EU Decision-Making Masterclass

The Council of the European Union perspective
Decision-making from the Member States level

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Main points

1) How the Council works in practice and how Member States positions are coordinated

2) The role of working groups, COREPER, and political guidance in shaping outcomes

3) Practical insights on interinstitutional negotiations and Council dynamics

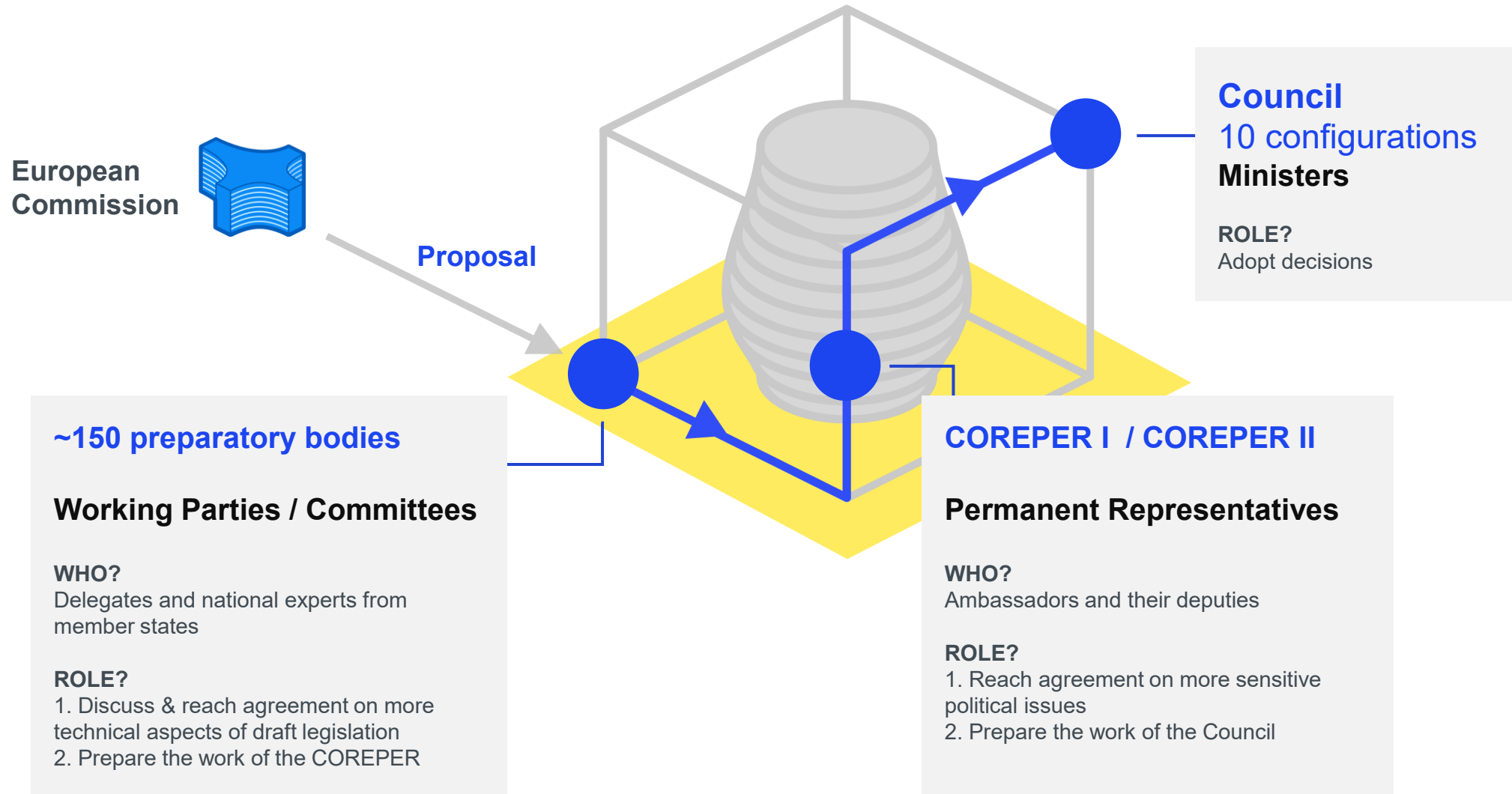**4) Practical Advocacy & Influence Tactics**

