

How the European Union works

Your guide to the EU institutions



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Introducing the European Union

The European Union (EU) is a family of democratic European countries working together to improve life for their citizens and to build a better world.

Family squabbles and occasional crises are what make the news headlines, but away from the cameras the EU is actually a remarkable success story. In just over half a century it has delivered peace and prosperity in Europe, a single European currency (the euro) and a frontier-free 'single market' where goods, people, services and capital move around freely. It has become a major trading power, and a world leader in fields such as environmental protection and development aid. No wonder it has grown from six to 25 members and more countries are queuing up to join.

The European Union's success owes a lot to the unusual way in which it works. Unusual because the EU is not a federation like the United States. Nor is it simply an organisation for cooperation between governments, like the United Nations. It is, in fact, unique. The countries that make up the EU (its 'member states') remain independent sovereign nations but they pool their sovereignty in order to gain a strength and world influence none of them could have on their own.

Pooling sovereignty means, in practice, that the member states delegate some of their decision-making powers to shared institutions they have created, so that decisions on specific matters of joint interest can be made democratically at European level.

Challenges such as preventing climate change and protecting the environment can only be tackled by international cooperation. The EU is at the forefront of those efforts.



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The three main decision-making institutions are:

- *the European Parliament (EP), which represents the EU's citizens and is directly elected by them;*
- *the Council of the European Union, which represents the individual member states;*
- *The European Commission, which seeks to uphold the interests of the Union as a whole.*

This 'institutional triangle' produces the policies and laws that apply throughout the EU. In principle, it is the Commission that proposes new laws, but it is the Parliament and Council that enact them.

The Court of Justice upholds the rule of European law, and the Court of Auditors checks the financing of the Union's activities.

A number of other bodies also have key roles in making the EU work:

- *the European Economic and Social Committee (EESC) represents civil society, employers and employees;*
- *the Committee of the Regions (CoR) represents regional and local authorities;*
- *the European Investment Bank finances EU investment projects, and helps small businesses via the European Investment Fund;*
- *the European Central Bank is responsible for European monetary policy;*
- *the European Ombudsman investigates complaints about maladministration by EU institutions and bodies;*
- *the European Data Protection Supervisor safeguards the privacy of people's personal data.*

In addition, specialised agencies have been set up to handle certain technical, scientific or management tasks.

The powers and responsibilities of the EU institutions, and the rules and procedures they must follow, are laid down in the treaties on which the EU is founded. The treaties are agreed by the presidents and prime ministers of all the EU countries and ratified by their parliaments.

The following chapters describe the treaties and the European institutions, explaining what each institution does and how they interact. The final chapter gives a brief overview of the agencies and other bodies that are involved. The aim is to give you a clear picture of how the European Union works.

The treaties

The EU is founded on four treaties:

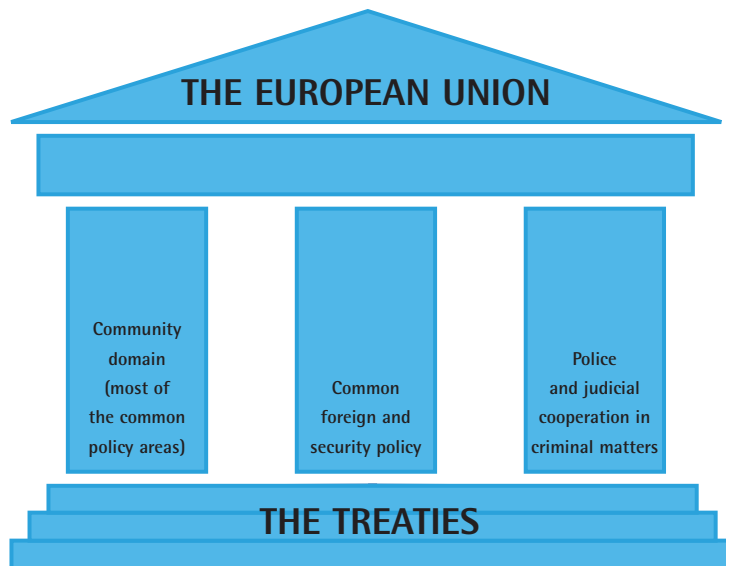
- The **Treaty establishing the European Coal and Steel Community (ECSC)**, which was signed on 18 April 1951 in Paris, came into force on 23 July 1952 and expired on 23 July 2002.
- The **Treaty establishing the European Economic Community (EEC)**, which was signed on 25 March 1957 in Rome and came into force on 1 January 1958. It is often referred to as 'the Treaty of Rome'.
- The **Treaty establishing the European Atomic Energy Community (Euratom)**, which was signed in Rome along with the EEC Treaty.
- The **Treaty on European Union (EU)**, which was signed in Maastricht on 7 February 1992, and came into force on 1 November 1993.

The first three of these treaties created the three 'European Communities', i.e. the system of joint decision-making on coal, steel, nuclear power and other major sectors of the member states' economies. The community institutions – set up to manage this system – were merged in 1967, resulting in a single Commission and a single Council.

The EEC, in addition to its economic role, gradually took on a wide range of responsibilities including social, environmental and regional policies. Since it was no longer a purely economic community, the fourth treaty (Maastricht) renamed it simply 'the European Community' (EC).

At Maastricht, the member state governments also agreed to work together on foreign and security policy and in the area of 'justice and home affairs'. By adding this

inter-governmental co-operation to the existing Community system, the Maastricht Treaty created a new structure with three 'pillars' which is political as well as economic. This is the European Union (EU).



*The European Union is founded on its treaties.
Its three 'pillars' represent different policy areas
with different decision-making systems.*



It was on 9 May 1950 that French Foreign Minister Robert Schuman first publicly put forward the ideas that led to the European Union. So 9 May is celebrated as the EU's birthday.

The treaties are the basis for everything the EU does. They have been amended each time new member states have joined. From time to time the treaties have also been amended to reform the European Union's institutions and to give it new areas of responsibility. This is always done by a special conference of the EU's national governments (an 'intergovernmental conference' or IGC) and it has happened three times in the last 20 years:

- The **Single European Act (SEA)** was signed in February 1986 and came into force on 1 July 1987. It amended the EEC Treaty and paved the way for completing the single market.
- The **Treaty of Amsterdam** was signed on 2 October 1997 and came into force on 1 May 1999. It amended the EU and EC treaties, giving numbers (instead of letters) to the EU Treaty articles.
- The **Treaty of Nice**, signed on 26 February 2001, came into force on 1 February 2003. It further amended the other treaties,

streamlining the EU's decision-making system so it could continue to work effectively after a new wave of member states joined in 2004.

Having so many treaties makes the European Union complicated and difficult to understand. That is why the EU's presidents and prime ministers decided in June 2004 to replace all the existing treaties with a single Constitution, setting out clearly what the Union is, how it takes decisions and who is responsible for doing what.

However, it cannot come into force until it has been ratified by all 25 national parliaments. In some countries, it must be approved by referendum.

If you want to learn more about the Constitution, go to europa.eu.int/constitution/

How the EU takes decisions

Decision-making at European Union level involves various European institutions, in particular

- the European Commission,
- the European Parliament (EP),
- the Council of the European Union.

In general, it is the European Commission that **proposes** new legislation, but it is the Council and Parliament that **pass** the laws. Other institutions also have roles to play.

The rules and procedures for EU decision-making are laid down in the treaties. Every

proposal for a new European law must be based on a specific treaty article, referred to as the 'legal basis' of the proposal. This determines which legislative procedure must be followed. The three main procedures are 'consultation', 'assent' and 'co-decision'.

1. Consultation

Under the consultation procedure, the Council consults Parliament as well as the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR).

Three 'councils': which is which?

It's easy to become confused about which European body is which — especially when very different bodies have very similar names, such as these three 'councils'.

The European Council

This means the heads of state or government (i.e. presidents and/or prime ministers) of all the EU countries, plus the President of the European Commission. The European Council meets, in principle, four times a year to agree overall EU policy and to review progress. It is the highest-level policy-making body in the European Union, which is why its meetings are often called 'summits'.

The Council of the European Union

Formerly known as the **Council of Ministers**, this institution consists of government ministers from all the EU countries. The Council meets regularly to take detailed decisions and to pass European laws. A fuller description of its work is given later in this booklet.

The Council of Europe

This is not an EU institution at all. It is an intergovernmental organisation which aims (amongst other things) to protect human rights, to promote Europe's cultural diversity and to combat social problems such as racial prejudice and intolerance. It was set up in 1949 and one of its early achievements was to draw up the European Convention on Human Rights. To enable citizens to exercise their rights under that Convention it set up the European Court of Human Rights. The Council of Europe now has 46 member countries, including the 25 European Union countries, and its headquarters is the *Palais de l'Europe* in Strasbourg (France).

Parliament can

- approve the Commission proposal,
- reject it,
- or ask for amendments.

If Parliament asks for amendments, the Commission will consider all the changes Parliament suggests. If it accepts any of these suggestions it will send the Council an amended proposal.

The Council examines the amended proposal and either adopts it or amends it further. In this procedure, as in all others, if the Council amends a Commission proposal it must do so **unanimously**.

2. Assent

The assent procedure means that the Council has to obtain the European Parliament's assent before certain very important decisions are taken.

The procedure is the same as in the case of consultation, except that Parliament cannot

amend a proposal: it must either accept or reject it. Acceptance ('assent') requires an absolute majority of the vote cast.

3. Co-decision

This is the procedure now used for most EU law-making. In the co-decision procedure, Parliament does not merely give its opinion: it shares legislative power equally with the Council.

If Council and Parliament cannot agree on a piece of proposed legislation, it is put before a **conciliation committee**, composed of equal numbers of Council and Parliament representatives. Once this committee has reached an agreement, the agreed text is sent once again to Parliament and the Council so that they can finally adopt it as law.

