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Bringing the voice of people to EU decision makers
A guide to help civil society groups to campaign more effectively on EU level

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Introduction

Objective of this guide is to help to understand how and when to engage with EU institutions, in order to make campaigning activities more effective.

Understanding how institutions of the European Union work, and which powers they have, is a first step to understanding how you can influence EU decision making. This guide describes how the main EU institutions function and how decision making within the ‘institutional interplay’ is organized.

It looks at the routes that civil society groups have to inform, consult and influence this decision making, as well as looking at the realities of advocacy work in the “Brussels Bubble” - a scene dominated by corporate influence, and informal contacts.

Throughout the text, you will find some tips on how to participate and contribute to the decision-making processes in the EU institutions.

1 Originally, this guide is the creation of Friends of the Earth Europe. For the present version it was slightly adapted and updated by an anonymous admirer of Friends of the Earth Europe, its mission and the people behind it. You may make use of this guide for the good cause only and on your own responsibility.
The EU institutions

For official info on the European Union, visit the website: https://europa.eu/european-union/about-eu/institutions-bodies_en

European Commission
Official website: http://ec.europa.eu/

The European Commission is the executive arm of the European Union. The ‘guardian of the treaties’ alone may propose new legislation and is responsible for the implementation of EU laws and policies.

The term “Commission” refers to the college of 28 Commissioners headed by the President of the Commission (currently Jean Claude Juncker).

The President of the European Commission is elected by the European Parliament for a term of 5 years. Other commissioners are appointed by the President-elect, after nomination by member states, and scrutiny by the European Parliament.
The term can also refer to the 40 or so DGs (Directorates General and Services) which cover issues from “Agriculture and Rural Development” to “Taxation” and “Translation”. Together, they employ over 12,000 officials in a number of sites across Brussels.

The Commission also regularly consults publicly on a wide range of topics, inviting contributions from all interested parties. These consultations are sometimes preceded by the publication of a “green paper” which presents a range of ideas. It may be followed by a white paper, an official set of proposals that is used as a vehicle for their development into law. (See the list of official documents).

All consultations are published on the Your voice in Europe website: http://ec.europa.eu/yourvoice/index_en.htm

The European Commission issues “Communications” to the European Parliament and Council, which are used to initiate discussion on a particular topic within the other institutions, prior to a legislative proposal.

Another way for the Commission to develop policies is to launch so called “Roadmaps”. They cover a broader topic than a communication, and are more forward looking. They could result in one or more legislative proposals over a longer timeframe.

The Commission initiates all EU laws or legislation and (once legislation is passed by the Parliament and Council) the Commission oversees their implementation.

As the Commission proposes and drafts legislative proposals, approaching Commission officials at this first stage of the decision making process can help to make sure your concerns are addressed from the outset.

As a legislative proposal moves through the Commission it will be looked at from various angles in a process known as “inter-service consultation”, this means that officials from a variety of DGs may be involved.

Contacting the officials dealing directly with the legislation from each of the DGs involved will be the most effective way of influencing the process.

The Commission can also deal with issues regarding the implementation of legislation.

You can inform the Commission of your concerns by speaking to the expert in the relevant DG dealing with your issue. This may then trigger a process addressing your concern at EU level.

“Comitology” is the complex and opaque system of committees, composed of representatives from EU countries, which are established to assist the Commission with the implement EU legislation, and take and take 3,000 to 4,000 decisions per year. See the Comitology register for a list of committees and reports.
Influencing the decisions taken in Comitology depends upon knowledge of the existence and membership of the relevant committee, as well as being able to provide technical details on the matter being discussed.

A category of “Delegated Acts” allows the Commission to amend EU legislation to take account of new scientific or technical information, without consultation with Comitology committees.
The European Parliament is made up of 750 MEPs (Members of the European Parliament), directly elected by the public every 5 years. The next elections to the European Parliament take place in May 2019.

The Parliament meets in Strasbourg for plenary sessions (12 times each year), and in Brussels for additional plenary and committee meetings. See the calendar. The Secretariat of the parliament is located in Luxembourg.

In most policy areas, the European Parliament is responsible, along with the Council, for adopting legislation proposed by the Commission.