1.a) How the Council works in practice

- **10 Council Configurations**

- **The Three-Stage Procedure**
    1. **Working Parties/Committees**
    2. **COREPER (Committee of Permanent Representatives)**
    3. **Council Meetings**

- **The Rotating Presidency**

Structure of the Council

European Commission

Proposal

Council
10 configurations
Ministers

ROLE?
Adopt decisions

~150 preparatory bodies

Working Parties / Committees

WHO?
Delegates and national experts from member states

ROLE?
1. Discuss & reach agreement on more technical aspects of draft legislation
2. Prepare the work of the COREPER

COREPER I / COREPER II

Permanent Representatives

WHO?
Ambassadors and their deputies

ROLE?
1. Reach agreement on more sensitive political issues
2. Prepare the work of the Council

One Council – Ten configurations

**The Council
of the European
Union**

- General Affairs
- Foreign Affairs
- Transport, Telecommunications and Energy
- Economic and Financial Affairs
- Competitiveness
- Environment
- Employment, Social Policy, Health and Consumer Affairs
- Justice and Home Affairs
- Education, Youth, Culture and Sport
- Agriculture and Fisheries

Role of the Council of the EU

Negotiate and adopt EU laws, *in most cases with the European Parliament*

Adopt the EU budget, *with the European Parliament*

Coordinate member states' policies
- Economic and fiscal policies
- Education, culture, youth and sport
- Employment policy

Develop the EU's common foreign and security policy
Guidelines set by the European Council

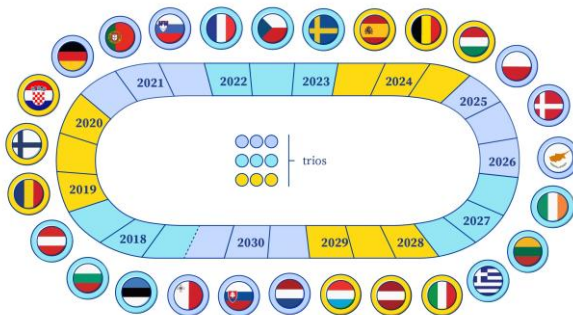**Conclude international agreements**

The rotating presidency of the Council

Member States rotate every 6 months

18-month rolling programme of **three** successive presidencies.

Currently: **PL, DK, CY** until 30 June 2026
followed by **IE, LT, EL**

ROLE OF THE ROTATING PRESIDENCY

Three core functions:
o Organises, prioritises and plans
o Negotiates
o Communicates

Chairs:
o Council configurations except Foreign Affairs
o Coreper I and II
o Committees and working groups

# 1.b) How Member States Positions are Coordinated

- **National Level:** Capital / Ministry of Foreign Affairs / European Affairs Department / Permanent Representation

- **Council Level:** Working Parties / Coreper / Rotating Presidency and Trios / Council Configurations (Ministerial Level)

- **General Affairs Council:** Ensures consistency across all other Council work and prepares meetings for the European Council

- **Strategic Direction:** European Council (Heads of State or Government) sets broad political priorities which the Council then translates into specific legislation (negotiation and adoption) and policy coordination.

