



EU PRESIDENCY ANTI-CORRUPTION SCORECARD

An assessment of the transparency and accountability of the Greek Presidency and of the progress on key anti-corruption issues in the Council of the European Union

Transparency International (TI) is the leading civil society organisation in the fight against corruption and in the promotion of integrity, transparency and accountability around the world. Through more than 100 chapters worldwide TI works with partners in government, business and civil society to put effective measures into place to tackle corruption.

Transparency International EU office (TI EU) is the EU liaison office for the Transparency International Secretariat. It is the mission of TI EU to prevent and address corruption and promote integrity, transparency and accountability in the EU's internal and external policies, programmes and legislation.

Transparency International - Greece (TI-Greece) was founded in 1996. It is the mission of TI Greece to inform and to raise awareness about the risks of corruption in Greece and to promote substantial systemic changes that will lead to a more transparent society.

Publisher: Transparency International EU Office and Transparency International - Greece

Project Coordinators: Jonny Koerner (TI-EU Office), Nagia Mentzi (TI-Greece)

Research Team: Fotios Spyropoulos (TI-Greece Expert), Evangelia Androulaki (TI-Greece volunteer), Ioanna Karnachoriti (TI-Greece Volunteer)

Published: September 2014

Design: Simon Fieremans and Mariam Alard, Brussels

Every effort has been made to verify the accuracy of the information contained in this report. Nevertheless, Transparency International cannot accept responsibility for the consequences of its use for other purposes or in other contexts. All the information was believed to be correct as of August 2014.

This project has been funded with support from the European Commission. This publication reflects the views only of the author, and the European Commission cannot be held responsible for any use which may be made of the information contained therein.

This project is co-funded by the European Union



Matching Funding is provided to Transparency International Greece by

European Reliance General Insurance



FOREWORD

It is fitting that it was Greece that presided over a novel experiment in democracy. Five months into the Greek Presidency of the EU, Europe-wide elections gave citizens the opportunity for the first time to have a say in who would be the head of the European Commission, a decision normally jealously guarded by national leaders. Although this was trumpeted as an “end to backroom deals” and a triumph for democratic choice, it failed to reassure a restive electorate and the results of the elections saw an upsurge of support for avowedly Eurosceptic parties, especially in France and the UK.

Taken together with survey results that show that 70% of the European public think there is corruption present in the EU institutions, the evidence is that there is a deep mistrust of the legislative process in Brussels. The pervasive influence of lobbyists, the reliance on informal and secretive negotiations between governments and institutions, and poor management of conflicts of interest all combine to fuel suspicion that EU decision-making caters for private rather than public interests.

Taken at face value, the EU law-making process is a transparent procedure. A voluntary transparency register provides some insight into lobbying in Brussels; since 2011, MEPs are required to publish detailed declarations of income and outside interests; there is a wealth of documentation available online

and Parliamentary sessions and even some ministerial meetings are televised live on the internet. However, in practice this transparency is undermined when a majority of the actual discussions have moved behind closed doors, for example to informal “trialogue” meetings - negotiations between the three law-making institutions - where no official records are ever released to the public. This reinforces the perception that the EU legislation is mired in opacity and even Brussels insiders occasionally struggle to grasp the details of the process.

The transparency of EU decision making depends to a great extent on the transparency of Council proceedings. The Council does not have the best track record of ensuring accountability in its proceedings, especially when compared to the other EU institutions. This reputation has been reinforced by its apparent disregard of a 2013 European Court of Justice ruling that would have made its deliberations much more transparent. Indeed, despite some improvements in recent years the broader public is often completely oblivious of the contribution of their government to EU legislation.

This Scorecard attempts to remedy this transparency deficit. It aims to do so by shedding some light on the process, with a focus on key anti-corruption issues that were discussed under the Greek Presidency. Each Presidency has a crucial role in setting a work programme, presiding over

Council meetings and brokering dialogue during a six-month term. The transparency of the Presidency itself is also an important indicator of the accountability of the wider process. In the next year we will publish scorecards for the Italian and the Latvian Presidencies in an effort to contribute to improving transparency in the functioning of the EU decision making process.