The diagram on page nine shows the procedure in greater detail. For further information, go to europa.eu.int/comm/codecision/index_en.html

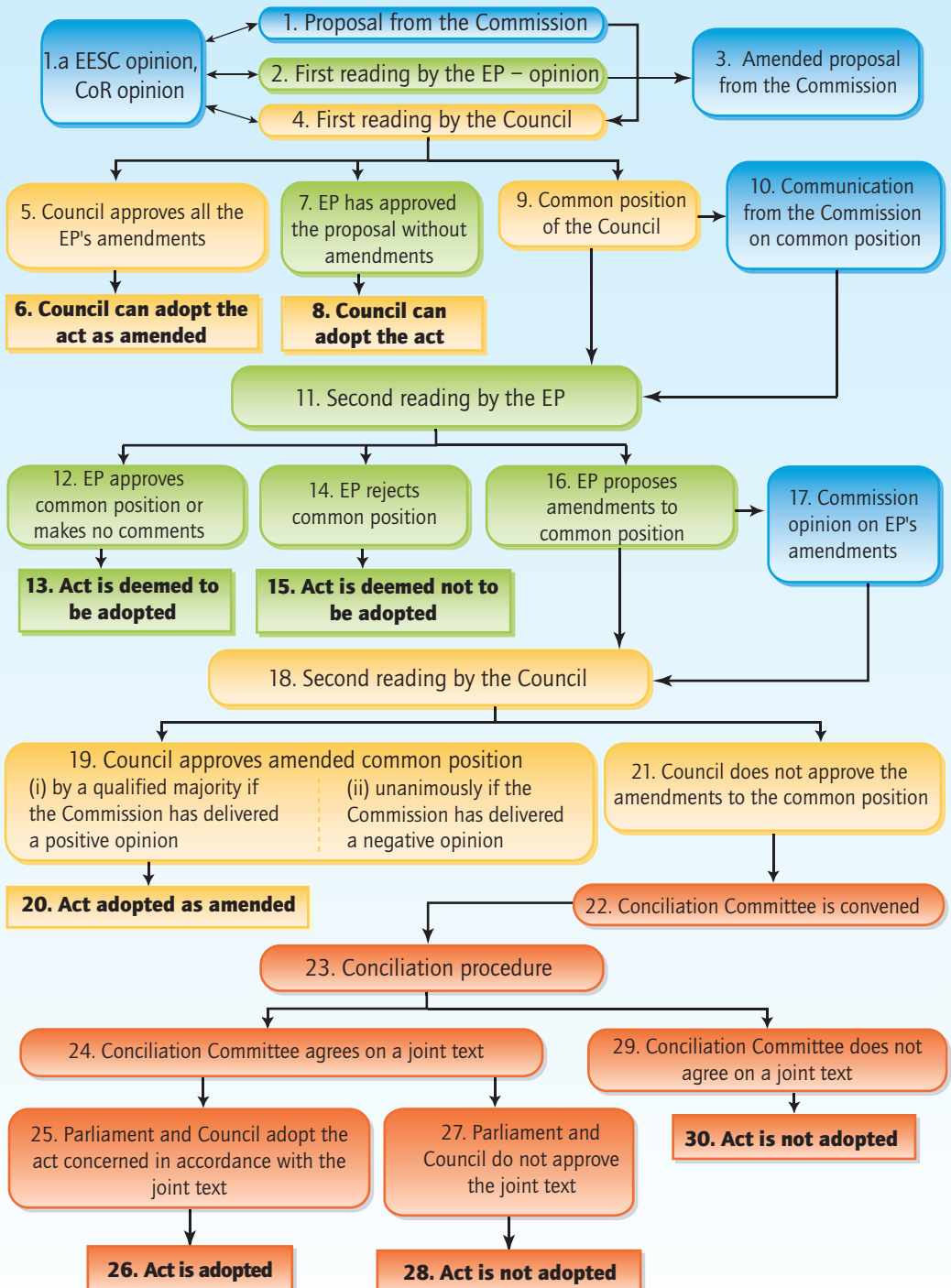
Who works for the EU institutions?

The civil servants who work for the EU institutions come from all member countries of the EU — and beyond. They cover a wide range of activities and skills, from policy-makers and managers to economists, lawyers, linguists, secretaries and technical support staff. They must be able and willing to work in a multicultural and multilingual environment, usually at quite a distance from their home country.

To become an EU civil servant you have to pass a tough competitive examination. Since January 2003, these exams are centrally organised by the European Personnel Selection Office (EPSO).

Further information at europa.eu.int/epso

The co-decision procedure



The European Parliament: voice of the people

Key facts

Role: Directly elected legislative arm of the EU
Next election: June 2009
Meetings: Monthly plenary sessions in Strasbourg, committee meetings and additional sessions in Brussels
Address: Plateau du Kirchberg, BP 1601, L-2929 Luxembourg
Tel. (352) 43 00-1
Internet: www.europarl.eu.int



The European Parliament (EP) is elected by the citizens of the European Union to represent their interests. Its origins go back to the 1950s and the founding treaties, and since 1979 its members have been directly elected by the people they represent.

Elections are held every five years, and every EU citizen who is registered as a voter is entitled to vote. Parliament thus expresses the democratic will of the Union's citizens (more than 455 million people), and it represents their interests in discussions with the other EU institutions. The present parliament, elected in June 2004, has 732 members from all 25 EU countries. Nearly one third of them are women.

Members of the European Parliament (MEPs) do not sit in national blocks, but in seven Europe-wide political groups. Between them, they represent all views on European integration, from the strongly pro-federalist to the openly Eurosceptic.



The directly elected representatives of the EU's citizens meet in Strasbourg to debate and vote on Europe-wide legislation that affects everyone.

Number of seats per country

(in alphabetical order according to the country's name in its own language)

Belgium	24
Czech Republic	24
Denmark	14
Germany	99
Estonia	6
Greece	24
Spain	54
France	78
Ireland	13
Italy	78
Cyprus	6
Latvia	9
Lithuania	13
Luxembourg	6
Hungary	24
Malta	5
Netherlands	27
Austria	18
Poland	54
Portugal	24
Slovenia	7
Slovakia	14
Finland	14
Sweden	19
United Kingdom	78
Total	732

Where is Parliament based?

The European Parliament has three places of work: Brussels (Belgium), Luxembourg and Strasbourg (France).

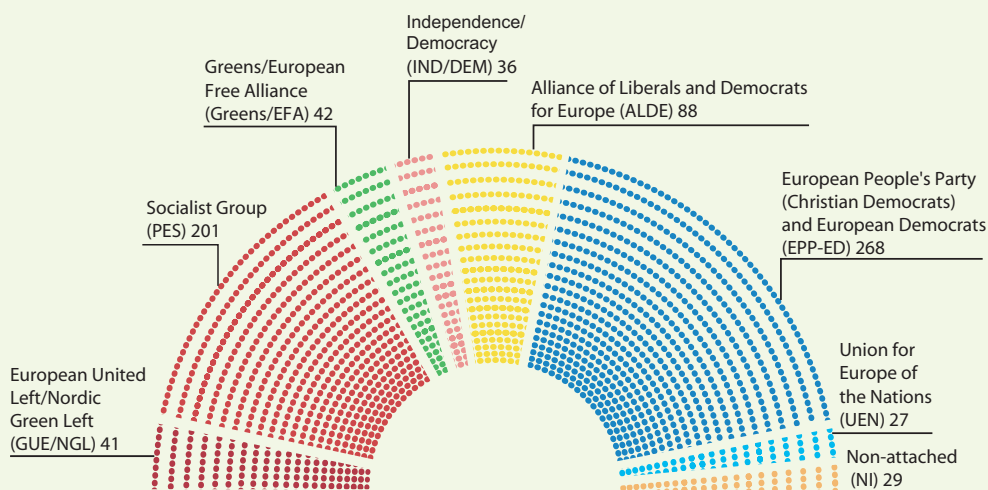
Luxembourg is home to the administrative offices (the 'General Secretariat'). Meetings of the whole Parliament, known as 'plenary sessions', take place in Strasbourg and sometimes in Brussels. Committee meetings are also held in Brussels.

What does Parliament do?

Parliament has three main roles.

1. **Passing European laws** – jointly with the Council in many policy areas. The fact that the EP is directly elected by the citizens helps guarantee the democratic legitimacy of European law.
2. Parliament exercises **democratic supervision** over the other EU institutions, and in particular the Commission. It has the power to approve or reject the nomination of commissioners, and it has the right to censure the Commission as a whole.

Number of seats per political group, as at 2 June 2005



3. The power of the purse. Parliament shares with the Council authority over the EU budget and can therefore influence EU spending. At the end of the procedure, it adopts or rejects the budget in its entirety.

These three roles are described in greater detail below.

1. Passing European laws

The most common procedure for adopting (i.e. passing) EU legislation is 'co-decision' (see above: 'How the EU takes decisions'). This procedure places the European Parliament and the Council on an equal footing and it applies to legislation in a wide range of fields.

In some fields (for example agriculture, economic policy, visas and immigration), the Council alone legislates, but it has to consult Parliament. In addition, Parliament's assent is required for certain important decisions, such as allowing new countries to join the EU.

Parliament also provides impetus for new legislation by examining the Commission's annual work programme, considering what new laws would be appropriate and asking the Commission to put forward proposals.

2. Democratic supervision

Parliament exercises democratic supervision over the other European institutions. It does so in several ways.

When a new Commission takes office, its members are nominated by the EU member state governments but they cannot be appointed without Parliament's approval. Parliament interviews each of them individually, including the prospective Commission President, and then votes on whether to approve the Commission as a whole.

Throughout its term of office, the Commission remains politically accountable to Parliament, which can pass a 'motion of censure' calling for the Commission's mass resignation.

More generally, Parliament exercises control by regularly examining reports sent to it by the Commission (the annual general report, reports on the implementation of the budget, etc.). Moreover, MEPs regularly ask the Commission questions which the commissioners are legally required to answer.

Parliament also monitors the work of the Council: MEPs regularly ask the Council questions, and the President of the Council attends the EP's plenary sessions and takes part in important debates.

Parliament can exercise further democratic control by examining petitions from citizens and setting up committees of inquiry.

Finally, Parliament provides input to every EU summit (the European Council meetings). At the opening of each summit, the President of Parliament is invited to express Parliament's views and concerns about topical issues and the items on the European Council's agenda.

3. The power of the purse

The EU's annual budget is decided jointly by Parliament and the Council. Parliament debates it in two successive readings, and the budget does not come into force until it has been signed by the President of Parliament.

Parliament's Committee on Budgetary Control (COCOBU) monitors how the budget is spent, and each year Parliament decides whether to approve the Commission's handling of the budget for the previous financial year. This approval process is technically known as 'granting a discharge'.



