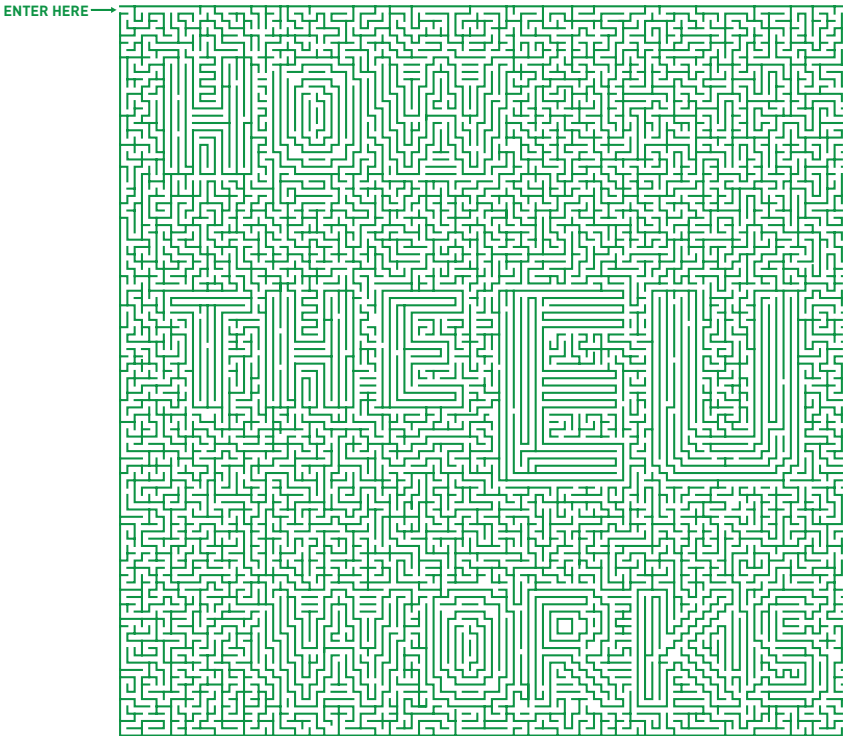


ACTIVIST GUIDE TO THE BRUSSELS MAZE 3.0



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Graphs based on images from "iLobby – Survival guide to the EU"
by Caroline De Cock

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European Cultural
Foundation

The purpose of this booklet is to provide activists with an insight into where EU legislative and non-legislative Proposals come from, and what can be achieved at each stage of the legislative process. As the lifecycle of any EU Proposal of any description is very long, it is important to know where to target any activity at any given moment. Each institution is very powerful and influential at certain moments and very much a spectator at other moments. We hope that this guide will help serve as a map of the Brussels maze.

EUROPEAN DIGITAL RIGHTS

WHO IS EDRI?

Founded in 2002, European Digital Rights (EDRI) is the biggest European network defending rights and freedoms online.

Currently 42 non-governmental organisations are members of EDRI and 30 observers closely contribute to our work.

WHAT DOES EDRI DO?

Our mission is to promote, protect and uphold human rights and the rule of law in the digital environment, including the right to privacy, data protection, freedom of expression and information.

Our vision is for a Europe where State authorities and private companies respect everyone's fundamental rights and freedoms in the online environment. Our overall aim is to build the structures where civil society and individuals are empowered to embrace technological progress in control of their rights.

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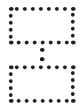
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EUROPEAN COMMISSION AND CONSULTATIVE BODIES

European Commission

The European Commission consists of the President and [27 Commissioners](#) (including the EU High Representative, executive Vice Presidents and Vice Presidents), nominated by the 27 Member States and approved by the European Parliament. Each Commissioner is responsible for a portfolio, and they are responsible for Directorates General (DGs), which help them to develop the policy for their portfolio.

The new Commission, taking office in December 2019, has divided the work of the Commissioners (their “portfolios”) differently from the last Commission under President Jean-Claude Juncker. Over-arching responsibilities are shared between the current President (Ursula von der Leyen) and the three executive Vice-Presidents (Frans Timmermans, Margrethe Vestager and Valdis Dombrovskis) in addition to five Vice-Presidents. A guide to the responsibilities of the new Commission is available at: https://ec.europa.eu/commission/commissioners/sites/comm-cwt2019/files/team_attachments/globe-college-protocol-2019-2024_en.pdf

Each Commissioner has a Cabinet, or private office staff. As all of the Commission’s decisions are taken collectively, each Commissioner’s Cabinet must monitor all the Commission’s activity - although it will take time for the nature of collective responsibility in the new structure to become clear. In addition, the Cabinet members divide up the policy files of the Directorate General (DG) for which their Commissioner is responsible. It is often more productive to discuss the details of a particular policy file with a Cabinet member rather than with the Commissioner, as they are the day-to-day bridge between the Commission

“It is often more productive to discuss the details of a particular policy file with a cabinet member...”

services and the Commissioner. However, they are exceptionally busy and therefore meetings should only be requested when needed and when you can provide detailed and specific expertise.

The fascinating thing to note about the Commission is that each Directorate General has its own corporate identity - often closely reflecting the personality of the Commissioner responsible. So, few if any accurate generalisations can be made about the "attitude of the Commission" on any policy file. The Commission is simultaneously open and closed, transparent and secretive.

Consultative bodies of the EU

The Economic and Social Committee represents civil society, employers and workers.

The Committee of the Regions is meant to represent regional and local authorities. It rarely works on digital issues, except on network rollout.

EUROPEAN PARLIAMENT

The European Parliament is the only directly elected European institution. The representation is "weighted" in a way that gives smaller Member States proportionately more votes than the larger ones. As of December 2019, there are a total of 747 Members of the European Parliament (MEPs).

