



## European and international institutions

The European Union (EU) and other international organisations and institutions is a complicated system of competences and interests. This resource aims at refreshing your knowledge with an explanation of the most important institutions, which should be taken into consideration when exploring and debating issues and topics.

### International Organisations

#### United Nations

The United Nations (UN) is an intergovernmental organisation aiming at promoting international cooperation and creating and maintaining international order. It was established in 1945, right after World War II to prevent another such conflict.

Currently, the UN is made up of 193 member states. Its objectives include maintaining international peace and security, promoting human rights, fostering social and economic development, protecting the environment, and providing humanitarian aid in cases of famine, natural disaster, and armed conflict. The UN is the largest, most familiar, most internationally represented and most powerful intergovernmental organisation in the world.

The “UN family” is made up of the UN itself and many affiliated programmes, funds, and specialised agencies, all with their own membership, leadership, and budget. Some of them might be useful to consider for the topics you are debating or researching, such as:

- FAO (Food and Agriculture Organisation)
- The World Bank
- IMF (International Monetary Fund)
- ILO (International Labour Organisation)
- WHO (World Health Organisation)
- UNESCO (United Nations Educational, Scientific and Cultural Organisation)
- UNDP (United Nations Development Programme)

#### North Atlantic Treaty Organisation (NATO)

The North Atlantic Treaty Organisation (NATO) is an intergovernmental military alliance between several North American and European states based on the North Atlantic Treaty signed in 1949. NATO is a system of collective defence, whereby its member states agree to mutual defence in response to an attack by any external party. The NATO is an alliance between 29 independent member countries. An additional 21 countries participate in the NATO’s Partnership for Peace program, with 15 other countries involved in institutionalised dialogue programmes.

#### Interpol

The International Police Organisation (INTERPOL), is an intergovernmental organisation facilitating international police cooperation. 190 countries are members of INTERPOL. In order to keep the organisations actions as politically neutral as possible, its charter forbids it to undertake interventions or activities of a political, military, religious or racial nature or involving itself in disputes on these topic areas. The focus of its work is put on safety and battling terrorism, crimes against humanity,



environmental crime, genocide, war crimes, organised crime, piracy, illicit traffic in works of art, illicit drug production, drug trafficking, weapons smuggling, human trafficking, money laundering, child pornography, white-collar crime, computer crime, intellectual property crime, and corruption.

### **Organisation for Security and Cooperation in Europe (OSCE)**

The Organisation for Security and Cooperation in Europe (OSCE) is the world's largest security oriented intergovernmental organisation. Its mandate concerns topics like arms control, promotion of human rights, freedom of the press and fair elections. It originated from the 1975 Conference on Security and Cooperation in Europe held in Helsinki, Finland. It was created during the Cold War era as a forum for East-West relationships. It is concerned with early warning, conflict prevention, crisis management, and post-conflict rehabilitation. 57 states participate in the OSCE, located throughout Europe, northern and central Asia, and North America.

### **Organisation for Economic Cooperation and Development (OECD)**

The OECD was founded in 1961 and is the successor of the Organisation for European Economic Cooperation (OEEC) which originated through the Marshall Plan in 1948. Today, this intergovernmental economic organisation comprises 36 member countries and various partners such as Brazil, Russia, India, China and South Africa (also known as the BRICS) in order to collaborate on key global issues at national, regional and local levels.

Through Regional Initiatives in Africa, the Middle East and North Africa, Latin America and the Caribbean, South East Asia and South East Europe, the OECD helps facilitate policy benchmarking and the exchange of good practices between countries in a specific geographical area within and across regions. These initiatives help guide countries towards globally recognised standards and ambitious reform agendas to unlock greater prosperity and well-being for citizens, including at a local and city level.

### **Council of Europe**

The Council of Europe (CoE) is an international organisation aiming at upholding human rights, democracy, rule of law in Europe and promoting European culture. It was founded in 1949, has 47 member states and covers approximately 820 million people. Even though often confused with EU bodies, it is not an official body of the European Union. In fact, no country has ever joined the EU without having been a member of the CoE before. The CoE is also an official United Nations observer.

