

EUROPEAN ANTI-POVERTY NETWORK IRELAND - BRIEFING

The European Union, and how it works

EAPN Ireland,
Carmichael House,
4 Brunswick Street North,
Dublin, D07
+353 (0)1 8745737
www.eapn.ie
@EAPNIreland



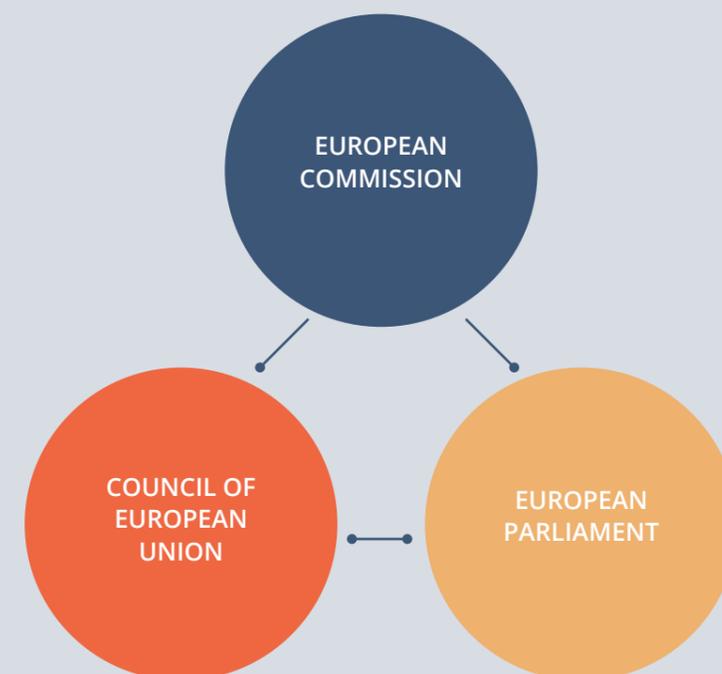
Foundations for Futures
Europe Project

Basic Facts about the European Union

- Founded in 1951 when it was initially called the European Coal and Steel Community (ECSC) but officially began when the founding six countries of Belgium, France, Italy, Luxembourg, the Netherlands and West Germany signed the Treaty of Rome which came into force in 1958 and it became the European Economic Community (EEC). It became known as the European Union (EU) in 1993.
- Ireland joined in 1973
- The EU currently has 27 Member States and 447 million people
- All Member States must agree to changes in the Treaties and Ireland is one of the few countries where citizens get to vote on these changes in a referendum. The most recent of these changes came about when Member States approved the Lisbon Treaty in 2007.

EU Institutions and Decision Making

THREE MAIN EU INSTITUTIONS INVOLVED IN DECISION MAKING



KEY POINTS

- Commission proposes policy and legislation
- Parliament and Council jointly make legislation (in most areas)
- The Parliament has an increased power in making laws over the past number of Treaties with equal power in most areas of EU law but the Council still has sole power to make decisions in some areas
- The Commission is then responsible for implementing EU laws and policy and ensuring they are respected.

01

European Commission

KEY POINTS

- The European Commission represents the interests of the EU
- Is the only EU institution that can propose new policy
- One Commissioner is appointed by each of the Member States every 5 years within six months of the elections to the new European Parliament. Current term is 2019-2024. Mairead McGuinness is the current Commissioner nominated by Ireland.

The European Commission was set up in the 1950s under the Treaty of Rome. The Commission seeks to represent the interests of the EU as a whole. It is politically independent and is often described as the 'engine' of the EU's institutional system.

The Commission proposes legislation, policies and programmes of action and it is responsible for ensuring that the decisions taken by the Union are implemented. The Commission is seen as the guardian of the Treaties, ensuring that the EU Member States and institutions abide by the Treaty rules.

The Members of the Commission, one from each Member State (Currently 27), are known as 'Commissioners'. As Members of the Commission, they are committed to acting in the interests of the Union as a whole and do not take instructions from national governments. The Commission is headed by the President of the European Commission. The current President from 2019 until 2024 is Ursula von der Leyen, the former German Finance Minister.