*Josep Borrell Fontelles was elected
President of the European
Parliament in 2004.*

How is the Parliament's work organised?

Parliament's work is divided into two main stages.

- **Preparing for the plenary session.** This is done by the MEPs in the various parliamentary committees that specialise in particular areas of EU activity. The issues for debate are also discussed by the political groups.

- **The plenary session itself.** Plenary sessions are normally held in Strasbourg (one week per month) and sometimes in Brussels (two days only). At these sessions, Parliament examines proposed legislation and votes on amendments before coming to a decision on the text as a whole.

Other items on the agenda may include Council or Commission 'communications' or questions about what is going on in the European Union or the wider world.

The Council of the European Union: voice of the member states

Key facts

Role:	<i>Legislative (in some fields executive) arm of the EU; represents the member states</i>
Members:	<i>One minister from each EU country</i>
Presidency:	<i>Rotates every six months</i>
Meetings:	<i>In Brussels (Belgium), except in April, June and October when meetings are in Luxembourg</i>
Address:	<i>Rue de la Loi/Wetstraat 175, B-1048 Brussels</i>
Tel.	<i>(32-2) 285 61 11</i>
Internet:	<i>ue.eu.int</i>



The Council is the EU's main decision-making body. Like the European Parliament, the Council was set up by the founding treaties in the 1950s. It represents the member states, and its meetings are attended by one minister from each of the EU's national governments.

Which ministers attend which meeting depends on what subjects are on the agenda. If, for example, the Council is to discuss environmental issues, the meeting will be attended by the environment minister from each EU country and it will be known as the 'Environment Council'.

The EU's relations with the rest of the world are dealt with by the 'General Affairs and External Relations Council'. But this Council configuration also has wider responsibility for general policy issues, so its meetings are attended by whichever minister or state secretary each government chooses.

Altogether there are nine different Council configurations.

- General Affairs and External Relations
- Economic and Financial Affairs (Ecofin)
- Justice and Home Affairs (JHA)

- Employment, Social Policy, Health and Consumer Affairs
- Competitiveness
- Transport, Telecommunications and Energy
- Agriculture and Fisheries
- Environment
- Education, Youth and Culture

Each minister in the Council is empowered to commit his or her government. In other words, the minister's signature is the signature of the whole government. Moreover, each minister in the Council is answerable to his or her national parliament and to the citizens that parliament represents. This ensures the democratic legitimacy of the Council's decisions.

Up to four times a year the presidents and/or prime ministers of the member states, together with the President of the European Commission, meet as the **European Council**. These 'summit' meetings set overall EU policy and resolve issues that could not be settled at a lower level (i.e. by the ministers at normal Council meetings). Given the importance of European Council discussions, they often continue late into the night and attract a lot of media attention.

What does the Council do?

The Council has six key responsibilities.

1. To pass European laws – jointly with the European Parliament in many policy areas.
2. To coordinate the broad economic and social policies of the member states.
3. To conclude international agreements between the EU and other countries or international organisations.
4. To approve the EU's budget, jointly with the European Parliament.
5. To develop the EU's common foreign and security policy (CFSP: for further details see below), based on guidelines set by the European Council.
6. To coordinate cooperation between the national courts and police forces in criminal matters (see the 'Freedom, security and justice' section below).

Most of these responsibilities relate to the 'Community' domain – i.e. areas of action where the member states have decided to pool their sovereignty and delegate deci-

sion-making powers to the EU institutions. This domain is the 'first pillar' of the European Union.

However, the last two responsibilities relate largely to areas in which the member states have not delegated their powers but are simply working together. This is called 'inter-governmental cooperation' and it covers the second and third 'pillars' of the European Union.

The Council's work is described in greater detail below.

1. Legislation

Much EU legislation is adopted jointly by the Council and Parliament (see above: 'How the EU takes decisions').

As a rule, the Council only acts on a proposal from the Commission, and the Commission normally has responsibility for ensuring that EU legislation, once adopted, is correctly applied.

© The Council of the European Union



Ministers from every EU country meet in the Council to take joint decisions on EU policies and legislation.

2. Coordinating the policies of member states

The EU countries have decided that they want an overall economic policy based on close coordination between their national economic policies. This coordination is carried out by the economics and finance ministers, who collectively form the Economic and Financial Affairs (Ecofin) Council.

They also want to create more jobs and to improve their education, health and social protection systems. Although each EU country is responsible for its own policy in these areas, they can agree on common goals and learn from each other's experience of what works best. This process is called the 'open method of coordination', and it takes place within the Council.

3. Concluding international agreements

Each year the Council 'concludes' (i.e. officially signs) a number of agreements between the European Union and non-EU countries, as well as with international organisations. These agreements may cover broad areas such as trade, cooperation and development or they may deal with specific subjects such as textiles, fisheries, science and technology, transport, etc.

In addition, the Council may conclude conventions between the EU member states in fields such as taxation, company law or consular protection. Conventions can also deal with cooperation on issues of freedom, security and justice (see below).

4. Approving the EU budget

The EU's annual budget is decided jointly by the Council and the European Parliament.

5. Common foreign and security policy

The member states of the EU are working to develop a common foreign and security policy (CFSP). But foreign policy, security and defence are matters over which the individual national governments retain independent control. They have not pooled their national sovereignty in these areas, so Parliament and the European Commission play only a limited role here. However, the EU countries have much to gain by working together on these issues, and the Council is the main forum in which this 'intergovernmental cooperation' takes place.

To enable it to respond more effectively to international crises, the European Union has created a 'rapid reaction force'. This is not a European army: the personnel remain members of their national armed forces and under national command, and their role is limited to carrying out humanitarian, rescue, peacekeeping and other crisis management tasks. In 2003, for example, the EU conducted a military operation (code name Artemis) in the Democratic Republic of the Congo, and in 2004 it began a peacekeeping operation (code name Althea) in Bosnia and Herzegovina.

The Council is assisted in such operations by:

- the Political and Security Committee (PSC),
- the European Union Military Committee (EUMC) and
- the European Union Military Staff (EUMS), composed of military experts seconded to the Council Secretariat by the member states.



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Child custody disputes shouldn't tear families apart. The EU makes sure that court rulings given in one member country are respected in all other member countries.

6. Freedom, security and justice

EU citizens are free to live and work in whichever EU country they choose, so they should have equal access to civil justice everywhere in the European Union. National courts therefore need to work together to ensure, for example, that a court judgment delivered in one EU country in a divorce or child custody case is recognised in all other EU countries.

Freedom of movement within the EU is of great benefit to law-abiding citizens, but it is also exploited by international criminals and terrorists. To tackle cross-border crime requires cross-border cooperation between the national courts, police forces, customs officers and immigration services of all EU countries.

They have to ensure, for example:

- that the EU's external borders are effectively policed;

- that customs officers and police exchange information on the movements of suspected drugs traffickers or people smugglers;
- that asylum seekers are assessed and treated in the same way throughout the EU, so as to prevent 'asylum shopping'.

Issues such as these are dealt with by the Justice and Home Affairs Council – i.e. the ministers for justice and the interior. The aim is to create a single 'area of freedom, security and justice' within the EU's borders.

How is the Council's work organised?

Coreper

In Brussels, each EU member state has a permanent team ('representation') that represents it and defends its national interest at EU level. The head of each representation is, in effect, his or her country's ambassador to the EU.

These ambassadors (known as 'permanent representatives') meet weekly within the Permanent Representatives Committee (Coreper). The role of this committee is to prepare the work of the Council, with the exception of most agricultural issues, which are handled by the Special Committee on Agriculture. Coreper is assisted by a number of working groups, made up of officials from the national administrations.

The Council Presidency

The Presidency of the Council rotates every six months. In other words, each EU country in turn takes charge of the Council agenda and chairs all the meetings for a six-month period, promoting legislative and political decisions and brokering compromises between the member states.

If, for example, the Environment Council is scheduled to meet during the second half of 2006 it will be chaired by the Finnish minister for the environment, since Finland holds the Council Presidency at that time.

The General Secretariat

The Presidency is assisted by the General Secretariat, which prepares and ensures the smooth functioning of the Council's work at all levels.

In 2004, Mr Javier Solana was reappointed Secretary-General of the Council. He is also High Representative for the common foreign and security policy (CFSP), and in this capacity he helps coordinate the EU's action on the world stage. Under the new Constitutional Treaty, the High Represent-



Javier Solana (front left), as the EU's foreign policy chief, acts for Europe on the world stage.

ative would be replaced by an EU Foreign Affairs Minister.

The Secretary-General is assisted by a Deputy Secretary-General in charge of managing the General Secretariat.

How many votes per country?

Decisions in the Council are taken by vote. The bigger the country's population, the more votes it has, but the numbers are weighted in favour of the less populous countries:

Germany, France, Italy and the United Kingdom	29
Spain and Poland	27
Netherlands	13
Belgium, Czech Republic, Greece, Hungary and Portugal	12
Austria and Sweden	10
Denmark, Ireland, Lithuania, Slovakia and Finland	7
Cyprus, Estonia, Latvia, Luxembourg and Slovenia	4
Malta	3
Total	321

Qualified majority voting

In some particularly sensitive areas such as common foreign and security policy, taxation, asylum and immigration policy, Council decisions have to be unanimous. In other words, each member state has the power of veto in these areas.

On most issues, however, the Council takes decisions by 'qualified majority voting' (QMV).

A qualified majority is reached

- if a majority of member states (in some cases a two-thirds majority) approve and
- if a minimum of 232 votes is cast in favour – which is 72.3 % of the total.

In addition, a member state may ask for confirmation that the votes in favour represent at least 62 % of the total population of the Union. If this is found not to be the case, the decision will not be adopted.

The European Commission: promoting the common interest

Key facts

Role:	<i>Executive arm of the EU and initiator of legislative proposals</i>
Members:	<i>25: one from each of the member states</i>
Term of office:	<i>Five years (2004–09)</i>
Address:	<i>Rue de la Loi/Wetstraat 200, B-1049 Brussels</i>
Tel.	<i>(32-2) 299 11 11</i>
Internet:	<i>europa.eu.int/comm</i>



The Commission is independent of national governments. Its job is to represent and uphold the interests of the EU as a whole. It drafts proposals for new European laws, which it presents to the European Parliament and the Council.

