

## LESSON 3 – KNOWING THE EUROPEAN UNION

### 1. Introduction

The European Union is an International organization of great importance that needs a powerful administration and management in order to face the great amount of competences that it holds.

Who directs the EU? Who legislates in the EU? How the activity of the EU is monitored?

Hereafter, we offer you information about the Institutional and Consultative System of the EU, which will answer who and how manages such a large organization, following this scheme:

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2. Institutions of the European Union
  - 2.1. European Parliament
  - 2.2. European Council
  - 2.3. Council of the EU
  - 2.4. European Commission
  - 2.5. Court of Justice of the European Union
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  - 2.7. European Central Bank
3. Advisory Bodies of the EU.
  - 3.1. European Committee of the Regions.
  - 3.2. European Economic and Social Committee.

### 2. Institutions of the European Union

#### 2.1. European Parliament<sup>1</sup>

The European Parliament is the Legislative organ of the EU; it is elected by the voters of the Union every five years, the last elections were held in the year 2014 and the next ones will be hold in 2019.

The headquarters are located in Strasbourg, though it has an auxiliary one in Brussels and its Main Secretary in Luxembourg.

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<sup>1</sup> Here you can find further [basic information about the European Parliament](#).

The Parliament is formed by the Members of the European Parliament [MEPs], (with a proportional representation according to the population of each Member State with a maximum of 96 upwards and a minimum of 6 downwards), not exceeding the total amount of 750, plus the President.

### [Who are the MEPs of my country in the European Parliament?](#)

Nowadays, with the imminent exit of the United Kingdom from the EU after the negotiations that the *Brexit* will conclude, some voices raise asking about how the vacant seats of this State are going to be made up even though the solution will be to eliminate or adjudicate them equally to the rest of the Member States.

Regarding the President, he represents the Parliament before the rest of the Institutions and abroad; been in charge of approving the EU budgets; the position is currently held by [Antonio Tajani](#).

Has a range of tripartite roles:

- Legislative Competences: normative approving (with the Council, following the proposal of the Commission); International agreements, extensions, programme supervision, work of the Commission and/or requests of the legislation proposals.
- Budgeting Competences: to establish the budget of the EU in a partnership with the Council; approve the long-term EU budget (multi-annual).
- Management Competences: democratic control of the Institutions; election of the President of the Commission; approving the management of the budget; examine citizen requests and investigations; debating the monetary policy of the ECB; asking questions to the Commission and the Council; electoral observation.

## 2.2. European Council<sup>2</sup>

The European Council represents the highest level of the political cooperation among the countries within the EU.

This institution is a meeting of the EU leaders in order to establish their political agenda, formed by the Chiefs of State of all the Member States, with the President of the European Commission ([Jean-Claude Juncker](#))

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<sup>2</sup> Here you can find [basic information about the European Council](#).

and the High Representative of the Union for Foreign Affairs and Security Policy (currently hold by the Italian [Federica Mogherini](#)).

The European Council it is managed by its President, who represents the EU to the entire world. He is elected by the European Council itself for periods of two and a half years that can be renewed for a second period; currently [Donald Tusk](#) is the President.

It has its headquarters in Brussels and its functions are the following ones:

- Decides about the orientation and the general political priorities of the EU, but has not legislative power.
- It is in charge of the complex or sensible issues about intergovernmental cooperation.
- Establish the Foreign and Common security Policies.
- Designates and names the candidates elected for specific important positions in the EU.
- Regarding to each of the issues, the European Council can:
  - Ask the European Commission to draft a proposal.
  - Submit it to the Council of the EU for deal with it.

### 2.3. Council of the EU<sup>3</sup>

The Council of the EU, or just Council<sup>4</sup>, is the main decision-making organ of the EU along with the European Parliament and its headquarters are based in Brussels.

Within it, the different Ministers of each country of the EU meet for debating, modify and passing laws; as well as coordinate National Policies. The Council it is not formed by permanent members, that is, it counts with [ten different formations](#), depending on the topic. Depending on the formation, each State sends a different Minister.

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<sup>3</sup> By clicking here you can find further [basic information about the Council of the EU](#).

<sup>4</sup> There are three entities with a similar name but with very different nature and functions: The Council of Europe –which is not an Institution of the EU- and the European Council and the Council of the European Union, which are formed, respectively, by the Chiefs of State and Ministers of the Member States.