The Council of Europe itself cannot make binding laws, but it has the power to enforce selected international agreements reached by European states on various topics. The best-known body of the Council of Europe is the European Court of Human Rights, which enforces the European Convention on Human Rights.

### **European Economic Area (EEA)**

The European Economic Area (EEA) is the area in which the Agreement on the EEA guarantees free movement of persons, goods, services and capital within the European Single Market, as well as the freedom to choose residence in any country within this area. Its membership is open to member states of either the European Union or the European Free Trade Association (EFTA). EFTA states participate in the EU's internal market without being members of the EU. They adopt most EU legislation concerning the single market, however with notable exclusions.



## Introduction to Europe

With 10,180,000 square kilometres Europe is the second smallest continent in the world. Yet, Europe is unique in having developed a sophisticated system of international cooperation after World War II. Ever since, European states have been at the forefront of developing a new mode of inter-state relations. This process of European integration culminated in the creation of the European Union (EU). In 2002, many Member States of the EU even introduced a common currency, the Euro, which subsequently replaced most national currencies.

At the moment, there are 27 Member States. The United Kingdom left the EU on the 31st of January 2020. There are currently seven countries currently enjoying candidate status (Albania, Bosnia and Herzegovina, North Macedonia, Kosovo, Montenegro, Serbia and Turkey).

### **European Union (EU)**

The 3 main institutions of the European Union are:

- The European Commission
- The European Parliament
- Council of the European Union (or Council of Ministers)

These three institutions are involved in processing, drafting, debating, amending and passing regulations, directives, decisions, recommendations and opinions in relation to a variety of sectors. We'll explain these institutions, how they work together to pass EU legislation (the ordinary legislative procedure), the types of laws they can pass, and the balance of power between the EU and Member States for each sector (competences).

## EU Institutions

### **The European Commission**

Situated in Brussels, Belgium, the European Commission consists of:

- 28 commissioners; one nominated by each Member State, who oversee a variety of portfolios ranging from energy to budget to education, culture, youth and sport. One Commissioner is elected President of the European Commission; the current European Commission President is Ursula von der Leyen. The Commission can be viewed as similar to a national government with the President being similar to the Prime Minister, and Commissioners similar to Ministers responsible for their own specific policy area.
- Directorates-General; if we view the European Commission as similar to national government's cabinets, the Directorates-General can be considered as national governmental departments, which oversee the implementation and development of the decisions made by the EU.
- Committees; there are a number of different types of committees, all of which are responsible for providing the commission with feedback on decisions. Their power ranges from purely advisory to complete blocking of decisions, depending on the committee.



These groups all work together in the Commission, and have the responsibility for drafting and proposing laws, oversee the implementation of EU policies in Member States, manage the EU budget and represent the EU internationally. The Commission has the right of initiative, which means that they are the only EU institution that can formally propose legislation.

### **The European Parliament**

The European Parliament is the only directly elected EU institution and consists of 751 MEPs, allocated roughly on the portion of EU population in each country. Elections for the European Parliament occur every 5 years. The main responsibilities of the European Parliament are legislative. It co-decides on adopting or rejecting EU legislation with the Council of Ministers.

The European Parliament's role in policy-making has been elevated with the Treaty of Lisbon allocating more powers to it. Members of the European Parliament (MEPs), gather in committees to discuss issues facing Europe today, their conclusions are forwarded to the Commission, and in this way the European Parliament can influence the legislation that is initiated.

### **Council of the European Union**

The Council of the European Union (Council of Ministers, or simply the Council) is composed of the Ministers from each Member State, responsible for the topic being discussed. The Council of Ministers holds co-decision-making power with the European Parliament, is also responsible for drafting the EU budget with the European Parliament, coordinate national policies, and also to dictate the EU's foreign policy.

Together with the European Commission and the European Parliament, these three institutions form the so-called 'Institutional Triangle'.

### **European Council**

The European Council, which is located in Brussels, consists of the Heads of State or Government from each Member State, the President of the European Council and the President of the European Commission. Its main role is to set the strategy for the European Union: As a summit meeting of the Heads of State or Government of all the EU Member States, the European Council represents the highest level of political cooperation between the Member States. At their meetings, the leaders decide by consensus on the overall direction and priorities of the Union, and provide the necessary impetus for its development.