It is also the EU's executive arm — in other words, it is responsible for implementing the decisions of Parliament and the Council. That means managing the day-to-day business of the European Union: implementing its policies, running its programmes and spending its funds.

Like the Parliament and Council, the European Commission was set up in the 1950s under the EU's founding treaties.

What is the Commission?

The term 'Commission' is used in two senses. First, it refers to the team of men and women — one from each EU country — appointed to run the institution and take its decisions. Secondly, the term 'Commission' refers to the institution itself and to its staff.

Informally, the appointed Members of the Commission are known as 'commissioners'. They have all held political positions in their countries of origin and many have been government ministers, but as Members of the Commission they are committed to acting in the interests of the Union as a whole and not taking instructions from national governments.

A new Commission is appointed every five years, within six months of the elections to the European Parliament. The procedure is as follows.

- The member state governments agree together on who to designate as the new Commission President.
- The Commission President-designate is then approved by Parliament.
- The Commission President-designate, in discussion with the member state governments, chooses the other Members of the Commission.
- The new Parliament then interviews each Member and gives its opinion on the whole team. Once it is approved, the new Commission can officially start work.

The present Commission's term of office runs until 31 October 2009. Its President is José Manuel Barroso, from Portugal.

The Commission remains politically accountable to Parliament, which has the power to dismiss the whole Commission by adopting a motion of censure. Individual members of the Commission must resign if asked to do so by the President, provided the other commissioners approve.

The Commission attends all the sessions of Parliament, where it must clarify and justify its policies. It also replies regularly to written and oral questions posed by MEPs.

The day-to-day running of the Commission is done by its administrative officials, experts, translators, interpreters and secretarial staff. There are approximately 25 000 of these European civil servants. That may sound a lot, but in fact it is fewer than the

number of staff employed by a typical medium-sized city council in Europe.

Where is the Commission based?

The 'seat' of the Commission is in Brussels (Belgium), but it also has offices in Luxembourg, representations in all EU countries and delegations in many capital cities around the world.

What does the Commission do?

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);

© EC



There is one member of the European Commission from each EU country, but they work independently of national governments. They meet every Wednesday to discuss EU policies and to propose new European legislation.

4. to represent the European Union on the international stage, for example by negotiating agreements between the EU and other countries.

1. Proposing new legislation

The Commission has the 'right of initiative'. In other words, the Commission alone is responsible for drawing up proposals for new European legislation, which it presents to Parliament and the Council. These proposals must aim to defend the interests of the Union and its citizens, not those of specific countries or industries.

Before making any proposals, the Commission must be aware of new situations and problems developing in Europe and it must consider whether EU legislation is the best way to deal with them. That is why the Commission is in constant touch with a wide range of interest groups and with two advisory bodies – the European Economic and Social Committee and the Committee of the Regions. It also seeks the opinions of national parliaments and governments.

The Commission will propose action at EU level only if it considers that a problem cannot be solved more efficiently by national, regional or local action. This principle of dealing with things at the lowest possible level is called the 'subsidiarity principle'.

If, however, the Commission concludes that EU legislation is needed, then it drafts a proposal that it believes will deal with the problem effectively and satisfy the widest possible range of interests. To get the technical details right the Commission consults experts, via its various committees and groups.

2. Implementing EU policies and the budget

As the European Union's executive body, the Commission is responsible for managing and

implementing the EU budget. Most of the actual spending is done by national and local authorities, but the Commission is responsible for supervising it – under the watchful eye of the Court of Auditors. Both institutions aim to ensure good financial management. Only if it is satisfied with the Court of Auditors' annual report does the European Parliament grant the Commission discharge for implementing the budget.

The Commission also has to manage the policies adopted by Parliament and the Council, such as the common agricultural policy. Another example is competition policy, where the Commission has the power to authorise or prohibit mergers between companies. The Commission also has to make sure that EU countries do not subsidise their industries in such a way as to distort competition.

Examples of EU programmes managed by the Commission range from the 'Interreg' and 'URBAN' programmes (creating cross-border partnerships between regions and helping regenerate declining urban areas) to the 'Erasmus' programme of Europe-wide student exchanges.

3. Enforcing European law

The Commission acts as 'guardian of the treaties'. This means that the Commission, together with the Court of Justice, is responsible for making sure EU law is properly applied in all the member states.

If it finds that an EU country is not applying an EU law, and therefore not meeting its legal obligations, the Commission takes steps to put the situation right.

First it launches a process called the 'infringement procedure'. This involves sending the government an official letter, saying why the Commission considers this country is infringing EU law and setting it a deadline for sending the Commission a detailed reply.



José Manuel Barroso was appointed President of the European Commission in 2004.

If this procedure fails to put things right, the Commission must then refer the matter to the Court of Justice, which has the power to impose penalties. The Court's judgments are binding on the member states and the EU institutions.

4. Representing the EU on the international stage

The European Commission is an important mouthpiece for the European Union on the international stage. It enables the member states to speak 'with one voice' in international forums such as the World Trade Organisation.

The Commission also has the responsibility of negotiating international agreements on behalf of the EU. One example is the Cotonou Agreement, which sets out the terms of an important aid and trade partnership between the EU and developing countries in Africa, the Caribbean and the Pacific.

How is the Commission's work organised?

It is up to the Commission President to decide which commissioner will be responsible for which policy area, and to reshuffle these responsibilities (if necessary) during the Commission's term of office.

The Commission meets once a week, usually on Wednesdays in Brussels. Each item on the agenda is presented by the commissioner responsible for that policy area, and the whole team then takes a collective decision on it.

The Commission's staff is organised in departments, known as 'Directorates-General' (DGs) and 'services' (such as the Legal Service). Each DG is responsible for a particular policy area and is headed by a Director-General who is answerable to one of the commissioners. Overall coordination is provided by the Secretariat-General, which

also manages the weekly Commission meetings. It is headed by the Secretary-General, who is answerable directly to the President.

It is the DGs that actually devise and draft legislative proposals, but these proposals become official only when 'adopted' by the Commission at its weekly meeting. The procedure is roughly as follows.

Suppose, for example, that the Commission sees a need for EU legislation to prevent pollution of Europe's rivers. The Directorate-General for the Environment will draw up a proposal, based on extensive consultations with European industry and farmers, with environment ministries in the member states and with environmental organisations. The

draft will also be discussed with other Commission departments and checked by the Legal Service and the Secretariat-General.

Once the proposal is fully ready, it will be put on the agenda of the next Commission meeting. If at least 13 of the 25 commissioners approve the proposal, the Commission will 'adopt' it and it will have the whole team's unconditional support. The document will then be sent to Council and the European Parliament for their consideration.

Limiting the size of the Commission

A Commission with too many members will not work properly. There is at present one commissioner from each EU country. When Bulgaria and Romania join the European Union it will have 27 member states. At that point, the Council — by a unanimous decision — will fix the maximum number of commissioners. There must be fewer than 27 of them, and their nationality will be determined by a system of rotation that is absolutely fair to all countries.



ECHO, the EU's humanitarian aid office, provides emergency assistance to disaster victims around the world. It is run by the European Commission.

The Court of Justice: upholding the law

Key facts

Role:	<i>To give legal judgments on cases brought before it</i>
Court of Justice:	<i>One judge from each EU country; eight advocates-general</i>
Court of First Instance:	<i>At least one judge from each EU country</i>
Term of office:	<i>Members of both courts are appointed for renewable terms of six years</i>
Address:	<i>Boulevard Konrad Adenauer, L-2925 Luxembourg</i>
Tel.	<i>(352) 43 03-1</i>
Internet:	<i>curia.eu.int</i>



The Court of Justice of the European Communities (often referred to simply as 'the Court') was set up under the ECSC Treaty in 1952. It is based in Luxembourg.

Its job is to make sure that EU legislation is interpreted and applied in the same way in all EU countries, so that the law is equal for everyone. It ensures, for example, that national courts do not give different rulings on the same issue.

The Court also makes sure that EU member states and institutions do what the law requires. The Court has the power to settle legal disputes between EU member states, EU institutions, businesses and individuals.

The Court is composed of one judge per member state, so that all 25 of the EU's national legal systems are represented. For the sake of efficiency, however, the Court rarely sits as the full court. It usually sits as a 'Grand Chamber' of just 13 judges or in chambers of five or three judges.

The Court is assisted by eight 'advocates-general'. Their role is to present reasoned opinions on the cases brought before the Court. They must do so publicly and impartially.

The judges and advocates-general are people whose impartiality is beyond doubt. They have the qualifications or competence needed for appointment to the highest judicial positions in their home countries. They are appointed to the Court of Justice by joint agreement between the governments of the EU member states. Each is appointed for a term of six years, which may be renewed.

To help the Court of Justice cope with the large number of cases brought before it, and to offer citizens better legal protection, a **Court of First Instance** was created in 1989. This Court (which is attached to the Court of Justice) is responsible for giving rulings on certain kinds of case, particularly actions brought by private individuals, companies and some organisations, and cases relating to competition law.

The Court of Justice and the Court of First Instance each have a President, chosen by their fellow judges to serve for a renewable term of three years. Vassilios Skouris, from Greece, was elected President of the Court of Justice in 2003. Bo Vesterdorf, from Denmark, is President of the Court of First Instance.

A new judicial body, the **European Civil Service Tribunal**, has been set up to adjudicate in disputes between the European Union and its civil service. This tribunal is composed of seven judges and is attached to the Court of First Instance.

What does the Court do?

The Court gives rulings on cases brought before it. The four most common types of case are:

1. references for a preliminary ruling;
2. actions for failure to fulfil an obligation;
3. actions for annulment;
4. actions for failure to act.

They are each described in greater detail below.

1. The preliminary ruling procedure

The national courts in each EU country are responsible for ensuring that EU law is properly applied in that country. But there is a risk that courts in different countries might interpret EU law in different ways.

To prevent this happening, there is a 'preliminary ruling procedure'. This means that if a national court is in any doubt about the interpretation or validity of an EU law it may, and sometimes must, ask the Court of Justice for advice. This advice is given in the form of a 'preliminary ruling'.