The permanent President of the Foreign Affairs Council is the High Representative of the Common Foreign and Security Policy or CFSP (currently [Federica Mogherini](#)). The minister of the State that holds the [rotating presidency](#) of the EU heads the other nine formations.<sup>5</sup>

Holds the following functions:

- Negotiates and adopts the Legislation of the EU: in collaboration with the Parliament, on the basis of the proposals of the European Commission.
- Coordinates the Foreign Policies.
- Develops the Foreign and Security Policies: with the guidelines given by the European Council.
- Establish agreements: between the EU and other countries or International Organizations.
- Along with the Parliament, approves the Budget of the EU.

## 2.4. European Commission<sup>6</sup>

The European Commission is the Executive body of the Union and it is politically independent.

Its headquarters are based in Brussels and it is the only authority with the responsibility of developing proposals for the creation of new European legislation and of applying the decisions taken by the Parliament and the Council of the EU.

The European Commission is formed by [28 commissioners](#) who are named by a Member State and have responsibility among different topics. Their President, currently [Jean-Claude Juncker](#), is elected by the leaders of each State gathered in the European Council, regarding to the results of the elections to the Parliament, with the subsequent approval of this latter with the support of the majority.

It has the following functions:

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<sup>5</sup> The presidency change every 6 months and the [order until 2030](#) is currently established. It corresponds to a Member State, which acts with the support of another two States, forming a trio. The first half of 2018 is headed by Bulgaria, along with Austria and Estonia.

<sup>6</sup> Here you can find further [basic information about the European Commission](#).

- Proposes new laws. It is the only institution with the power to propose new laws to the Parliament and the Council.
- Manages the European Policies and allocates the funds of the EU. It sets the spending priorities of the EU along with the Council and the Parliament; elaborates the annual budget with the purpose of making the Parliament and Council to approve it, and monitors how the money is spent in collaboration with the European Court of Auditors.
- Ensures the compliance with the legislation of the EU. In collaboration with the Court of Justice, guarantees that the legislation of the EU it is correctly applied in all of the Member States.
- Represents the EU in the International Scene. Speaks on behalf of all the countries of the EU before the International organisms and negotiates International agreements in the name of the EU.

## 2.5. Court of Justice of the European Union<sup>7</sup>

The Court of Justice of the European Union (hereafter CJEU), is the body in charge of interpreting the legislation of the European Union and of guaranteeing, not only this to be applied, but also to be applied equally among all the Member States.

It also has the duty of resolving all the disputes between National Governments and Institutions of the EU and may interfere in some disputes of individuals, companies or organizations, if they understand that the rights that this regulations grants, has been infringed by Institutions of the EU or even by the Member States themselves.

Its headquarters are based in Luxembourg and it's formed by three bodies:

- The Court of Justice. Composed by a Judge for each Member State and 11 advocates-general, resolves cassation appeals, some actions of annulment and prejudicial issues.
- The General Court. Composed by 47 judges- that in 2019 will turn into 2 for each country- and resolves actions of annulment of

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<sup>7</sup> Here you can find further [about the Court of Justice of the European Union](#).

individuals, companies and, in some cases, of National Governments.

- The Civil Serve Tribunal. Is a specialized tribunal of just 7 judges, that judge about contentious issues linked to the employee of the EU.

The CJEU has a wide range of possibilities of judicial functions:

- Interprets the legislation (prejudicial issues). Interferes at a request of a National court when this one has doubts about the interpretation or legitimacy of a European Normative, or about the compatibility between a national normative or practice and the European Legislation.
- Apply the legislation (infringement proceeding). Addresses processes interposed by the European Commission or by a Member State against a National Administration, for violating the European Legislation.
- Overturns European Regulations (annulment issues). The Governments of the Country Members, the European Council or (in some cases) the European Parliament and even the individuals who are directly affected, may request the Court to overturn an European Normative that violates the treaties of the EU or the fundamental rights.
- Guarantees the actuation of the EU (actions for failure). The National Governments, other Institutions or the individuals or the companies may appeal to the Court about the inactivity of the Institutions, if these do not perform their function after been asked.
- Punish the European Institutions (damage actions). Any person or company that considers its interests harmed by the action or omission of the EU or its staff, may request to the Court.

## 2.6. European Court of Auditors<sup>8</sup>

It is the external independent auditor of the EU, in charge of looking after the interests of the European contributors. Despite its lack of legal capacity, informs about the finances of the Union and contributes to the improvement of the management of the budget of the EU on the part of the European Commission.

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<sup>8</sup> Here you can find further [basic information about the European Court of Auditors](#).

Its headquarters are located in Luxembourg.

It is formed by a member for each Member State, named by the Council after consulting the European Parliament, for a period of 6 renewable years. From amongst them it is elected a President for a 3-year period, that can also be renewed.