*Developing a personal relationship with MEPs, through face-to-face meetings and regular direct contact with them and their assistants, is an important way to inform European decision-making.*

MEPs also have the right to pose questions to other EU institutions (see http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html to search questions)

*Asking friendly MEPs to pose questions can be an important way to hold the institutions to account, gather information, and also build a relationship with MEPs.*

The Parliament is responsible, together with the Council, for agreeing the EU’s annual and multi-year budget (known as the Multiannual Financial Framework or MFF). The budget will have a major impact on issues as diverse as funding for renewable energy and energy savings projects in new member states, and sustainable agriculture and fisheries.
The majority of MEPs are part of one of the political groups (of which the “European People’s Party” is currently the largest). See the MEPs sorted by country and groups, and by alphabetical list, with assistants. As the European Parliament tends to seek consensus, rather than conflict on many issues, it can be important to work with a wide range of political groups. Though lot of decision-making is done within the ‘great coalition’ between 2 big groups, ‘European People’s Party’ and ‘Socialist & Democrats’.

Reaching the MEPs within a political group who are active on a particular issue can be a way of bringing more of their group on board.

MEPs sit on a number of Committees which play a key role in influencing and making policy. See the list of committees. Depending on the political area, one of these Committees will be given the “lead” role in facilitating the agreement on a particular law, by amending, commenting on and voting on legislative proposals before the proposal passes to the plenary for a vote of all MEPs.

For each proposal, a Rapporteur draws up a report on the proposal – coming from the European Commission - on behalf of the lead committee. The Rapporteur is appointed following agreement between the political groups.

Committee members from other political groups than that of the Rapporteur act as “shadow rapporteurs” or spokespeople for their political groups on the legislative proposal.

Contact with the Rapporteur, and shadows, as well as the chair of the committee is important if you are going to have an impact on the report, as well as in supporting or rejecting possible amendments.

Proposals may also be dealt with by other committees before going to vote at the lead committee. Often committees other than the lead committee will agree upon ‘opinion’ on the file in question, to inform the lead committee who the legislative proposal is seen from another point of view.

If the lead committee is likely to be less favourable to your position, gains can sometimes be made in the other committees.

Committees can also produce reports relevant to their competence, without being directly related to the legislative process. These are called “Own-Initiative Reports”, and are used to submit a motion for a resolution.

Although they are not legally binding, “Own-Initiative Reports” and resolutions can give a strong signal to other EU institutions and member states.
Council of the European Union and European Council


The Council of the European Union represents member states within the EU. It meets regularly in Brussels and Luxembourg, and is composed of twenty-eight national Ministers (one per member state). Depending on the topic being discussed, the Council will be composed of Ministers responsible for that particular topic. See the [calendar of meetings](http://www.consilium.europa.eu/).

As the Council is made up of Ministers who are members of national (or in some cases regional) government, it is possible to influence these people via the same routes as when discussing national issues.

Each member state has a permanent representative (known as ‘Perms Reps’) who act as ambassadors to the EU, and a number of experts on different policy areas (attachés) who meet once a week within the Committee of Permanent Representatives (CORPER), to prepare work for the Council, to look at and debate proposals and draft legislation.

Contact with Perm Reps and attachés can be useful to understand and potentially influencing the dynamics of the discussions, but they are representatives – rather than decision makers.

The European Council is responsible, along with the Parliament, for approving legislation proposed by the Commission. The three EU institutions negotiate a final common position after the voting of the Commission proposal in the plenary of the European Parliament and in a Council meeting.
Voting within the council is either by unanimity, or by “Qualified Majority Voting”, which depends on achieving support from a certain number of member states, votes (divided between members states according to the size of the country) and population represented. See the voting calculator. Bargaining and negotiation between countries is therefore common to achieve a majority.

The “Council Conclusions” form the official outcome of the meeting, and draft versions are prepared and debated weeks in advance. These drafts circulate in advance of the meeting- giving an opportunity for campaigners to comment directly on the material being discussed by Ministers.

The Presidency of the Council of the European Union rotates among the member states every six months. The Presidency is responsible for chairing the meetings of the Council of the European Union, and also represents the EU in international negotiations (in some cases together with the relevant commissioner).

The Presidency is a potential source of information on the agenda of Council meetings, and the state of play in negotiations. Developing contact with key individuals working in national governments on the Presidency, and keeping an eye on the Presidency website and newsletter are important parts of getting the latest information.