2. Actions for failure to fulfil an obligation

The Commission can start these proceedings if it has reason to believe that a member state is failing to fulfil its obligations under EU law. These proceedings may also be started by another EU country.

In either case, the Court investigates the allegations and gives its judgment. The accused member state, if it is indeed found to be at fault, must set things right at once.

If the Court finds that the member state has not complied with its judgment, it may impose a fine on that country.

3. Actions for annulment

If any of the member states, the Council, the Commission or (under certain conditions) Parliament believes that a particular EU law is illegal they may ask the Court to annul it. These 'actions for annulment' can also be used by private individuals who want the Court to cancel a particular law because it directly and adversely affects them as individuals.

If the Court finds that the law in question was not correctly adopted or is not correctly based on the treaties, it may declare the law null and void.

4. Actions for failure to act

The Treaty requires the European Parliament, the Council and the Commission to make certain decisions under certain circumstances. If they fail to do so, the member states, the other Community institutions and (under certain conditions) individuals or companies can lodge a complaint with the Court so as to have this failure to act officially recorded.

How is the Court's work organised?

Cases are submitted to the registry and a specific judge and advocate-general are assigned to each case.

The procedure that follows is in two stages: first a written and then an oral phase.

At the first stage, all the parties involved submit written statements and the judge assigned to the case draws up a report summarising these statements and the legal background to the case.

Then comes the second stage – the public hearing. Depending on the importance and complexity of the case, this hearing can take place before a chamber of three, five or 13 judges, or before the full Court. At the hearing, the parties' lawyers put their case before the judges and the advocate-general, who can question them. The advocate-general then gives his or her opinion, after which the judges deliberate and deliver their judgment.

Since 2003, advocates-general are required to give an opinion on a case only if the Court considers that this particular case raises a new point of law. Nor does the Court necessarily follow the advocate-general's opinion.

Judgments of the Court are decided by a majority and pronounced at a public hearing. Dissenting opinions are not expressed. Decisions are published on the day of delivery.



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The Court of Justice ensures that everyone is treated equally under EU law – for example, that women and men get equal pay for equal work. There is one judge from each EU country.

The European Court of Auditors: getting value for your money

Key facts

Role:	<i>To check that EU funds are used properly</i>
Members:	<i>One from each EU country</i>
Term of office:	<i>Members are appointed for a renewable term of six years</i>
Address:	<i>12 rue Alcide de Gasperi, L-1615 Luxembourg</i>
Tel.	<i>(352) 43 98-1</i>
Internet:	<i>www.eca.eu.int</i>



The Court of Auditors was set up in 1975. It is based in Luxembourg. The Court's job is to check that EU funds, which come from the taxpayers, are properly collected and that they are spent legally, economically and for the intended purpose. It has the right to audit any person or organisation handling EU funds.

The Court has one member from each EU country, appointed by the Council for a renewable term of six years. The members elect one of their number as President for a renewable term of three years. Hubert Weber, from Austria, was elected President in January 2005.

What does the Court do?

The Court's main role is to check that the EU budget is correctly implemented – in other words, that EU income and expenditure is legal and above board and to ensure sound financial management. So its work helps guarantee that the EU system operates efficiently and openly.

To carry out its tasks, the Court investigates the paperwork of any person or organisation

handling EU income or expenditure. It frequently carries out on-the-spot checks. Its findings are written up in reports which bring any problems to the attention of the Commission and EU member state governments.

To do its job effectively, the Court of Auditors must remain completely independent of the other institutions but at the same time stay in constant touch with them.

One of its key functions is to help the European Parliament and the Council by presenting them every year with an audit report on the previous financial year. Parliament examines the Court's report in detail before deciding whether or not to approve the Commission's handling of the budget. If satisfied, the Court of Auditors also sends the Council and Parliament a statement of assurance that European taxpayers' money has been properly used.

Finally, the Court of Auditors gives its opinion on proposals for EU financial legislation and for EU action to fight fraud.



23 ©

One important item on the EU's budget is support for environment-friendly farming that produces healthy food and treats animals well. Auditors check that this money is used properly.

How is the Court's work organised?

The Court of Auditors has approximately 800 staff, including translators and administrators as well as auditors. The auditors are divided into 'audit groups'. They prepare draft reports on which the Court takes decisions.

The auditors frequently go on tours of inspection to the other EU institutions, the

member states and any country that receives aid from the EU. Indeed, although the Court's work largely concerns money for which the Commission is responsible, in practice 90% of this income and expenditure is managed by the **national** authorities.

The Court of Auditors has no legal powers of its own. If auditors discover fraud or irregularities they inform OLAF – the European Anti-Fraud Office.

The European Economic and Social Committee: voice of civil society

Key facts

<i>Role:</i>	<i>Represents organised civil society</i>
<i>Members:</i>	<i>317</i>
<i>Term of office:</i>	<i>Four years</i>
<i>Meetings:</i>	<i>Brussels, monthly</i>
<i>Address:</i>	<i>Rue Belliard 99, B-1040 Brussels</i>
<i>Tel.:</i>	<i>(32-2) 546 90 11</i>
<i>Internet:</i>	<i>www.esc.eu.int</i>



Founded in 1957 under the Treaty of Rome, the European Economic and Social Committee (EESC) is an advisory body representing employers, trade unions, farmers, consumers and the other interest groups that collectively make up 'organised civil society'. It presents their views and defends their interests in policy discussions with the

Commission, the Council and the European Parliament.

So the EESC is a bridge between the Union and its citizens, promoting a more participatory, more inclusive and therefore more democratic society in Europe.



Employment in Europe is greatly affected by EU policies. Through the EESC, employers and trade unions both have a say in shaping those policies.

© JRC

The Committee is an integral part of the EU's decision-making process: it must be consulted before decisions are taken on economic and social policy. On its own initiative, or at the request of another EU institution, it may also give its opinion on other matters.

The EESC has 317 members – the number from each EU country roughly reflecting the size of its population. The numbers per country are as follows:

Germany, France, Italy and the United Kingdom	24
Poland and Spain	21
Belgium, Czech Republic, Greece, Hungary, the Netherlands, Austria, Portugal and Sweden	12
Denmark, Ireland, Lithuania, Slovakia and Finland	9
Estonia, Latvia and Slovenia	7
Cyprus and Luxembourg	6
Malta	5
Total	317

Once Bulgaria and Romania join, the Committee will have 344 members.

The members are nominated by the EU governments but they work in complete political independence. They are appointed for four years, and may be reappointed.

The Committee meets in plenary assembly, and its discussions are prepared by six sub-committees known as 'sections', each dealing with particular policy areas. It elects its President and two Vice-Presidents for a two-year term. Anne-Marie Sigmund, from Austria, became President of the EESC in October 2004.

What does the EESC do?

The European Economic and Social Committee has three main roles:

- to advise the Council, Commission and European Parliament, either at their request or on the Committee's own initiative;
- to encourage civil society to become more involved in EU policy-making;
- to bolster the role of civil society in non-EU countries and to help set up advisory structures.

Who are the EESC's members?

Working mostly in their countries of origin, the members of the Committee form three groups that represent employers, workers and various economic and social interests.

The Employers' Group has members from private and public sectors of industry, small and medium-sized businesses, chambers of commerce, wholesale and retail trade, banking and insurance, transport and agriculture.

The Workers' Group represents all categories of employees, from manual to executive. Its members come from national trade union organisations.

The third group represents a wide range of interests: NGOs, farmers' organisations, small businesses, crafts and professions, cooperatives and non-profit associations, consumer and environmental organisations, the scientific and academic communities and associations that represent the family, women, persons with disabilities, etc.

The Committee of the Regions: voice of local government

Key facts

Role:	<i>Represents regional and local authorities</i>
Members:	317
Term of office:	Four years
Meetings:	Brussels, five plenaries per year
Address:	Rue Belliard 101, B-1040 Brussels
Tel.	(32-2) 282 22 11
Internet:	www.cor.eu.int



Set up in 1994 under the Treaty on European Union, the Committee of the Regions (CoR) is an advisory body composed of representatives of Europe's regional and local authorities. The CoR has to be consulted before EU decisions are taken on matters such as regional policy, the environment, education and transport – all of which concern local and regional government.

The Committee has 317 members. The number from each member state approximately reflects its population size, as follows:

Germany, France, Italy and the United Kingdom	24
Poland and Spain	21
Belgium, Czech Republic, Greece, Hungary, the Netherlands, Austria, Portugal and Sweden	12
Denmark, Ireland, Lithuania, Slovakia and Finland	9
Estonia, Latvia and Slovenia	7
Cyprus and Luxembourg	6
Malta	5
Total	317

Once Bulgaria and Romania join, the CoR will have 344 members.

The members of the Committee are elected municipal or regional politicians, often leaders of regional governments or mayors of cities. They are nominated by the EU governments but they work in complete political independence. The Council of the European Union appoints them for four years, and they may be reappointed. They must also have a mandate from the authorities they represent, or must be politically accountable to them.

The Committee of the Regions chooses a President from among its members, for a term of two years. Peter Straub, from Germany, was elected President in February 2004.

What does the Committee do?

The role of the Committee of the Regions is to put forward the local and regional points of view on EU legislation. It does so by issuing opinions on Commission proposals.

The Commission and the Council must consult the Committee of the Regions on topics of direct relevance to local and regional authorities, but they can also consult the Committee whenever they wish. For its part,

the Committee can adopt opinions on its own initiative and present them to the Commission, Council and Parliament.

How is the Committee's work organised?

Each year the Committee of the Regions holds five plenary sessions, during which its general policy is defined and opinions are adopted.

The members of the Committee are assigned to specialist 'commissions' whose job is to prepare the plenary sessions. There are six commissions:

- Commission for Territorial Cohesion Policy (COTER);
- Commission for Economic and Social Policy (ECOS);
- Commission for Sustainable Development (DEVE);
- Commission for Culture and Education (EDUC);
- Commission for Constitutional Affairs and European Governance (CONST);
- Commission for External Relations (RELEX).

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Through the CoR, mayors and town councillors from all over Europe have their say in EU action affecting the regions – such as improving telecommunications networks.