- **Voting Rules** (Most legislation is passed by Qualified Majority Voting)
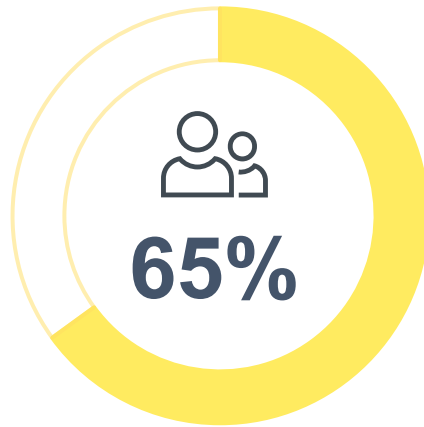
The voting system in the Council

Qualified majority

the default voting rule - system of double majority

55%

of member states

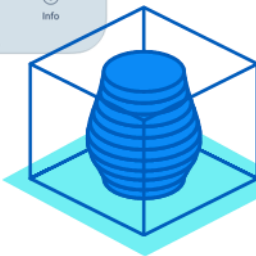**65%**
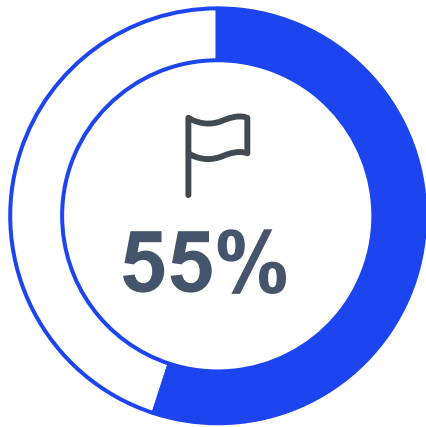
of EU population

Unanimity

some examples:

- Enlargement of the EU
- Common foreign and security policy
- Taxation
- Multiannual financial framework

Simple majority

mostly for procedural decisions

Council Voting Calculator App

Voting

11:58

Voting Calculator

Final result
Approved

All countries participating

Austria
1.71% of population

Belgium
2.22% of population

Bulgaria
1.37% of population

roatia
80% of population

Cyprus
0.17% of population

Czech Republic
2.04% of population

Denmark
1.13% of population

Calculator   Saved votes   Info
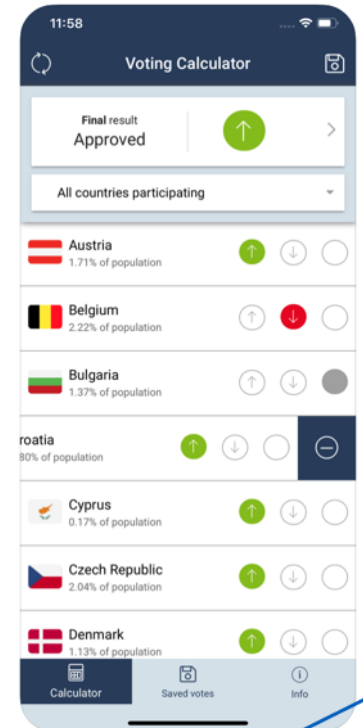
2) The role of working groups, COREPER, and political guidance in shaping outcomes

a) **The Role of Working Groups (The Technical Foundation)**

- **Technical Scrutiny:** Line-by-line analysis of Commission proposals

- **Negotiation Arena:** Primary forum for reaching consensus

- **Influence on Content:** They often shape policy outcomes

- **Initial Compromises:** They set the initial negotiating mandate

b) **COREPER (The "Engine Room" and Political Broker)**

- **Filtering and Sorting:** Reviews the work of the working groups

- **Brokerage:** Acts as a negotiator to find compromises on open issues

- **Mandate Setting:** Making them the crucial arbiters of the final deal

c) Political Guidance **(Steering the Direction)**

- **European Council:** Sets the overall political direction/priorities of the EU

- **Council Presidency:** Holds the reins of working groups and COREPER

- **General Approaches and mandates:** Council's negotiation position

- **Ministers (Council Configurations):** Provide final political approval

The European Council sets the EU's overall political direction
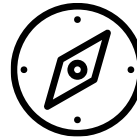
27 Heads of State or Government

+

The President of the European Council

+

The President of the European Commission

Meeting twice every 6 months and whenever required (Special European Councils)

Defines overall **political direction** and **priorities**

Mostly decides by consensus, but by qualified majority for a limited number of decisions e.g. in:

