

Training for Assistants–Session one – 30 October – An Introduction to EU Law Making

Presentation by Dr Caroline Jackson – MEP 1984 to 2009, and former Chair of the ENVI Committee of the European Parliament

Eight Tips - How to make your MEP famous!

Caroline made the following recommendations to the Assistants present:

1. Get to know the European Environment Agency (EEA)

The EEA, based in Copenhagen, provides independent information on the environment – their mandate is to assist informed decision-making on a wide range of environmental issues. The EEA produces many reports, freely available from their website; regard them as the ‘golden standard’.

Further, an EEA representative attends every ENVI Committee meeting. Details of all EEA activities can also be found at <http://www.eea.europa.eu>

2. If your MEP becomes a rapporteur...

If your MEP becomes the rapporteur for a piece of legislation, you will have the job of sorting the proposed amendments that come through from lobby groups etc. This can be overwhelming, so:

- Meet everyone, hear everyone, but only for 5 minutes each – you want their ideas for amendments, a half page summary, you don’t want to have long, general, vague chats – you won’t have time
- Make sure the amendments you put forward are robust – increasingly the European Parliament must justify the impacts of their amendments in line with guidance on Impact Assessment.

3. When a Commissioner comes to an ENVI Committee meeting....

Be prepared, get your MEP to attend discussions and ensure you cross-examine them! Your MEPs need to be prepared with tough and well considered questions to ask them. This is one of MEP’s opportunities to hold the Commission to account.

4. Triologue Negotiation during Co-decision

This is where the power lies in shaping legislation, during the negotiations between the Council and the Parliament. Discussions will be intensive and last into the night. If legislation you are involved with goes to through co-decision, you need to be prepared for this intensive negotiating aspect. You (and your MEP) need(s) to know the amendments and the proposals it inside out, to make the most of influencing opportunities afforded by the negotiations.

5. Comitology – check your e-mails!

When legislation goes to comitology, it means it is a Directive that also is acting as a framework details of which, such as technical requirements or targets, have not decided during the initial codecision round. Instead these will be defined by a

committee of Member State representatives chaired by the Commission – known as comitology.

Decisions and requirements adopted under comitology can be fundamental to the functioning of a Directive or policy instrument. The Parliament has the right to call back some comitology decisions, to ensure they are debated openly, but such interventions by MEPs are few.

Watch out for e-mails which flag up when a certain piece of legislation is going to comitology – if it is one you are (your MEP is) interested in, act on it. Perhaps set up a group amongst the assistants or on under a particular committee to monitor such e-mails and make sure important ones are followed up. This is an important aspect of decision making on which the Parliament is still not sufficiently engaged.

6. Parliamentary questions

These provide a very important opportunity to get information from the Commission that it is reluctant to give. During questions written questions will often not have time to be addressed, but you will receive a short written answer. Alternatively submit oral questions with priority. Understanding Commission activities and holding officials to account is important in terms of ensuring openness and informed debate in the Parliament.

7. Compliance

There is no point in a law if it is not complied with. Non-compliance undermines faith in law/decision-making and is unfair on those parties which do comply.

The Commission publishes an annual report on the enforcement of EU law. Have a look. Get your MEP to write a report on how a certain Directive is being applied in your country, or any country (unless your MEP is in the party that holds the national government of your country, in which case this can be politically difficult). Perhaps twin with another MEP to write reports on each others' countries. Understanding implementation is key to the EU's credibility and the Parliament should engage in this.

8. Publish

Publish as much literature as you can – paper pamphlets or publications for your MEP's webpage, e.g. 'the Estonian experience of the landfill Directive'. You're getting information out there and you have a publication to add to your CV.

During discussions the following tips were also offered:

On International Negotiations - At the upcoming UNFCCC summit / COP 15 meeting in Copenhagen, in December, although there is no specific role for MEPs in negotiations, their attendance is important. At such events MEPs presence can play a part in influencing ... they are the 'Greek chorus' adding weight to calls for action.

Using Travel budget - Now your MEPs have travel budgets for use within the EU – get them to use it. Go to a country, see how a Directive is implemented there. Arrange visits, meet experts and environmental NGO reps, see how things work out in real life.

Gain Access to as much Information as Possible - As mentioned above, under the freedom of information act you can request to see reports commissioned by EU funds. The Commission hold many such reports but often these are not published, if you know of a report that has not been published you can make an access to information request. This normally must be answered within two months.

Use Existing Resources – For example on the ENVI Committee website, there is a link to documents and reports. Take a look. These are all the studies requested via past representatives of the Committee from independent contractors. MEPs can also make requests for studies to support their work to be completed independently via the ENVI (and other Committee) secretariate. Past reports can be downloaded at <http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=ENVI>

The role of an MEP - The European Parliament tends to always be supportive of the Commission, whose influence is strong anyway, but the job of an MEP is to be more exacting of the Commission when necessary to ensure that the right outcome is achieved.