A summit meeting of Heads of State and Government in Brussels/Laeken in December 2001 decided to establish a special Convention to prepare a new treaty to follow the Treaty of Nice.

This convention **(the Convention on the Future of Europe/the European Convention)**, which consisted of 105 government representatives, members of national parliaments, MEPs – including the Green MEP Johannes Voggenhuber – and members of the Commission prepared a draft constitution for the EU. The text was agreed by 'consensus' in the Convention on the 13th of June 2003. No voting took place. It was then presented to the heads of governments and states at the Thessaloniki Summit (Greece) on the 20th of June 2003.

The proposal was to establish a "Constitution for Europe" highlighting the primacy of EU rules and laws over national ones - and also over national constitutions. The word constitution was used 180 times in the proposed EU Constitution embodied in the Treaty Establishing a Constitution for Europe.

The draft of the Constitutional Treaty by the Convention on the Future of Europe, from the Green's perspective, could have 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; and 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.

A move was also included to make **the Charter of Fundamental Rights of the European Union legally binding**, and the EU was given the legal basis to access the European Convention on Human Rights.

The impact

The Treaty establishing a **Constitution for Europe was** never ratified. **Even though it was signed in October 2004, it failed in the ratification process** as a result of the negative outcome of national referenda in France and the Netherlands. In the Netherlands, the Greens had been one of the key parties proposing the referendum and supporting a Yes vote. In France, the Greens likewise officially supported the Yes side, although many members campaigned with the left against the Treaty. After this failure, Member States agreed to give a mandate to a new intergovernmental conference to negotiate a new treaty – the Treaty of Lisbon.

Much of the content of the "Treaty Establishing a Constitution for Europe" **was integrated into the Treaty of Lisbon.** Certain symbolic aspects, however, were not transferred, 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. Although the Lisbon Treaty deleted the word "Constitution" everywhere in the text, it refers in Declaration No. 17 to the existing case law of the EU Court having established the principle of the primacy of EU law. The proposed EU Constitution had a clause allowing Member States to leave after negotiating an agreement with the EU or on their own accord after two years, which was also proposed under Lisbon. At present, a country can only leave the EU according to international law and/or after a unanimous decision, or by breaching EU law.

One can therefore say that the impact of the Convention was significant – even though it failed. Following the Treaty's failure, the Green Group was keen to keep it mostly intact. The fact that the goal of full employment became part of the Lisbon Treaty today is due to the endeavours of the Greens during the drafting of the European Convention. The requirement for gender equality was also reinforced, as was the commitment to combating social exclusion and discrimination.

1.9 The Lisbon Treaty: Finishing where the Convention Left off?

Move from unanimity to majority voting, new posts of High Representative and President of the European Council, stronger EP, binding Charter of Rights.

2007 Lisbon Treaty signature
2009 Lisbon Treaty implementation >>

What was it?

The 2007 Lisbon Treaty, written on the back of the Constitutional Treaty's rejection, amended the two basic European treaties, the Treaty on European Union and the Treaty Establishing the European Community. These two amended treaties are now called the Treaty on the European Union and 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 treaties of the EU. The treaty also contains the legal basis for EU accession to the European Convention on Human Rights, established the European Citizens' Initiative mechanism and strengthened the Parliament. Bringing about a competitive social market economy was also included in the Union's objectives.

But Lisbon also introduced a large number of more mundane – but no less important – procedural changes...

Procedural Changes

Firstly, under Lisbon, the meetings of the Council must be made public when the Council is acting in its legislative capacity. The co-decision of the Parliament was extended again to cover 80 policy areas in total, and now functions as the "ordinary legislative procedure" of the EU.

The introduction of what was named the **"early warning mechanism"** gave 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 65).*

The Treaty also ensured that a **"double majority system"** – as opposed to the previous, cumbersome qualified majority voting system - would be used as the voting system in the Council. This is where 55% of the member countries, representing 65% of the EU population, must vote in favour of a proposal for it to pass.

Under Lisbon, **the "three-pillar model" was abolished,** with police and judicial cooperation (formerly the "third pillar") absorbed into the normal European Community Procedures (the old "first pillar").

New roles

Moreover, 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.

As in the Treaty of Nice, the Lisbon Treaty enshrines a planned reduction in the **number of Commissioners**. However, in the context of the second Irish referendum on the Treaty, Member States agreed to reverse this provision in a future treaty amendment. Therefore, until at least 2019 there will be 28 commissioners – i.e. one for each member still. The **number of MEPs** is set at 751, with a minimum number of six and a maximum number of 96 members per state.

The Lisbon Treaty also provides the European Council with its own **president**, appointed for a period of two and a half years by the European Council through a qualified majority. This figure manages the organisation's work, represents the Union as President of the European Council on Common Foreign and Security Policy and ensures external representation of the EU at international summits, usually alongside the President of the European Commission *(see more details in page 74).*

A dodgy defence strategy?

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, although the neutrality of Ireland and Austria is taken into account.

Despite this caveat, the policy has worrying implications for Greens and their support for non-violent resolutions to conflict. Regardless of the fact that decisions in this area require unanimity in the Council, no provisions for parliamentary control have been agreed. Most welcome for the Greens was however that Lisbon defined conflict prevention and peace building as constitutional duties for the first time.

The impact

Being the most recent Treaty – and arguably **the most important since Maastricht** – the Lisbon Treaty represents the state of the Union today. The establishment of the ECI mechanism, the binding charter of rights and the strengthening of the EP marks the present era of the EU – more federal, more democratic (though by no means without flaws), and more "European".

The Greens' Perspective

In the frenzied controversy surrounding the (unsuccessful) ratification of the Constitutional Treaty and the successful ratification of the Lisbon Treaty, the vast majority of the member parties of the European Greens campaigned strongly for reforms. Most of these reforms were developed by the European Convention, and were in large part transposed to the Lisbon Treaty; it was argued that not to make use of them would have indefinitely postponed fundamental democratic reform of the EU.

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 and parliamentary scrutiny.

The Greens called for a pan-European referendum to confirm the Constitutional Treaty and the Lisbon Treaty, but 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. These democratic issues will be further explored in the next chapter. Nonetheless, the Greens supported the Lisbon Treaty due to its strengthening of the Parliament, and emphasis on sustainability and social rights. Although the Greens would have wanted a much more ambitious and courageous treaty than the one that was proposed, they felt it contained a number of key positive reforms and laid the ground for making progress in important areas. Greens welcomed in particular the greater powers given to both the European Parliament and national parliaments and the attempt to better involve citizens in the EU's decision-making process.

1.10 The EU Today

The scope of the EU's competences, i.e. those policy areas over which it has control, has expanded from its beginnings as a regulator of coal and steel industries and today encompasses many other policy fields, including the regulation of a single internal market with significant political and economic might.

Europeans can now travel, live and work freely anywhere within the Union and use a common currency in 19 countries.

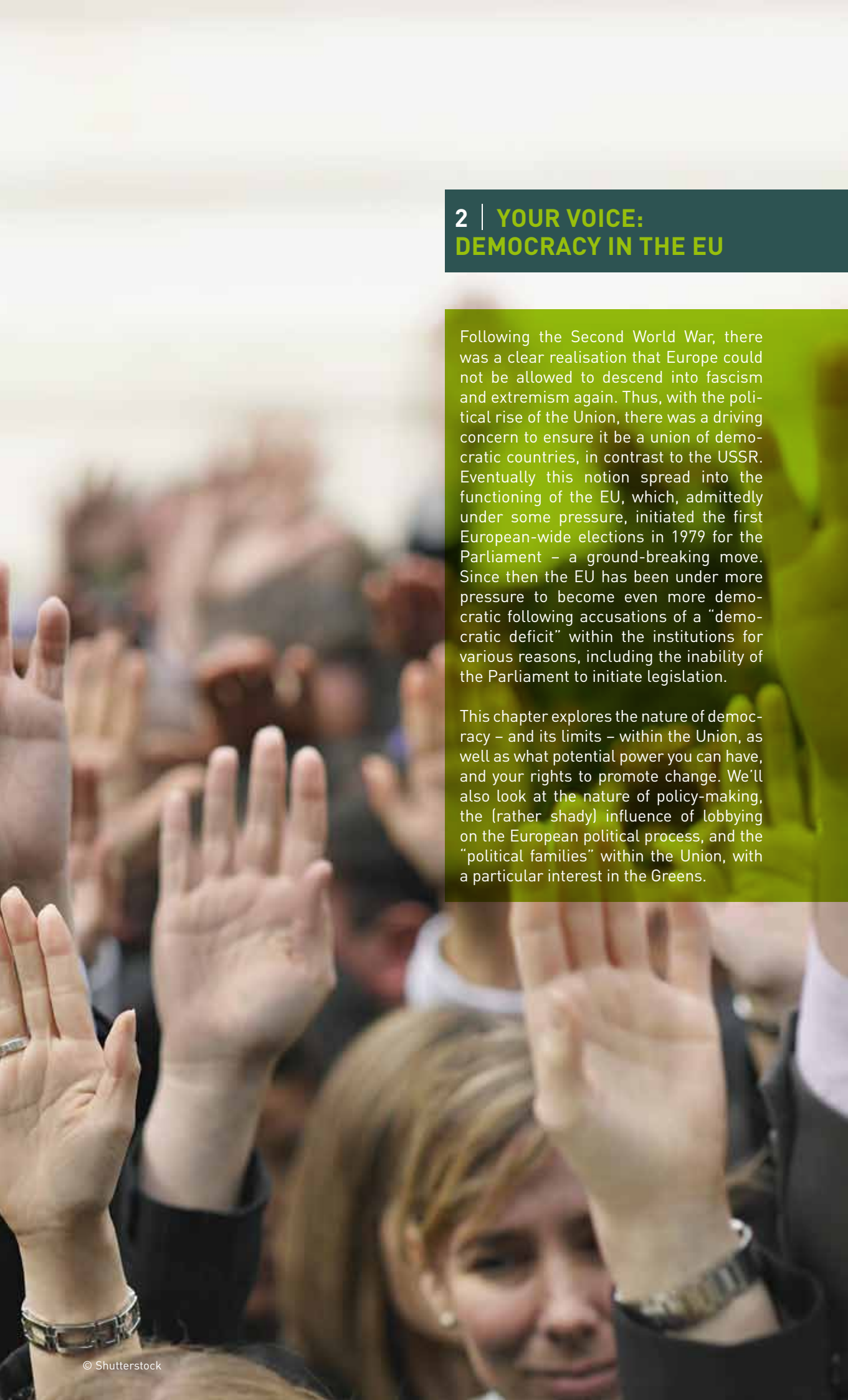
As important as the range of policies is the mechanism used to make decisions. At first, Member States were able to wield a veto to prevent decisions being made against their interest. However, as the number of Member States expanded, and the range of policies over which the Union has competence increased, the use of a veto became a hindrance to the Union. Over the different treaty amendments, this veto power has been watered down to the point where it exists only for sensitive core areas such as foreign policy, social protection systems and taxation, the latter being one of the reasons that unfair tax competition is still an issue within the EU; a large portion of national legislation today originates at EU level.

While the Council has maintained its initial strong position within the institutional setup, the powers of the European Parliament grew slowly as a result of its members' struggle to attain a decisive position in the law-making process of the European Union, as well as the recognition of its particular democratic legitimacy as the only directly-elected EU institution.

The European Union we have today was not made all at once, but through many political fights and in many subsequent steps fixed in consecutive treaties. The most recent one – the Lisbon Treaty – though not perfect, marks a new level of supranational politics.

However, transparency, democratic control and accountability are still an issue, and there is no doubt that Europe faces euroscepticism, as well as the disillusionment of its citizens with the EU and institutional politics more generally.

2 | YOUR VOICE: DEMOCRACY IN THE EU



Following the Second World War, there was a clear realisation that Europe could not be allowed to descend into fascism and extremism again. Thus, with the political rise of the Union, there was a driving concern to ensure it be a union of democratic countries, in contrast to the USSR. Eventually this notion spread into the functioning of the EU, which, admittedly under some pressure, initiated the first European-wide elections in 1979 for the Parliament – a ground-breaking move. Since then the EU has been under more pressure to become even more democratic following accusations of a "democratic deficit" within the institutions for various reasons, including the inability of the Parliament to initiate legislation.

This chapter explores the nature of democracy – and its limits – within the Union, as well as what potential power you can have, and your rights to promote change. We'll also look at the nature of policy-making, the (rather shady) influence of lobbying on the European political process, and the "political families" within the Union, with a particular interest in the Greens.

2.1 Democracy in the EU Institutions

The power of the European Union mostly rests with the three main 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 (in theory) of the **Council** members who, as members of government in their respective countries, are politically accountable to their national parliament. Indeed, any country wishing to join the EU must prove its commitment to democracy and human rights before being accepted. Because appointments to the Commission involve the European Council and the European Parliament, and because the **Commission** is quasi-accountable to Parliament following its appointment (e.g. through no-confidence votes of the **whole** Commission, and parliamentary questions), the Commission is to a certain extent integrated into this model of democracy.

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.

A democratic deficit?

The EU has been accused – and rightly so – of suffering from a "democratic deficit", as the powers of the European Parliament have traditionally been far too weak, and the separation of powers principle has been undermined by the strong position of the Council in the legislative process.

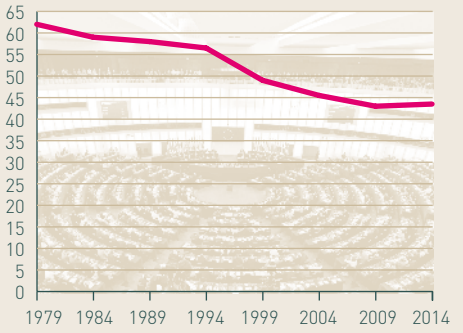
There have been some changes to this, however, in recent years: the **Parliament has gradually become stronger** and it is able to assert its strength in political reality. The co-decision procedure, in which the Parliament shares legislative power equally with the Council, became the norm (called ordinary 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 2004, 2010 and 2014 candidates nominated by Member States were replaced by other candidates as a result of the hearings in the Parliament – a sign of growing confidence in the elected institution.

> Greens rejected the entire Commission in 2009, arguing: ***"Too often [José Manuel Barroso] has abdicated his responsibilities, demoting the Commission from 'guardian of the treaties' to lapdog of the most dominant Member States and most influential industries... His policies have contributed to the financial and economic crises and failed to respond to them. They have consistently put the interests of unfettered trade and big business ahead of the environment, social issues and individuals."***
> See online the Stop Barroso! Campaign from the European Green Party

In addition to formal improvements, EU democracy has benefited from the specific setup of the EU institutions, with the **less nationally-focused parliament providing a comparatively large arena for constructive cooperation.** Unlike national parliaments, whose real power is often bound by the majority at government level, the European Parliament does not have a predetermined majority. According to many of its members, this makes the work carried out in the European Parliament more exciting and dynamic in comparison to national parliaments. This also leaves the ground open for alternative majorities to be found – for example on civil liberties or social rights – allowing smaller groups to influence the game. However, the dominance of the current European People's Party/ Socialists and Democrats "Grand Coalition" makes this more difficult. Party politics do play a decisive role in the European Parliament and it is a big challenge for the Greens to prevail in this context.

A major weakness of EU democracy, however, is the **poor voter turnout** in the election of representatives to the European Parliament, and the reasons why elected candidates are often more linked to national politics than to European issues *(see the next page)*.

TOTAL TURNOUT AT EUROPEAN PARLIAMENT ELECTIONS



Source: http//www.results-elections2014.eu/en/turnout.html

Despite this weakness and Green critiques, at the grassroots level there are already possibilities for citizens to ensure accountability.