MEPs organise themselves into political groups based on political persuasion rather than country. These are:

Name	Abbr	No of MEPs	% of MEPs	Member States represented	Political orientation
European People's Party	EPP	182	24.3	26	Centre-right
Socialists and Democrats	S&D	153	20.4	26	Centre-left
Renew Europe	Renew	108	14.4	22	Centre-right
Greens / European Free Alliance	Greens/EFA	74	9.9	16	Diverse, generally left-wing
Identity and Democracy	ID	73	9.8	9	Far-right
European Conservatives and Reformists	ECR	62	8.3	16	Right-wing
European United Left / Nordic Green Left	GUE/NGL	41	5.5	14	Left-wing
Non-attached members	NI	54	7.2	7	

[These figures are correct at time of writing (November 2019) but are subject to fluctuation. Please refer to the European Parliament's website for the most up-to-date information.]

Committees

Parliamentary work is undertaken by 22 Committees (and two sub-Committees). Broadly speaking, each Committee's membership corresponds to the size of each political group and to the proportion of MEPs from each Member State.

MEPs are organised by political group in each Committee. Each political group appoints a Coordinator, who is basically a "leader" for the delegation in that particular Committee.

Committee secretariat

Each Committee is supported by a non-political secretariat, whose staff are often impressively expert on the subject matter of the Committee in question, providing very high-level support for MEPs. Activists can have very productive cooperation with these staff members, but the non-political nature of their role must be respected and in no communication with Committee staff members should you either ask for, or be liable to be misunderstood as asking for, political interference or bias.

Political group secretariat

Each political group also has its own staff that support the work of MEPs from that political group in the Committee. These staff are also frequently very expert on the policies covered by their Committee. They are also closely involved in negotiations on individual proposals and are therefore very significant in the political process. They often welcome input from activists, particularly from those who are knowledgeable and who have demonstrated trustworthiness and willingness to be involved.

Assistants

Each MEP has one or more assistants. There are as many MEPs in the Parliament as there are types of assistant – their role depends very much on the personality of the MEP. They have become increasingly important in recent years, often playing a role of equal importance to that of their MEP on some legislative policy files. Only ongoing contact with an MEP will allow insight into the role of an assistant.

Management of Proposals

In a national parliament a minister is responsible for guiding each Proposal through the legislative process. In the European Parliament any individual MEP can be given responsibility for a Proposal. The MEP responsible for a particular Proposal is known by the French word "Rapporteur". All of the other political groups nominate an MEP to follow the proposal for their group and these are known as Shadow Rapporteurs.

Information is power.... and hard to find

Unfortunately, each political group organises its own website, so identifying the staff members or Coordinators for each political group involves trawling through each political group's website individually. The political groups also like to fundamentally redesign their websites very often, so providing links to the current locations of this information is of limited value.

There is no detailed public directory of Parliament secretariats working on any policy file and no directory of which political group staff are working on any given policy file. Activists can rely on organisations such as EDRI in order to find such information. For example, EDRI maintains a database of priority policy files including all of the above information, which is available to its members and groups with which we cooperate.

THE COUNCIL OF THE EUROPEAN UNION

What's the Council?

The Council of the European Union, also known as the EU Council, or just "the Council", is made up of the Member States. Each Member State has a Permanent Representation to the EU in Brussels. The "Perm Reps" (as they are known in Brussels jargon) are staffed with ministry officials that do most of the hard work on negotiations, under instruction from their home ministries.

At the top of the hierarchy of the Perm Reps are the Permanent Representatives, who can negotiate on behalf of ministers (in a forum known as Coreper II) and their deputies, who oversee mainly technical issues (Coreper I). Obviously, as the range of issues that Coreper covers is wide, the Permanent Representatives must rely heavily on the relevant ministry in their home country when working on any particular policy file. However, as happened in the Software Patents Directive, political directions and manoeuvres which Coreper undertakes can be decisive. Coreper is chaired by the representative of the Member State which currently holds the six-month rotating EU Council presidency.

While the Council itself is still very closed and secretive, the Perm Reps themselves have undergone something of a revolution in transparency over the past few years. Most Perm Rep staff from most Member States are very interested in receiving input from interest groups. Unfortunately, it often takes a bit of:

- detective work to find out who is responsible for the policy file you are working on and
- time in order to build up enough trust to work effectively with the official in question.

While the Perm Reps are becoming more transparent individually, the Council itself has failed miserably to keep pace. There is little public information about which working groups are responsible for which policy files, what was discussed in working groups, public access to working group meetings, details regarding which Member States take which positions, timetables, negotiating drafts, etc.

Council Presidency

The Presidency of the Council is rotated every six months between the EU Member States. At any given moment, there are three Member States with a role in the Presidency – the incoming Presidency, the outgoing Presidency and the Presidency-in-office.

Presidency politics

Presidencies believe that the whole world is looking at them and that adopted texts are proof of a good presidency. As a result, Presidencies frequently vote in favour of whatever will lead to an agreement – even if this is contrary to their own country's best interests. This is particularly - but not exclusively - the case for presidencies from the smaller Member States. Larger Member States can, although this is comparatively rare, exploit their position as President - as happened under the French Presidency in the 2008/2009 telecoms package and the UK Presidency, which pushed through the now invalidated Data Retention Directive.

What does the Council do, and when?

If the policy file is considered urgent, the Council will work in parallel with the Parliament and negotiate compromises ahead of the Parliament's First Reading. While this so-called First Reading Agreement (see below) weakens the Parliament's negotiating position, the Parliament has an odd and inexplicable habit of consenting to it. As a result, the speed and timing of the Council's activities changes on a case-by-case basis.