Greek citizens will need no reminding that we are still living with the consequences of the of the 2008 financial crisis, so it is no surprise that the priority of the Greek Presidency was the economy, with a special emphasis on nurturing jobs and growth and further integration of the Eurozone.

The Greek Presidency managed to successfully finalise the work of the Presidency Trio (Ireland, Lithuania, Greece) with regard to banking union, the compact for growth and jobs and the digital agenda. As our assessment shows, Greece also prioritised several key anti-corruption issues during its Presidency of the Council of the EU. Notably, the Greek Presidency managed to finalise negotiations on a directive which will reduce corruption in the financing of

political parties. The Presidency also advanced considerably the establishment of the European Public Prosecutor's Office, a body that has the potential to become a powerful agency to protect the EU budget from corruption and fraud.

Despite these successes, the Greek government falls short for failing to publish the Presidency budget. Transparency is a key element of good governance, and the budget is the single most important policy document of any political body as it reveals how political priorities are translated into material commitment. Ironically, this shortfall deprives the Greek government of due recognition for having run an effective and yet cost-efficient Presidency.

Despite this shortcoming, Greece should be given credit for the emphasis and effort it put into the advancement of the anti-corruption agenda during its time at the helm. The cards have now been reshuffled after the EU elections, which paves the way for Italy as the first of a new Presidency trio to continue negotiations during the second half of 2014.

Carl Dolan

Director
Transparency
International EU Office



Costas Bakouris

Chairman
Transparency
International Greece



WHAT IS THE SCORECARD?

This Scorecard evaluates the transparency and accountability of the Presidency of the Council of the European Union (“EU Council”) and the anti-corruption track-record of Member States acting as part of the EU Council. It provides an assessment of their performance on a selection of key anti-corruption topics in the course of any Presidency. The assessment is divided into three parts: Pillar I evaluates the transparency of the preparations for the Presidency by the government and administration of the country that holds the rotating EU Presidency. Pillar II evaluates the accountability of these actors during the Presidency. Pillar III evaluates how the Presidency prioritized key anti-corruption issues and how much progress member states made with regard to the selected issue in the EU Council. The Scorecard is based on research by the Transparency International EU Office and Transparency International Greece and on-going monitoring of developments in the EU Council. This assessment is carried out biannually for the precedent (Lithuania) and subsequent Presidencies (Italy and Latvia) and is used as a tool to evaluate member states’ track records and commitment to the anti-corruption agenda at national and EU level.

WHY PUBLISH A SCORECARD?

The ability to hold governments to account for the commitments they make at EU level is a crucial aspect of the fight against corruption. The EU

Council represents Member States and is one of the most powerful institutional actors in the EU legislative triangle, which also includes the European Parliament and European Commission. Yet the Council also remains the least accessible institution for civil society. This state of affairs contributes to the lack of transparency in the EU decision making process. By providing an independent assessment of the consistency of member states’ approach to transparency, integrity and anti-corruption measures, this scorecard helps to hold governments accountable for their track record.




KEY FINDINGS

- 1 The Greek Presidency made efforts to ensure that its activities are publicly known but there is still much room for transparency and accountability
- 2 The Greek presidency was characterized by the absence of detailed information about the budget and the distribution of expenses during its term. This makes it impossible to hold the presidency to account for the way in which allocated money was spent.
- 3 The Presidency prioritised five anti-corruption issues: the EU Anti-Corruption Report, financing of European political parties, the 4th Anti-Money Laundering Directive, the establishment of the European Public Prosecutor’s