> ***"More democracy, not less, is the answer to the crisis. Structures such as the troika are fundamentally undemocratic. We believe that a shift towards more citizens' participation, accountability and transparency is crucial to gain legitimacy for future European cooperation. This means that we Greens are working for increased transparency in the entire decision-making process from the Commission via other EU–institutions to member state governments"***
> European Green Party 2014 Manifesto

What the Greens are fighting for

The Greens have a number of proposals to radically shake up the EU and ensure that citizens are at the centre.

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 genuine opportunities for citizens to help shape Europe.

TRANSPARENCY AND POWERS FOR THE PEOPLE

In 2006, the Greens called for a **pan-European referendum** to endorse the Constitutional Treaty and the Lisbon Treaty. Unfortunately, this proposal was rejected. But as well as the need for pan-European referenda, there are other major proposals for change. For example, the Greens are campaigning for the establishment of **pan-European lists**, whereby a certain number of members (for example 10%) of the European Parliament are elected across Europe as a whole (complementing members elected at the national level).

Over the course of the history of the EU, governments in Member States have shamelessly used problems and crises 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. But the hard-won rights and liberties of citizens should not be sacrificed in the fight against terrorism and alleged security threats. Digital rights must be equal to civil rights. Governmental and economic interests should not have priority over the citizens' private sphere.

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 access to documents.

Crucially, the Parliament must be able to cast a vote of no confidence against individual members of the Commission (rather than just against the Commission as a whole). This has begun to be indirectly established through committee votes on individual Commissioner candidates, which have begun to be viewed as binding by the Commission President.

THE GREEN PRIMARY

For the May 2014 European Elections, the Greens led the way by holding an online Green Primary to decide their lead candidates for the pan-European campaign. This election was the first of its kind, allowing anyone in Europe to decide who would become the Greens' lead candidates. Nearly 23,000 people voted, picking German Green MEP Ska Keller and French MEP José Bové to be the faces and spokespersons of the common Green electoral campaign.

MORE POWERS FOR PARLIAMENT

Like others, the Greens believe that the **Parliament needs to have an independent right of legislative initiative** (which is currently the monopoly of the Commission). Greens also call for the extension of EU decision-making that uses both the co-decision procedure and qualified majority voting in the Council to all policy areas - particularly in Common Foreign and Security Policy *(read more in chapter 4)*. Overall, the introduction of the right of Parliament to initiate legislation would be central to boosting the legitimacy of the EU.

2.2 The European Citizen's Initiative

The European Citizen's Initiative (ECI) is a right introduced under the Lisbon Treaty which allows one million EU citizens from at least seven Member States to ask 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.

For the Greens, the European Citizens' Initiative is **an important step towards direct democracy** at European level, which still needs to be developed further and put into practice. But it is the first of its kind in the world, giving EU citizens the ability to directly shape the Union's policy agenda. It aims to bridge the gap between the EU and its citizens.

The ECI procedure has been **available since April 2012**, and it has already proved a popular tool, with many initiatives already registered. Some of these focus on green issues such as the "right-2water" (opposing water privatisation and liberalisation) and "End Ecocide" (calling for the destruction of ecosystems to be made a crime).

An attempt to stop TTIP?

In September 2014, the ECI "Stop TTIP", initiated against the controversial EU-US Transatlantic Trade and Investment Partnership, was rejected by the European Commission on a technicality, arguing that it fell outside the remit of an ECI, despite it having gained well over 700,000 signatures. By December, the petition had reached over a million signatures, but was still ignored by the Commission. The Greens were unequivocal in condemning this move and carry on the fight against the TTIP by any means.

From April to October 2014, nearly half of all ECIs were rejected by the Commission – a worrying trend.

STARTING AN ECI

FOR THOSE CONSIDERING ORGANISING AN ECI, HERE ARE 10 CRUCIAL "NEED TO KNOW" POINTS:

One million signatures must be gathered in at least a quarter of Member States (currently seven). To qualify as one of those Member States, there is a formula for the minimum number of signatures that need to be gathered (number of MEPs in that Member State multiplied by 750). Once registration of the ECI is approved the organisers have one year to gather the necessary **one million signatures in at least seven Member States.**

1

An ECI must address an area in which 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 inadmissible. The Greens are in favour of a wider interpretation in this regard.

2

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.

3

The organisers must establish an organising committee, with members from at least seven Member States. They must then register their ECI with the Commission.

4

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 of the Treaty of the EU).

5

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.

6

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 numbers, which the Greens rejected. Currently there are a number of states that require the collection of official ID data along with a signature.

7

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.

8

While the Commission may decline to proceed with the proposal, they must communicate the reasons for this to the organisers, but also to the general public.

9

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 have been submitted to the European Commission, 14 were accepted as ECIs, demonstrating an enormous **appetite by citizens to shape the EU agenda**. "Water as a human right" is the first ECI to have collected more than a million signatures in a period of only six months.

GEF has published a number of publications on the ECI – see gef.eu

Nevertheless, for all on-going ECIs **several problems** arose during the process, mainly 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".

2.3 Your Rights

Individual and collective rights in Europe are enshrined in a number of different texts, laws and treaties. The Charter of Fundamental Rights of the European Union (2000) is one such key text, which emerged from the Lisbon Treaty.

Charter of Fundamental Rights

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.

What your rights mean in practice

These rights – provided they are well-enforced – are central to being a free citizen within the EU. 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 supplements national citizens' rights at the European level.

As an EU citizen, you have the right to move and reside freely, to vote and to stand as a candidate in elections to the European Parliament and in municipal elections in the citizen's Member State of residence; to enjoy diplomatic and consular protection; to petition to the European Parliament; and the right to apply to the European Ombudsman.

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 (with proof of sufficient financial means and health insurance required). After a continuous period of five years' residence in the host Member State, Union citizens have the right to permanent residence.

Some examples covered by the Charter:

CIVIL RIGHTS

- Prohibition of the death penalty, torture and inhuman or degrading treatment
- Prohibition of forced and compulsory labour
- Voting rights for EU citizens in local elections in the area of residence
- Right to freedom of expression
- 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
- Equality between women and men in all areas, including employment, work and remuneration

SOCIAL RIGHTS

- Right of workers to the collective defense of their interests, including strikes
- Healthy, dignified and safe working conditions
- Access to social security benefits and to social services
- Right to found political and labour unions and civil society groups and the right to join such associations
- Education, particularly the right to free compulsory education

For many years the Court of Justice of the European Union held a dynamic view of EU citizenship and extended the right to reside in Member States to non-national EU citizens and their family members and, in certain cases, even for them to have access to social security and similar benefits that previously were only granted to nationals.

However, in 2014 the Court ruled that Germany can refuse welfare benefits to EU migrants if they have never held a job in the country, something that will set a precedent for other countries, such as the UK. German Chancellor Angela Merkel praised the ruling, arguing that "the EU is not a social union," but the Greens responded that through the ruling Merkel was trying to "to raise a populist debate that is utterly baseless."

Finally, citizens of the Union also have the **right to request support from the European Parliament** regarding matters within the remit of the European Union. These "petitions" may be submitted in writing or online. The **Committee on Petitions** then 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 deemed to be well-founded. In contrast to an ECI, formal petitions raise complaints rather than necessarily call for new laws, and can be signed by just one person or more, and they can be easily submitted online.

2.4 Lobbying in the EU

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

At the same time, the bodies of the Union are sparsely staffed and depend on information provided by external experts. This has led to a system of external committees "supporting" the bodies of the EU in drafting, adopting and implementing directives, regulations and decisions of the Union. Despite an increase in transparency in these groups in late 2014 following action by the Parliament, these groups are still largely dominated by corporate interests instead of unions and NGOs.

There are more than **32,000 registered lobbyists (both individual and organisational) who try to exert influence** on the Commission, the Council and the European Parliament. Many of them are members of the several thousand committees and expert groups working for the European institutions, and have very close access to decision-makers in Brussels.

> ***"Lobbyists are paid to change policy – they are not elected. Their influence therefore raises serious concerns about the democratic quality of decision-making in the European Union and threatens to diminish trust in the EU institutions."***

However, grassroots activism and NGO lobbying can connect legislators to citizens in a positive way. 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. Nonetheless, the imbalance between the lobbying power of big business and of NGOs is disturbing.

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 how much they are paid for their work. Under pressure, the Commission and the Parliament agreed in 2011 to set up a Transparency Register (the Council unfortunately only "welcomed" this effort but does not participate in it), which currently has over 30,000 lobbyists on its books. 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 – and around 75% of business representatives in Brussels have so far done so. However, according to Transparency International report from 2015, the **financial and pharmaceutical sectors, as well as lawyers and accountancy firms providing professional lobbying services, remain largely absent from the list.**

The Greens demanded that registration be mandatory and, after a series of scandals, this is something which is now expected to happen in 2017. Moreover, top-level EU officials will then be required to publicly declare their meetings with lobbyists, while the current Transparency Register includes a code of conduct and a procedure to deal with complaints regarding breaches of the code.

2.5 Political Families

The European party political sphere is composed of political 'families' – each of which have their own ideologies and organisations. These families are made up of European-wide political parties (made up of national member organisations), political groups in the European Parliament, and political foundations.

Political Parties at European Level

Under the Maastricht Treaty, "political parties at the European level contribute to forming European political awareness and to expressing the will of citizens of the Union." There are currently **13 affiliated European-wide political parties** ("Europarties"), which federate national parties of the same "colour" and are able to campaign across Europe for their respective member parties and ideas. Each has varying influence and resources depending on their party's representation in the European Parliament, with budgets ranging from the European People's Party's **nearly 10 million Euros to the EU Democrats'** 350,000 Euros per year.

A political party at the European level must have **members elected in Parliaments** (whether at European, regional or national level) in at least a quarter of Member States, and/or must have won **over 3% of the vote**, again in at least a quarter of Member States, currently seven, at the last European election. It must also respect, in its programme and activities, the principles of **freedom, democracy**, and **human rights**, as well as the **rule of law**, and must have participated in elections to the European Parliament or have expressed an intention to do so.

ALL THE INFO YOU NEED...	**EUROPEAN GREEN PARTY (EGP)** EUROPEANGREENS.EU
WHAT IT IS	The European Green Party acts as the European federation of national Green Parties.
WHAT IT DOES	The EGP campaigns on a pan-European level on behalf of national parties – something which the Green group is not able to do. It does this through public events, running campaigns, supporting national members, engaging in social media and producing publications.
ESTABLISHED	**2004**. The European Green Party was the first political organisation to transform from a federation into a fully-fledged "Euro-party".
MEMBERS	**The EGP has 39 member parties in 34 countries, many of which do not have representation in the European Parliament.** Members come from all over Europe, and not only from the European Union. Including candidate and associate parties, the EGP now consists of 45 member parties from 38 countries.
HOW IT WORKS	**Three main bodies:** ■ **Congress** is made up of over 400 representatives from the member parties and decides on EGP policy. The GGEP and the Federation of Young European Greens also get votes. ■ The **Council** is comprised of 110 delegates from the member parties, plus the Green group and FYEG, and sets EGP policy between Congresses. ■ The **Committee** of nine people, including two EGP co-chairs, are responsible for the day-to-day running of the organisation alongside staff.

Political Groups at the European Level

Political groups in the European Parliament are coalitions of parties formed by MEPs, and are responsible for much of the functioning of parliamentary democracy at the EU level. They play a central role in the workings of the Parliament. Political groups are given funding by the Parliament to conduct their activities and hire staff, proportionate to their size. These groups are then allocated seats on committees, and their MEPs have higher chances than independent MEPs to obtain the responsibilities of chairing a committee, drafting a report, etc. To form a group at least 25 MEPs from a quarter or more of Member States must be found. In 2014 there were seven established political groups in the EP *(find out more in chapter 3)*.

ALL THE INFO YOU NEED...	**GREENS/EFA** The Greens | European Free Alliance in the European Parliament
WHAT IT IS	The Greens/European Free Alliance political group in the European Parliament is an affiliation of its two member groups – the Greens and the EFA, a regionalist grouping.
WHAT IT DOES	The Green group's main role is to undertake legislative work. Concretely, this means tabling amendments to policies, sitting on parliamentary committees and questioning commissioners, but also taking part in debates, campaigning on key Green issues, running seminars and events, and holding press conferences, among other key activities.
ESTABLISHED	**1989**, as the Greens, joining forces with EFA in 1999.
MEMBERS	There are **43 Green MEPs** after the May 2014 European elections. **The European Free Alliance has seven members.** The Greens/EFA are the sixth largest group in the European Parliament. They come from 25 parties and 17 countries.
HOW IT WORKS	The two constituent parts of the group determine a yearly common programme for political action in relation to the Parliament's work programme. In the Green group internal policy is decided by the MEPs themselves. Each MEP has resources to hire parliamentary and local assistants. There is also staff for the whole group: political advisors, media officers and campaigners as well as administrative and logistic support staff.

THE GROUP

The Greens/European Free Alliance parliamentary group was established in July 1999, when these two progressive European political families agreed to join forces in the European Parliament. The Greens/European Free Alliance is now made up of 50 MEPs from 17 countries and 5 regions. It is the sixth European parliamentary group and it is made up of Greens (38), representatives of stateless nations and disadvantaged minorities (7) and independent Members (5). It is the only group with a gender-balanced co-presidency. In addition to this, one member of the Group, Ulrike Lunacek, is a vice-president in the Bureau of the European Parliament.

THE CO-PRESIDENTS

Unlike all the other groups in the European Parliament, the Greens/EFA have a Co-Presidency, i.e. two Co-Presidents, and gender balance is always guaranteed. The Greens/EFA statutes specify that at least half of the Chairpersons and Vice-Chairpersons posts shall be held by women.

After the June 2014 elections, Philippe Lamberts (Ecolo – Belgium) and Rebecca Harms (Bündnis90/Die Grünen - Germany) were elected Co-Presidents of the group for the first half of the legislative period, i.e. till end of December 2016.

THE BUREAU

The Group's Bureau (or executive) is made up of nine Members. Unlike all the other groups in the European Parliament, the Greens/EFA have a co-presidency, i.e. two co-Presidents, and gender balance is always guaranteed.

Seven Vice-residents including one treasurer are the other Bureau Members. The first Vice-Presidency is held by the President of the European Free Alliance. The Secretary General, the Deputies Secretaries General are also members of the Bureau.

- Rebecca Harms, Co-President (Bündnis 90/Die Grünen – Germany)
- Philippe Lamberts, Co-President (Ecolo – Belgium)
- Josep Maria Terricabras, First Vice-President (Esquerra Republicana de Catalunya – Spain)
- Bas Eickhout, Treasurer (GroenLinks – Netherlands)
- Peter Eriksson, Vice-President (Miljöpartiet De Gröna – Sweden)
- Heidi Hautala, Vice-President (Vihreät – Finland)
- Ska Keller, Vice-President (Bündnis 90/Die Grünen – Germany)
- Julia Reda, Vice-President (Piraten Partei – Germany)
- Michèle Rivasi, Vice-President (Europe Écologie – Les Verts – France)
- Vula Tsetsi, Secretary General
- Joachim Denkinger, Deputy Secretary General
- José-Luis Linazasoro, EFA Secretary General and Greens/EFA Deputy Secretary General

COMMITTEES AND DELEGATIONS

Committees

Greens/EFA Members are very active in all fields of parliamentary work. The Parliament has more than 20 policy committees. Greens/EFA Members are assisted by the Greens/EFA advisers who follow the issues dealt with in their respective committees. In each committee, the Greens/EFA have appointed their own Member coordinator.

