EU DECISION-MAKING
A BRIEF INTRODUCTION

Dr Carine S. Germond
Associate Professor of European Studies
Norwegian University of Science and Technology (NTNU), Trondheim
carine.germond@ntnu.no

ESOF 2016
Marie Skłodowska-Curie Actions Satellite Event "Research and Society"
28-29 July 2016, Manchester
EU decision making at a glance...
Presentation outline

• Brief introduction

• EU decision-making made easy: a short overview

• Get involved: why, how, where?
What is the EU?

- A pan-European Union (7 enlargement rounds since 1973 + new applicants)
- 28 member states (well, soon only 27...)
- C. 508 mio. Inhabitants (2015)
- A large single market, 4 freedoms (persons, goods, capital, services)
A complex political entity

- Less than a state and less than a federation (unlike the United States)
- But more than an intergovernmental international organisation (IO) (unlike the UN or the OECD)

- Unique (sui generis?) character and structure:
  - Member States remain independent sovereign nations
  - They delegate some of their decision-making powers to shared institutions dealing with specific matters of joint interest
EU treaties: basis for democratic cooperation built on law
Of laws, bananas and cucumbers...

• « The European Union has a reputation for making rulings on the minutiae of everyday life that some consider to be petty, provocative and absolutely pointless” - The Telegraph, 21-11-2011

• The EU is
  • A new international legal order (MS + nationals)
  • A provider of norms and standards (Single Market)

• Direct effect of EC legislation (acquis communautaire) for the citizens, and supremacy of EC/EU law in relation to national law,
The EU’s institutional framework

2-tiers system:
Council of Ministers  European Parliament
Representing the interests of Member States  European Citizens

EU Legislator

EU Judiciary ↔ EU Executive

ECJ & national courts  European Commission
« EU institutional Triangle »
Drafting, deciding and implementing EU law

- Citizens, interest groups, experts
  - Discuss, consult

- Commission
  - Drafts legislation, makes formal proposal

- EP and Council of Ministers
  - Decide jointly

- National or Local authorities
  - Implement

- Commission and ECJ
  - Monitor implementation
The policy cycle: the policy and decision-making process

1. Agenda-setting
2. Policy formulation
3. Decision-making
4. Policy implementation
5. Monitoring and evaluation
EU legal acts

• **Regulation**: general application, directly applicable in Member States

• **Directive**: general application, binding framework for implementation in national legislation

• **Decision**: directly binding upon those addressed

• **Recommendation, opinion**: no binding force
Art 48: Ordinary revision procedure (e.g. IGC) & simplified revision procedure (« treaty change light »)

Ordinary legislative procedure (OLP, « co-decision, art. 294) & special legislative procedures

Commitology

Agreement between institutions/MS decision-making and consultation
The Ordinary Legislative Procedure (OLP or « co-decision »)

• The most common decision-making procedure

• The Commission sends proposal to EP and the CoM for joint decision-making

• Two readings of the proposal by EP and the CoM

• If EP and Council don’t agree, proposal is brought before Conciliation Committee (equal number of representatives of EP and Council); Commission contributes to the discussion

• If Committee reaches agreement, text is sent to EP and Council for a third reading and final adoption

• In case of disagreement the proposal is rejected
Get involved!

• How?
  • Think of an interest, an issue then you will find a representative promoting it in Brussels... OR
  • Get organized and become a stakeholder!
  • Lobby, lobby, lobby...
  • Target the right EU institutions and services (e.g. COM’s DG Research and Innovation, EP’s Culture and Education Standing Committee)

1. Prepare your case
   • Get informed
   • Select main issues
   • Prepare your arguments

2. Map out the « battleground »
   • Define priority targets
   • Tactics (inside/outside)

3. Defend your interests
   • Factors of influence
   • Use lobbying vehicles and channels

4. Influence
Get involved!

• Why?
  • Increasing % legislation from Brussels
  • Virtually no policy area which is not directly or indirectly affected by decisions taken collectively in Brussels
  • Importance of shaping budgetary priorities (EU research programmes) and European research landscape
  • Have greater say on main orientations of Europ. research policy
  • European Commission, Parliament and Council depend on external advice/expertise => easy access!
Get involved!

• Where?
  • Brussels/Rond Point Schuman
QUESTIONS?