- Office and the Corporate Reporting Directive procurement) and the failure of the Council's Legal Service to provide an opinion in time for the Council to vote (Joint Transparency Register)
- 4 The Council made substantial progress on political party finance and on the establishment of the European Public Prosecutor's Office, despite concerns by several member states
 - 5 Two important anti-corruption files were not high on the list of priorities: The Joint Transparency Register (which would increase the transparency of lobbying to influence the decision-making process) and the public procurement reform package (which aims to modernise and increase transparency in public procurement)
 - 6 The Corporate Reporting Directive lacks robust reporting provisions and the number of companies which fall under its scope has been reduced from 18.000 to 6.000 companies. To its credit, however, the Greek Presidency reintroduced an important review clause which requires the Commission to re-examine mandatory country-by country reporting for large companies in 2018
 - 7 The overall medium progress in key anti-corruption areas can be attributed to a diverse number of factors: opposition from member states (Corporate Reporting Directive, 4th Anti-Money Laundering Directive), a combination of the advanced state of the legislative process and delays in the translation of agreed text (public




METHODOLOGY

Pillar I evaluates access to information and budget transparency. Each aspect is assessed in two steps: One Yes/No question and one corresponding nominal question. **Pillar II** evaluates whether stakeholders were able to contribute to the discussions and how the money was spent during the Presidency. Each aspect is assessed in two steps: One Yes/No question and one corresponding nominal question. The answers were categorised according to a **traffic light system**:

Evaluation process	Type of scale			
Step 1	No/ Yes	No		Yes
Step 2	Low/ High	Low	Neutral	High

Pillar III evaluates the progress of the key anti-corruption issues. The selection of the key anti-corruption issues that are assessed is based on a specific set of indicators: The selected issues fall within the areas where the EU has the legal competence to act and they are at relevant stage in the legislative cycle. The issues relate to the movement's broader advocacy goals as elaborated in the TI 2015 Strategy and cover the sectors that have been identified as the weakest and most problematic in the fight against corruption.

Each issue is assessed by two aspects: If the Presidency prioritized the issue and how much progress was made in the Council of the EU with respect to key anti-corruption or transparency reforms. The answers to these questions were categorized according to a traffic light system where the following ratings apply:

-  Red – The issue was not a priority for the Presidency / there was no progress in the Council and/or TI's recommendations were not taken on board.
-  Yellow – The issue was a medium priority for the Presidency /there has only been some progress in the Council and/or many of TI's recommendations were not included in the directive
-  Green – The issue was a high priority for the Presidency / The Council has made substantial progress on the issue and/or TI's main recommendations were included in the adopted text

Our assessments are based on publicly available information and on documents which are subject to EU rules on access to documents. The methodology was developed in consultation with Ernst + Young Baltic.

Comments on the approach taken are welcome as we continually seek to refine our methodology.

PILLAR I – PREPARATION OF THE PRESIDENCY

1.1 Access to information / Justification of Presidency Agend

1.1.1 Is information about the goals of the presidency publicly accessible?



Why is this important?

The earlier the preliminary goals of the Presidency are known publicly, the easier it is for stakeholders to contribute to the discussion of the issues

Results:

- The preliminary goals and the main priorities of the Greek Presidency were initially presented in the Cabinet of Ministers by the Minister of Foreign Affairs, Evangelos Venizelos in August 2013 and were publicly accessible on the official Presidency website
- In September 2013, the Parliamentary Committee on European Affairs discussed the parliamentary dimension and agenda of the Presidency with Greek Members of the European Parliament.
- The official Presidency website featured the agenda, the calendar of events, relevant publications, interviews, and articles and all information was available in four languages

1.1.2 Were the goals of the presidency aligned with National and EU Agendas?



Why is this important?

A strong divergence between the goals of the Presidency and the priorities of national and European agendas could indicate that various interest groups exerted undue influence in the planning stage

Results:

- The Greek Presidency goals were aligned with the agenda of EU and its strategic framework (Strengthening Economic and Monetary Union, Growth and Jobs, Migration)
- The Presidency agenda was rooted in the Trio programme as well as the national agenda

1.2 Budget and expense justifications

1.2.1 Is information about the budget of the Presidency publicly available?



Why is this important?