The coordinators play an important role by preparing – together with the relevant staff – the discussion, the Group position as well as the Group voting orientation on the issues dealt with in the corresponding committee. And at a later in the plenary session.

Check our website to find out which are the Greens/EFA Members and staff involved in the parliamentary committees
www.greens-efa.eu/members/31-committees.html

Delegations

Greens/EFA Members are also present in most of the parliamentary delegations. The Parliament has over 40 delegations which aim at maintaining contacts with parliaments of partner States of the European Union and also at promoting in third countries the values on which the European Union is founded.

Find out more on our website about our Greens/EFA Members and staff involved in the delegations
www.greens-efa.eu/members/32-delegations.html

THE MEMBERS OF THE GREENS/EFA GROUP

(by alphabetical order)

- Name and first name
- Party
- Country
- Website

Greens (in green)
EFA (in blue)
Independent (in black)

ALBRECHT, Jan Philipp
Bündnis 90/Die Grünen
Germany
http://janalbrecht.eu/

ALANDERSSON, Max
Miljöpartiet De Gröna
Sweden
http://maxandersson.blogspot.be/

AUKEN, Margrete
Socialistisk Folkeparti
Denmark
http://www.auken.dk/

BOVE, José
Europe Écologie – Les Verts
France
http://jose-bove.eu/

BUCHNER, Klaus
Ökologisch-Demokratische Partei
Germany
http://prof-dr-klaus-buchner.de/

BUTIKOFER, Reinhard
Bündnis 90/Die Grünen
Germany
http://reinhardbuetikofer.eu/

CRAMER, Michael
Bündnis 90/Die Grünen
Germany
http://www.michael-cramer.eu/

DELLI, Karima
Europe Écologie – Les Verts
France
http://www.karimadelli.com/

DURAND, Pascal
Europe Écologie – Les Verts
France
https://www.facebook.com/Pascal.Durand.EELV

EICKHOUT, Bas
GroenLinks
The Netherlands
http://www.baseickhout.eu/

ENGSTRÔM, Linnéa
Miljöpartiet De Gröna
Sweden
http://gronfeminism.blogspot.be/

ERIKSSON, Peter
Miljöpartiet De Gröna
Sweden
http://www.mp.se/eu/peter-eriksson

EVANS, Jill
Plaid Cymru
Wales
http://www.jillevans.net/

GIEGOLD, Sven
Bündnis 90/Die Grünen
Germany
http://www.sven-giegold.de/

HARMS, Rebecca
Bündnis 90/Die Grünen
Germany
http://www.rebecca-harms.de/

HAUSLING, Martin
Bündnis 90/Die Grünen
Germany
http://www.martin-haeusling.eu/

HAUTALA, Heidi
Vihreät
Finland
http://www.heidihautala.fi/

HEUBUCH, Maria
Bündnis 90/Die Grünen
Germany
http://www.maria-heubuch.de/

HUDGHTON, Ian
Scottish National Party
Scotland
http://www.hudghtonmep.com//

JADOT, Yannick
Europe Écologie – Les Verts
France
http://yannickjadot.fr/

JAVOR, Benedek
Párbeszéd Magyarországért
Hungary
http://javorbenedek.blog.hu/

JOLY, Eva
Europe Écologie – Les Verts
France
http://evajoly.blogs.nouvelobs.com/

KELLER, Ska
Bündnis 90/Die Grünen
Germany
http://www.ska-keller.de/

LAMBERT, Jean
The Green Party of England and Wales – United Kingdom
http://www.jeanlambertmep.org.uk

LAMBERTS, Philippe
Ecolo
Belgium
http://www.philippelamberts.eu/

LOCHBIHLER, Barbara
Bündnis 90/Die Grünen
Germany
http://www.barbara-lochbihler.de/

LUNACEK, Ulrike
Die Grünen
Austria
http://www.ulrikelunacek.eu/

MARAGALL, Ernest
L'Esquerra pel Dret a Decidir
Catalonia
http://araaeuropa.novaesquerracatalana.cat/

MESZERICS, Tamas
Lehet Más a Politika
Hungary
https://www.facebook.com/meszericstamaslmp

REDA, Julia
Piraten Partei
Germany
https://juliareda.eu/en/

REIMON, Michel
Die Grünen
Austria
https://www.reimon.net/

REINTKE, Terry
Bündnis 90/Die Grünen
Germany
http://www.terryreintke.eu/index.php/de/

RIVASI, Michele
Europe Écologie – Les Verts
France
http://www.michele-rivasi.eu/

ROPĖ, Bronis
Lietuvos valstiečių ir žaliųjų sąjunga – Lithuania
http://www.rope.lt/

SARGENTINI, Judith
GroenLinks
The Netherlands
http://www.judithsargentini.nl/

SCOTT CATO, Molly
The Green Party of England and Wales – United Kingdom
http://mollymep.org.uk/

SEBASTIA, Jordi
Primavera Europea/Compromis
Valencia
http://jordisebastia.eu/qui-soc/?lang=es

SKRLEC, Davor
ORaH
Croatia
http://www.davor-skrlec.eu/

SMITH, Alyn
Scottish National Party
Scotland
http://www.alynsmith.eu/

ŠOLTES, Igor
Party Verjamem
Slovenia
http://www.igorsoltes.eu/si/

STAES, Bart
Groen!
Belgium
http://www.bartstaes.be/

TARAND, Indrek
Independent Member
Estonia
http://www.tarand.ee/

TAYLOR, Keith
The Green Party of England and Wales – United Kingdom
http://www.keithtaylormep.org.uk/

TERRICABRAS, Josep-Maria
L'Esquerra pel Dret a Decidir
Catalonia
https://www.facebook.com/terricabras

TRUPEL, Helga
Bündnis 90/Die Grünen
Germany
http://www.helgatruepel.de/

TURMES, Claude
Déi Gréng
Luxembourg
http://www.claudeturmes.lu/

URTASUN, Ernest
Iniciativa per Catalunya-Verds
Spain
http://ernesturtasun.eu/

VALERO, Bodil
Miljöpartiet De Gröna
Sweden
http://bodilceballos.wordpress.com/

VANA,Monika
Die Grünen
Austria
http://monikavana.wordpress.com/

ŽDANOKA, Tatjana
Par Cilveka Tiesibam Vieneta
Latvia
http://www.pctvl.lv/

Political Foundations at the European Level

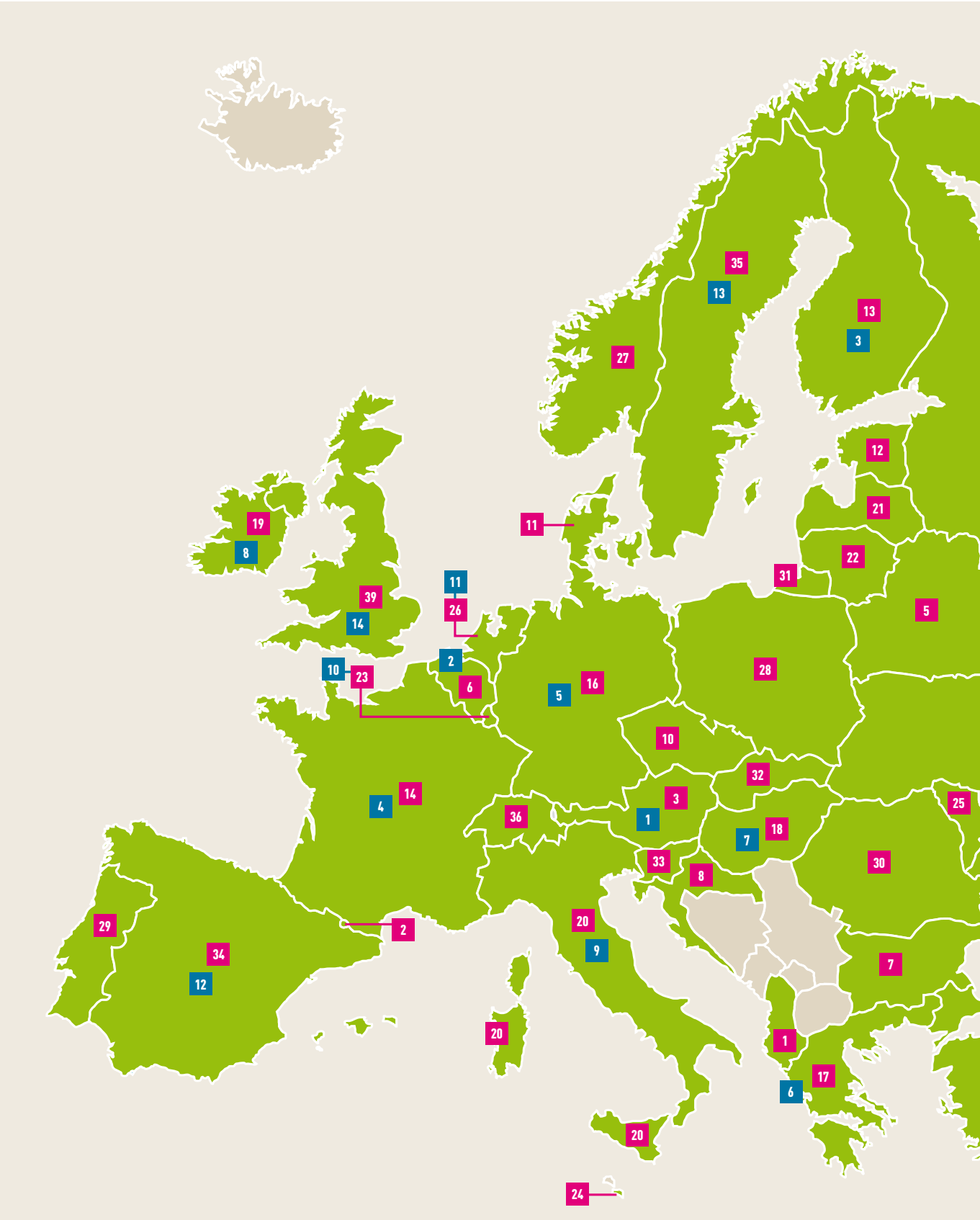
Political foundations at the European level are affiliated with a political party at the European level and complement its objectives by contributing to the debate on European issues and on the process of European integration. They serve as a framework for national political foundations, academics, and other relevant actors to work together at European level, as well as facilitate the engagement of citizens in European debates and enable informed political participation in the European Union.

They generally organise events, conduct research, print publications, and spread the ideas of their political families in a non-campaigning manner. As such, they can be viewed as the semi-independent think tanks of pan-European parties.

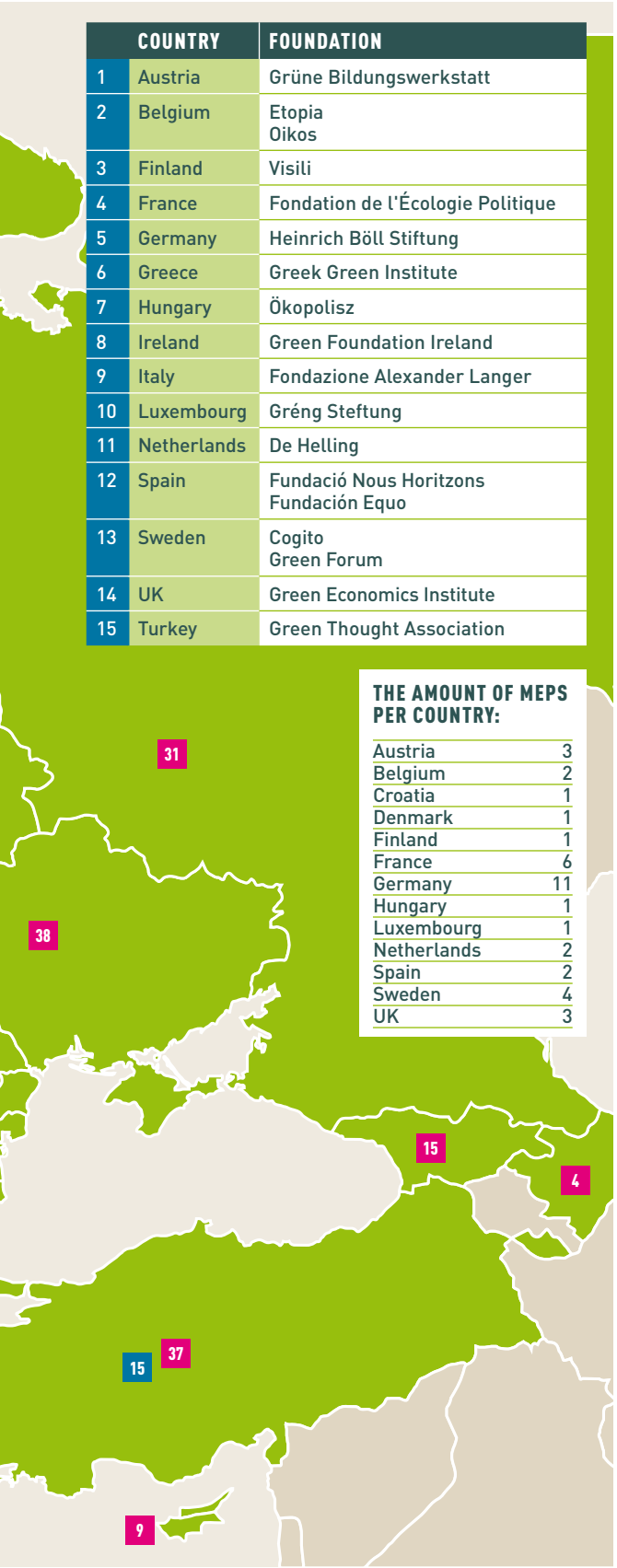
Foundations at the European level are, like parties, obliged to publish their income and expenses, as well as their assets and liabilities on an annual basis, and publish a list of their donors and the amount donated for all donations above €500.

ALL THE INFO YOU NEED...	GREEN EUROPEAN FOUNDATION (GEF)
WHAT IT IS	The Green European Foundation is one of the thirteen European-level political foundations, and strives to "Europeanise" Green political debate.
WHAT IT DOES	Three pillars: **study and debate, education and training, networking Green Europe**. GEF works on these pillars by holding transnational seminars and events, working with national foundations, and producing policy and debate publications (including the Green European Journal).
ESTABLISHED	**2008**
MEMBERS	GEF's members consist of 19 representatives from national Green foundations as well as four representatives from both the EGP and the Green Group in the Parliament.
HOW IT WORKS	■ Two main decision-making bodies: the **General Assembly** and the **Board of Directors**. ■ Members of the General Assembly represent GEF's three main stakeholders. ■ The **Board of Directors** elects two co-presidents from amongst its own ranks. It provides the general political guidelines and is responsible for the day-to-day running of the organisation alongside staff.