Key Online Resources

MEP Directory

<https://www.europarl.europa.eu/meps/en/home>

Political Group Directory

<http://europarl.europa.eu/about-parliament/en/organisation-and-rules/organisation/political-groups>

Political Group Directory

<http://europarl.europa.eu/committees/en/work-in-progress.html>

Legislative Train Schedule

<http://europarl.europa.eu/legislative-train/>

European Parliament Video Broadcasts

<https://multimedia.europarl.europa.eu/en/home>

THE PROPOSAL

FIND YOUR WAY THROUGH THE MAZE



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Where do Proposals come from?

While virtually all Proposals originate in the Commission, the reason behind any particular Proposal varies a lot. For example:

- Sometimes the EU sees that the USA is responding to a particular development and feels the need to follow a similar route for competitive reasons (the E-Commerce Directive is an example of this, reacting to the USA Digital Millennium Copyright Act (DMCA));
- Sometimes legislation is necessary to implement an international agreement signed by the EU, as happened with the Copyright in the Information Society Directive, proposed to implement the WIPO Copyright Treaty;
- Sometimes (although this is only available to larger members) Member States that hold the Presidency of the Council (ab)use their position to push through legislation, as happened with the UK Council Presidency and the Data Retention Directive;
- Sometimes large industries devote large lobbying resources to “selling” a Directive to the EU, as happened with the Term Extension Directive;
- Sometimes the Commission becomes aware of divergences in approach between Member States in an area that is under the EU’s competence and proposes legislation to resolve this. The e-Privacy Directive is an example of this.

01

Launch of the Proposal

02

First Reading in the EP

03

First Reading in the Council & Commission

04

Second Reading in the EP

05

Second Reading in the Council

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Conciliation

01 LAUNCH OF THE PROPOSAL, THE “ORDINARY LEGISLATIVE PROCEDURE”

The Commission

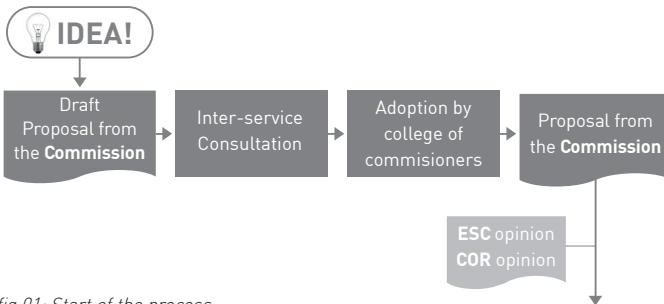


fig 01: Start of the process

step
01

The first steps of the journey

Once an issue has been identified as possibly needing legislation, it is added to the annual work programme. The Directorate General responsible will then publish a document, which will be - depending on the level of advancement of its thinking at that stage - a Green Paper, a White Paper or, most advanced, a Communication.

At this stage in the process, activists and activist groups can respond to the consultation documents. While it is easy to be cynical, it is really valuable to respond to consultations. If the Commission's thinking is positive, it needs support, if it is not positive, it needs to be prevented from being able to say that nobody opposed its approach.

Groups that have sufficient resources - individually or through associations such as EDRI - can very valuably maintain personal contact with the relevant officials in the Commission, and provide input from our perspective on an ongoing basis. Again, this can be more or less effective, depending on the good will of the Commission. The “collegial”

nature of the Commission should always be remembered – it is a collection of often competing parts and not a single unit. Proposal are rarely supported by every part of the Commission, so there are always allies to oppose or support a particular measure; it is just a question of finding them.

Commission approval process

When the responsible Directorate General has adopted a Proposal, it is sent to the rest of the Commission, with a deadline of three weeks for a process called Inter-service Consultation. No proposed Commission Proposal can be approved unless it is supported by all parts of the Commission. This is therefore a key moment – although Commissioners must always take care that their opposition to a particular measure will not lead to opposition to any legislation that they have in the pipeline.

Final steps

Finally, a draft Directive or Regulation will be proposed, together with an Impact Assessment. The Impact Assessment is meant to be a careful weighing of the different options available, in order to produce better legislation. In reality, by the time the Impact Assessment is written, a political decision has normally already been taken. Therefore, decisions that are more political than fact-based have Impact Assessments which use very tortured logic and provide very interesting clues regarding where the Commission sees its own weaknesses. For example, the Impact Assessment on the Terrorist Content Online Regulation gave little evidence of the need to regulate terrorist content online.

step
01

**“While it is easy to
be cynical, it is really
valuable to respond to
consultations”**

02 FIRST READING IN THE EUROPEAN PARLIAMENT

Receipt of the Proposal by the European Parliament and EU Council

Once a legislative procedure has been proposed by the European Commission, it is communicated to the European Parliament and the Council.

step
02

European Parliament

Council

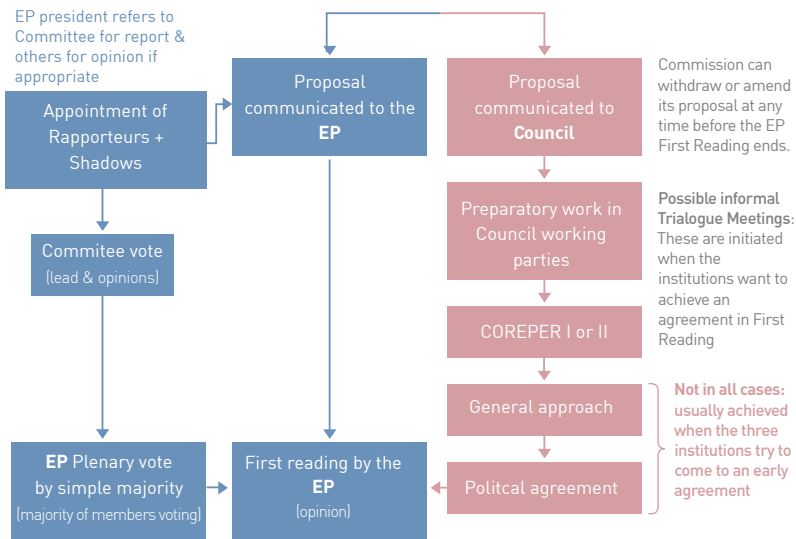


fig 02: Receipt of the Proposal by the European Parliament and Council

As most policy files touch more than one policy area (a Directive may have an industry element, a cultural element and a civil liberties aspect, for example), it is normal for more than one Committee to work on a Proposal. Therefore, the first decision to be made is which Committee will be in charge (the Lead Committee) and which Committees will provide Opinions. With an Opinion, a Committee provides expertise related – in theory at least – to their area of competence.