- o Electing its President
- o Appointing the High Representative
- o Establishing the list of Council configurations

Exercises **no legislative functions**

d)   Summary of Interaction

1. **Working Groups handle technical issues and build initial consensus.**

2. **COREPER sorts these, manages disputes, and provides political brokering.**

3. **Political Guidance sets the agenda and, at the ministerial level, confirms the final, often pre-negotiated, agreement.**

3.a) List of practical insights on interinstitutional negotiations

- **Trilogues are the Norm:** Most EU legislation is settled in informal "trilogues"

- **Trilogues are Influential:** Influence positions before they become fixed

- **The Four-Column Table is Supreme:** Negotiations revolve around it

- **Identify the "Power Broker" (Presidency):** Working Party / Coreper Chair(s)

- **Understand the Mandate Constraints:** Based on strict instructions from capitals

Trilogues - tripartite meeting

Council and EP work <u>in parallel</u> on the Commission proposal. The Commission acts as facilitator during these negotiations

Working Party discussions
and Coreper and poss. Council

↓

Coreper or Council **general approach**
and **/** or **mandate**

EP committee in charge:
report + amendments
(rapporteur / shadows)

↓

EP committee vote on **report**
(incl. **amendments**) & (poss.) on **decision
to enter into negotiations**

↓

EP plenary: **amendments** or
announcement + **confirmation** of
committee decision (= mandate)

repeat (revised mandate)

Trilogue(s)

Ordinary Legislative Procedure (I): Article 294 - TFEU

Proposal

COMMISSION

Drafts legislative text

First reading

PARLIAMENT

EP adopts its Position

COUNCIL

Council approves the position: Act adopted in the wording of the EP

Council does not approve: it informs EP of its position

Second reading

PARLIAMENT
within 3 months

EP informs Council of its position – approval / rejection / amendments

COUNCIL
within 3 further months

Council approves by Qualified Majority (QM)

Council does not approve

Conciliation

CONCILIATION COMMITTEE

Approval

No approval
The joint act is not adopted

Third reading

Parliament and Council – acting by QM - have 6 weeks to adopt the act

The views that are being expressed are those of the speaker and not of the Council of the EU

3.b) List of practical insights on Council dynamics

- **The Three-Level Approach: Influencing at** the working party level **is often more effective than at the ministerial level.**

- **General Approach and Mandate are Crucial: This is often the** most critical stage **for national or businesses interests.**

- **Coalition Building is Essential: With 27 Member States, you must build alliances. Small states have less blocking power, making coalition building** with similar-interest states **necessary to influence voting.**

- **The Presidency shapes negotiations with the EP: The country holding the 6-month Presidency can** influence the agenda**, decide how to group issues, and** determine the pace of negotiations**.**

4) Practical Advocacy & Influence Tactics

- **Act Early and Throughout**: Influence the process before the Commission proposal is published and keep engaging throughout the Council working party stage.

- **Target the Right Players**: Focus on the chairs and specific national representatives in the Council working party/ies.

- **Leverage National Channels**: Since Council members are national ministers, influencing national governments in their capitals can have a direct impact on the EU negotiations.

- **Provide Technical Solutions**: Decision-makers are not experts in all fields. Providing concrete, well-evidenced amendments or solutions (e.g., in a **4-column table format**) is highly effective

Proposal for a directive of the European Parliament and of the Council on copyright in the Digital Single Market COM (2016) 593 final – 2016/0280 (COD) *PART 1: CITATIONS AND RECITALS*				
Row	**COMMISSION PROPOSAL COM(2016)593**	**EP TEXT P8_TA-PROV(2018)0337 A8-0245/2018**	**COUNCIL TEXT 9134/18**	**POSSIBLE COMPROMISE SOLUTION**
1.	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on copyright in the Digital Single Market (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on copyright in the Digital Single Market (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on copyright in the Digital Single Market (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on copyright in the Digital Single Market (Text with EEA relevance)
2.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

QUESTIONS?

Thank You!

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