However, the European Council does not adopt legislation. At the end of each meeting it issues 'conclusions', which reflect the main messages resulting from the discussions and take stock of the decisions taken, also as regards their follow-up. The conclusions identify major issues to be dealt with by the Council, i.e. the meetings of ministers. They may also invite the European Commission to come forward with proposals addressing a particular challenge or opportunity facing the Union.



## Court of Justice of the European Union

The Court of Justice of the European Union consists of 28 judges, one from each Member State who are assisted by 11 advocates-general. The CJEU's mission is to ensure that "the law is observed [...] in the interpretation and application" of the Treaties. The Court reviews the legality of the acts of any EU institution, ensures that the Member States comply with obligations under the Treaties and interprets EU law at the request of national courts.

In order for a case to be brought to the CJEU, first the national legal measures applicable to the case must be exhausted, which means that no higher national appeal is possible. It consists of two major courts: i) the European Court of Justice, the highest court in the EU legal system; ii) the General Court (formerly, the Court of First Instance). Both are seated in Luxembourg.

## What types of law can the EU propose?

In general, European law trumps national law. That means that in cases where a piece of European legislation is in conflict with a national piece of legislation, the European legislation should be implemented.

Both national and European courts monitor the application of European laws. As an EU national you will first call upon your national court system if you feel your rights have been violated. In assessing whether you have a valid claim, national courts will also consult European laws. As an individual, only once you exhausted all national judicial options you can also call upon the European Court of Justice (ECJ) to rule in your case. The ECJ thus ensures that European law is interpreted harmoniously across all Member States. It also rules in disputes between EU institutions or EU institutions and a Member State, where its ruling on the interpretation of the European treaties are final.

This judicial system monitors the implementation of European laws, of which there are 5 types:

- **Regulations:** a regulation is a binding legislative act. It must be entirely enshrined in the law of EU Member States, meaning that they have to adapt national laws in order to implement the European legislation on a national level.
- **Directives:** a directive is a legislative act that sets goals; each Member State can achieve these goals through whatever mechanism they see fit.
- **Decisions:** decisions are made in specific cases and only apply to the Member state or organisation to which they are made for.
- **Recommendations:** these refer to legislation that is non-binding.
- **Opinions:** opinions are non-binding and issued by EU institutions or other bodies setting a formal opinion on matters, usually legislation currently under debate.



## Competences

The EU and its Member States have agreed to pool some of their sovereignty, shifting some (legislative) competence away from the individual Member States to the EU level, in order to gain strength in the benefits of size. These competences of the Union are laid out in the EU Treaties (Art. 2-6 of the Treaty of the Functioning of the European Union, TFEU).

There are three levels of power sharing between the EU and Member States, and these types can be distinguished in three ways:

- **Exclusive competence:** Only the EU is able to legislate and adopt binding acts
- **Shared competence:** Competences are shared between the EU and its Member States – the Member States can act where the EU has chosen not to
- **Supporting competence:** Areas where the EU cannot adopt any legally binding acts that would require Member States to harmonise their laws. The EU can however support, coordinate or supplement

Each policy area falls into one of these levels. The table below gives examples for each category of competence:

Exclusive Competence	Shared Competence	Supporting Competence
Customs Union	Internal Market	Culture
Competition Rules	Social Policy	Industry
Monetary Policy	Agriculture and fisheries	Tourism
Common Commercial Policy	Environment	Education and vocational training
	Consumer Protection	Civil Protection
	Transport	

The division of these competences between the EU and its Member States follows these three principles:

- The principle of **conferral** requires the Union to act only in the policy areas that its Member States transferred their powers to the EU and only to the extent specified in the European treaties.
- The principle of **proportionality** ensures that the content of any Union action does not exceed what is necessary to achieve the objectives set by the Treaties.
- The principle of **subsidiarity** determines that the Union shall only act in areas where Member States cannot achieve desired outcomes more efficiently by national actions.