Procedure in Committee

Appointing the MEP in charge

The next step is for the Lead and the Opinion Committees to decide on which MEP will be in charge of the policy file (the Rapporteur). If an MEP has worked previously on a subject, they are normally the automatic choice, unless they seriously mismanaged a policy file (also known as a dossier) in the past. The decision is made by the Coordinators of the political groups. Once the Rapporteur has been chosen, each of the other political groups needs to appoint an MEP that will follow the policy file on behalf of their political group (the Shadow Rapporteur).

Debates

There are then discussions on the policy file in Committee meetings, where the Commission, and sometimes also the Council, present their views. At this stage the Commission is often very active behind the scenes in the Parliament, seeking to gain support for its approach. This process can take quite a long time, as there is no time limit for the Parliament to complete its First Reading.

Draft Report/Opinion(s) and amendments

The procedure is identical in each Committee regardless of whether it is the Lead Committee or an Opinion Committee.

The Rapporteur produces a Draft Report, indicating the amendments that they would like to propose to the Commission's text. A deadline for amendments is then set and MEPs (oddly enough, any MEP, even those not on the Committee and who have not been following the policy file at all!) have an opportunity to table their own amendments. These can be accompanied by a short "justification" to explain the logic behind the proposed change. A few key points to remember for activists at this stage are:

- To think strategically about which MEPs from which political groups would be best to table their particular amendment (obviously the Rapporteur and Shadows are most influential);

- To think about how to gather support from MEPs from other political groups, the Rapporteur and Shadow Rapporteurs in particular;
- To ensure that MEPs, assistants and advisers fully understand the essence of why the amendment is needed, so that this can be maintained during negotiations.

Compromise amendments

The next stage in the process is the most undemocratic. Based on the very laudable EU approach (in all institutions) to seek compromise and consensus, the various political groups seek to adopt compromise amendments on key points. Compromise amendments try to represent the consensus on a given point, based on the amendments that were tabled.

However, the process is problematic for two main reasons – firstly, large lobbies have the capacity to persuade large numbers of MEPs to table “their” amendments, creating a false sense of consensus favouring the corporate lobbyists and secondly, the discussions happen behind closed doors, with little or no insight into how they were reached. In any event, by the time a compromise is reached, it is too late.

Vote in Committee

A voting list is then prepared by the Committee secretariat. Where there are several amendments on one particular article from the Commission’s text, they are voted on in a sequence starting from the least similar to the Commission’s text and ending with the most similar. When an amendment is adopted, the rest of the amendments “fall” and are not voted on, because this would lead to contradictory texts being adopted. Voting is by simple majority.

Vote in Plenary

The Lead Committee’s text is then sent to a full sitting of the Parliament (Plenary), to be voted on by all MEPs. At that stage, it is still possible to table amendments, but this can only be done by political groups or by at least 10% of MEPs co-signing a proposed text.

In the Plenary (although usually before), the Commission explains what amendments it can accept and which it cannot accept. If it rejects an amendment of the Parliament, unanimity is needed in the Council for that amendment to be adopted. The Commission’s position is therefore very important.

The Lead Committee’s Report, as amended by the Plenary, is the Parliament’s First Reading Report.

Following the adoption of the Report in Parliament, the European Commission produces a revised Proposal.

First Reading Agreements / Trialogues

The European Parliament, since the first EU-wide elections in 1979, spent 30 years trying to get equal decision-making power with the Council. Even before the Parliament succeeded in getting this power, it started giving it away through the use of First Reading Agreements.

Under the Ordinary Legislative Procedure, as we saw above, each institution works independently, in order to allow a thorough analysis of each proposal and enable a balance between the institutions.

This procedure is now limited by First Reading Agreements. Under this process, in the First Reading, the Lead Committee adopts a preliminary agreement, approving a mandate for the Rapporteur to negotiate with the Council. These discussions take place behind closed doors, in parallel with the public discussions in the Parliament Committees. These closed negotiations (1557 of which took place in the 2009-2014 period and 994 in the 2014-2019 period) are called Trilogue Meetings.

The aim of these meetings is for the Rapporteur and Shadows to agree to a compromise with the Council. Both sides then go back to their respective institutions and rubber-stamp the agreement, bringing the procedure to a close.

From an activist perspective, this means that the Rapporteur and Shadows become much more powerful. The other MEPs will generally trust their Rapporteur/Shadows to get the best possible deal from the negotiations. As a result, building a majority to vote against a position agreed in this way is exceptionally difficult, but not impossible.