GREEN PARTIES AND FOUNDATIONS IN EUROPE



	COUNTRY	FOUNDATION
1	Austria	Grüne Bildungswerkstatt
2	Belgium	Etopia Oikos
3	Finland	Visili
4	France	Fondation de l'Écologie Politique
5	Germany	Heinrich Böll Stiftung
6	Greece	Greek Green Institute
7	Hungary	Ökopolisz
8	Ireland	Green Foundation Ireland
9	Italy	Fondazione Alexander Langer
10	Luxembourg	Gréng Steftung
11	Netherlands	De Helling
12	Spain	Fundació Nous Horitzons Fundación Equo
13	Sweden	Cogito Green Forum
14	UK	Green Economics Institute
15	Turkey	Green Thought Association



THE AMOUNT OF MEPS PER COUNTRY:

Austria	3
Belgium	2
Croatia	1
Denmark	1
Finland	1
France	6
Germany	11
Hungary	1
Luxembourg	1
Netherlands	2
Spain	2
Sweden	4
UK	3

	COUNTRY	PARTY
1	Albania	Partia e Gjelber
2	Andorra	Verds d'Andorra
3	Austria	Die Grünen
4	Azerbaijan	Azerbaycan Yasillar Partiyasi
5	Belarus	Bielaruskaja Partyja Zialonye
6	Belgium	Écolo Groen
7	Bulgaria	Zelena Partija Bulgaria Zelenite
8	Croatia	ORAH [Zelena Lista]
9	Cyprus	Cyprus Green Party
10	Czech republic	Strana Zelenych
11	Denmark	Socialistik Folkeparti
12	Estonia	Eestimaa Rohelised
13	Finland	Vihreät – De Gröna
14	France	Europe Écologie – Les Verts
15	Georgia	Sakartvelo's Mtsvaneta Party
16	Germany	Bündnis '90/Die Grünen
17	Greece	Ecologoi-Prasinoi
18	Hungary	Lehet Más a Politika
19	Ireland	Comhaontas Glas/Green Party
20	Italy	Federazione dei Verdi [Green Italia]
21	Latvia	Latvijas Zala Partija
22	Lithuania	Lietuvos Zaliuju Partija
23	Luxembourg	Déi Gréng/Les Verts/Die Grünen
24	Malta	Alternattiva Demokratika
25	Moldova	Partidul Verde Ecologist
26	Netherlands	Groenlinks De Groenen
27	Norway	Miljøpartiet De Grønne
28	Poland	Zieloni
29	Portugal	Partido Ecologista – Os Verdes
30	Romania	Partidul Verde
31	Russia	Zelenya Alternativa – GROZA Zelenaya Rossia
32	Slovakia	Strana Zelenych
33	Slovenia	SMS Zeleni
34	Spain	Iniciativa per Catalunya Verds Equo
35	Sweden	Miljöpartiet de gröna
36	Switzerland	Grüne/Les Verts/I Verdi
37	Turkey	Yesiller ve Sol Gelecek Partisi
38	Ukraine	Partija Zelenykh Ukrainy
39	UK	Green Party of England and Wales Scottish Green Party

2.6 | Two Steps Forward, Two Steps Back?

Returning to the ability of citizens to influence the EU, there are still many problems within the Union with regards to democracy.

The power of business to influence democracy is often far greater than the power of civil society – most activists can't rent offices and lobbyists in Brussels. However, there have been significant strides towards redressing this issue following the first elections of the EP, including the enshrining of fundamental rights (through the Charter), the increase in the Parliament's powers relative to the Council, and the ability – however flawed – to petition the EU through ECIs and other formats.

Recent years have seen a huge rise in Eurosceptic parties off the back of disillusionment with the "political elites". Further democratisation, and moves away from corporate influence, could help rekindle trust in the EU among voters and devolve power to the people. Working together, the EGP, Green Group and GEF can play a significant role in promoting democracy and the ability of citizens to have a real say within the EU.

> ***"The transformation we advocate must go hand-in-hand with a democratic re-foundation. We want a European Union that pioneers a more direct and participative democracy. Executive bodies such as the European Commission and Central Bank must be held accountable for their actions. The EU must be an effective multi-level democracy, respecting subsidiarity and making its diversity one if its best assets"***

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3 | WHO DOES WHAT? POWER IN THE EU

The EU is often perceived as a distant and obscure entity. At first sight, the EU can seem like a labyrinth of institutions, powers, political pressures and processes where it is not very clear who does what. This general lack of a clear image of the EU contrasts with the well-known fact that in many policy areas most of national legislation derives directly from the EU.

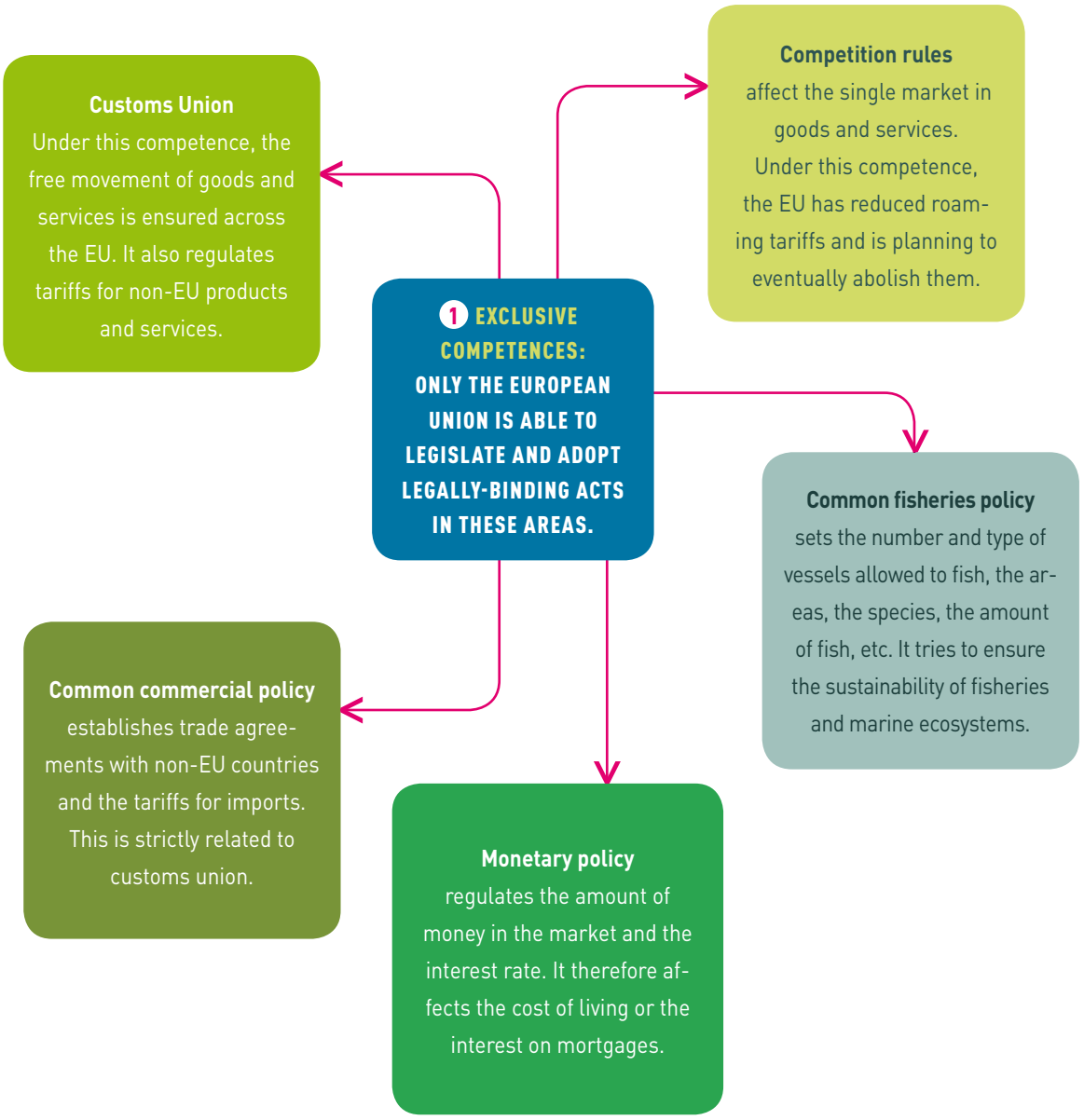
What powers does the European Union have? And what does it do? Here we analyse the roles of the main institutions, looking at the institutional balance among the three main interests present at the EU level: people, governments and the Union itself.

3.1 What the EU can do

The powers (or "competences" as they are known) of the EU are limited to the areas explicitly transferred to the Union by the Treaties. Depending on the policy area, these competences may be carried out by the European Union exclusively **(exclusive competences)**, by the Member States on their own **(supporting, coordinating or complementary competences)**, or by both the EU and the Member States **(shared competences)**.

THE POLICY AREAS ARE DIVIDED INTO THREE MAIN TYPES:

1 EXCLUSIVE COMPETENCES



SHARED COMPETENCES 2

2 SHARED COMPETENCES: MEMBER STATES AND THE UNION BOTH HAVE THE POWER TO ADOPT LEGALLY-BINDING ACTS. MEMBER STATES CAN ONLY ACT IN SO FAR AS THE UNION HAS NOT EXERCISED OR HAS DECIDED TO STOP EXERCISING ITS COMPETENCE. THIS IS THE CASE OF MOST OF THE EU POLICIES.

The **internal market** sets the rules to ensure **free movement** of persons, goods and services within the EU. For example, the internal market allows all European companies to participate in public tenders on an equal footing.

The **area of Freedom, Security and Justice covers justice** and home affairs issues. As examples, the rules of the Schengen border-free agreement fall under this competence, as does police cooperation against human trafficking.

A common market also includes standardised **consumer protection** to guarantee the rights of consumers. This covers any field of the market from passengers to **public health**.

The **Common Agricultural Policy** is supposed to ensure food security in the EU and guarantee the survival of the agricultural sector.

Under **Economic, Social and Territorial Cohesion** the EU reduces the economic and social imbalances across the EU. The Structural Funds and the Cohesion Fund aim to reduce regional disparities by financing local and regional projects.

Energy competences regulate, for example, renewable energy targets or the energy efficiency of goods (from housing to fridges).

Under its **environmental** competences, the EU can, for example, tackle climate change or establish objectives in terms of waste management.

Transports competences cover, for instance, the environmental standards of vehicles, or safety issues. **Trans-European networks** aim at facilitating the interconnection of national networks.

In the fields of **research, technological development or development and cooperation**, the EU acts as a key funder of projects, although the activities of the EU do not prevent Member States also acting in these areas. These range from grants to research centres to development and cooperation projects in countries of the Global South.

3 SUPPORTING, COORDINATING OR COMPLEMENTARY COMPETENCES

Protection of human health involves the control of diseases, but also the certification of drugs and assessing the safety of goods.

In terms of **employment** and **social policies**, the EU promotes equality between men and women, and safety at work. The Europe 2020 Strategy for Growth also falls under this competence.

3 SUPPORTING, COORDINATING OR COMPLEMENTARY COMPETENCES: THE UNION IS ABLE TO ACT WITHOUT OVERRIDING MEMBER STATES' COMPETENCES AND WITH LITTLE DIRECT INVOLVEMENT. THE UNION ADOPTS MEASURES, DEFINES GUIDELINES AND CARRIES OUT ACTIONS TO SUPPORT, COORDINATE OR SUPPLEMENT THE ACTIONS OF THE MEMBER STATES.

Under its **tourism** powers, the EU promotes innovation in this sector. An example is the EuroVelo project aimed at boosting cycling tourism.

On **culture**, the EU spreads the cultural heritage through, for example, the European capitals of culture or the promotion of endangered languages.

In addition to these are policies under the remit of Common Foreign and Security Policy, which are subject to special rules, including the principle of unanimity, a weaker role for the Commission and Parliament, and not being within the jurisdiction of the European Court of Justice.

3.2 Voice of the People? The European Parliament

European Parliament

Headquarters: **Strasbourg (France), Brussels (Belgium) and Luxembourg (Luxembourg).**

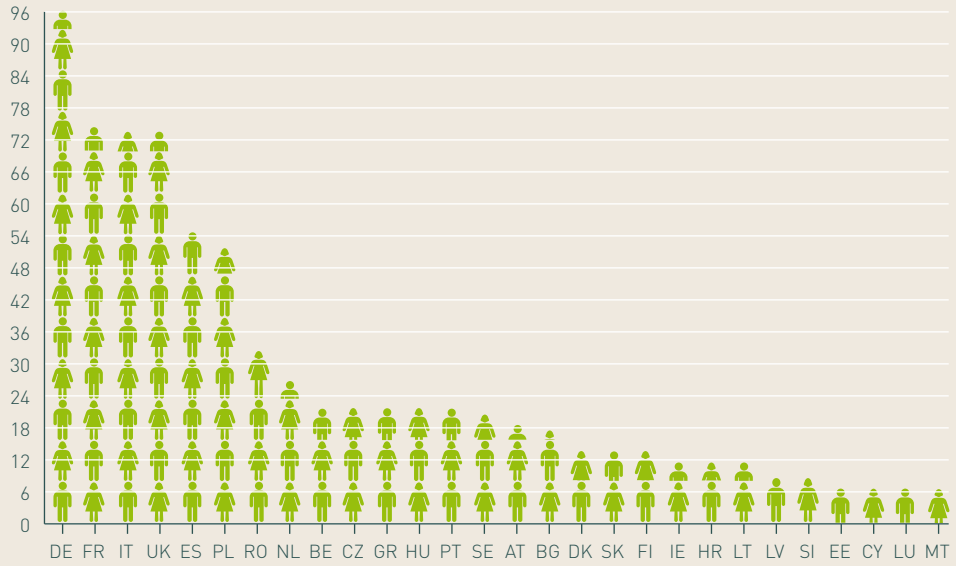
President: **Martin Schulz**
europarl.europa.eu

What is it?

The European Parliament is the only EU institution elected directly by the citizens. It is composed of 751 members from all 28 Member States who represent the European citizens and their interests. They are elected every five years through the European elections, which take place simultaneously in all Member States.

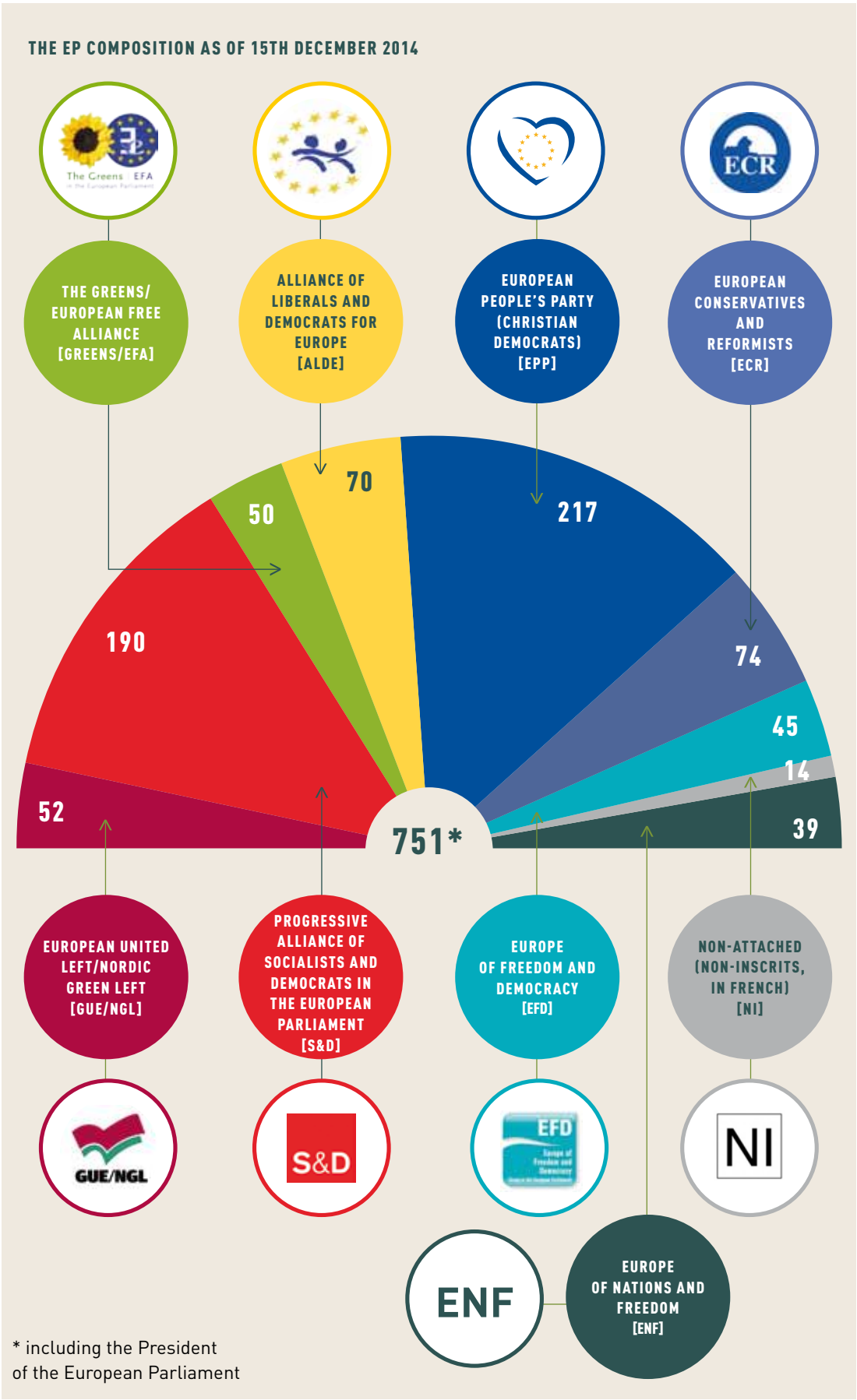
The 751 seats are allocated among the Member States following the principle of **degressive proportionality**, whereby there is a minimum threshold of six members per Member State and a maximum of 96. Degressive proportionality is a deviation from the principle of "one person one vote", permitting smaller Member States to have a stronger voice in the Parliament, and thus allaying some concerns that the Union would be dominated by larger Member States.