The European Investment Bank: financing EU projects

Key facts

Role:	<i>Finances EU projects</i>
Members:	<i>The member states Board of Directors 26, Management Committee 9</i>
Address:	<i>100, Boulevard Konrad Adenauer, L-2950 Luxembourg</i>
Tel.	<i>(352) 43 79-1</i>
Internet:	<i>www.eib.eu.int</i>



The European Investment Bank (EIB) was set up in 1958 by the Treaty of Rome. Its job is to lend money for projects of European interest (such as rail and road links, airports, or environmental schemes), particularly in the less well-off regions, candidate countries and the developing world. It also provides credit for investment by small businesses.

Philippe Maystadt, from Belgium, became President of the EIB on 1 January 2000.

What does the Bank do?

The EIB is non-profit-making and gets no money from savings or current accounts. Nor does it use any funds from the EU budget. Instead, the EIB is financed through borrowing on the financial markets and by the Bank's shareholders – the member states of the European Union. They subscribe jointly to its capital, each country's contribution reflecting its economic weight within the Union.

This backing by the member states gives the EIB the highest possible credit rating (AAA) on the money markets, where it can therefore

raise very large amounts of capital on very competitive terms. This in turn enables the Bank to invest in projects of public interest that would otherwise not get the money – or would have to borrow it more expensively.

The projects the Bank invests in are carefully selected according to the following criteria:

- they must help achieve EU objectives such as making European industries and small businesses more competitive; creating trans-European networks (transport, telecommunications and energy); boosting the information technology sector; protecting the natural and urban environments; improving health and education services;
- they must chiefly benefit the most disadvantaged regions;
- they must help attract other sources of funding.

The EIB also supports sustainable development in the Mediterranean countries, Africa, the Caribbean and the Pacific, as well as projects in Latin America and Asia.

Finally, the EIB is the majority shareholder in the **European Investment Fund**, with which it forms the 'EIB Group'. The European Investment Fund was set up in 1994, to provide venture capital for small and medium-sized enterprises (SMEs). It does not lend directly to businesses or invest directly in any firms. Instead, it works through banks and other financial intermediaries, providing them with guarantees to cover their loans to small businesses.

The Fund is active in the member states of the European Union and in Bulgaria, Romania, Turkey and three EFTA countries (Iceland, Liechtenstein and Norway).

How is the Bank's work organised?

The EIB is an autonomous institution. It makes its own borrowing and lending decisions purely on the merits of each project and the opportunities offered by the financial markets. Each year, it presents a report on all its activities.

The Bank cooperates with the EU institutions. For example, its representatives may take part in committees of the European Parliament, and the President of the EIB may attend Council meetings.

The Bank's decisions are taken by the following bodies.

- **The Board of Governors** consists of ministers (normally the finance ministers) from all the member states. It defines the Bank's general lending policy, approves the balance sheet and annual report, authorises the Bank to fund projects outside the EU and decides on capital increases.
- **The Board of Directors**, approves lending and borrowing operations and it makes sure that the EIB is properly managed. It consists of 26 directors – one nominated by each EU member state and one by the European Commission.
- **The Management Committee** is the Bank's full-time executive. It handles the EIB's day-to-day business and it has nine members.



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The EIB finances a wide range of projects, including new road and rail links to improve Europe's transport network.

The European Central Bank: managing the euro

Key facts

Role:	<i>To manage the euro and EU monetary policy</i>
Members:	<i>Governing Council 18, General Council 27, Executive Board 6</i>
Address:	<i>Kaiserstrasse 29, D-60311 Frankfurt am Main</i>
Tel.	<i>(49) 691 34 40</i>
Internet:	<i>www.ecb.int</i>



The European Central Bank (ECB) was set up in 1998, under the Treaty on European Union, and it is based in Frankfurt (Germany). Its job is to manage the euro – the EU's single currency. The ECB is also responsible for framing and implementing the EU's economic and monetary policy.

To carry out its role, the ECB works with the 'European System of Central Banks' (ESCB), which covers all 25 EU countries. However, only 12 of these countries have so far adopted the euro. The 12 collectively make up the 'euro area' and their central banks, together with the European Central Bank, make up what is called the 'Eurosistem'.

The ECB works in complete independence. Neither the ECB, the national central banks of the Eurosistem, nor any member of their decision-making bodies can ask for or accept instructions from any other body. The EU institutions and member state governments must respect this principle and must not seek to influence the ECB or the national central banks.

The ECB, working closely with the national central banks, prepares and implements the decisions taken by the Eurosistem's deci-

sion-making bodies – the Governing Council, the Executive Board and the General Council.

Jean-Claude Trichet, from France, became President of the ECB in November 2003.

What does the Bank do?

One of the ECB's main tasks is to maintain price stability in the euro area, so that the euro's purchasing power is not eroded by inflation. The ECB aims to ensure that the year-on-year increase in consumer prices is less than 2%.

It does this in two ways.

- First, by **controlling the money supply**. If the money supply is excessive compared to the supply of goods and services, inflation will result.
- Second, by **monitoring price trends** and assessing the risk they pose to price stability in the euro area.

Controlling the money supply involves, amongst other things, setting interest rates throughout the euro area. This is perhaps the Bank's best-known activity.

How is the Bank's work organised?

The European Central Bank's work is organised via the following decision-making bodies.

The Executive Board

This comprises the President of the ECB, the Vice-President and four other members, all appointed by common agreement of the presidents or prime ministers of the euro area countries. The Executive Board members are appointed for a non-renewable term of eight years.

The Executive Board is responsible for implementing monetary policy, as defined by the Governing Council (see below), and for giving instructions to the national central banks. It also prepares the Governing Council meetings and is responsible for the day-to-day management of the ECB.

The Governing Council

The Governing Council is the European Central Bank's highest decision-making body. It comprises the six members of the Executive Board and the governors of the 12 central banks of the euro area. It is chaired by the President of the ECB. Its primary mission is to define the monetary policy of the euro area, and, in particular, to fix the interest rates at which the commercial banks can obtain money from the Central Bank.

The General Council

The General Council is the ECB's third decision-making body. It comprises the ECB's President and the Vice-President and the governors of the national central banks of all 25 EU member states. The General Council contributes to the ECB's advisory and coordination work and helps prepare for the future enlargement of the euro area.



*The euro makes it easy to travel
and shop around in Europe. The ECB
works to ensure stable prices
in the euro area.*

The European Ombudsman: investigating your complaints

Key facts

Role:	<i>To uncover cases of maladministration and propose solutions</i>
Term of office:	<i>Five years, renewable</i>
Address:	<i>1, Avenue du Président Robert Schuman, BP 403, F-67001 Strasbourg</i>
Tel.	<i>(33) 3 88 17 23 13</i>
Internet:	<i>www.euro-ombudsman.eu.int</i>



The position of European Ombudsman was created by the Treaty on European Union (Maastricht, 1992). The Ombudsman acts as an intermediary between the citizen and the EU authorities. He is entitled to receive and investigate complaints from EU citizens, businesses and organisations, and from anyone residing or having their registered office in an EU country.

The Ombudsman is elected by the European Parliament for a renewable term of five years, which corresponds to Parliament's legislative term. Nikiforos Diamandouros, the former national ombudsman of Greece, took up the post of European Ombudsman in April 2003 and was re-elected in January 2005 for a five-year term.

What does the Ombudsman do?

He helps to uncover 'maladministration' in the European Union institutions and bodies. 'Maladministration' means poor or failed administration – in other words, when an institution fails to act in accordance with the law, or fails to respect the principles of good administration, or violates human rights. Some examples are:

- unfairness,
- discrimination,

- abuse of power,
- lack or refusal of information,
- unnecessary delay,
- incorrect procedures.

The Ombudsman carries out investigations following a complaint or on his own initiative. He operates completely independently and impartially. He does not request or accept instructions from any government or organisation.

How do I complain to the Ombudsman?

If you want to complain about maladministration by an EU institution or body, the first thing to do is contact that institution or body through the usual administrative channels and try to get them to put the situation right.

If that approach fails, you can complain to the European Ombudsman.

You must make your complaint to the Ombudsman **within two years** of the date on which you became aware of the act of maladministration. You must clearly state who you are, which institution or body you are complaining about and what problem you

are complaining about, though you may ask for the complaint to remain confidential.

For practical guidance on making your complaint, go to the Ombudsman's website: www.euro-ombudsman.eu.int

What result can I expect?

If the Ombudsman cannot deal with your complaint — for example, if it has already been the subject of a court case — he will do his best to advise you which other body may be able to help. However, if he can deal with your complaint he will.

To resolve your problem, the Ombudsman may simply need to inform the institution or body concerned. If the problem is not cleared up during his enquiries, the Ombudsman will try to find a friendly solution which puts the matter right and satisfies you.

If this fails, the Ombudsman can make recommendations to resolve the issue. If the institution concerned does not accept his recommendations, he can make a special report to the European Parliament so that it can take whatever political action is necessary.

Every year, the Ombudsman presents the European Parliament with a report on all his work.



Mr P. Nikiforos Diamandouros took up the post of Ombudsman in April 2003 and was re-elected in January 2005.

The European Data Protection Supervisor: safeguarding your privacy

Key facts

Role:	<i>To protect your data privacy</i>
Term of office:	<i>Five years, renewable</i>
Address:	<i>Rue Wiertz 60, B-1047 Brussels</i>
Tel.	<i>(32-2) 283 19 00</i>
Internet:	<i>www.edps.eu.int</i>

The position of European Data Protection Supervisor (EDPS) was created in 2001. The responsibility of the EDPS is to make sure that all EU institutions and bodies respect people's right to privacy when processing their personal data.

What does the EDPS do?

When EU institutions or bodies process personal data about an identifiable person, they must respect that person's right to privacy. The EDPS makes sure they do so, and advises them on all aspects of personal data processing.

'Processing' covers activities such as collecting information, recording and storing it, retrieving it for consultation, sending it or making it available to other people, and also blocking, erasing or destroying data.

There are strict privacy rules governing these activities. For example, EU institutions and bodies are not allowed to process personal data that reveal your racial or ethnic origin, political opinions, religious or philosophical beliefs or trade-union membership. Nor may they process data on your health or sex life, unless the data are needed for healthcare purposes. Even then, the data must be processed by a health professional

or other person who is sworn to professional secrecy.

The EDPS works with the data protection officers in each EU institution or body to ensure that the data privacy rules are applied.