By publishing the foreseen budget, the presiding country ensures transparency and accountability for the planned expenses.

Results:

- The official Presidency website stated in a brief narrative description that the budget was set at 50 million Euros
- The Greek Presidency did not publish its actual budget

1.2.2 How transparent is the Presidency budget?



Why is this important?

Only a budget with clear and precise disclosure of the expenses creates the conditions for public monitoring. If the information is not available in open data formats it severely hampers the public's ability to hold the government to account

Results:

- The bulk cost was published online before the start of the Greek Presidency and received media coverage
- There is no available budget with clear and precise disclosure of the expenses and it was therefore impossible to hold the government to account
- There is scattered and limited data available in the public database DIAVGEIA (sponsorships, goods & services supplies, fees, etc.)
- The expenses were not available in open data format

PILLAR II – ACCOUNTABILITY OF THE PRESIDENCY

2.1 Inclusiveness of stakeholders

2.1.1 Was it possible **Why is this important?**

for stakeholders to contribute to the discussions?

If the Presidency does not proactively provide public information about the main events and discussions the public is not able to contribute to the discussions.



Results:

- Logistical information and the agenda of the majority of the events of the Greek Presidency were published in advance via the official Presidency website
- Stakeholders were able to contribute to the Greek Presidency discussions through designated contact persons for each policy area

2.1.2 How inclusive was the EU Presidency Process?

Why is this important?

The Presidency should make efforts to ensure that interested parties are able to engage and to contribute to the discussions in public events of the EU presidency



Results:

- The Greek Presidency official website provides logistical details (i.e. location, time) for almost all the public events, which means that it was technically possible for interested parties to be informed about the organization and the content of the events
- There is limited information regarding the contact persons of the events and no information about whether interested parties could actually access the events

2.2 Management of expenses of the EU Presidency

2.2.1 Is information about the expenses and distribution of costs disclosed?

Why does this matter?

By disclosing the actual budget, the Presidency ensures that it is transparent and accountable for the way that allocated money was spent

Results:

- Only a very limited overview of the distribution of expenditures for the organization of the Greek Presidency is available on the official website



2.2.2 How transparent and how well disclosed are the expenses of the EU Presidency?

Why does this matter?

Only a budget with clear and precise disclosure of the expenses creates the conditions for public scrutiny. If the information is not available in open data formats it severely hampers the public's ability to hold the government to account

Results:

- As there was no initial budget published, any possible deviations could not be identified.
- Information about expenses was only provided in bulk sums under vague categories (i.e. "disbursements"), but not in open data format
- Information about type and amounts of expenses (goods and services) was scattered in the public database DIAVGEIA and not integrated into an analyst-friendly format
- Information regarding procurement was provided in the public database DIAVGEIA and on eprocurement.gov.gr
- It is possible to download in open data format only the summary of the data available in the public database DIAVGEIA and not the full information (i.e. amounts), which was only available in pdf format



PILLAR III – KEY ANTI-CORRUPTION FILES

Key issue:

EU Anti-Corruption Report

Why is this important?

The estimated costs of corruption are equivalent to the entire annual budget of the EU and implementation of anti-corruption instruments remains uneven across EU Member States. The EU Anti-Corruption Report aims to rectify this by identifying trends and weaknesses in the fight against corruption and by stimulating an exchange of best practice.

What is the key recommendation?

The Greek Presidency should ensure that in response to the report the Council adopts conclusions that outline how Member States will follow up on the report's analysis and recommendations.

What priority was given to EU Anti-Corruption Report?