The functions of this body are the following ones:

- Audits the incomes and expenses of the EU.
- Monitors any person or organization that manages funds of the EU.
- Draws elaborations and recommendations targeted to the European Commission and the National Governments on its auditory informs.
- Informs the European Anti-Fraud Office about frauds, corruption or other illegalities.
- Elaborates an annual report for the Parliament and the Council about the Budget of the EU.
- Provides expert opinions to the Politics of the EU about how to improve the Financial Management of the EU and the accountability to the citizens.

## 2.7. European Central Bank<sup>9</sup>.

Is the institution in charge of management the Euro and of formulate and apply the Economic and Monetary Policy of the EU. Looks after the stability of pricing, supports the economic growth and the creation of jobs.

It is based in Frankfurt.

The ECB is formed by a President (currently [Mario Draghi](#)), a Vice-president and the Governors of the National Central Banks of all the countries of the EU.

Its main functions are the following ones:

- Define interest rates to which lend Money to the commercial banks of the Euro Zone.

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<sup>9</sup> Here you can find further [basic information about the European Central Bank](#).



- Manages the currency reserves of the Euro Zone and purchases and sells the currency in order to hold the balance of the exchange rates.
- Guarantees that the National Authorities properly supervise the financial markets and institutions and that the payment schemes work properly.
- Guarantees the security and strength of the European banking system.
- Authorises the fabrication of Euro banknotes.
- Monitors the evolution of prices and evaluates their stability.

### 3. Advisory Bodies of the EU

#### 3.1. European Committee of the Regions<sup>10</sup>

Is an Advisory Body of the Union that represents the regional and local entities of Europe. Allows the regions and cities to formally participate in the elaboration of the legislation of the EU, guaranteeing the respect of the position and the necessities of the regional and local entities.

Is based in Brussels and it is formed by 350 representatives of the different Member States (depending on their population), that in the serving of local and regional entities and are grouped in 5 Political Groups and 6 Commissions.

As functions of the Committee, the following ones can be mentioned:

- It is consulted by the Parliament, Commission and Council during the elaboration of legislation about issues related to the Local Administrations (Healthcare, Labour, Education, Climate Change, etc.)
- Has legitimisation for addressing the Court of Justice when defending its prerogatives.
- Draws judgements for the Institutions of the EU that mandatory consult it (about legislative proposals) or facultative.
- Draws judgements on its own initiative.

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<sup>10</sup> Here you can find further [basic information about the Committee of Regions](#).



Here you can check [which member of your region forms part of the European Committee of the Regions](#)

### 3.2. European Economic and Social Committee<sup>11</sup>

Is an Advisory Body of the Union that represents the organizations of workers, entrepreneurs and other groups of interest (like carriers, ecologists, teachers, consumers, etc.), allowing the emission of a formal opinion about specific legislative proposals of the EU.

It is based in Brussels and is formed by 350 members from the different Member States, depending on their population, and that are willingly group in order to represent the different economic and social interests of the organized civil society of the EU.

Here you can check [which members and groups form the Economic and Social Committee](#).

As functions of the Committee, the following ones can be mentioned:

- Ensures that the policy and legislation of the EU will adapt to the economic and social conditions, searching a consensus that may serve the common good.
- Promotes a participative EU, giving voice to the workers and entrepreneurs organizations and other groups of interest, and guaranteeing the dialogue among them.
- Promotes the values of the European integration and boost the origin of the participative democracy and the Civil Society Organizations.
- Draws judgements for the Institutions of the EU that mandatory or facultative consult the Committee.
- Draws judgements on its own initiative.

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<sup>11</sup> Here you can find further [about the European Economic and Social Committee](#).

## ADDITIONAL DOCUMENTS

### Websites:

- [Website European Parliament.](#)
- [Website European Council.](#)
- [Website Council of the EU.](#)
- [Website European Commission.](#)
- [Website CJEU.](#)
- [Website Court of Auditors.](#)
- [Website ECB.](#)
- [Website European Committee of the Regions.](#)
- [Website European Economic and Social Committee.](#)

### Videos:

- [The European Commission explained \(Functioning and Tasks\).](#)
- [The European Parliament in a nutshell.](#)
- [European Committee of the Regions.](#)
- [The European Central Bank.](#)
- [Court of Justice: cutting through legal fog.](#)
- [At home with the European institutions.](#)
- [European Council, Council of Europe: same thing?](#)
- [Masters of compromise: The European Council.](#)
- [The voice of European Civil Society: The EESC working for you.](#)