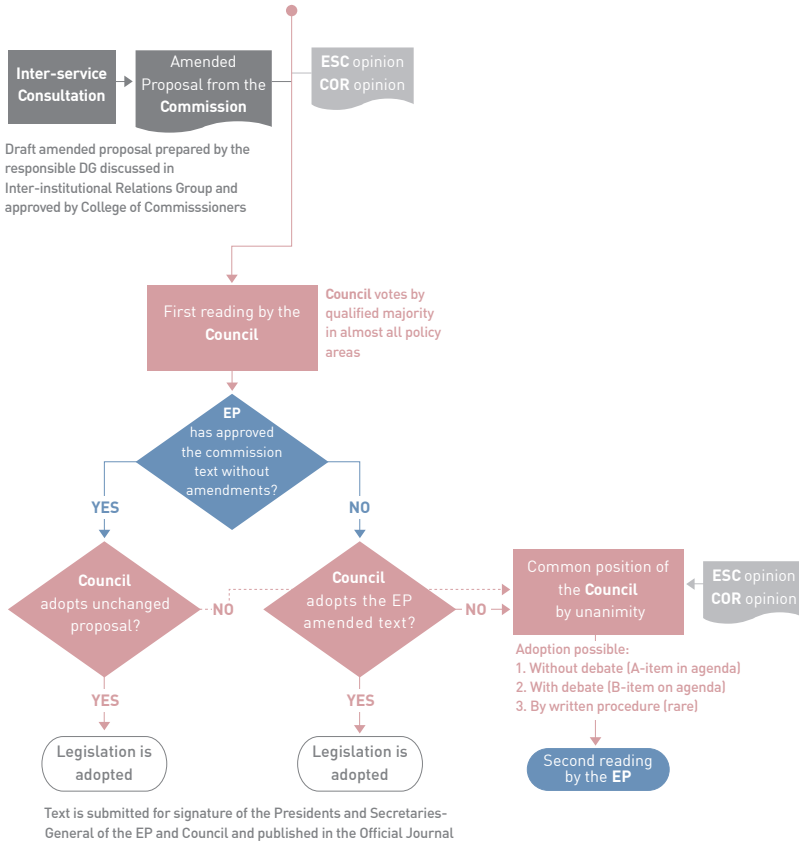
The number of legislative cases where the Parliament adopts an independent line and pushed the Proposal through the full legislative procedure dropped from 21% to 5% in the 2004 to 2009 legislature¹ and dropped from 5% to 2% in the 2009 to 2014 legislature. At the same time, the number of files completed in First Reading has gone up to 85%.²

¹ http://www.europarl.europa.eu/code/about/statistics_en.htm

² http://ec.europa.eu/codecision/statistics/docs/report_statistics_public_draft_en.pdf

03

FIRST READING IN THE COUNCIL & COMMISSION



step
03

fig 03: First Reading in the Council & Commission

Commission revised Proposal

After the Parliament adopts its First Reading text and, ideally, before the Council adopts its First Reading, the Commission produces a revised Proposal, taking into account the changes in the political context created by the Parliament's First Reading.

Steps to reach an agreement

The relevant Council Working Groups work together to reach an agreement on all of the elements of the Commission's text, with one eye on the developments in the Parliament. Depending on various factors, a General Approach (basically an informal agreement on the whole text) may be produced before the Parliament's First Reading. More difficult/contentious issues are pushed higher up the hierarchies of the ministries for decisions to be made there (with correspondingly higher ranked officials participating in meetings in the Council – up to Coreper).

If the Council decides to adopt all of the Parliament's amendments, then the Commission Proposal, as amended by the Parliament, will be adopted and the legislative process is finished.

step
03

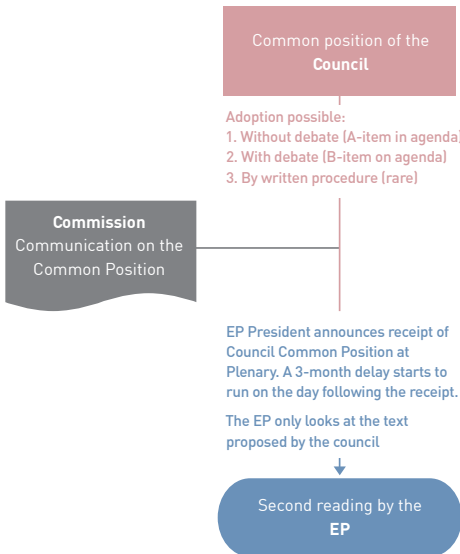


fig 04: End of the First Reading and beginning of the Second Reading

04

SECOND READING IN THE EUROPEAN PARLIAMENT

The Second Reading in the European Parliament is a simplified version of the First Reading.

Only the Lead Committee prepares a Report, normally with the same Rapporteur and Shadow Rapporteurs. No amendments which would introduce new elements to the Proposal are allowed. No amendments which contradict the Council common position are permitted if the Parliament did not take a position in the First Reading.

Amendments are adopted in the Committee on the basis of a simple majority. The Parliament has a three month time limit during which it must respond. This can be extended to four months if, for example, the summer holidays take place during the three-month period.

After the Committee has finished its work and has sent its Report to be adopted by the Plenary, there are three possibilities:

- The Parliament approves the Council Common Position by simple majority and the legislation is adopted.
- The Parliament rejects the Council Common Position by absolute majority and the legislation is definitively rejected.
- The Parliament (by absolute majority) adopts amendments to the Council Common Position and the revised text is referred back to the Council.