The European Commission has four main roles:

- 1 to propose legislation to Parliament and the Council;
- 2 to manage and implement EU policies and the budget;
- 3 to enforce European law (jointly with the Court of Justice) and,
- 4 to represent the European Union on the international stage in those areas of foreign policy that are "common", for example by negotiating trade agreements between the EU and other countries.

The Commission's staff are organised into 56 Departments, the most important of which are the thirty-four Directorates-General (DGs), but also includes sixteen Services (such as the Legal, Internal Audit and Publications Services) and six Executive Agencies. Each DG is responsible for a particular policy area and is headed by a Director-General who is answerable to one of the Commissioners.

The Directorates-General with responsibility for social inclusion, social rights, employment, etc is the DG for Employment, Social Affairs and Inclusion.



Ursula von der Leyen,
President of the European
Commission



Mairead McGuinness,
Ireland, European
Commissioner for Financial
services, financial stability
and Capital Markets Union

02

Council of The European Union

KEY POINTS

- The Council of the European Union (EU) represents the interests of Member State Governments
- It has power to negotiate and adopt EU laws, in most cases together with the European Parliament

COUNCIL OF THE EUROPEAN UNION STRUCTURE

There are three parts to the Council of the European Union (EU).

1

The European Council

The European Council is made up of the Heads of each EU Member State. In most cases these are Prime Ministers but in some cases head of state refers to Presidents (e.g. France). In Ireland, it is the Taoiseach. The Council meets four times every year. This meeting is often referred to in the media as the 'Summit'. It decides the overall political direction and priorities of the EU.

PRESIDENT OF THE EUROPEAN COUNCIL

The President of the European Council is the main representative of the EU on the wider global stage and is also responsible for driving the work of the European Council. The President is appointed by the European Council for a two-and-a-half-year term, renewable once. The current President is Charles Michel, the former Prime Minister of Belgium, who will serve until May 2022.

2

The Council of the EU

The Council of the EU, also known as the Council of Ministers, is made up of the ministers of the Member States. It meets in ten different configurations depending on the subjects being examined. The Employment, Social Policy, Health and Consumer Affairs (EPSCO) Council is made up with ministers covering these issues and attendance at meetings will depend on the agenda. All the work of the Council is prepared or co-ordinated by the Permanent Representatives Committee (COREPER) (see below). Responsibility for preparing and chairing the Council meetings rotates among the members every six months to the country holding the Presidency of the Council of the EU. This is currently France, with the Czech Republic taking over in July 2022. Ireland last had the Presidency in 2013 and is next due to hold it in 2026.

COUNCIL 'CONFIGURATIONS'

- | | |
|---|---|
| 1. Agriculture and Fisheries (Agrifish) | 6. Environment (ENV) |
| 2. Competitiveness (COMPET) | 7. Foreign Affairs (FAC) |
| 3. Economic and Financial Affairs (Ecofin) | 8. General Affairs (GAC) |
| 4. Education, Youth and Culture and Sport (EYC) | 9. Justice and Home Affairs (JHA) |
| 5. Employment, Social Policy, Health and Consumer Affairs (EPSCO) | 10. Transport, Telecomms and Energy (TTE) |

3

Eurogroup

The Eurogroup is an informal body where the ministers of countries in the euro area discuss matters relating to their shared responsibilities related to the euro. It usually meets monthly and aims to have close coordination of the economic policy of the member states involved. The President of the Eurogroup is currently Irish Minister for Finance Pascal O'Donoghue.

PREPARING THE WORK OF THE COUNCIL OF THE EUROPEAN UNION

The work of the Council is prepared by two Committees of the Permanent Representation of the Governments of the Member States to the European Union (Coreper), and more than 150 highly specialised working parties and committees set up by the Coreper.

Each EU Member State has a Permanent Representation (Perm Rep) based in Brussels and is in effect the embassy of that country to the EU. The Perm Reps are staffed by civil servants who are seconded from across different Departments or Ministries. The Irish Permanent Representation is currently headed by Ambassador Tom Hanney also known as the Permanent Representative of Ireland to the EU. The staff of the Perm Reps are responsible for helping to negotiate and get agreement on common positions before Council of the European Union meetings. The agendas of Council meetings are thoroughly thrashed out in the two Coreper by the Permanent Representatives.