MEPS PER MEMBER STATE 2014-2019



The European Parliament, like many other parliaments, organises itself through **political groups**, formed according to ideological affinity. After the 2014 elections to the European Parliament, seven groups were constituted. Members not belonging to any specific group are known as Non-Attached ("Non-Inscrits") or Independent Members.

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). These requirements are not only compulsory to constitute the group, but also to assure the existence of the group. They must therefore be met at any point during the legislature – otherwise, they cannot keep their group status.


THE EP COMPOSITION AS OF 15TH DECEMBER 2014
THE GREENS/ EUROPEAN FREE ALLIANCE [GREENS/EFA]
ALLIANCE OF LIBERALS AND DEMOCRATS FOR EUROPE [ALDE]
EUROPEAN PEOPLE'S PARTY (CHRISTIAN DEMOCRATS) [EPP]
EUROPEAN CONSERVATIVES AND REFORMISTS [ECR]
52
190
50
70
217
74
45
14
39
751*
EUROPEAN UNITED LEFT/NORDIC GREEN LEFT [GUE/NGL]
PROGRESSIVE ALLIANCE OF SOCIALISTS AND DEMOCRATS IN THE EUROPEAN PARLIAMENT [S&D]
EUROPE OF FREEDOM AND DEMOCRACY [EFD]
NON-ATTACHED (NON-INSCRITS, IN FRENCH) [NI]
GUE/NGL
S&D
EFD
NI
ENF
EUROPE OF NATIONS AND FREEDOM [ENF]
* including the President of the European Parliament

PROPORTION OF WOMEN BY POLITICAL GROUP 2014-2019

The proportion of women in the European Parliament in its first session after the 2014 elections was 37% – a 2% increase compared to the 2009 European Parliament election results. The GUE/NGL is the group with the highest share of women, while the ECR has the lowest share. The Greens are relatively gender-balanced, although its situation in terms of gender balance was better in the last legislature.

What does it do?

Besides representing European citizens, the European Parliament has **six main powers and functions**:

1 As a political institution, the European Parliament can make **political declarations** and **request** that the European Commission submit a proposal for a regulation.

2 It **legislates** along with the Council of the European Union (the Council of Ministers) *(see page 64 for more details)*.

3 It approves – or rejects – the **budget**, along with the Council *(see page 69 for more details)*.

4 It **elects** the President of the European Commission, **approves or rejects** the Commissioners, and **appoints** the Ombudsman, the ECB Governors, and other relevant posts.

5 It **controls and scrutinises** the European Commission, and is able to **censure** the entire Commission.

6 It can set up **inquiry committees** to examine EU institutions, administrative bodies of Member States or persons responsible for the application of EU law.

In the area of foreign policy, although the Parliament has – despite the calls of Greens – 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.

A lack of power?

It is often argued that the European Parliament does not have any power. However, the Lisbon Treaty evened out the powers of the European Parliament compared with those of the Council for most of the EU competences. Still, the Parliament does not rule on the revenue side of the EU budget; and there are some areas where it has only the "right of speech", such as foreign policy or defense. It also suffers from the lack of a right to legislative initiative.

How does it work?

In order to prepare the plenary sittings more effectively, the members of the European Parliament divide themselves into specialised **Committees**, through which they structure most of their work. Committees are in charge of **drawing up, amending** and **adopting** legislative proposals, along with evaluating the proposals of the Commission and the Council in their field. In doing so, they follow with the whole legislative process, except for the solemn approval of the text that is carried out by the Plenary of the European Parliament once a month in Strasbourg.

There are **20 parliamentary committees, 2 subcommittees** and 1 special committee covering all the areas of competence of the EU, including committees on **citizens' petitions** *(see page 27 for more details)*, environmental policy, employment issues, migration and more. Committees reflect the political composition of the Parliament and have their own chair, bureau and secretariat. They are composed of between 25 and 71 members and meet once or twice a month in Brussels. All their debates are public.

Parliamentary **resolutions** are usually passed by a majority of votes (a simple majority), while 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 require, however, stronger majorities, such as the absolute majority required for amendments to the position of the Council in the Second Reading, or even the two-thirds majority needed for a vote of no confidence against the Commission.

A "grand coalition"

Majorities in the Parliament are not self-evident. Political groups have to negotiate on each issue to build coalitions through compromises. The rise of far-right populism during the last European elections has made it complicated to build ideological majorities in the European Parliament, whether centre-right or centre-left. This has strengthened the historical tendency towards a "grand coalition" between the European People's Party and the Social Democrats, reducing significantly the ability of smaller groups to influence the decision-making process.

From Brussels to Strasbourg – every month!

Once a month around 5000 people, including Members of the European Parliament, political assistants, interpreters and European Parliament staff, go **from Brussels to Strasbourg for the plenary session**. The historical spread of the institutions, along with the initial lack of powers or any proper seat for the European Parliament, explain why it officially sits in Strasbourg – as well it being a symbol of Franco-German reconciliation.

However, this costs an astonishing 180 million euros every year, and produces 19,000t of CO_2. Besides the economic and environmental cost, during the days the Parliament sits in Strasbourg, it remains isolated from the rest of EU institutions, civil society organisations and the media.

The Greens have repeatedly requested putting a stop to the monthly travelling circus from Brussels to Strasbourg and back. The **"single seat"** campaign managed to gain the overwhelming support of the European Parliament in 2014, but a revision of the Treaties is needed to change the seat and all Member States have a final say. Unfortunately, France opposes this revision.

On top of that, the European Parliament has a third seat in Luxembourg, where most of its administrative and accountability services are located.

3.3 Pulling the Strings: the Council of the European Union

Headquarters: **Brussels (Belgium)**

President: **rotates among Member States**
consilium.europa.eu

Who is in it?

The Council of the European Union (also known as the Council or, informally the Council of Ministers) is the institution **that represents the Member States' governments and their interests** at the EU level. It is, therefore, composed of 28 members. However, the "configuration" of the Council is not fixed, but varies according to the topic. There are ten different "configurations" of ministers or state secretaries in charge of each field. So when the Council deals with environmental issues, the Council gathers the 28 Environment Ministers, and when it deals with trade, it is the Trade Ministers, and so on. The European Commissioners that deal with the issues discussed are invited to the meetings, and so is the European Central Bank when the Council discusses its initiatives.

The Council is chaired by a **presidency rotating between the Member States every six months.** The order of rotation is set out in a Council decision, along with a system of 18-month cooperation programmes for three Member States holding consecutive presidencies (the "Trio"). 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. It is usually the minister in charge of the topic "configuration" who chairs the Council, except when it comes to foreign affairs where it is the High Representative of the Union for Foreign Affairs and Security Policy.

What is it?

The Council is, above all, a **legislative institution** in charge of – along with the European Parliament – adopting directives and regulations (EU legislation). In most areas both institutions **co-legislate** at the same level through the so-called "ordinary legislative procedure". However, there are some specific policy areas where national governments still have a greater role than the European Parliament. This is the case for social security and taxation, for which the Council only has to consult the Parliament, or the Common Foreign and Security Policy that is set out by the Council, for which the Parliament can only express its point of view.

The Council also has **budgetary** powers and sets the European Union budget in collaboration with the European Parliament.

How does it work?

Similar to how the European Parliament has Committees preparing plenary sessions, most of the Council's work is carried out by topic-specific preparatory bodies. These are in charge of analysing and examining the legislative proposals of the European Commission, of researching specific issues and, generally speaking, of preparing everything needed for the Council meetings, including negotiating. The **COREPER**, the French acronym for the Committee of the Permanent Representatives (**ambassadors**) of the Member States is the committee tasked with the preparation of the work of the Council.

It must be noted that the role of the COREPER is often very decisive as the work of **negotiating** agreements is done by their diplomats. In this sense, those points already agreed at the COREPER are passed by the Council without debate. Unlike the sessions of the Committees of the European Parliament, **the meetings of the COREPER are not public** and the **attendees are not accountable politicians, but diplomats**.

This raises serious concerns about the way public decisions are taken, especially as anything agreed at the COREPER is passed at the Council without debate.

The frequency of the Council meetings varies depending on the topic, convening in some cases once a month. The sessions are divided into legislative and non-legislative parts, with the former being public sessions. For the legislative part, the Council formally approves the topics already agreed by the COREPER and discusses those where an agreement was not reached.

Most Council decisions require a so-called **double majority** to pass. According to the treaties since Lisbon, a qualified majority is reached if a proposal:

- **receives the support of 55% of the Member States, and**
- **they represent at least 65% of the population of the European Union.**

The system of double majority is intended to **balance the demographical** differences between Member States and **establish the principle of equality** among them. In this regard, big Member States cannot make a decision unless they count on the support of a significant number of Member States and, conversely, small Member States cannot make a decision if they do not represent a significant percentage of the European population. Following these requirements, a proposal needs to be supported by at least 16 Member States to reach the 55% of the votes required. Regarding the share of population stipulation, the six largest Member States already represent more than 65% of the population; however, for a qualified majority to be reached, a further ten states must vote with them.

A **blocking minority** in the Council 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 three Member States that represent 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.

Transitional Period

Although the system decided in Lisbon has applied since 1 November 2014, the treaties foresee a transitional period in which any member can demand, until 31 March 2017, to use the former weighted voting system instead, which consists of a double requirement of:
1. Being supported by the majority of Member States
2. Reaching 260 votes out of 352

The weighted votes were distributed the following way:

MEMBER STATES	VOTES
Germany, France, United Kingdom and Italy	29
Spain and Poland	27
Romania	14
The Netherlands	13
Belgium, Greece, Portugal, Czech Republic and Hungary	12
Bulgaria, Austria and Sweden	10
Croatia, Denmark, Finland, Ireland, Lithuania and Slovakia	7
Estonia, Latvia, Luxembourg, Slovenia and Cyprus	4
Malta	3
TOTAL	**352**

Under this voting system, 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. A blocking minority is achieved with 93 votes or with half of the Member States voting against a proposal.

The 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. A Member State may request to refer the matter to the European Council (*see 3.4. below*), which would suspend the procedure. The European Council has to discuss the matter and – within four months – either refer it back to the Council to lift the suspension of the procedure, take no action, or request that the Commission submit a new proposal.

The matters affected by this are measures to provide freedom for movement of workers, including payments of benefits to residents, judicial cooperation in criminal matters the approximation of the definitions of serious criminal offenses.

Unanimity

Although most of the Council's decisions are taken by qualified majority, there are some areas where the decision-making still takes place under the unanimity rule. Cases needing unanimity have decreased over the course of the EU's history, but still apply to regulations on taxation, social policy, labour rights, accession of new Member States, foreign and common defence policy and operational police cooperation.

The so-called "bridging clauses" of the Lisbon Treaty allow a switch from unanimity to majority voting if there is the agreement of the Council, and the consent of both the European Parliament and national parliaments ***(see page 68 for more details)***.

© Council of the European Union

3.4 The Political Driver: the European Council

Headquarters: **Brussels (Belgium)**

President: **Donald Tusk**
european-council.europa.eu

Who is in it?

The European Council (informally known as the EU Summit) is the institution that comprises all **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.

What does it do?

The European Council establishes **the overall direction** for the development of the European Union, formulates guidelines, defines **general political goals** and stimulates action towards them.

The EC mainly aims to provide **political impulse** to the European Union and to decide on the most relevant political issues. The European Council is also expected to play an important role in sorting out any blockades in the ministerial meetings at the Council. As well as this, it decides on the Common Foreign and Security Policy, proposes candidates for the most relevant posts of the Union, and decides upon pluri-annual budgets. Finally, the European Council also initiates and monitors revision of the treaties. However, it is not active in legislative processes, as this is reserved for the ministerial Councils.

How does it work?

The European Council meets twice every parliamentary semester and 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. On 1 December 2014, Poland's former Prime Minister **Donald Tusk** was appointed as the second President of the European Council, after five years of **Herman Van Rompuy**, also a former PM, from Belgium. Besides chairing the meetings, the President of the European Council is in charge of facilitating consensus and cohesion among Member States and of the coordination with the European Commission. The President of the European Council also represents the European Union externally, along with the High Representative for Foreign Affairs and Security Policy and the President of the European Commission.

The Greens' Perspective

In the recent years, the European Council has become more and more important in the decision-making process of the European Union, surpassing in many cases the competences the Treaties actually foresee for it. The way the European Council has managed the economic crisis is a good example of an extremely opaque way of taking decisions with no possible accountability or participation of the citizens or their representatives. The approval of the Fiscal Compact Treaty in February 2012 as a binding intergovernmental agreement outside the EU's architecture represents perfectly this opacity and lack of will to take democracy seriously at the EU level.

The Greens have long criticised the return to an intergovernmental way of taking decisions that excludes the European Parliament and civil society from any type of participation, and which completely lacks accountability or transparency.

DON'T MIX THEM UP!

European Council (EU Summit)	Council of the European Union (Council of Ministers)	Council of Europe (CoE)
EU institution that gathers 28 Heads of State or Government in summits to agree on the general orientation of the EU.	EU institution that represents the interests of the governments at ministerial level. It legislates in all EU policy areas, most of the time on equal footing with the European Parliament.	**Non-EU** international organisation with 47 European Member States, aiming mainly at protecting human rights under the European Convention on Human Rights.
european-council. europa.eu	*consilium.europa.eu*	*coe.int*

© European Union

3.5 Neither states nor citizens: the European Commission

Headquarters: **Brussels (Belgium)**

President: **Jean-Claude Juncker**
ec.europa.eu

Who is in it?

The Commission is the institution 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. Instead, they are required to be completely independent whilst carrying out their duties.