step
04

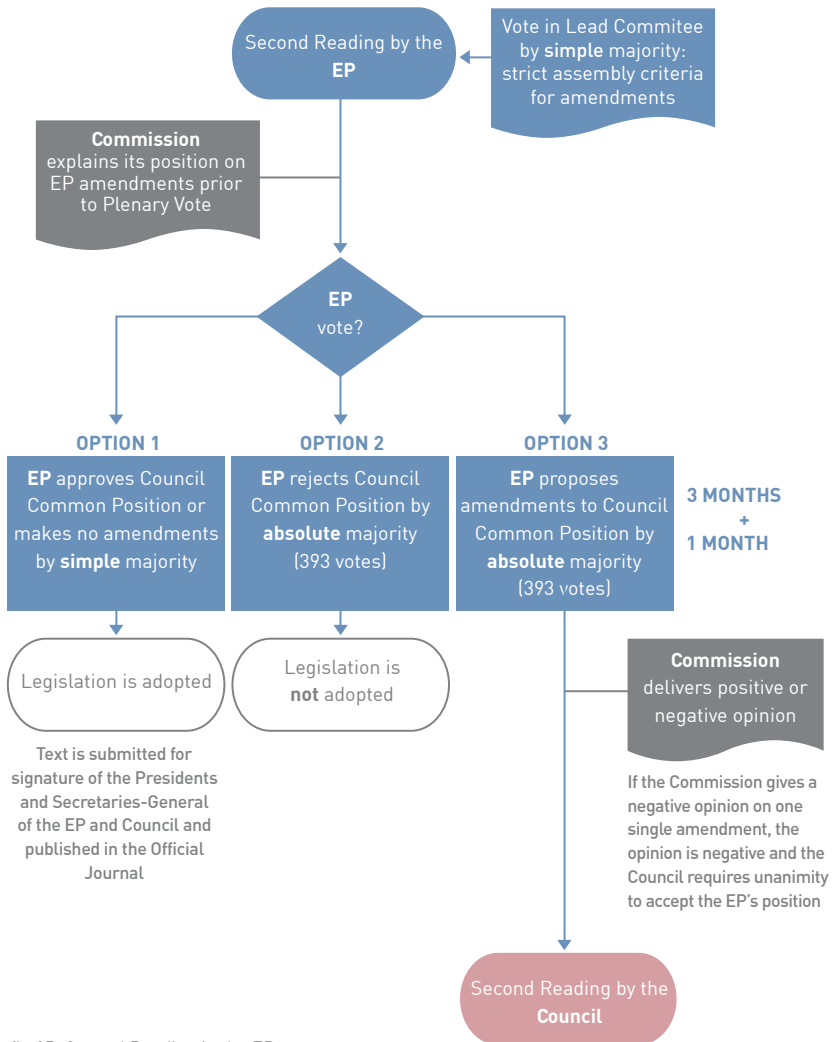


fig 05: Second Reading in the EP

05 SECOND READING IN THE COUNCIL

When the text is referred back to the Council, it must take the Commission's view of the Parliament's text into account. If the Commission has adopted a negative opinion on any part of the Parliament's text, unanimity is needed by the Council to adopt the text.

step
05

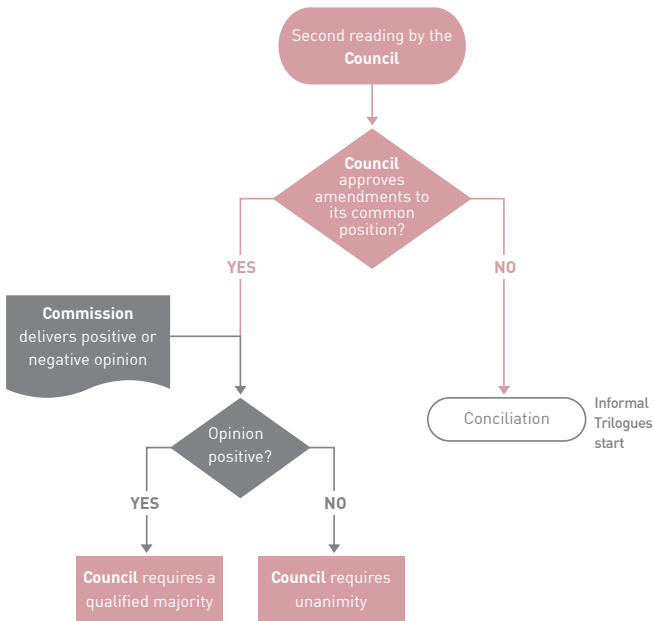


fig 06: Second Reading in the Council

06 CONCILIATION

If the Council does not approve the Parliament's text, negotiations are organised between the Parliament (Rapporteur and Shadows), Commission (DG responsible) and Council (Presidency, on behalf of the Member States). These meetings set the scene for Conciliation meetings between the institutions.

Within strictly defined time limits, a Conciliation Committee made up of 28 Member States, 28 MEPs (reflecting the strengths of the different political groups) and the Commission is convened. This either produces a compromise text... or it does not. If it does not, the legislative procedure finishes without any legislation being adopted.

If a text is agreed on, then it is sent to the Council and Parliament for adoption. As both institutions were involved in the negotiations, this is almost always a formality. If both do accept the compromise, then the legislation is adopted. If either institution does not accept the text, the legislative Proposal is abandoned.

step
06

“Conciliation involves negotiations between the institutions”