In 2004, Mr Peter Johan Hustinx was appointed as European Data Protection Supervisor and Mr Joaquin Bayo Delgado as the Assistant Supervisor.

How can the EDPS help you?

If you have reason to believe that your right to privacy has been infringed by an EU institution or body misusing your personal data, you should complain to the European Data Protection Supervisor. He will investigate your complaint and let you know as soon as possible whether he agrees with it and, if so, how the situation is being put right. For example, he can order the institution or body concerned to correct, block, erase or destroy any of your personal data that has been unlawfully processed.

If you disagree with his decision, you may take the matter to the Court of Justice.

Agencies

An agency is not an EU institution: it is a body set up by a specific piece of EU legislation to carry out a very specific task. Not all EU agencies have the word 'agency' in their official title: they may, instead, be called a Centre, Foundation, Institute, Observatory, Office, etc.

Three of them – the EDA, EUISS and EUSC – carry out tasks for the common foreign and security policy (the 'second pillar' of the European Union). Four others – AMOCEB, CEPOL, Europol and Eurojust – help coordinate police and judicial cooperation in criminal matters (the 'third pillar' of the European Union), including management of the EU's external borders.

All the other agencies carry out tasks under the EU's 'first pillar' – the so-called 'Community domain'.

Read on for a brief description of each of them.

Community Plant Variety Office

The Community Plant Variety Office (CPVO) is located in Angers, France. It was established in 1994.

Its task is to administer a system of plant variety rights – a form of industrial property rights relating to plants.

The CPVO works rather like the Office for Harmonisation in the Internal Market: it grants industrial property protection rights for new plant varieties. These rights are valid for a period of either 25 or 30 years.

Further information at www.cpvo.eu.int

Eurojust

Eurojust was set up in 2002 and is based in The Hague, The Netherlands. Its job is to help prosecuting authorities across the EU to work together in the fight against serious cross-border crime, including computer crime, fraud and corruption cases, money laundering and environmental crime.

It helps by, for example, making it easier for the national authorities to exchange information, to provide mutual legal assistance and to extradite individuals wanted for questioning.

Eurojust is composed of one prosecutor, judge or police officer from each EU country. They form the 'College' (i.e. managing board) of the organisation, and they elect one of their number as President for a three-year term. The College is assisted by

a secretariat and by a staff of EU officials and seconded national experts.

Since its work involves keeping files on suspected criminals, Eurojust has a data protection officer whose job is to ensure that personal data in its files are properly protected and are handled in accordance with the law. You are entitled to know what information, if any, Eurojust holds about you and to ask Eurojust to correct or delete it if it is incorrect or incomplete.

Further information at www.eurojust.eu.int

European Agency for the Management of Operational Coordination at the External Borders of the Member States of the EU

The decision to set up this agency (known for short as AMOCEB) was taken in October 2004. It will be based in Warsaw.

Its job is to help EU member states implement EU rules on external border controls and on returning non-EU citizens to their countries of origin. It is, of course, up to each member state to control its own borders, but the agency will help ensure that they all do so with the same high standard of efficiency.

The agency's main tasks include:

- helping EU countries train their border guards;
- assessing risks;
- exploiting research into new surveillance technologies;
- coordinating cooperation between EU countries on repatriating illegal immigrants.

European Agency for Reconstruction

The European Agency for Reconstruction (EAR) was set up in 2000. Its headquarters are in Thessaloniki, Greece, and it has operational centres in Belgrade, Pristina, Podgorica and Skopje.

Its task is to manage the main EU programmes for providing reconstruction assistance, worth about €2 billion a year, to countries throughout the Balkan region affected by wars in the 1990s.

Further information at www.ear.eu.int

European Agency for Safety and Health at Work

Established in 1994, the European Agency for Safety and Health at Work (EU-OSHA) is located in Bilbao, Spain.

No one country can tackle the wide range of occupational safety and health (OSH) issues facing Europe today. So EU-OSHA was set up to pool Europe's vast fund of knowledge and information on these issues, particularly on preventive measures.

As well as developing a comprehensive network of safety and health websites, the agency runs an active publications programme producing everything from specialist information reports to campaign material.

EU-OSHA is run by an Administrative Board on which trade unions, employers' organisations, national governments and the European Commission are all represented.

Further information at agency.osha.eu.int

European Aviation Safety Agency

The European Aviation Safety Agency (EASA) was set up in 2002. It is located in Cologne, Germany.

Its job is to help the EU develop laws and rules on air safety and to help the Commission check whether EU rules are being properly followed. The agency will also provide technical assistance to international organisations responsible for civil aviation safety and environmental protection. In addition, it will assist aeronautical authorities in non-EU countries.

The EASA has the right to take certain decisions, such as issuing type certificates for aeronautical products.

Further information at easa.eu.int

European Centre for the Development of Vocational Training

Established in 1975, the European Centre for the Development of Vocational Training (Cedefop) is located in Thessaloniki, Greece.

Its job is to analyse and provide information on vocational education and training systems, policies, research and practice. This helps specialists throughout the EU to develop and improve vocational education and training in Europe.

Cedefop also runs an interactive website called 'European Training Village', accessible at www.trainingvillage.gr

Cedefop is run by an Administrative Board on which trade unions, employers' organisations, national governments and the European Commission are all represented.

Further information at www.cedefop.eu.int

European Centre for Disease Prevention and Control

The decision to set up the European Centre for Disease Prevention and Control (ECDC) was taken in March 2004. It will be located in Stockholm, Sweden, and is due to start work in 2005.

ECDC will help the EU combat communicable diseases and other serious health threats. Its tasks will include running networks of laboratories and operating an early warning and response system. It could, for example, send an EU team of experts to investigate an outbreak of an unknown human disease in a European country.

Further information:
europa.eu.int/comm/health/ph_overview/strategy/ecdc/ecdc_en.htm

European Defence Agency

The EDA was set up in 2004 and will be based in Brussels. Its job is to help the member states improve European defence and crisis management capabilities and to sustain the European security and defence policy.

It will do so by helping ensure a more coordinated approach to the production and procurement of armaments and defence equipment, and to defence research and technological development.

European Environment Agency

The European Environment Agency (EEA) was established in 1990. It is located in Copenhagen, Denmark.

Its job is to collect and disseminate information on the state and trends of the environment in Europe. It is open to non-EU countries: Iceland, Liechtenstein and Norway have been members from the start. The agency cooperates actively with environmental bodies and international organisations.

Further information at www.eea.eu.int

European Food Safety Authority

The European Food Safety Authority (EFSA) began operating in 2002. Provisionally located

in Brussels, Belgium, its permanent home will be in Parma, Italy.

Its primary responsibility is to provide independent scientific advice on all matters concerning food safety. The authority assesses risks to the food chain and carries out scientific assessment on any matter that may affect the safety of food in Europe.

The authority's work covers the whole food production process 'from farm to fork' – in other words from primary production (including the safety of animal feed) to the supply of food to consumers. The EFSA gathers information from around the world, keeping an eye on new developments in science. It shares its findings not only with experts and decision-makers but also with the general public.

Further information at www.efsa.eu.int



The European Food Safety Authority helps ensure the safety of the whole food production process – 'from farm to fork'.

European Foundation for the Improvement of Living and Working Conditions

Established in 1975, the European Foundation for the Improvement of Living and Working Conditions (Eurofound) is located in Dublin, Ireland.

Its job is to:

- advise social policy-makers;
- assess and analyse living and working conditions;
- report on developments and trends;
- contribute to improving the quality of life.

Eurofound is run by an Administrative Board on which trade unions, employers' organisations, national governments and the European Commission are all represented.

Further information at www.eurofound.eu.int

European Global Navigation Satellite System Supervisory Authority

The European GNSS Supervisory Authority was set up in 2004. It has not yet been decided where this agency will be based.

Its job is to ensure that essential public interests are properly defended and represented in connection with Europe's satellite navigation programmes (GALILEO and EGNOS). The aim of GALILEO is to provide a modern European alternative to the established American GPS system.

The agency is responsible for managing and monitoring the use of the programme funds. It will help the European Commission deal with any matters relating to satellite radio-navigation.

European Maritime Safety Agency

The European Maritime Safety agency (EMSA) was set up in 2002. Temporarily located in Brussels, Belgium, its permanent home will be in Lisbon, Portugal.

EMSA's purpose is to help improve the EU's maritime safety system, reducing the risk of maritime accidents, marine pollution from ships and the loss of human lives at sea.

The agency provides technical and scientific advice to help improve EU legislation on maritime safety and ship pollution. It helps the Commission monitor what is being done by the EU and candidate countries, and it advises their governments.

Among its various tasks, EMSA will develop a common EU methodology for investigating accidents at sea and establish an EU-wide system of information on shipping traffic.

Further information at emsa.eu.int

European Medicines Agency

Established in 1993, the European Medicines agency (EMA) is located in London, United Kingdom. The agency helps protect and promote health in Europe by evaluating medicines for both human and veterinary use. It brings together scientific expertise from all EU countries.

Some types of medicinal product derived from biotechnology can be sold in the European Union only after careful examination by the EMA. If the agency finds that the product is safe and of good quality, the European Commission may authorise it for sale in all EU countries. People wishing to market other innovative medicines may also apply for this kind of authorisation.

Most **conventional** medicines are authorised by each individual EU country. The EMEA helps run a system of mutual recognition for these national authorisations.

Further information at www.emea.eu.int

European Monitoring Centre for Drugs and Drug Addiction

Established in 1993, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) is located in Lisbon, Portugal.

The centre's task is to collect and disseminate objective, reliable and comparable information on drugs and drug addiction in Europe. It works in partnership with non-EU countries as well as with international bodies such as the United Nations International Drug Control Programme



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The European Medicines Agency assesses whether the medicines we use are safe.

(UNDCP), the World Health Organisation (WHO), the Council of Europe's Pompidou Group, the World Customs Organisation (WCO), the International Criminal Police Organisation (Interpol) and the European Police Office (Europol).

Further information at www.emcdda.org

European Monitoring Centre on Racism and Xenophobia

The European Monitoring Centre on Racism and Xenophobia (EUMC) is located in Vienna, Austria. It was established in 1997. The centre's primary task is to provide the EU and its member states with objective, reliable and comparable data on racism, xenophobia and anti-semitism in Europe, and to work out EU-wide strategies for tackling these problems.