What does it do?

Besides defending the interests of the European Union and European citizens as a whole, the Commission is mainly in charge of:

1. The **execution of EU policies**.
2. Exercising the **legislative initiative** (the Commission has sole right) and **monitoring the legislative process**.
3. As the guardian of the Treaties, it must **assure compliance with EU law**.
4. The **implementation of the EU budget**.
5. **Negotiating agreements with third parties** and **representing the Union** in international organisations.

How does it work?

The European Commission is composed of 28 Commissioners (one per country), each responsible for a specific policy area, except for the President. They decide as a **college**, and so it is the European Commission, rather than an EU Commissioner, that takes legislative initiative. Preparatory work for any initiative is carried out by the Commission's permanent staff, which are also organised into specialised units known as Directorates-General (DGs). The new Juncker Commission offers a slightly different, more political and "government-like" appearance. A skilled politician and a former PM himself, Juncker structured his College around seven Vice-Presidents, all former PM or Foreign Affairs Ministers, who are in charge of an overarching political priority, and coordinating the Commissioners affected by this priority. Two of these VPs are given a prominent status and authority in the College.

As the executive body of the European Union, the European Commission is accountable to the European Parliament, and must therefore attend **regular hearings**. It is also expected to take into account the input of organised civil society. Although this could be a good way of bringing the Commission closer to society, there is a risk that the interests of the most powerful and influential lobbies will be overrepresented.

Implementing EU law

The European Commission may be able to actually implement its policies in Member States, when uniform conditions among them are needed. These must come after specific delegation from the European Parliament and the Council of the European Union through a regulation specifying the mechanisms of control of Member States of the Commission's implementation. This system is referred to as "Comitology". Unique to the EU, this is

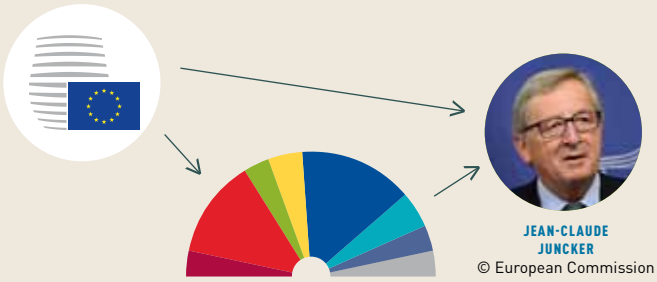
a complex system of Committees which, until recently, consisted of Commission officials and national experts but without much influence from Parliament.

Post-Lisbon Treaty, the EU agreed to new rules overseeing this procedure. These new procedures, while still complex, give the European Parliament more powers at the expense of the Member States.

Occasionally this process can have important and far-reaching implications, for example against the attempt by the Commission to repeal the bans on growing genetically modified maize in Austria and Hungary.

Appointing a new commission

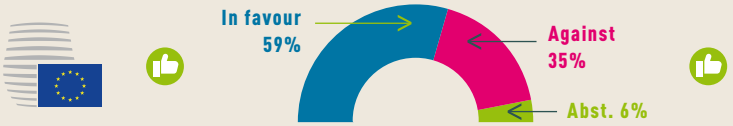
Taking into account the results of the May 2014 European elections, the President of the European Council consulted with the European Parliament about a possible candidate to preside over the European Commission.



© European Commission

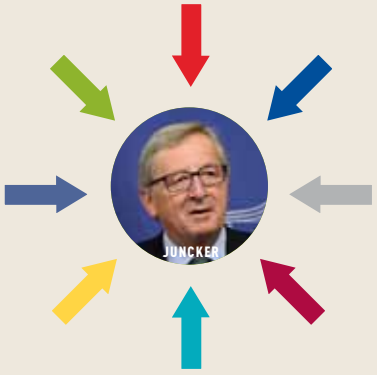
As Jean-Claude Juncker was the candidate of the leading bloc, it was proposed that he become the new President of the Commission.

The European Council then elected him by qualified majority…



As did the European Parliament, with 422 MEPs in favour (376 were required).

After electing the President, Member States in collaboration with Juncker put forward their candidates for Commissioner positions, as well as their candidate for High Representative of the Union for Foreign Affairs and Security Policy.



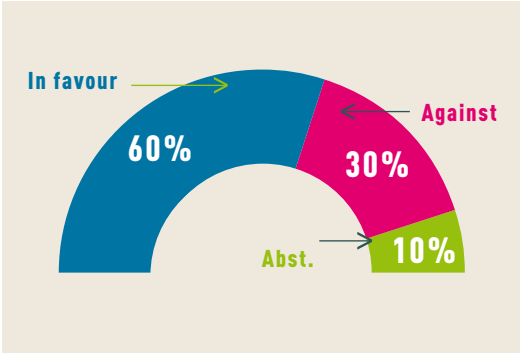
Hearings

Each candidate has then to participate in a hearing before the relevant committee of the European Parliament in which their professional capacity and their independence is carefully assessed.

The hearings of candidates for the **Juncker Commission after the 2014 elections** were especially agitated as some of the candidates were highly controversial. Slovenia's **Alenka Bratušek** was forced to withdraw her candidature, while the Hungarian **Tibor Navracsics** was deemed unfit for several aspects of the role – yet later accepted. Other controversial candidates such as **Lord Hill** from the UK or Spain's **Miguel Arias Cañete** did not see their candidatures affected.

After the hearings and the eventual changes of portfolio, Juncker officially presented his team to the European Parliament, which had to appoint the new College of Commissioners for five years or reject it.

In October 2014, 60% of the European Parliament voted in favour of appointing the whole Commission, which took office on 1 November. The Greens, however, voted against the appointment, arguing that the priorities and the overall political direction of the Commission endangered an environmentally sustainable and socially fair way out of the crisis.



The Greens' Perspective

From the Greens' perspective, in 2014 the appointments of the British candidate, Jonathan Hill, and Spain's Miguel Arias Cañete were very negative for the European Union.

Hill became Commissioner for Financial Stability, Financial Services and Capital Markets Union after working in a PR firm serving the banking industry in the City of London. Meanwhile, Cañete became Commissioner for Climate Action and Energy in spite of serious conflicts of interest (he happens to own shares in oil companies), making sexist remarks, and the fact that he promoted oil interests and hindered the development of renewable energies as Spanish Minister of the Environment.

Neither candidate, however, ran truly independently and both secured votes with the support of the S&D after an agreement over the French socialist candidate Pierre Moscovici, who the EPP did not want in the post.

The Greens were also especially critical with the previous Commission Barroso, as they understood that the Commission has neglected its functions of guardian of the Treaties and has rather developed policies for big business instead of citizens. For this reason, they opposed his second term.

Dismissing the Commission

The European Commission is **accountable** to the European Parliament, and so it relies on the political confidence of the European Parliament. The European Parliament can recall the entire Commission through a **motion of censure**. 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. If the motion passes, the entire Commission is dismissed – or it can choose to resign pre-emptively as happened in 1999 for the Santer Commission. The case is, however, different for the High Representative for Foreign Affairs and Security Policy who would resign from the duties he/she carries out in the Commission, but maintain those of the Council and the EEAS. The European Parliament cannot, however, dismiss an individual commissioner as it is the President of the Commission who must do this.

Individual commissioners may also 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.

3.6 Ensuring the Rule of Law: the Court of Justice of the European Union

Headquarters: **Luxembourg (Luxembourg)**

curia.europa.eu

Who is in it?

The Court of Justice of the European Union consists of three courts: the **Court of Justice**, the **General Court**, and the **Civil Service Tribunal**.

Both the Court of Justice and the General Court are 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 nine Advocates-General.

What is it?

The Court of Justice of the European Union **ensures "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 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.

How does it work?

While the **Civil Service Tribunal** deals specifically with disputes between the European Union and its civil servants, the **Court of Justice** and the **General Court** have a more general scope of action. Although both have their own specific jurisdiction, the General Court deals with the actions against the acts of the European Institutions raised by individuals, and tends to act as court of **first instance**.

The Court of Justice, in contrast, deals with actions involving Member States, actions between different EU institutions and the preliminary rulings, and acts as a **review or appeal court**.

The courts of the Member States may request a **preliminary ruling** from the Court of Justice, asking how EU legislation should be interpreted in a given situation. If questions arise on how EU legislation should be interpreted in a case that is pending before a court or tribunal of last resort, the national court is obliged to refer the matter to the Court of Justice 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 **violation 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 is brought against it.

3.7 Controlling the Eurozone: the European Central Bank

Headquarters: **Frankfurt (Germany)**

President: **Mario Draghi**
ecb.int

The European Central Bank, along with the national central banks of all 28 Member States that collectively detain its capital, is the sole institution with powers over the monetary policy of the countries that have adopted the Euro (19 countries as of 1/1/15). According to its mandate, it is primarily tasked with ensuring price stability in the European Union – i.e. keeping annual inflation below 2%.

The ECB has two main decision-making bodies:

- **The Executive Board, made up of a President, Vice-President and four other members of recognised standing and experience.**

- **The Governing Council, made up 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, and after consultation with the European Parliament and the ECB Governing Council. The members serve for a term of eight years.

The ECB plays a key role in the controversial **"Troika"** of the International Monetary Fund, the ECB and the European Commission that, since the 2008 financial crash, has imposed "adjustment programmes" also known as "austerity policies" on much of Southern Europe (as well as Ireland) in return for crisis bailout loans.

The Greens' Perspective

The Greens believe that the mandate of the European Central Bank is too limited and does not permit it to support the general economic policy objectives of the Union, in particular a high level of employment and balanced economic growth. At the same time, the decision-making process is not under any kind of democratic control, despite affecting the lives of millions of Europeans.

3.8 Technical and Advisory Bodies

Transparency and good governance: the European Ombudsman

Headquarters:
Brussels (Belgium), Strasbourg (France)

Ombudsperson: **Emily O'Reilly**

ombudsman.europa.eu

The European Ombudsman ensures **sound administration** and **transparency** of the activities of the institutions of the European Union. It is, therefore, entitled to receive complaints from European citizens concerning maladministration, after which it can open investigations. The Ombudsman can also open investigations of its own initiative. Its work consists in seeking solutions to the problems referred and, if necessary, of proposing recommendations for the institutions concerned. It is appointed by the European Parliament for the whole term.

Financial "watchdog": the European Court of Auditors

Headquarters:
Luxembourg (Luxembourg)

President: **Vítor Caldeira**
eca.europa.eu

The European Court of Auditors provides an audit of the EU's finances. The starting point for its audit work is the EU's budget and policies, primarily in areas relating to growth and jobs, added value, public finances, the environment and climate action. As the EU's independent external auditor, operating as a collegiate body of 28 members that represent the Member States, the ECA acts as the guardian of the financial interests of EU citizens by making sure that EU funds are correctly accounted for and are raised and spent in accordance with relevant rules. Its members are appointed by the Council after consultation with the European Parliament for a renewable term of six years. The results of the ECA's work are used by the European Commission, Parliament and Council to oversee the management of the EU budget and, where necessary, make improvements.

Social dialogue: the Economic and Social Committee (EESC)

Headquarters:
Brussels (Belgium)

President: **Henri Malosse**
eesc.europa.eu

The Economic and Social Committee is an **advisory body** which is consulted on specific areas of European Union legislation. These refer mainly to fiscal issues, industry and employment-related areas (competitiveness, freedom of movement of workers, consumer rights), and to the use of natural resources (energy, use of land, water, etc.).

The Committee is made up of 353 economic and social representatives. Most of them are either employers or employees' representatives, but there are also representatives of other organised interests, such as consumers associations, women's rights organisations, disabled people's rights organisations, etc. Its members are appointed by the Council on the basis of nominations from the Member States.

Local power: the Committee of the Regions (CoR)

Headquarters:
Brussels (Belgium)

President: **Michel Lebrun**
cor.europa.eu

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, such as economic, social and territorial cohesion and trans-European networks, but also on other more general issues like education and culture, public health or the environment. The 353 members of the Committee are appointed by the Council on the basis of nominations from the Member States and they represent local and regional authorities.

EU Agencies

The EU has established a number of agencies to fulfil certain tasks. These are technical organisations working on specific fields. They tend to be decentralised across the whole EU.

These agencies can be grouped as follows:

- **Community agencies** established by a regulation from the Council, or both the European Parliament and the Council, to fulfil a specific technical, scientific or managerial task. Here are several examples:

EUROPEAN ENVIRONMENTAL AGENCY (EEA)

Headquarters: **Copenhagen (Denmark)**

Executive Director: **Hans Bruyninckx**
eea.europa.eu

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 environmental considerations into economic policy.

EUROPEAN INSTITUTE FOR GENDER EQUALITY (EIGE)

Headquarters: **Vilnius (Lithuania)**

Director: **Virginija Langbakk**
eige.europa.eu

This agency was created as a knowledge centre to strengthen the promotion of gender equality so that it becomes a mainstream element of all EU and national policies. The Institute therefore collects and analyses data on gender equality and disseminates it. It also provides the EU institutions and the national governments with independent information on gender equality.

EUROPEAN FOOD SAFETY AUTHORITY

Headquarters: **Parma (Italy)**

Executive Director: **Bernhard Url**
efsa.europa.eu

The European Food Safety Authority assesses risks regarding food and animal feed safety in the European Union.

- **Agencies for Community Security and Defence Policy** (CSDP) established by the Council using joint actions. The three existing agencies in this area focus on very specific technical tasks within CSDP, such as the European Union Satellite Centre.

- **Agencies for police and judicial cooperation** established by a Council decision or under the Europol Convention between Member States (Europol). There are also three European agencies working against international organised crime.

- **Executive agencies** established for a fixed period of time by the Commission. These agencies are tasked with managing one or more programmes with the European Commission, like the Innovation and Networks Executive Agency, in charge of the Trans-European Transport Network.

3.9 The Institutional Struggle

In sum, the European Union has a complex institutional architecture as a result of a **constant tension** between Member States (who are reluctant to transfer more power to the EU), the European Commission, which pressures for further integration, and European citizens calling for more democracy and transparency in decision-making.

These three pressures have intensified in recent years – as we have seen during the management of the economic crisis. While citizens demand more democracy in the EU, the Member States have moved integration forward in a rather opaque way. Moreover, they tend to shun their political responsibilities for domestic gain, but using a double language that blames EU-level decisions in which they played a part. At the level of the European Parliament, the tendency towards grand coalitions between the EPP, the S&D and the liberals has prevented progress in transparency and securing more democracy. A good example was given by the appointment of Juncker's Commission, which endorsed controversial figures and featured a notable gender imbalance – all justified on the basis of party affiliations and trade-offs.

To survive and prosper going into the future, the EU may have to decide which institutional path it really wants to take – intergovernmental and undemocratic, or supranational and with the public in charge.

4 | HOW DOES IT ALL WORK?
DECISION-MAKING IN THE EU

Decision-making in the EU is often perceived as a struggle between national governments in which the European Parliament has little or no say. But this has changed since the Lisbon Treaty, to the point where, now, in most cases, the European Parliament decides policy on an equal footing with national representatives in the Council. Whether this trend will continue under the Juncker Commission is unclear.

What procedures does the EU use to produce legislation? How do these procedures work? This chapter presents the main features of the legislative system of the European Union and explains its main decision-making processes.