- The adoption of Council conclusions in response to the EU Anti-Corruption Report was a high priority for the Greek Presidency
- Three weeks after its publication the report was already presented to Member States in the Coordinating Committee in the area of policy and judicial cooperation in criminal matters (CATS)
- A number of technical discussions at working group level resulted in the Presidency's draft council conclusions which were adopted at the ambassadorial level (COREPER) on May 19
- The Greek Presidency successfully guided discussions and managed to obtain agreement at the ministerial level for these conclusions on June 5, 2014

What progress did the Council make?



- The Council conclusions on the EU Anti-Corruption Report are an acknowledgement of a common interest in fighting corruption and encourage Member States to make further efforts to adopt anti-corruption preventative measures and enforce existing laws
 - The conclusions also urge the EC to include a chapter on EU Institutions in the follow up report (which is scheduled for publication in 2016)
 - The conclusions do not indicate how Member States would follow-up on the report's conclusions, either individually or collectively. Transparency International called on national governments to publicly state how they will follow-up on the recommendations or 'issues for consideration' that the Commission addressed to each country.
-

Key issue:

**Political Party
Finance**

Why is this important?

The current regulation of political party finance at European level has a number of loopholes and grey areas which risk undermining the integrity and accountability of the system.

What is the key recommendation?

Monitoring and sanctions should be clearly assigned to an independent oversight body and European party finance information should be made available in a citizen-friendly, searchable database.

What priority was given to Political Party Finance?

- This file was a key priority for the Greek Presidency, particularly in the General Affairs Working Party, where it was the foremost priority, as confirmed by Greek Deputy Foreign Minister Dimitris Kourkoulas in January 2014



What progress did the Council make?

- There was very little time for the Presidency to negotiate an acceptable compromise
- The Greek Presidency managed to conclude trialogue negotiations in February and submitted a compromise text to COREPER on February 25, where the final compromise text was endorsed on March 25
- Due to a mistake in the compromise text the European Parliament (EP) Plenary will have to adopt a corrigendum before the text can be adopted by the General Affairs Council (GAC)
- Adoption at the GAC is tentatively scheduled for September 25, 2014
- The directive includes a wide definition of donations and substantive rules on transparency as well as sanctions in case rules are breached



Key Issue:

**Joint
Transparency
Register**

Why is this important?

Over 3.000 lobbying entities currently have offices in Brussels to target EU institutions to influence EU decision-making. It is essential that their goals and methods are made clear so that laws and decisions are made in an accountable manner with due procedure

What is the key recommendation?

The Greek Presidency should push for the Council as an institution to join the Joint Transparency Register (JTR) of the European Commission (EC) and the European Parliament (EP). This should also include lobbying towards Member States and towards any incoming or outgoing Presidency

What priority was given to the Joint Transparency Register?



- The Joint Transparency Register (JTR) was not included in the Presidency programme
- Greek Deputy Foreign Minister Dimitris Kourkoulas invited a debate on the Joint Transparency Register during his mandatory presentation of the Presidency's priorities in the European Parliament's Constitutional Affairs Committee (AFCO)
- During the informal visit of the General Affairs Working Group (GAG) in Athens on June 13, 2014 there was a thematic discussion of the JTR

What progress did the Council make?



- On March 28, 2014 the Greek Presidency devoted a meeting of the General Affairs Working Group (GAG) to the JTR
 - On April 4 the Presidency submitted to the GAG a state of play update on Council participation in the JTR
 - At the next GAG meeting on April 11 there appeared to form a slim majority of delegations in favour of the Council's participation in the Transparency Register
 - However, the delegations were at that point still awaiting the opinion of the Council Legal Service on the legal basis for an eventual Council participation
 - The opinion of the Council Legal Service will determine whether Council's accession to the Joint Transparency Register would require unanimity or a qualified majority
-

Key Issue:
**Anti-Money
Laundering**

Why is this important?

Money laundering enables the corrupt and criminal to legitimise the illegal, distorts economies and is a major obstacle to a stable EU internal market

What is the key recommendation?

Member States should establish public registers of who ultimately controls and benefits from anonymous shell companies and other opaque legal structures like trusts and foundations to enable public scrutiny

What priority was given to the 4th Anti Money-Laundering Directive?



