

The Structure of the EU

You can survive quite well in Brussels without understanding every last detail of the treaties and structures. But it is best to have the following basic knowledge if you want to be truly effective.

The European Economic Community, later renamed the European Community, was established in 1958 by the Treaty of Paris. The European Union (the EU) was created in 1992 by the Maastricht Treaty, and originally consisted of three 'pillars' which were:

- The two European Communities:
 - a) The European Atomic Energy Community.
 - b) The European Community (the EC).
- Common Foreign and Security Policy
- Police and Judicial Co-operation

Following the ratification of the 2007 Lisbon Treaty, which came into force on 1 January 2010, the above pillars were abolished and the European Union was established as a legal entity. The Lisbon Treaty's formal name is the Treaty on the Functioning of the European Union (TFEU).

There are two other key structures:

- 25 Member States (i.e. all except the UK and Ireland) plus Iceland, Norway and Switzerland have removed all internal border controls (and are generally referred to as **the Schengen area** after Convention that originally introduced this approach).
- 15 Member States had by early 2011 entered into **Economic and Monetary Union (EMU)** and adopted the Single Currency (the Euro), on terms agreed in the Treaty of Maastricht in 1992.

Current membership of the Schengen Area and EMU can be found at www.civilservant.org.uk/c19a.shtml .

Institutions

For most purposes, there are five main institutions that influence the Union in various ways.

1. The Council of the European Union is, with the Parliament, the main law-making and decision-making body in the EU. It is often referred to as 'The Council Of Ministers' and should not be confused with the Council of Europe, which was

established after the Second World War with the aim of protecting Europe against totalitarianism.

The Council brings together representatives of all the Member State governments and is the forum in which these representatives assert their interests and reach compromises. These meetings happen regularly at a range of levels – expert officials from capitals, diplomats from the Permanent Representations (broadly speaking, Embassies), Ministers or, usually about four times a year, at the level of Presidents and Prime Ministers in the European Council (summit).

Ministerial Council meetings (Environment, Competitiveness, Agriculture, etc.) take place between 1 and 15 times a year, depending on the Council. Each meeting is attended by the appropriate Minister from each Member State (or their permanent representative) and the relevant Commissioner. The Council is chaired by a rotating Presidency from amongst the Member States (of which more below) – changing every six months. Most of the work is done in the 300 plus working groups, which in turn feed into COREPER – the Committee of Permanent Representatives – and thence to Ministers. The Council is also assisted by a permanent staff called the General Secretariat of the Council, not to be confused with the Secretariat-General of the Commission.

The Council (usually together with the European Parliament) agrees legislation, budgets and other rules for most of the more familiar activities of the EU, such as the single market, common policies like those on agriculture and fishing, environmental protection, trade and the free movement of goods, persons, services and money.

In addition, the Council is the main EU institution responsible for intergovernmental cooperation on common foreign and security policy (assisted by the High Representative for common foreign and security policy) and on justice and home affairs.

The member state which holds *the Presidency* of the Council has a key role. It sets the agenda for the six months it is at the helm – which includes the possibility to not address matters it does not like. Current and forthcoming Presidencies are listed at www.civilservant.org.uk/c19a.shtml. Many important external issues are dealt with by the ‘Troika’ – the previous, current and next Presidencies.

Confusingly, however, the Lisbon Treaty created a new permanent *President of the European Council* as well a *High Representative for Foreign Affairs and Security Policy*. The relative roles of these two people, the President of the Commission (see below), and the Head of State of the rotating Council presidency is far from settled.

Council Voting:- Most Council decisions are taken by Qualified Majority Voting (QMV). The current definition of a ‘qualified majority’ and the number of votes currently available to be cast by each member state may be found at www.civilservant.org.uk/c19a.shtml.

2. The European Parliament (EP), which usually shares decision-making with the Council, is made up of directly elected representatives from the Member States, roughly in proportion to population. Most decisions are prepared in committees (usually in Brussels) and finally voted on in the regular plenary sessions (usually in Strasbourg).

The Parliament's principal roles are to:

- examine and adopt European legislation. Most legislation is now agreed under the codecision procedure, where Parliament shares power with the Council;
- approve the EU budget;
- exercise democratic control over the other EU institutions, for example by setting up committees of inquiry;
- assent to important international agreements such as the accession of new EU Member States and trade or association agreements between the EU and other countries.