The Presidency is also responsible for finding compromises, and unifying different positions amongst the member states. This gives them a very powerful position in the decision making process.

The Presidency has the power to facilitate or postpone decisions, through setting the agenda for council meetings (although their power to put specific issues on the agenda is limited).

Three successive Council presidencies, known as presidency trios, cooperate for an 18-month period to provide additional continuity by sharing common political programmes. The current presidency (1. Semester 2018) is with Bulgaria, follow by Austria (2. Semester 2018), Romania (1. Semester 2019), Finland, Croatia and Germany.

Note: The Council of the European Union should not be confused with “The European Council”, which is made up of Heads of State or Heads of Government. It is currently chaired by Donald Tusk, President of the European Council. The European Council exists to define "the general political directions and priorities" of the European Union. Although it does not have any specific legislative power, it is the European Union’s strategic and crisis solving body. It meets at least twice during each 6 month period, in Brussels.

In many cases, the European Council will simply endorse conclusions issued by the Council of the European Union, making the meeting of Ministers the most important place to have influence.

Going for a coffee

Sometimes the best way to find out useful information from the Commission (or any other institution you are trying to influence) is to call a sympathetic person you have met and ask for a meeting.

If you didn't already have contact with the institution continue calling different people from the unit or department you need until someone agrees to meet you. Don’t hesitate to ask for an informal meeting, a coffee or lunch outside the building.

Don't forget that any public institution, at national or EU level, is made up of normal people. Some of them will have different opinions from the ones they need to present publicly while speaking in the name of these institutions.

“Going for a coffee” increases your chance to get the information you are looking for. In this situation, the person you meet is likely to be much more open and often tells you his own opinion versus the opinion of his employer. Your success rate might be even higher if you find a person coming from your own country.
Law making – the legislative procedures


The European Union has the power to make laws in various forms:
- **regulations** become immediately enforceable as law in all member states),
- **directives** must be transposed into national legislation (for example: the renewable energy directive which sets out targets for member states, without stating how they should be achieved),
- **decisions** are binding upon those individuals, organisations or member states to which they are addressed.
- **codification** refers to the process whereby one or more original pieces of legislation and subsequent amendments are brought together into a new, single, piece of legislation. **Recasting** is a similar process, but also includes the possibility to make changes to the legislation.

The ordinary legislative procedure
Although there are a number of special procedures, used in a small number of policy areas, the “Ordinary Legislative procedure” is the main legislative procedure by which legislation is adopted. In this procedure, the Commission submits a legislative proposal to the Parliament and Council, and both bodies have the chance to amend the proposal. However, both Parliament and Council need to approve the same version of the proposal.

*The use of various advocacy tactics, and an understanding of the balance of forces within the various institutions can ensure that progress is made when the text is being discussed by supportive (parts of) institutions, and that these gains are not rolled back when it is discussed by more obstructive bodies.*

At the first reading Parliament adopts its position on the Commission proposal, and passes this on to the Council.

If the Council approves the Parliament’s wording then the act is adopted. If not, it adopts its own position and passes this back to Parliament with explanations.

The Commission also informs Parliament of its position on the matter.

*An increasingly large proportion of legislative proposals are being dealt with during the first reading. This is done by establishing a “trialogue” between Commission, Council and Parliament, to establish a compromise text between the different institutions.*

At the second reading, the Parliament may approve the Council’s text, in which case it becomes law. The Parliament may reject the Council’s text, leading to a failure of the law, or modify it and pass it back to the Council. Second reading amendments are only admissible if they seek to: (1) restore Parliament’s first reading position; (2) reach a compromise between Council and Parliament; (3) amend a part of the Common Position which is new compared to the Commission proposal; or (4)
take account of a new fact or legal situation. If Parliament fails to take a decision, then the law is also adopted.

If the proposal has been amended by Parliament, the Commission gives its opinion once more.

The Council must then take a decision on the Parliament’s amended text within 3 months. Where the Commission has rejected amendments in its opinion, the Council must act unanimously.

If Council does not take a decision within 3 months, or if it opposes the amendments, the Council President (with the agreement of the Parliament President), convenes the “Conciliation Committee”. This committee is composed of the Council and an equal number of MEPs (with the attendance and moderation of the Commission).

The committee draws up a joint text on the basis of the two positions. If within six weeks it fails to agree a common text, then the act has failed. If it succeeds and the committee approves the text, then the Council and Parliament (acting by majority) must then approve the text. If either fails to do so, the act is not adopted.