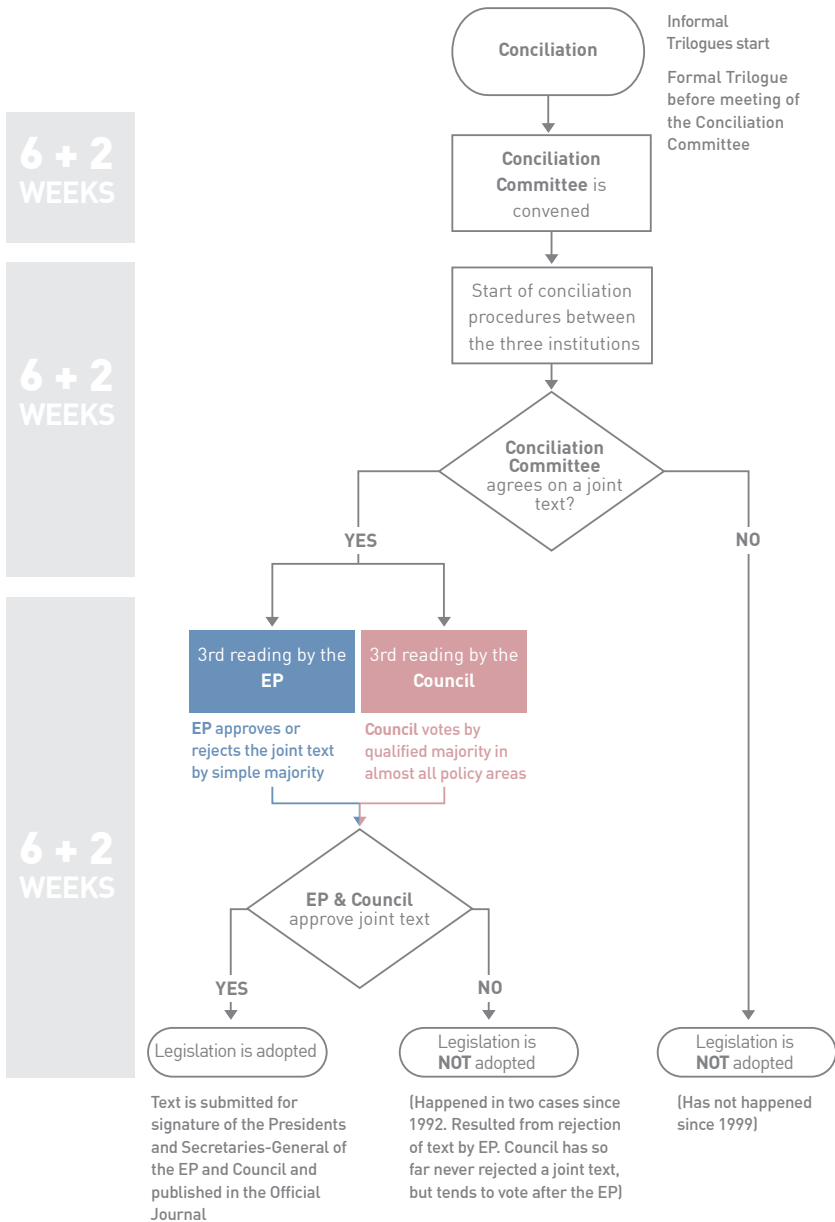


fig 07: Conciliation

NON-LEGISLATIVE

THE OTHER INSTRUMENTS

PARLIAMENTARY NON-LEGISLATIVE POLICY FILES (DOSSIERS)

The European Parliament very frequently decides to prepare non-legislative Resolutions (sometimes known as INIs), often in reaction to non-legislative instruments which have been published by the European Commission or to take a position on upcoming legislative Proposals. Sometimes they are also a reaction to current events or issues where the Parliament has limited or no competence, such as internet governance.

Such non-legislative instruments fit in practice the interests of well-funded industry lobbies far better than those of civil society. Where civil society succeeds in minimising risks in such a policy file – or

even when we succeed in including a positive text in a non-legislative policy file – a huge amount of effort is needed in order to ensure that the Parliament takes its own position into account when any subsequent legislation is tabled. On the other hand, where the Parliament adopts resolutions which are contrary to our interests, the well-funded lobbies that inserted these resolutions will usually have the manpower and funding to ensure that the Parliament is not allowed to forget.

The procedure for non-legislative policy files in Parliament is the same as for the First Reading under the Ordinary Legislative Procedure.

INTERNATIONAL AGREEMENTS

The European Commission has responsibility to negotiate international agreements. In recent years, these have generally been in the security field (agreements on exchange of data on innocent citizens with foreign governments concerning passenger data, financial data, etc), but they can also be in the areas of international trade (such as bilateral trade agreements such as CETA and TTIP) and copyright, trademarks, etc [ACTA].

It is normal for the European Parliament to adopt a non-legislative Resolution in order

to provide input into the negotiations for international agreements – as was done with the EU-Australia Passenger Name Record (PNR) and Anti-Counterfeiting Trade Agreement (ACTA) policy files. However, the Council and Commission have repeatedly found that ignoring the Parliament's wishes has no particular negative consequences. For example, the Parliament adopted the EU-Australia PNR Agreement, even though it did not contain many of their initial demands.

TOP TEN ADVOCACY TIPS FOR ACTIVISTS

A MIGHTY SHORTLIST

01 Be early. Being involved in a policy file early shows knowledge of the policy file and willingness to be engaged. Policy-makers appreciate this greatly.

BE
EARLY 01

02 Be reliable. Policy-makers have limited time and need to be credible vis-à-vis their colleagues. Understandably, they listen more to people that have been more reliable.

BE
RELIABLE 02

03 Be honest. Policy-makers eventually forgive – but not forget – mistakes. They neither forgive nor forget being misled.

BE
HONEST 03

04 Be understanding. Know and make allowances for the practical and political options available to a policy-maker. Politics is the art of the possible. Being asked for what you can't deliver is unsurprisingly not flattering for a policy-maker.

BE
UNDERSTANDING 04

05 Be nice! However important a particular policy file is, being aggressive will never be productive and will limit your options the next time you need to communicate with that policy-maker.

BE
NICE 05

06 Be thorough. Policy-makers appreciate expert and complete analysis.

BE
THOROUGH 06

07 Be brief.

BE
BRIEF 07

08 Be consistent. You need to ensure that your analysis and policy are clear and consistent. It is also important to liaise with other, similar, civil society groups to ensure that the message is not diluted by confusion.

BE CONSISTENT 08

09 Be personal. Policy-makers get zillions of communications from interest groups. Non-personalised messages have less impact.

