Practical Experience with EU Legislative Process

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Introduction

Why understanding the EU decision-making process is critical for public affairs professionals.

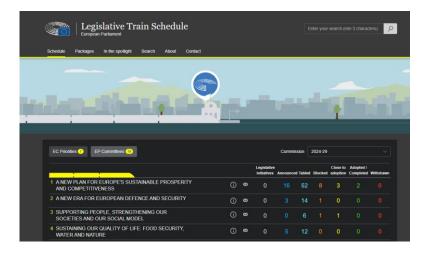This session builds on the previous one (from theory to practice).

Objective: better understanding of how policies are transformed into laws and the how you can influence the outcomes.

Very good information on Ordinary Legislative Procedure:

European Parliament's

- [Legislative Train Schedule](#)

- Overview of the [Ordinary Legislative Proposal](#)

- [Infographic](#)

Role of the European Commission

- Commissions right of initiative

- The Commission also has an essential role as a facilitator and mediator.

- It must always defend the general interest of Europe.

- The Commission therefore has to find a balance between:

  - defending its original proposal;
  - its role of facilitating the work of the co-legislators (the European Parliament and the Council);
  - adopting legislation, as quickly as possible and in the best possible conditions, that contributes to achieving the European Unions goals (not at any cost – 'guardian of the Treaty').

Planning of Commission initiatives: Commission Work Programme (2024)

Putting Theory into Practice: Learning from Experience

Key windows of influence in the EU Legislative process

- **Before the proposal**: To prepare a legislative proposal, the Commission carries out extensive consultations with stakeholders.
  - Call for Evidence (Have Your Say)
  - Public consultation as part of impact assessment (Better regulation)

- **Parliamentary & Council first reading**:
  - EP adopts its position first.
  - Member States carry out national consultations.
  - Stakeholder position papers.

- **Trilogues** : last-minute influence? ...rather closed setting.

- **Implementation**:
  - Co-design as a new modus operandi for many policies
  - Evaluation

Source: JRC publication

Better regulation

- …to design, deliver and support the implementation of high quality legislation.

- assesses the need for EU action and the potential economic, social and environmental impacts of alternative policy options

- All COM proposals prepared following the Better regulation guidelines and toolbox

- All draft impact assessment reports are submitted for quality scrutiny to the Regulatory Scrutiny Board (RSB)

- Interinstitutional Agreement on Better Law-Making (2016)

Rytis Martikonis, chair of the RSB since January 2023

Experience Sharing (Based on three examples)

Horizon Europe: Shaping the EU's major funding programme I

- Largest research and innovation programme with a budget of **EUR 95.5 billion**.

- Proposal developed as part of **MFF for 2021-27**, consisting of
  - Horizon Europe framework programme (COM(2018) 435),
  - Specific programme to implement Horizon Europe (COM(2018) 436),
  - a research and training programme under the Euratom Treaty (COM(2018) 437).

- **Programming** done via the Strategic Plan (priorities) and work programmes (funding opportunities).

Horizon Europe: Shaping the EU's major funding programme II

- **Key influences of the proposal (early inputs: 2017-18):**
  - Council conclusions on Horizon 2020 and 9th Framework Programme ([2017](#))
  - European Parliament resolution on Horizon 2020 ([2017](#))
  - 'Lamy' high-level group report
  - Council's ad hoc working group on Partnerships (2017-2018)
  - Between January-March 2018, a [public consultation](#) on future EU funds in R&I investment (over 4000 responses)
  - **Impact assessment (June 2018): echoed a lot of the inputs above.**

- **Influence after COM adopted its proposal:**
  - Stakeholder position papers and CoR and EECS opinions.
  - The file was assigned to EP ITRE Committee (adopted its report in Nov 2018)
  - The Council adopted a partial general approach on 30 November 2018 (except the budgetary aspects of the proposal)
  - Trilogue meetings from January-March 2019, followed by adoption and signing in April 2021

- **Successful Negotiation Tactics**: Early engagement and coalition-building.

LAB – FAB – APP
Investing in the European future we want

Report of the independent High Level Group on maximising the impact of EU Research & Innovation Programmes

The Guild
of European Research-Intensive Universities

The Guild's response to the Lamy report

The Guild welcomes the High-Level Group report on "maximising the impact of EU Research and Innovation Programmes" (Lamy Report). The group, led by Pascal Lamy, laid out its vision for the next Framework Programme (FP9), which sees a doubling of EU investment in research and innovation as essential to Europe's future. We agree that research and innovation must be prioritised in both national and EU budgets, and that EU funding must focus on where the true European value-add lies: in assuring international excellence, and in enabling the cross-border collaboration of the best minds. It is true that only investment in research, education and innovation can secure Europe's place in the world economically. Yet, the importance of such investment goes further still, it goes to the

Single Basic Act

Establishing 9 Joint Undertakings based on Art 187 TFEU

- Streamlining: Common provisions and specific provisions for individual JUs

- European Parliament is consulted (via resolution)

Challenges:

- Translating principles and criteria in the Horizon Europe regulation into practice (e.g., partners contributions, call organisation).

- Public-private partnerships: ensuring strong industry participation while maintaining openness

- More efficient and effective operation of Joint Undertakings (Common Back Office)

Successful Tactics:

- Coordinated impact assessment exercise.

- Early communication and information sharing towards the industry partners.

- Harmonised rules in a single Act: all JUs to have State Representative Groups to ensure openness, monitoring of newcomers, etc.

- At the same time, balancing uniform rules with sector-specific needs.

- Major initiative on digital transformation & cross-border collaboration for public administrations.
- Ordinary Legislative Procedure.
- What is different?
  - no direct link to a funding programme.
  - Challenge is at the same time technical (semantic), organizational and legal.
- Challenges during negotiations:
  - "Late comer" in the digital regulation landscape.
  - Scope
  - Regulatory sandboxes (LIBE committee, EDPS)
- Tactics or methods when shaping the Interoperable Europe policy.
  - Proposal developed with close involvement of MSs via *Expert Group on Interoperability of Public services*.
  - During negotiations: EP (rapporteur), but also CoR and EESC very favorable of the proposal.

Exploring the Future: Trends and Implications

Future Outlook of EU Legislative Proposals

- **Competitiveness compass ([COM(2025) 30](COM(2025) 30))**

- Commissioner **Dombrovskis** on regulatory simplification

- **Focus: Simplification and implementation:**
  - Reduce reporting obligations for SMEs by 35%
  - SME competitiveness check,
  - Stress test the EU acquis,
  - Digital check and **Legislative Financial Digital Statement**

- **Strengthened relationship with EP** (and Council):
  - Structured dialogue on Article 225 Resolutions adopted by the Parliament,
  - Commissioners visible in Plenaries and trilogues.

- Revision of the **Interinstitutional Agreement on Better Law-Making.**

Conclusion and Q&A