There are opportunities for influencing the Commission, Council or Parliament at every stage in the procedure. Key moments include:

the period when legislation is being drafted and consulted upon within the Commission, the first reading in Parliament (which gives a chance to introduce or block amendments as the proposal passes through the Committee stage) The first reading in Council which gives a chance to influence via Perm Reps in Brussels, or activities at national level.
A rough guide to advocacy work

There are many ways to influence decision makers within the EU, and different tactics will be useful at different stages in a campaign, or to influence different institutions at different steps in the legislative process. The following tips should help you get the results you want whether you are writing, emailing, calling or visiting a decision maker.

Planning an advocacy strategy:
WHAT TO ASK FOR?
WHO TO ASK?
WHEN?
HOW TO ASK?

Do your research:
Researching your topic is obviously important, but make sure you stick to your main points, and don’t get distracted by complicated details. Identify the 2 or 3 key points that you want to get across, and make sure you mention them at the start of the meeting.
Written reports or briefings can help to get your message across in a clear and concise way, and can be something to leave behind with a decision-maker after a meeting.
Make sure you identified the relevant target group, i.e. the representative from the European Commission responsible for e.g. drafting a legislative proposal, or the ‘rapporteur’ in the European Parliament’s relevant committee, or the person in the national Ministry in charge.

Become useful to the people you are trying to influence
Many of the people you are trying to influence are not experts in their field. They may be working on a wide range of issue and not have time to follow all the latest developments or do background research on the topics that you care about. You may be able to present yourself as an expert that decision makers can turn to in the future.
You may also be able to identify a common purpose with decision makers, for example to make progress on a particular piece of legislation, or to block a particular decision being pushed by other countries or other interests.
You could offer support by drafting parliamentary questions or amendments to legislative text, or providing expertise and information on specific cases that decision makers can use.

Think about the messenger:
Making an alliance with other environmental or campaign groups, (especially those who already have good contacts) may help to increase the power behind your demands. Ensure that increasing the number of groups involved doesn’t lead to watering down or confusing the message.
Find out about the person you are trying to influence. Knowing if they have a background as an entrepreneur, in farming, or a trade union will help to decide which arguments might be effective with them. If you are approaching an elected representative, you might also decide to involve people from the constituency of the person you are trying to influence. This might be the region they represent, or their social/economic group in which they have their base.
Clarify your ask:
Ensure that you have a clear request for the person you are trying to influence: do you want them to vote in a particular way on a specific piece of legislation? do you want them to make a public statement or appear at an event in support of your demands? are you asking for an appointment for a face-to-face meeting? are you asking them for their opinion, or trying to influence their opinion? Ensure you ask for a clear reply in letters you send, and don’t end a meeting or phone-call until you’re sure you’ve got your message across.

Share intelligence:
Make sure you take notes if possible during any phone or face-to-face meetings, and share any information gained in meetings with allies who are also working on the same topic. This will help you to develop a strategy to reinforce positive responses, and come up with new arguments to counter negative responses.

Involve your supporters:
There are many ways to involve supporters and members in influencing decision makers, from mass face-to-face meetings, postcard actions, media stunts, demonstrations. Asking supporters to write hand written letters may have a higher impact, and will probably be more effective than “models letters” sent all with the same text. A few well written letters might also come across as less annoying than sending hundreds of campaign postcards and cyber-actions.

Combining with media work and mobilization
Advocacy work on its own may not be enough to achieve the change you want to see in EU policy. Most of the time it will be necessary to combine face-to-face meetings, and letters or phone calls with a broader mobilisation (through demonstrations, street actions, cyberactions, petitions, building coalitions, etc.) or with media work (press releases, media stunts, social media, opinion pieces, letters to newspapers, etc.).
Figure 1: Elisabeth Drury - NGO entry point to decision making

Figure 2: Elizabeth Drury - preparation for meeting

Outline meeting plan

For 30 minute meeting with a politician – scale up message/discussion sections for longer meetings:

• Introductions 5 mins:
• Deliver your message 10-15 mins
  - plan who will speak & say what
• Discussion with decision-makers 10 mins
• Conclusions – follow-up actions 3-5 mins

Figure 2: Elizabeth Drury - preparation for meeting