The work of the two Coreper committees is itself prepared by some 150 working parties and committees consisting of civil servants from the Member States, many of whom fly in and out of Brussels for meetings. These can be working for months or years in advance of a decision. Among these, certain committees have a specific role of in providing co-ordination and expertise in a given area.



SOCIAL PROTECTION AND EMPLOYMENT COMMITTEES

The Employment, Social Policy, Health and Consumer Affairs Council (EPSCO) has two advisory committees made up of officials from the relevant Government Departments in each Member State. These are the Social Protection Committee (SPC) which advises on the areas of social inclusion, health care, long-term care and pensions and the Employment Committee (EMCO) which focuses on employment and labour market policy.



Taoiseach Micheál Martin
Represents Ireland on
the European Council



Charles Michel
President of the
European Council



Helen McEntee,
Irish Minister for Justice,
JHA Member



Pascal Donohoe
Irish Minister for Finance,
Ecofin Member, President
of Eurogroup

03

The European Parliament

KEY POINTS

- The European Parliament is directly elected by and represents the citizens of the EU
- Has joint power with the Council of the EU to adopt and amend EU law and to decide on the EU budget
- Supervises the work of the Commission and other EU bodies
- Is elected for 5 years.
- Currently has 705 Members (Ireland 13)

INTRODUCTION

The European Parliament was set up in 1957. It is based in Brussels, Belgium but most plenary sessions are held in Strasbourg in France. Since June 1979 it has been directly elected by voters in each country and it now has 705 MEPs representing the 27 European Union Member States.

Thirteen of these MEPs are from the Republic of Ireland. Irish MEPs currently come from what are the three EU Constituencies in the country (Dublin, South, Midlands-North-West). The current term is from 2019-2024. The European Parliament has a President, who is elected for a two-and-a-half-year term, renewable once. The current President, elected in January 2022, is Roberta Metsola, a Maltese politician.



Roberta Metsola will serve a two-and-a-half year term as President of the Parliament from January 2022 to June 2024

Over time, the European Parliament has steadily acquired greater influence and power through a series of Treaties which have increased the number of areas where they have joint decision-making power with the Council or must be consulted or involved in decision-making. For details see section below on Decision Making.

THE PARLIAMENT'S ROLE

The European Parliament has three main powers:



Legislative Powers:

It considers the Commission's proposals and in association with the Council makes EU laws by means of various procedures (outlined below under Decision Making in the EU).



Supervisory Powers:

It has the power of supervision over the Union's activities. It can approve or reject the nomination for European Commissioners and put written and oral questions to the Commission and the Council.



Budgetary Powers:

It shares budgetary powers with the Council in voting on the overall EU budget and the annual EU budgets and oversees their implementation.

HOW DOES THE PARLIAMENT WORK?

i

POLITICAL GROUPS

MEPs operate in political groups in the European Parliament which work in the same way as political parties in national parliaments, although they are not parties but instead a looser alliance of national parties and independent politicians. National political parties affiliate to a particular political group which relates closest to its own stance but no two national parties are members of the same political group. This gives them more power in the Parliament. There are 7 Political Groupings. Some MEPs also choose not to join a political group and are called non-attached members. List of political groups, their size and Irish members are in the table below.

iii

PLENARY

All MEPs come together 14 times each year in Plenary. Most of the Plenary meetings are in Strasbourg in France (one week per month) but two are held in Brussels (two days only). At these sessions the Parliament examines the proposed legislation coming from the committees and votes on amendments before voting on the report as a whole.

iv

INTERGROUPS

Intergroups can be set-up by Members from any political group and any committee, with a view to holding informal exchanges of views on particular subjects and promoting contact between Members and civil society. There are rules for setting them up and a limit on the number that can be set up in any Parliament term. There are 17 Intergroups in place for the 2019-2022 term including on fighting against poverty, anti-racism and diversity, children's rights, disability and LGTBI.

ii

COMMITTEES

Much of the work of the Parliament is carried out by its 20 Standing Committees made up of between 25 and 75 MEPs. Each MEP will be on at least one committee and may also be a substitute in at least one other committee. Committees draw up and adopt reports on legislative proposals from the Commission. Less frequently Committees also produce reports relevant to their competence, without having to be consulted. These are called 'own-initiative reports', and are used to submit a motion for a resolution. The Parliament can also set up sub-committees and special temporary committees to deal with specific issues, and is empowered to create formal committees of inquiry under its supervisory remit to investigate allegations of bad administration of EU law.