The EUMC studies the extent and development of racism and xenophobia and analyses their causes, consequences and effects. It also highlights and disseminates examples of good practice in integrating migrants and ethnic and religious minorities.

The core of the EUMC's work is the European Information Network on Racism and Xenophobia (RAXEN). It consists of 'national focal points' (one in each EU country) that collect, collate and disseminate information about racism and xenophobia in their own country.

Further information at www.eumc.eu.int

European Network and Information Security Agency

The European Network and Information Security Agency (ENISA) was set up in 2004. Temporarily located in Brussels, its permanent home will be in Heraklion, Greece (Crete).

ENISA's mission is to help ensure that information networks and the data they carry are made highly secure. This will benefit citizens, consumers, businesses and public sector organisations throughout the European Union.

The agency's tasks will include collecting data, analysing risks, raising awareness and promoting best practices for risk management.

Further information at enisa.eu.int

European Police College

The European Police College (CEPOL) is an academy for training senior and middle-ranking EU police officials. Its mission is to help the EU's national police forces in their fight against crime, especially cross-border crime. It has been running training courses on European policing since 2001.

CEPOL's main objective is to help police officers from different EU countries to learn more about each other's national police systems, and about cross-border police cooperation in Europe.

The Police College may cooperate with the national police training institutes of countries outside the European Union. In particular, it makes its facilities available to senior police officers from the candidate countries and Iceland and Norway.

CEPOL will be permanently based at Bramshill, United Kingdom.

Further information at www.cepul.net

European Police Office

The European Police Office (Europol) was set up in 1992 to handle Europe-wide criminal intelligence. It is based in The Hague, The Netherlands, and its staff includes representatives of the national law enforcement agencies (police, customs, immigration services, etc.).

Europol's aim is to help the EU member states cooperate more closely and effectively in preventing and combating organised international crime, in particular:

- drug trafficking,
- immigration networks,
- vehicle trafficking,
- trafficking in human beings including child pornography,
- forgery of money and other means of payment,
- trafficking in radioactive and nuclear substances,
- terrorism.

One of Europol's duties is to establish and maintain a computerised system to allow the input, access and analysis of data. A joint supervisory body, comprising two data protection experts from each member state, monitors the content and use of all personal data held by Europol.

Europol is accountable to the Justice and Home Affairs Council, i.e. the justice and home affairs ministers of all the EU countries. The Europol Management Board comprises one representative from each country.

Further information at www.europol.eu.int

European Railway Agency

The decision to set up the European Railway Agency (ERA) was taken in April 2004. It will be located in Lille/Valenciennes, France. Its mission is to help reinforce the safety and interoperability of railways in Europe, so that an 'integrated European railway area' can gradually be established.

Further information at europa.eu.int/comm/transport/rail/era/index_en.htm

European Training Foundation

Established in 1990, the European Training Foundation (ETF) is located in Turin, Italy.

The ETF helps improve vocational training in non-EU countries, mostly in neighbouring regions such as North Africa, the Middle East, the Balkans and the former Soviet Union.

The foundation offers these countries insight, know-how and experience in training people for new jobs and in developing lifelong learning programmes.

Further information at www.etf.eu.int

European Union Institute for Security Studies

The EUISS was set up in 2001 and is based in Paris, France. Its aim is to help create a common European security culture and to promote the security interests of the EU as a whole.

The EUISS helps develop the common foreign and security policy through:

- research and discussion on major security and defence issues;
- forward-looking analysis for the Council and the High Representative;

- transatlantic dialogue on security issues between Europe, Canada and the United States.

Further information at www.iss-eu.org

European Union Satellite Centre

The EUSC was set up in 2002 and is based in Torrejón de Ardoz, Spain.

It analyses data and images from earth observation satellites and uses that information to help the European Union take decisions within its common foreign and security policy (CFSP).

The centre also conducts research and development projects and provides expert training in digital geographic information systems and imagery analysis.

Further information at www.eusc.org

Office for Harmonisation in the Internal Market (Trade Marks and Designs)

Established in 1994, the Office for Harmonisation in the Internal Market (OHIM) is located in Alicante, Spain.

Its task is to carry out registration procedures for Community trade marks and designs.

The 'Community trade mark' system simplifies life and cuts costs for European businesses. A manufacturer wishing to protect his trade mark in Europe no longer has to register identical trade marks in each EU country. Through OHIM he can now apply for a single 'Community' trade mark, which gives him the right to prohibit other firms from using identical or similar signs throughout the EU.

Further information at oami.eu.int

Translation Centre for the Bodies of the European Union

Established in 1994, the Translation Centre is located in Luxembourg.

The centre, which is self-financing, was set up to meet the translation needs of the other EU agencies. Under voluntary cooperation agreements it also provides services to the EU institutions and other bodies that have their own translation services.

Further information at www.cdt.eu.int

Other agencies are being planned and prepared at the time of writing. These include:

- the Community Fisheries Control Agency,
- the Education, Audiovisual and Culture Executive Agency,
- the European Chemicals Agency,

- the European Institute for Gender Equality,
- the European Fundamental Rights Agency,
- the Executive Agency for the Public Health Programme,
- the Intelligent Energy Executive Agency.



Police officers from across the EU use Europol to fight international criminals who forge the euro.

Looking to the future

The EU's decision-making system has evolved over half a century. But it was originally designed for a community of just six nations. The EU now has 25 member states, and its membership will increase further in the years ahead. Its decision-making system therefore needs simplifying and streamlining. To avoid paralysis, most decisions will have to be taken by 'qualified majority voting' rather than requiring every single country to agree.

Wider questions about the EU's future must also be addressed. For example:

- what are the aims and objectives of the enlarged Union? (In other words, what do the member states want to achieve together in future?)
- what common policies are needed to achieve those objectives?
- what should be decided at EU level and what should be left to the national or regional authorities?
- what role should national parliaments play in EU decision-making?

In short, who should be responsible for doing what and how should democratic decisions be made in a Union of 25 or more countries with half a billion citizens?

The proposed Constitution agreed by the European Council in 2004 tackles these questions head on. It spells out much more clearly than in previous treaties what the European Union is and where it is going. It also lays down the new rules for more streamlined decision-making.

The Constitution is designed to make the EU more open and democratic. For example, it obliges EU ministers to hold their law-making discussions in public, and it gives citizens the right to draw up a petition asking the European Commission to propose new laws. Moreover, it gives national parliaments a greater role in monitoring Commission proposals.

It also aims to make the European Union a more effective force on the world stage by creating the post of EU Foreign Affairs Minister and putting that person in charge of all aspects of the Union's external relations.

The new Constitution maintains the existing balance between national interests and the general European interest, and between the interests of small and big countries.

The Constitution cannot come into force until it has been ratified by all 25 national parliaments. In some countries it must be approved by a referendum.

If you want to learn more about the Constitution, see europa.eu.int/constitution/

The EU exists to serve its citizens. It is vital that its citizens understand it and are fully involved in its decision-making system. It also needs efficient, open and accountable institutions that can meet the great challenges of the 21st century.



In a democratic Europe, the future of the EU is in the hands of its people – especially its young people.

European Commission

How the European Union works

Your guide to the EU institutions

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The European Union (EU) is not a federal state like the United States of America. Nor is it a purely intergovernmental organisation like the United Nations. It is, in fact, unique. Its member countries remain independent sovereign nations, but they pool their sovereignty – and thus gain much greater collective strength and influence.

This means taking joint decisions through shared institutions such as the European Parliament, the Council and the European Commission. But what does each of these institutions do? How do they work together? Who is responsible for what?

This booklet sets out the answers in clear and simple language. It also gives a brief overview of the agencies and other bodies that are involved in the European Union's work. The aim is to provide you with a helpful guide to EU decision-making.

Other information on the European Union



Information in all the official languages of the European Union is available on the Internet. You can access it through the Europa server: europa.eu.int



All over Europe there are hundreds of local EU information centres. You can find the address of the centre nearest you at this website: europa.eu.int/comm/relays/index_en.htm



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EUROPEAN COMMISSION REPRESENTATIONS

Representation in Ireland

18 Dawson Street
Dublin 2
Tel. (353-1) 634 11 11
Fax (353-1) 634 11 12
Internet: www.euireland.ie
E-mail: eu-ie-info-request@cec.eu.int

Representation in the United Kingdom

8 Storey's Gate
London SW1P 3AT
Tel. (44-20) 79 73 19 92
Fax (44-20) 79 73 19 00/10
Internet: www.cec.org.uk

Representation in Wales

2 Caspian Point, Caspian Way
Cardiff CF10 4QQ
Tel. (44-29) 20 89 50 20
Fax (44-29) 20 89 50 35
Internet: www.cec.org.uk

Representation in Scotland

9 Alva Street
Edinburgh EH2 4PH
Tel. (44-131) 225 20 58
Fax (44-131) 226 41 05
Internet: www.cec.org.uk

Representation in Northern Ireland

Windsor House
9/15 Bedford Street
Belfast BT2 7EG
Tel. (44-28) 90 24 07 08
Fax (44-28) 90 24 82 41
Internet: www.cec.org.uk

Information services in the United States

2300 M Street, NW – 3rd floor
Washington DC 20037
Tel. (202) 862 95 00
Fax (202) 429 17 66
Internet: www.eurunion.org
222 East 41st Street,
20th floor
New York, NY 10017
Tel. (212) 371 38 04
Fax (212) 688 10 13
Internet: www.eurunion.org

EUROPEAN PARLIAMENT OFFICES

Office in Ireland

European Union House
43 Molesworth Street
Dublin 2
Tel. (353-1) 605 79 00
Fax (353-1) 605 79 99
Internet: www.europarl.ie
E-mail: epdublin@europarl.eu.int

United Kingdom Office

2 Queen Anne's Gate
London SW1H 9AA
Tel. (44-20) 72 27 43 00
Fax (44-20) 72 27 43 02
Internet: www.europarl.org.uk
E-mail: eplondon@europarl.eu.int

Office in Scotland

The Tun, 4 Jackson's Entry
Holyrood Road, Edinburgh EH8 8PJ
Tel. (44-131) 557 78 66
Fax (44-131) 557 49 77
Internet: www.europarl.org.uk
E-mail: epedinburgh@europarl.eu.int

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The European Union



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