As with national parliaments, the EP has specialist committees to deal with particular issues (foreign affairs, budget, environment and so on). Most of its work is in fact done through these committees.

It is well worth visiting the Parliament buildings in Brussels, if only to be astonished by their scale. There are also daily visits to the Parliament Chamber, with audio guides in the 19 (!) official EU languages - details from the Infopoint at the West entrance to the central of the three Parliament buildings.

3. The European Commission is headed by 25 senior figures, one from each of the member states, but formally independent of national allegiance, making up the college of Commissioners. Each has a small group of officials – the cabinet – to assist them monitor and drive the development of policy. The President of the Commission or one of his two Vice-Presidents chairs their weekly meetings. A staff of about 24,000 divided between 36 Directorates-General and Services (including the Secretariat-General, Press and translation service) supports the college.

The European Commission does much of the day-to-day work in the European Union. In most areas of EU business it is the only body that can draft proposals for new legislation, which it presents to the European Parliament and the Council. The Commission makes sure that EU decisions are properly implemented and supervises the way EU funds are spent. It is also charged with ensuring that everyone abides by the European treaties and European law. With the major exception of competition policy, it doesn't generally have a large role in actual implementation or enforcement – this is primarily a Member State responsibility. In

certain areas (see the section on competence later), the Commission also has the role of representing the EU in external (i.e. with non-EU countries) negotiations and meetings.

4. The European Court of Justice (in Luxembourg, not to be confused with the non-EU bodies, the European Court of Human Rights, in Strasbourg and the International Court of Justice in The Hague) is the final arbiter of all questions of European law. The ECJ, as everyone calls it, ensures the consistent and accurate interpretation of European law across the EU. If national courts are in doubt about how to apply EU rules they must ask the Court of Justice. Member States, certain EU institutions and individuals can also bring proceedings against EU institutions before the Court. Some less significant cases can also be heard by its subsidiary court, the Court of First Instance. The ECJ consists of one independent judge from each EU country.

5. The European Court of Auditors, also located in Luxembourg, is the body that checks how EU money is spent, both directly by other institutions and, where appropriate, by Member States (for example agricultural subsidies or regional development aid).

These five key institutions are flanked by five other bodies of varying importance:

- **The European Central Bank** (responsible for monetary policy and managing the euro);
- **The Economic and Social Committee** (expresses the opinions of organised civil society on economic and social issues);
- **The Committee of the Regions** (expresses the opinions of regional and local authorities);
- **The Ombudsman** (deals with citizens' complaints about maladministration by any EU institution or body);
- **The European Investment Bank** (helps achieve EU objectives by financing investment projects).

A large number of agencies (such as the European Medicines Evaluation Agency, European Food Safety Authority and so on) and other bodies complete the system.

Key Dates

1952 Treaty of Paris (1951) between Belgium, France, Germany, Italy, Luxembourg and the Netherlands enters into force. European Coal and Steel

- Community (ECSC) created.
- 1958 Treaties of Rome (1957) enter into force. Euratom and EEC (later renamed the EC) created.
- 1973 Denmark, Ireland and UK join the communities.
- 1981 Greece joins.
- 1986 Portugal and Spain join.
- 1987 Single European Act (1986) enters into force.
- 1993 Maastricht Treaty (1992) enters into force. EU created.
- 1993 Single Market 'completed'.
- 1995 Austria, Finland and Sweden join the EU, bringing the total to 15.
- 1999 Amsterdam Treaty (1997) enters into force.
- 1999 Economic and Monetary Union starts.
- 2000 Pre-enlargement Inter-governmental Conference (IGC) starts.
- 2002 Treaty of Paris (and hence the ECSC) expired.
- 2002 Introduction of Euro coins and notes.
- 2004 'Enlargement':- Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia all join, bringing the total to 25.
- 2007 Bulgaria and Romania join, bringing the total to 27.
- 2010 Lisbon treaty (TFEU) comes into force. European Community and European Atomic Energy Community abolished.

Help Please! I am all too conscious that this note can quickly become out of date. Please therefore email Martin Stanley (martin.stanley@civilservant.org.uk) if you spot any errors, or think that any information should be added.