4.1 The Legal System

Principles of Law

Although not specified in the treaties, the European Union's law follows and is inspired by the so-called principles of law. These apply to all EU legislation and guide the decisions of policy-makers, drawing on the judgements of the Court of Justice of the European Union:

- **Fundamental rights** are the cornerstone of all European law and must be at the core of every political decision.
- **Legal certainty:** the rule of law guides decision-making, which means that decisions are made according to clear and public rules.
- **Equality before law:** every person can expect to be treated equally before law.
- **Non-discrimination:** EU activities will aim to prevent discrimination based on sex, ethnic origin, religion or belief, disability, age or sexual orientation.
- **Proportionality:** any action by the Union should not go beyond what is necessary to achieve the objectives of the Treaties.
- **Subsidiarity:** the EU should only produce legislation on an issue if it cannot be solved at the national, regional or local level.

The 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 – applies to national constitutional law, too. Some national constitutional courts, however, argue that this does not apply when EU law conflicts with fundamental principles of national constitutional law.

Primary Law

The **treaties** 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 competences, 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) were incorporated into EU primary law by the Treaty on European Union. The Charter of Fundamental Rights of the European Union is today also part of EU primary law.

The treaties active today, last amended at Lisbon in 2007, are:

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

Secondary law – regulations, directives and decisions

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 Secondary Law are:

1 **REGULATIONS:** 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.

Example: ***2011 Regulation concerning the rights of passengers in bus and coach transport.***

2 DIRECTIVES: legislative acts that require Member States s to achieve a particular result without prescribing a particular way to do this. In contrast to regulations, which apply immediately, 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, and directives regularly include deadlines for their implementation by Member States.

If a directive is not implemented by the deadline, the Commission can open a treaty infringement procedure and even take Member States to the European Court of Justice. In particular, starting from the expiry of the implementation deadline, citizens are entitled to any rights that they are granted by the directive and are able to enforce them even against contravening national law.

Example: ***2012 Directive on energy efficiency.***

3 DECISIONS: aimed at specific target groups, which are referred to specifically or individually in the decision. Decisions frequently attract much public attention.

Example:

> The Commission decision to impose a fine against Microsoft of €497 million for the abuse of their dominant market position.

> The decision of the European Parliament and of the Council to establish a mechanism to monitor greenhouse gas emissions and to implement the Kyoto Protocol.

> The Commission decision to establish harmonised efficiency reference values for separate production of electricity and heat.

4.2 Making Law

For each policy area the treaties establish the different ways of reaching a decision and how the European institutions are involved in the procedure.

Ordinary Legislative Procedure: co-decision between the EP and the Council

In most cases, EU legislation is made using the so-called "ordinary legislative procedure" – formally known as the co-decision procedure – whereby the European Parliament and the Council of the European Union legislate on an equal footing. Both of them can propose modifications to a legislative proposal of the Commission over the course of several readings, and it is not possible to pass legislation without the consent of both institutions.

Commission Proposals

Legislative processes are initiated by a proposal from the Commission. Although it enjoys the sole right of legislative initiative, many of its proposals arise from conclusions drawn at meetings of the European Council. Some also have their origin in European Parliament resolutions, civil society demands, or European Citizens' Initiatives. Prior to launching a proposal, the Commission regularly carries out public consultations.

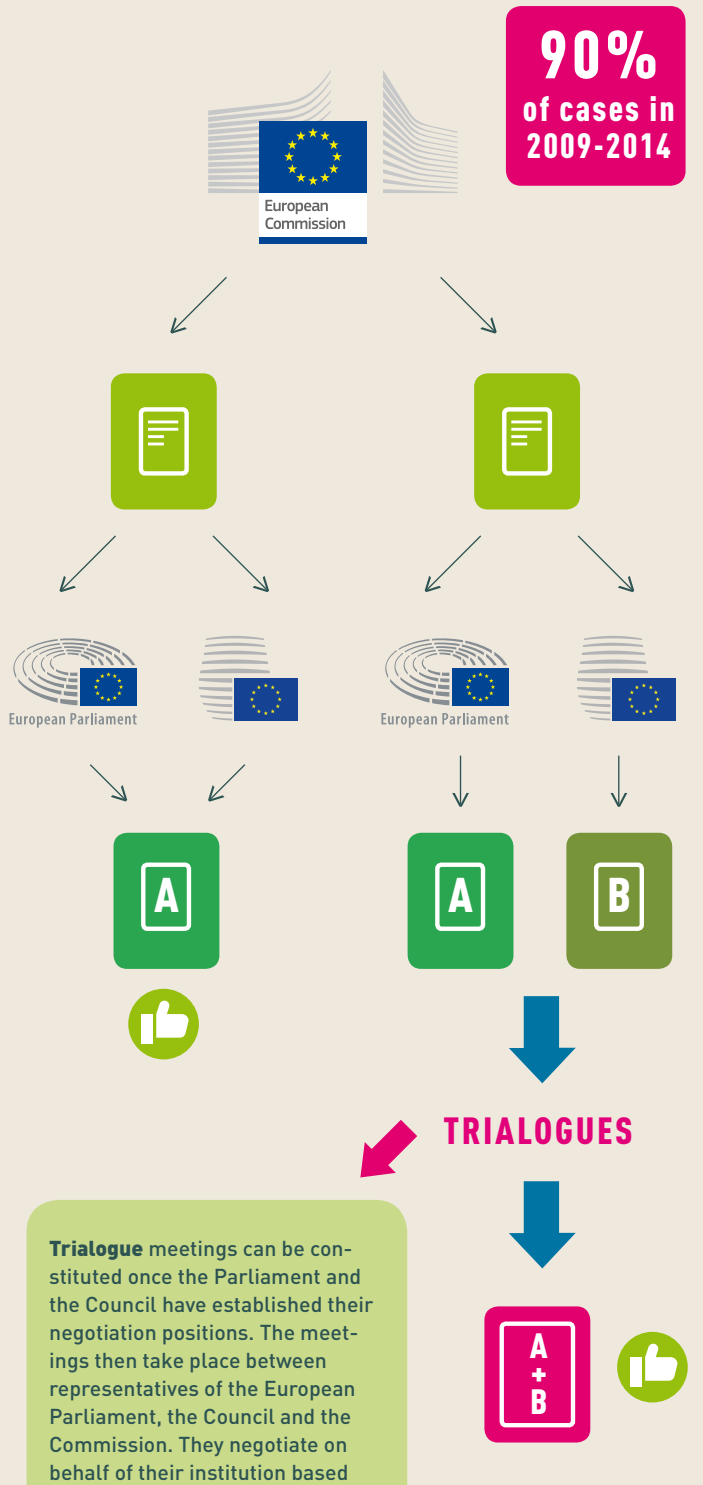
Approving a proposal in the first Reading

A proposal from the Commission is forwarded to the European Parliament, the Council and the national parliaments. The latter may raise an objection to the proposal if they consider there to be an infringement of subsidiarity. 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.

Once the Parliament has received the legislative proposal of the Commission, the text is referred to the responsible parliamentary committee, where an MEP is chosen to be in charge of the file as the so-called rapporteur. Once the rapporteur has achieved a compromise in the committee, he may refer the text to the plenary, or enter directly into informal negotiations with the Council – the so-called trialogues.

If the rapporteur aims at a first-reading agreement, the trialogues are completed before the text is submitted to the plenary so that all MEPs can vote on it.

The advantage of the agreement is its efficiency, its downside the lack of transparency: the negotiations between the committee vote and the vote in plenary are confidential. Nobody can retrace the various parties' positions and their influence on the final outcome.



Trialogue meetings can be constituted once the Parliament and the Council have established their negotiation positions. The meetings then take place between representatives of the European Parliament, the Council and the Commission. They negotiate on behalf of their institution based on mandates using four-column tables with their negotiation positions and a fourth column for the compromise. The intimacy and informality of these sessions help the efficiency of the negotiations. Although first-reading trialogues might go on for a year or more, they still shorten the legislative process compared to second-reading agreements.

Second reading

9,7%
of cases

In the rare case of disagreement during first-reading trialogues, or if the rapporteur chooses to enter trialogues only after a first-reading plenary vote, the text goes to a second reading. At this stage, the act is adopted if the Parliament approves the Council's position or fails to reach a decision within three months. The Parliament may, however, reject the Council's position, which brings the process to an end, or amend it, which refers the proposal back to the Council. In both cases an **absolute majority** of the Parliament is required.

Should all of the Parliament's amendments be approved by the Council, the act is adopted. The Commission examines and gives its position on the amendments. 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.

Conciliation Committee

Should all of the Parliament's amendments be approved by the Council, the act is adopted. The Commission examines and gives its position on the amendments. 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.

Third reading

1,1%
of cases

In some very rare cases, a third reading is necessary. 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 is required in the Parliament.

The early warning mechanism

In areas where the EU does not have exclusive responsibility, national parliaments are expected to scrutinise Commission proposals and to raise objections if they believe that a proposal contravenes the principle of subsidiarity. This takes place through the early warning mechanism, with which national parliaments have the opportunity to make the Commission review or withdraw a proposal.

National parliaments have eight weeks to submit reasoned opinions why they deem the proposal to violate the principle of subsidiarity. Depending on the number of national parliaments deeming a proposal to violate the principle of subsidiarity, the Commission must review its proposal to keep it on the table, amend it or, if not, withdraw it.

Following the extension of the ordinary legislative process and the introduction of informal trialogues, the length of legislative processes has been reduced significantly. For example, the 7th Legislature from 2009 to 2014 approved 89.2% of its ordinary legislation at first reading, while this was the case 72% of the time during the 6th term and only 28% of the time in the 5th legislature.

The remaining 10.8% of the cases in which trialogues did not manage to build up a position acceptable to the three institutions had to go to second or even to a third reading to be approved. It must be noted that after ending the first reading without agreement, trialogue meetings persist during the whole process in an attempt to build a consensual text.

Example: ***There was a lot of political maneuvering during the legislative process on the reform of the Packaging and Packaging Waste Directive, which aimed to reduce the use of lightweight plastic bags. In 2013 the European Commission made amendments to that Directive. The European Parliament, with a Green MEP in charge of the dossier, took the lead and voted for a very ambitious text. After months of blocking the file, the trialogue meetings between the European Parliament, the Commission and the Council put this issue on track again and an agreement was made in November 2014. Although the text has been watered down, it will make obligatory a reduction in plastic carrier bag use of 50% by 2017 and 80% by 2019.***

Special legislative procedures

Special legislative procedures apply to very specific policy areas including, but not limited to, justice and home affairs, and budget, and are characterised by the fact that the Council and the European Parliament do not legislate on an equal footing. There are **two special procedures**:

- **THE CONSENT PROCEDURE**, whereby the Council adopts – often unanimously – legislation based on the Commission's proposal. The Parliament must assent so that it is approved, but cannot amend it. The opinion of the Committee of the Regions and the Economic and Social Committee may be required. This procedure is mostly used for non-legislative acts, such as appointments, but also applies to pluri-annual budgets and to trade agreements (such as the controversial Transatlantic Trade and Investment Partnership).

Example: ***After several years of secret negotiations, the Anti-Counterfeiting Trade Agreement arrived in the European Parliament to be ratified. The treaty raised major concerns because it represented a major threat to democracy and human rights. Intense pressure from European citizens along with the opposition of the Greens, the left and the liberals managed to convince the S&D and the EPP. The European chamber overwhelmingly rejected the treaty in July 2012.***

The European chamber overwhelmingly rejected the treaty in July 2012.

© European Parliament

- **THE CONSULTATION PROCEDURE**, whereby the Council unanimously adopts legal acts on the Commission's proposal. The European Parliament is consulted, as is the Economic and Social Committee and the Committee of the Regions depending on the issue. However, the Council is not bound by any of these positions. This applies to very specific areas in which the EU does not have many competences like social security and social protection, family law, consular protection or passports and national ID cards.

Acting without the Parliament

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, mostly linked to its budgetary powers or to approve association agreements.

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

The open method of coordination (OMC)

The open method of coordination is designated as "soft law" intending to foster the harmonisation of certain policies. It takes place at the Council and it works on the basis of the comparison of Member States. Best practices are highlighted and practices deemed to conflict with the achievement of common goals are criticised. **Peer pressure** encourages the laggards to adopt best practices, while the Commission has a limited role in monitoring them.

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. Although it never takes place as a regulation or directive, it may lead to measures that are binding in different degrees, such as the need to draw national action plans on specific issues.

OMC's Democratic Deficit?

These issues certainly raise questions about the democratic deficit, in terms of having national policies "decided" at the European level and by the Council without the involvement of the European Parliament and the Court of Justice of the European Union. 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 for addressing major challenges in these areas. As an example, areas such as the modernisation of social protection, social inclusion, pensions, healthcare, environment, innovation and immigration have fallen to this method of decision-making.

For the majority of Greens, the OMC is a way of pursuing an intergovernmental, instead of a more democratic, process of decision-making."

4.3 How to Change a Treaty

The treaties foresee an ordinary and a simplified procedure for treaty revisions. Both procedures start with a proposal from either a Member State, the European Parliament or the Commission, submitted to the European Council.

The **simplified revision** procedure only applies when amending provisions regarding Policies and Internal actions (Part Three of the Treaty on the Functioning of the European Union). After consulting the European Parliament and the Commission and – and in cases concerning institutional monetary changes also the European Central Bank – the European Council may unanimously adopt the proposal. This decision 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 made using the **ordinary revision** procedure. After consulting the Parliament and the Commission the European Council decides by simple majority to examine the proposal. The President of the European Council may then convene a convention of representatives of the national Parliaments and the European Parliament, the Heads of State or Government of the Member States, and the Commission (as well as the Central Bank in cases involving changes to monetary issues). 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 amend the Treaties "by common accord". These amendments enter into force after being ratified by the Member States according to their constitutional rules.

Bridging Clauses

Bridging clauses, or so-called "passerelles", are a much more simplified way of changing certain provisions in the Treaties. Through these 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 the national parliaments that may oppose these decisions have to be notified of them. If the European Council is notified of such opposition within six months the "bridging" decision is not adopted. If no national parliament opposes these decisions, the European Council adopts its decision by unanimous vote after gaining the consent of the European Parliament.

The Greens' Perspective on treaty revisions

The European Greens have long advocated for a treaty revision procedure involving civil society and a Europe-wide debate. A truly democratic and transparent revision of the treaties should bring more powers to the European Parliament, while reducing the areas where Member States have veto power. It should also tackle the democratic deficit of EU decision-making. Instruments like an EU-wide referendum could enhance policy-making procedures and bring strategic decisions closer to the citizens.

4.4 How the EU Sets its Budget

The European Union budget is set annually on the basis of multiannual financial frameworks, and in line with the strategic political orientations outlined by the European Council. In contrast to national budgets that make up on average 49% of Gross National Income, the European Union budget only accounts for 1% of European income, and it is expected to be balanced every year – meaning no deficits are allowed.

Thinking Long-Term

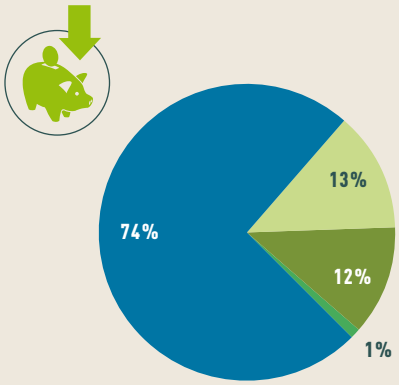
The multiannual financial framework is a regulation on the main budgetary priorities for the next few years. It is adopted by the Council after obtaining the consent of the Parliament. The current financial framework covers 2014-2020 and encompasses a total of €958.9 billion for that period, ranging from the smallest budget of €134 billion in 2014 to the largest, €140 billion in 2020.