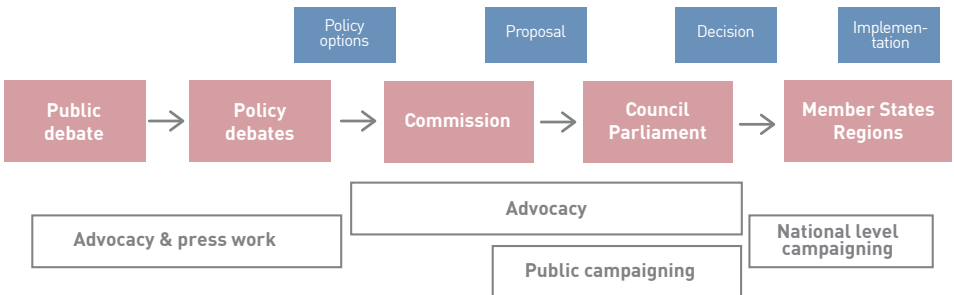
BE PERSONAL 09

10 Be a bridge builder. Alliances are crucial, even with individuals, groups and industries that you compete with on other issues.

BE A BRIDGE BUILDER 10

ADVOCACY & CAMPAIGNING TIMELINE

WHEN TO DO AND WHAT



USEFUL TERMS

TERMINOLOGY IS EVERYTHING

A

A-Point Policy file (dossier) on a Council agenda which will be adopted without discussion.

Assent procedure In certain very limited cases (amendments to structural funds, for example), the Parliament can be asked to either approve or reject a Proposal but not amend it.

B C

B-Point Policy file (dossier) on a Council agenda which will be debated.

Charter of Fundamental Rights of the European Union The Charter contains the human rights (called “fundamental rights”) that the EU and its Member States are obliged to respect. Although it contains broadly the same rights as the European Convention on Human Rights (ECHR) it should not be confused with it. The court responsible to deal with violations of the Charter is the CJEU, not the ECtHR.

Codecision Former name for the Ordinary Legislative Procedure.

Committee of the Regions Advisory body that represents sub-national (and non-state national) administrative structures at an EU level.

Conciliation Stage after the Second Reading in the Ordinary Legislative Procedure where the three institutions meet to find a final compromise.

Coreper Committee of Permanent Representatives – the highest level of authority below the ministerial level in the Council.

Council of Europe (CoE) The CoE, not to be confused with the European Council (the political leaders of EU Member States) or the Council of the European Union (which is made up of representatives of each national government), is an international organisation promoting co-operation between 47 European countries. Its best known body is the European Court of Human Rights (ECtHR), which enforces the European Convention on Human Rights.

Council of the European Union The Council of the European Union, also known as the EU Council, is made up of national ministers from every country and therefore represents the Member States' governments.

Court of Justice of the European Union (CJEU) The Court consists of one judge per Member State and eight to eleven Advocates General. Its task is to interpret Union law. The court can give rulings on whether instruments of the EU institutions and Member States governments are in line with the treaties and on the interpretation or the validity of provisions contained in Community law.

D

Decision Directly applicable legislative act of the European Commission or Council on a narrow point of regulation, such as an anti-dumping measure or a competition ruling.

Directive Most common form of EU legislation. A Directive establishes (normally) detailed policy that must be transposed into national law, as it is not directly applicable.

Double majority The new Council voting system under the Lisbon Treaty. Under this system, a majority is at least 55% of the members of the Council, comprising at least 15 of them and representing at least 65% of the European population. A blocking minority may be formed comprising at least four members of the Council. Unofficially, Presidencies do not put Proposals to the vote if two large Member States (FR, DE, IT, UK) are opposed.

E

Economic and Social Committee Advisory body that is meant to represent the interests of employers and civil society at the EU level.

European Citizens' Initiative (ECI) Requiring one million signatures from at least one quarter of the EU Member States, the newly created ECI allows citizens to formulate initiatives inviting the Commission to bring forward Proposals in areas where the Commission has the power to do so.

European Council The European Council is the political leadership body of the EU, made up of the EU President, the President of the Commission, and heads of state/government for each EU Member State.

European Court of Human Rights (ECtHR) The ECtHR is an international court based in Strasbourg dealing with applications by states and individuals on alleged violations of the European Convention of Human Rights.

G

Green Paper Document from the European Commission, intending to stimulate discussions on a certain topic on a European level. It is often published as a first step in policy making.

I

INI Abbreviation for the Parliament's "own initiative" (non-legislative, non-binding) Report. The document produced at the end of an INI procedure is normally a European Parliament Resolution.

Inter-service Consultation Consultation process that takes place inside the European Commission as the last editing stage before a document is finalised.

M

MEP Member of the European Parliament.

Mixed agreement International agreement which contains elements that are EU competences and elements which are Member State competences. It requires ratification at both EU and national level.

O

Opinion Advice given by a European Parliament Committee to the Committee in charge (Lead Committee).

Ordinary Legislative Procedure The most common decision-making procedure, which theoretically gives Parliament, Council and Commission equal powers (previously known as "codecision").

Own-initiative Report Non-legislative, non-binding position of the European Parliament.

P

Proportionality Legal principle which requires that measures instigated by EU institutions must be an effective and necessary way to achieve the objectives outlined in the EU's founding treaties.

R

Rapporteur MEP in charge of a particular policy file (dossier).

Recommendation Non-binding act which points at desirable actions needed by EU Member States without forcing them in any way.

Regulation Binding legislative act that is effective directly in all EU Member States without needing a transposition into national law.

S

Shadow Rapporteur MEP in charge of a particular policy file (dossier) for their own political group.

Subsidiarity Rule whereby only those decisions that are best taken at EU level should be taken at EU level.

T

Transposition Process of implementing an EU Directive into national law.

W

White Paper Proposal from the Commission for action in a particular policy area. It is not as developed as a Communication but more specific than a Green Paper.

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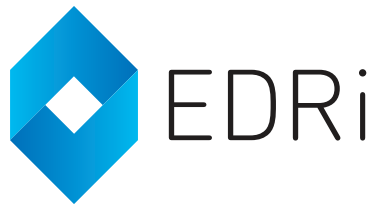
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