The committees are led by a Chair and up to four Vice-Chairs but the most important role in the Committees is the Rapporteur who is appointed by the Chair to compile a particular report for the committee. Each political group vies for the role of Rapporteur and those who do not get this role appoint 'Shadow Rapporteurs' to work alongside the Rapporteur and get their political groups input reflected in the report. Reports go through various stages in committee before being voted on and passed to the Plenary session of the Parliament for approval. Other relevant committees of the European Parliament may also be consulted and contribute their opinion to the report of the lead committee. For those lobbying MEPs the committee stage is the best time to try to influence the content of legislation and other reports.

SUMMARY OF IRISH MEPS, THEIR POLITICAL GROUPS AND COMMITTEES

From 2019-2024 Ireland has 13 elected MEPs representing the three European constituencies in Ireland of Dublin (4), South (5) and Midlands–North-West (4).

Political Grouping (members)	National Party	Members (Constituency)	Committee Membership
European People's Party EPP (179 members) www.eppgroup.eu 	Fine Gael	Deirdre Clune (South)	— Internal Market and Consumer Protection
		Francis Fitzgerald (Dublin)	— Economic and Monetary Affairs — Women's Rights and Gender Equality
		Sean Kelly (South)	— Industry, Research and Energy
		Colm Markey (Midlands–North-West)	— Agriculture and Rural Development
		Maria Walsh (Midlands–North-West)	— Employment and Social Affairs — Culture and Education
Progressive Alliance of the Socialists and Democrats -S&D (146 members) www.socialistsanddemocrats.eu 	Labour	None	
Renew Europe Group (98 members) www.reneweuropengroup.eu 	Fianna Fail	Barry Andrews (Dublin)	— Development — International Trade
		Billy Kelleher (South)	— Economic and Monetary Affairs — Subcommittee on Tax Matters
Greens – European Free Alliance Greens/EFA (73 members) www.greens-efa.org 	Green Party	Ciaran Cuffe (Dublin)	— Industry, Research and Energy — Transport and Tourism
		Grace O'Sullivan (South)	— Environment, Public Health and Food Safety — Fisheries

SUMMARY OF IRISH MEPS, THEIR POLITICAL GROUPS AND COMMITTEES

Political Grouping (members)	National Party	Members (Constituency)	Committee Membership
Identity and Democracy (70 members) www.idgroup.eu 	None		
European Conservatives and Reformists ECR (63 members) http://ecrgroup.eu/ 	None		
The Left (39 members) www.guengl.eu 	Sinn Fein	Chris MacManus (Midlands–North-West)	— Agriculture and Rural Development — Civil Liberties, Justice and Home Affairs
	Independents4 Change	Clare Daly (Dublin)	— Environment, Public Health and Food Safety
		Mick Wallace (South)	— Budgetary Control — Agriculture and Rural Development
	Independent	Luke Ming Flanagan (Midlands–North-West)	
Non-attached members (37)			

Irish MEPs 2019-2024

DUBLIN



Barry Andrews
(Fianna Fail)



Ciaran Cuffe
(Green Party)



Clare Daly
(Independents 4 Change)



Francis Fitzgerald
(Fine Gael)

MIDLANDS- NORTH-WEST



Colm Markey
(Fine Gael)



Luke 'Ming' Flanagan
(Independent)



Chris MacManus
(Sinn Fein)



Maria Walsh
(Fine Gael)

SOUTH



Deirdre Clune
(Fine Gael)



Billy Kelleher
(Fianna Fail)



Sean Kelly
(Fine Gael)



Grace O'Sullivan
(Green Party)



Mick Wallace
(Independents 4 Change)

CONTACTING YOUR MP

The European Parliament website has contact details for all MEPs and web pages for each that contains information on their work in the Parliament. There is a standard email address for all MEPs which is firstname.secondname@europarl.europa.eu

MEPs also have a small budget which allows them to bring groups to visit the European Parliament. Groups can independently request a visit to the Parliament in advance or visit at set visiting times.