The Annual Budget

EU REVENUE

The EU's 2014 revenue was €135.5 billion, three quarters of which (€99.7 billion) came from national contributions based on their Gross National Income (GNI). In addition, the EU's income was bolstered by small levies based on VAT collection in Member States (€17.8 billion), as well as custom duties, and sugar levies (€16.3 billion).

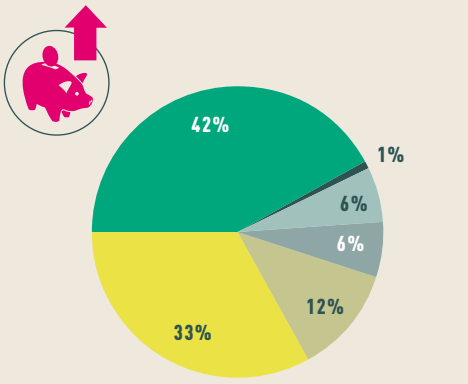
The EU is not entitled to make loans or to accumulate debts – meaning this revenue must cover all its costs.



EU EXPENDITURE

The EU's 2014 budget involved €135.5 billion in payments and €142.6 billion in commitments. The EU is therefore able to commit to more than it will actually pay during the current year (partly because contracts and tenders generally last longer than a year).

The majority of the 2014 budget commitments fit into two main categories: **economic, social and territorial cohesion; and "Sustainable Growth", of which the Common Agricultural Policy is part (40.5% of the total EU budget in 2014)**. These account for €47.5bn and €59.3bn, respectively. The budget for administration is €8.4 billion, while "Global Europe" accounts for €8.3 billion.



The EU's budget **procedure is similar** to the ordinary legislative procedure, which is simpler and has shorter deadlines. Again, the idea behind it is that both institutions must agree on the EU's budget. It starts with a draft from the Commission which is then sent to the Council and to the European Parliament. If there are differences between the texts approved at both institutions, a Conciliation Committee is convened and is expected to produce a compromise text. This text must be adopted by at least one of the two institutions to be approved.

A Social Europe? The EU Funds

A significant amount of the European budget is devoted to **Structural Funds**. These funds invest in the real economy and aim to reduce imbalances among Member States. They fund projects proposed and co-funded by Member States. Depending on the type of project and the economic performance of the Member State, the EU participates economically to a greater or lesser extent in the project. Non-EU European States may also participate in these projects.

The following three funds have long been a big success story for the European Union:

- **EUROPEAN REGIONAL AND DEVELOPMENT FUND** (ERDF). It accounts for €140 billion of the 2014-2020 budget period and intends to reduce regional imbalances and promote cross-border relations. It focuses on four top priority areas: Innovation and Research, Digital Agenda, Support to SMEs and Low-Carbon Economy.

- **EUROPEAN SOCIAL FUND (ESF).** It accounts for €80 billion to promote labour mobility, training and lifelong learning, social inclusion and youth employment during the 2014-2020 period.

- **COHESION FUND.** Its €63.4 billion budget goes to environmental and infrastructure projects in the 15 Member States with a GNI per capita below 90% of the EU average.

Trans-European success stories

- **A CROSS-BORDER HOSPITAL IN CERDANYA** has since 2008 provided healthcare to citizens from both the Spanish and French sides of the Pyrenees. Besides providing services to remote mountainous areas, it facilitates the reunion of the two sides of the border, which were traditionally very close.
- The **TICKET TO KYOTO (T2K)** project brings together the public transport companies of Bielefeld (Germany), Brussels (Belgium), Manchester (United Kingdom), Paris (France) and South-Holland (Netherlands) to reach common solutions to promote energy efficiency in transport and, in doing so, reduce CO_2 emissions.
- The **OLDER PEOPLE FOR OLDER PEOPLE (040)** project in remote Northern peripheral regions (Greenland, Iceland, Scotland, Norway, Northern Ireland, Sweden and Finland) has managed to involve the elderly in the search for solutions to daily problems older people face. The aim of the project was to allow them to regain independence through collaborative schemes.
- **HARMONISED DEVELOPMENT OF THE CROSS-BORDER REGION** between Slovakia and Austria aims at strengthening cross-border links, while harmonising development on both sides of the border. This programme also seeks to reduce the negative impact of the very rapid growth of the Bratislava-Vienna region, such as the pressure on rural areas to become sub-urban ones.

A Green Perspective

The Greens advocate a larger EU budget to tackle the challenges of the European Union. In this regard, the introduction of carbon and financial transaction taxes could serve to provide the Union with its own resources, and would contribute a great deal to the financing of the Union whilst reducing the need for contributions from the Member States. Financing the Union could thus become more transparent and more ecological, while at the same time contributing to the regulation of the financial markets.

On the expenditure side, Greens fight for a reallocation of spending in the budget, shifting away from environmentally harmful expenditures to those favouring a real transition to a low-carbon society and green jobs. This shift would involve reducing the subsidisation of agricultural exports, airports and highways, while investing in, for example, a sustainable fisheries policy, innovative transport policy and the modernisation of building insulation.

The Greens also call for a different way to set budgets, with more transparency and more involvement of citizens through, for instance, being able to choose pilot projects to be approved by the Budget Committee of the European Parliament.

4.5 Economic and Monetary Union

The goal of a common economic and monetary union was achieved in three stages:

1 The **unrestricted movement of capital** between the Member States and increased cooperation among the central banks.

2 **Strengthened cooperation** between central banks and the **coordination of monetary policy.**

3 Permanently fixing the **exchange rates** of the participating Member States.

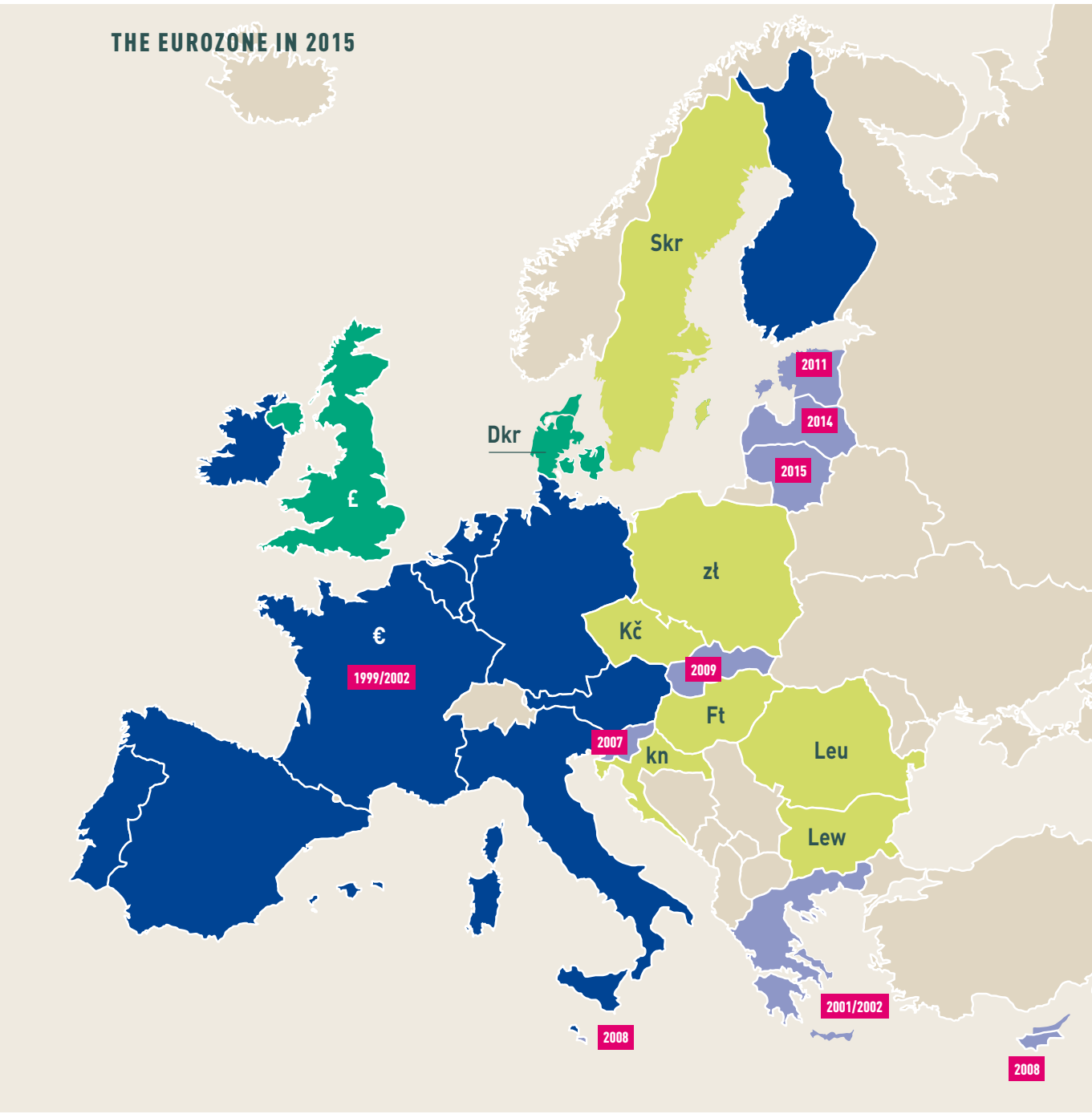
The European Central Bank and the national central banks of all Member States (including non-Euro Member States) cooperate within the European System of Central Banks on matters pertaining to monetary policy within the EU.

Adopting the euro

As a prerequisite for adopting the euro, the Maastricht Treaty set the following criteria to be met before adopting the single currency:

- **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. on government bonds) must be no more than 2% higher than the average of the interest rates of the three best performing Member States.

The countries in blue have adopted the euro (as of 1 January 2015). The rest of the EU Member States are obliged to adopt the euro once they meet the criteria, except for the United Kingdom and Denmark, which have the right to decide otherwise. The case of Sweden is controversial because it is expected to join the Euro, but the Swedish opposed it in a referendum.



Economic governance

The Stability and Growth Pact regulates the main macroeconomic objectives and establishes the procedure for monitoring the budget deficits and national debt of the Eurozone Member States within the frame of the Maastricht criteria.

On this basis, the budgetary policies of the Member States are under constant review by the Commission, to the point of being able to impose substantial fines on Member States for violating the criteria.

These criteria on macro-economic stability did not prevent or even foresee the economic and financial crisis. They have also been unsuccessful in stopping speculation over sovereign debt. In this context, the so-called "six-pack" legislation entered into force in December 2011, toughening 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. The six-pack also dictates that the Commission's recommendations will be automatically adopted unless a majority of Eurozone Member States votes against them. The rules contained in the "six-pack" were elevated to treaty status through an intergovernmental agreement, with the so-called European Fiscal Compact coming into force on January 1st 2013.

The "two-pack", consisting of two other regulations, was also approved in 2013 to reinforce the role of the European Commission and the Council in the surveillance of excessive deficits or debt – for instance, obliging all Eurozone Member States to present their national budget draft to the Commission before presenting it to their own national parliament.

The Greens' Perspective

The European Greens are convinced that the recent changes in the economic governance of the EU and the Eurozone present a three-fold danger that is economic, democratic and institutional.

- Rather than solving the economic and financial crisis, they help austerity measures, amplify the downturn in the economic cycle and increase economic inequality. At the same time, they impose a very narrow and ideologically-biased vision of the economy that ignores people's welfare.
- The mechanism of monitoring Member States' "imbalances" undermines democracy, as the Council and the European Commission examine countries' budgets before national parliaments even have the chance to receive a draft.
- Finally, the intergovernmental fiscal compact was decided outside of the EU treaties, while obliging the Commission to monitor it. This created a dangerous precedent, inviting Member States to snatch more policy fields back from EU competency. Moreover, the current economic governance seriously threatens the European project by imposing divisions between creditors and borrowers.

Greens support **greater solidarity** among Member States to strengthen the European economy as a whole. Rather than a zero-sum game, Europe needs a **win-win strategy**. Sustainable budget policy is, of course, needed for a healthy economic and monetary union, but so is reducing unemployment and maintaining people's welfare. Macroeconomic objectives focused exclusively on reducing debt and deficits endanger the welfare of millions of Europeans, and even European integration itself.

4.6 The EU in the World – Foreign Policy

Foreign affairs is still one of the policy areas in which the European Union has little say. Because of its direct link to national sovereignty, Member States have historically been reluctant to build a unified and coherent Foreign Affairs and Security Policy. However, in the recent years some steps forward have been made, but it remains on the whole a highly intergovernmental domain, in which the Council decides on a unanimous basis and the European Parliament has little or no involvement.

External Representation of the EU

Although the Lisbon Treaty has brought some clarity to the external representation of the European Union, Kissinger's question – "who do I call if I want to call to Europe?" – still has an unclear answer.

The treaties have divided the powers of external representation of the European Union among the European Commission, the High Representative for Foreign Affairs and Security Policy and the President of the European Council, with each typically overseeing a different sphere of activity.

In this regard, the European Commission is most likely ito represent the European Union internationally when it comes to the EU's exclusive competences, such as the customs union or trade, while issues like security or defence are generally dealt with by the President of the European Council.

The High Representative

Since November 2014, Federica Mogherini has been the High Representative for Foreign Affairs and Security Policy. At the same time she is the Commissioner for External Relations and Vice-President of the Commission, and presides over the Council of Foreign Affairs. She is said to be wearing a "double hat" because of her combination of offices – one in the Commission and the other in the Council. The High Representative also represents the Union in common foreign and security matters, conducts the political dialogue with countries, organisations and institutions outside the Union, and represents the EU in international organisations and conferences.

The High Representative is appointed by the European Council with qualified majority and may be removed from office the same way. At the same time, as a member and Vice-President of the Commission, the High Representative must present herself in a hearing to the Parliament before the Parliament's vote on a 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.

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

The European External Action Service (EEAS)

The External Action Service assists the High Representative. The staff of the service is mainly composed of former officials from the Council and the Commission and of personnel from the national diplomatic services.

The External Action Service maintains diplomatic relations on behalf of the European Union to nearly all countries, in some ways acting as the 'embassy' of the EU. At present the network of the EEAS is composed of 140 delegations representing the Union and keeps the EU informed of political developments in all parts of the world.

4.7 A Balance in Danger?

The decision-making process in the EU is necessarily shaped by the existing balance between the main EU institutions, which represent the EU citizens, the EU Member States and the EU itself. Most of the decisions taken in the EU therefore tend to represent a consensual agreement between all three positions. However, the management of the economic and financial crisis challenges this historical balance as it has precipitated a sudden increase in the power of the Commission and the Member States with a simultaneous reduction of political accountability. The impact of this across Europe is still developing.

Confusing, boring, technocratic, undemocratic or even corrupt... This is how the European Union is often described and viewed nowadays. Yet many decisions, which have a real impact on the everyday lives of 500 million Europeans, are being taken at the European level. But does the EU really deserve all the bad press? What is really going on behind the scenes in Brussels?

Europe is certainly at a crossroads: after years of lacking a clear political leadership and economic stagnation (or even recession), citizens are demanding deep changes and more and better democracy, also at the EU level. People who want to be politically active at the European level or to get a better idea of European affairs need a way to access relevant and clear information about the EU, its institutions, processes and decisions. 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, retracing the big moments of its history, illustrating its practical functioning, and highlighting the opportunities for citizens to shape the EU's political agenda. This fully revised and updated version of a previous GEF publication "Manual for Europe", emphasises the Greens' alternative proposals and actions at the European level to shake up the EU by making it more transparent, democratic and bringing it closer to all Europeans.

Read, debate, engage!

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