MAKING LAWS IN THE EU

1

Procedures

Traditionally the Council of the European Union has been the most important institution in terms of decision making in the EU with the European Parliament playing a more consultative role. However, over the last number of Treaties, and in particular under the Lisbon Treaty in 2009, the Parliament has increased its role and now the vast majority of decisions are shared by the Council and the Parliament under ordinary legislative procedure.

There are three main ways the EU Institutions make laws

Ordinary Legislative Procedure

This is by far the most commonly used procedure. The Council and Parliament share legislative power. The Commission sends its proposals to both institutions where it goes between the Council and Parliament until it is adopted into law or fails.

Due to the passing of the Lisbon Treaty 40 more areas of policy moved to Ordinary Legislative Procedure and it now covers 85 areas, which is the vast majority of areas where the EU can make laws.

Consent

Using this procedure, the Council must obtain the Parliament's agreement before some important decisions are made. It operates in the same way as the consultation procedure except that the Parliament cannot ask for a proposal to be amended but must just accept or reject it. If a proposal is rejected by the Parliament, then the Council cannot adopt it.

The Consent procedure applies to such areas as the European Structural and Investment Funds (This includes the European Regional Development Funds, the European Social Funds the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund), some tasks of the European Central Bank, electoral procedures of the Parliament, certain international agreements, the accession of new Member States and the withdrawal of existing Member States. Also, the Parliament gives its consent for sanctions imposed on a Member State for a serious and persistent breach of fundamental rights. It can also be used when new legislation on combating discrimination is being adopted.

Consultation

The Commission sends its proposals to the Council and Parliament but it is the Council that officially consults the Parliament. The opinions of the Parliament and other bodies inform the Council's amendments to the Commission Proposal. It is used for politically sensitive issues, where the Member States bear responsibility for policy making. In these areas the Council can only amend a Commission proposal by unanimity.

When consulted the Parliament can approve, reject or ask for amendments to the Commission's proposal. The Commission can accept or reject any of the Parliament's suggestions and if any are accepted, then the Commission will forward the Council an amended proposal.

This procedure applies in a limited number of policy areas, such as internal market exemptions and competition law, as well as financial matters and aspects of intellectual property and administrative issues. It is also used for the adoption of instruments such as recommendations and opinions issued by the Council and the Commission.

2

Legal Instruments

The main source of EU laws is the Treaties (Treaty on European Union and Treaty on the Functioning of the European Union). The secondary sources of EU law are those made through the EU legislative procedure outlined above and which mainly result in Regulations, Directives, Decisions and Recommendations.

There are three main ways the EU Institutions make laws

Regulations apply directly across the EU and are binding. Consultation is carried out on the regulations but once agreed by the Council and Parliament they apply fully to each Member State in the same way as national legislation. An example of a Regulation is the Regulations for the Cohesion Policy Funds which include the overarching Regulation outlining the overall objectives and the rules for how to programme is to be managed and monitored and how Funds are to be spent and reported on. There are separate regulations for the each of the Cohesion Policy Funds including the European Social Fund Plus (ESF+), the European Regional Development Fund (ERDF), the Asylum, Migration and Integration Fund, the Just Transition Fund and the PEACE (PLUS) Programme etc.

Directives are binding on the Member States. They lay down certain end results that must be achieved in every Member State. National authorities have to adapt their laws to meet these goals, but are free to decide how to do so. Examples of Directives are the Equality and Race Directives in 2000, the Services and Equal Pay for Equal Work Directives in 2006 and Directive on Working Conditions in 2019.

Decisions are binding on the individuals or institutions to which they are addressed, e.g., decision establishing the EU Fundamental Rights Agency.

Recommendations are not legally binding. Some of the important social Recommendations are the Investing in children: breaking the cycle of disadvantage in 2013 and the Recommendation on the Active Inclusion of people excluded from the labour market in 2008 which recommends that Member States adopt an integrated approach to adequate income, access to quality services and an inclusive labour market. A current example is the annual Country Specific Recommendations which are issued annually under the European Semester process.

In making EU law two important principles are applied which relate to the use of EU Power:

Proportionality: Any action of the EU should not go beyond what is necessary to achieve the objectives set out in the Treaties.

Subsidiarity: EU does not take action (except in the areas that fall within its exclusive competence), unless it is more effective than action taken at national, regional or local level.

3

Irish Parliament role in EU Decision Making

The main function of National Parliaments in the EU is to hold their government to account for their European policies. The Oireachtas has responsibility for scrutiny of EU draft proposals (they receive draft legislation at the same time as the Parliament and Council and can give their opinion on it), for proper transposition of EU legislation into Irish law and for holding the Government accountable for the decisions taken by Ministers at Council meetings.

National Parliaments also have a role in communicating and engaging with the people, encouraging and facilitating national public consideration of EU issues, and, by doing so, contributing to making European politics more democratic.

Approximately 500 EU policy documents and legislative proposals are sent to the Oireachtas each year. They are automatically sent to the relevant Oireachtas Committee.

The Oireachtas Committee on European Union Affairs plays a key role in informing debate on the European Union in Ireland by fully considering important EU developments and initiatives affecting Ireland, ensuring that EU legislation and proposals are properly scrutinised and in holding the Government to account in Ireland's relations with Europe. The Committee also regularly engages with EU institutions to monitor and influence the political and strategic direction of the Union as a whole.

4

Other bodies involved in EU decision making

There are two advisory bodies that must be consulted on draft EU legislation when it is on an area relevant to them. Their opinion does not have to be taken on board.

These are:

European Economic and Social Committee (EESC) representing civil society including employers, trade unions and social organisations from each country. The Community and Voluntary Pillar has a place in the Irish EESC membership.

Committee of the Regions representing local and regional government.

The Court of Justice of the European Union (CJEU) is responsible for ensuring the correct interpretation and application of EU law in the EU. They review the legality of acts of the EU institutions and decide whether Member States have fulfilled their obligations EU law. They also provide interpretations of EU law when requested by national judges.

MAKING LAWS IN THE EU

5

The implementation of EU Law

Once new EU legislation is completed it is published in the Official Journal of the EU specifying the date on which it comes into effect.

<http://eur-lex.europa.eu/oj/direct-access.html>

USEFUL LINKS

European Commission webpage on EU:

<https://europa.eu/european-union/index>

European Commission office in Ireland:

ec.europa.eu/ireland

European Parliament Website:

www.europarl.europa.eu

European Parliament office in Ireland:

www.europarl.ie

Department of Foreign Affairs webpage on EU:

www.dfa.ie/our-role-policies/ireland-in-the-eu

European Anti-Poverty Network (EAPN Europe):

www.eapn.eu

European Anti-Poverty Network (EAPN) Ireland

www.eapn.ie

European Anti-Poverty Network (EAPN) Ireland is a network of anti-poverty groups working to put the eradication of poverty at the top of the Irish and European policy agenda and empowering groups working to end poverty to understand and influence policy-making. EAPN Ireland is a member of the European Anti-Poverty Network.

EAPN Ireland,
Carmichael House,
4 Brunswick Street North,
Dublin, D07
+353 (0)1 8745737
www.eapn.ie
@EAPNIreland



The European Commission's support for the production of this publication does not constitute an endorsement of the contents, which reflect the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

EAPN Ireland is part funded with the support of the European Union under the programme "Europe for Citizens" under Grant Decision No. 625836. Under this Programme it is part of the Foundations for Futures Europe Project.



Rialtas na hÉireann
Government of Ireland



EAPN Ireland receives support under the Scheme to Support National Organisations (SSNO) which is funded by the Government of Ireland through the Department of Rural and Community Development