- The review of the AMLD was included in the Presidency Programme
- The Greek Presidency committed to reaching an agreement on the general approach during its mandate but the AMLD received much competition from other pending financial services
- Previous European Council conclusions called for further progress on this directive and the Greek Presidency acted on this call
- The Presidency achieved its objective of arriving at a general approach by the end of its term

What progress did the Council make?



- Following several delays, MEPs finally overwhelmingly supported public registers of beneficial ownership information in EP Plenary in March 2014
- In the Council the working party on General Affairs met eight times during the Greek Presidency to facilitate agreement on a general approach for the AMLD
- On June 13 the Greek Presidency submitted its final compromise text to COREPER, where Member States' ambassadors finally agreed on a general approach on June 18, 2014
- The agreement on a Council general approach lays the ground for dialogue negotiations between EP, EC and the Council in October 2014, to be chaired by the Italian Presidency
- While the general approach falls short of public disclosure of beneficial ownership information, it does represent a step forward from the original EC proposal in that it requires member states to collect beneficial ownership information in a central location which should be accessible to competent authorities without the risk of tipping off the entity concerned

Key Issue:	Why is this important?
Establishment of the European Public Prosecutor's Office	Despite the loss of billions of Euros every year few cases of fraud and corruption are ever brought to justice in the 28 EU member states
Prosecutor's Office	What is the key recommendation? The EPPO should be provided with a broad mandate that includes serious EU crimes including cross-border corruption and related financial crimes (such as fraud, money laundering, etc.)

What priority was given to the European Prosecutor's Office?	<ul style="list-style-type: none">• The official programme stated that the Presidency would “seek substantial progress on [the EPPO]” and subsequent efforts in the Council confirmed this commitment• The EPPO received support from the ministerial level of the Greek government• The EPPO was a high priority for the Greek Presidency
--	--



What progress did the Council make?	<ul style="list-style-type: none">• The Presidency immediately started discussions in the Council working groups (COPEN + CATS) and provided a state of play report• The Presidency provided a discussion paper in March to expedite discussions on financial provisions, data protection and staff provisions• At the Justice and Home Affairs Council (JHA) it became evident that a majority of delegations preferred a college structure for the EPPO• On May 6, 2014 the Presidency provided a revised text based on discussions in the working groups• The JHA Council in June 2014 confirmed that the EPPO should have priority competence to investigate cross-border offences against the EU budget• On June 11 the Presidency prepared another discussion paper which outlined remaining differences with regard to investigative measures• Member States were not able to overcome these differences but the Status Quo is a solid basis for further deliberations at technical level• The Greek Presidency led twelve working group meetings and published two discussion papers <p>Good example of how much progress a single Presidency can achieve in six months</p>
-------------------------------------	---



Key Issue:

Public Procurement

Why is this important?

Despite the rules currently set at the EU level, corruption scandals and irregularities tied to public procurement are still quite common in member states. This was also emphasised in the recent EU Anti-Corruption Report

What is the key recommendation?

The Public procurement reform should result in stronger monitoring systems, include whistleblower protection provisions, supply clear definitions of conflicts of interest and ensure that documentation is publicly available

What priority was given to Public Procurement?



- The adoption of the public procurement reform package featured in the Greek presidency programme, but due to its advanced stage in the legislative process this was not declared a priority
- The Greek Presidency had no room for manoeuvre to push for additional changes

What progress did the Council make?



- The Committee of Permanent Representatives (COREPER) endorsed the provisional agreement in July 2013
- Following endorsement by COREPER the draft directive was adopted with a 91% majority during the first plenary of the European Parliament on January 15, 2014
- The compromise text was adopted without discussion at a meeting of the General Affairs Council on February 15, 2014.
- The adopted reform package includes definitions of conflicts of interest and a requirement on member states to draft a follow-up report that includes “*detection and adequate reporting of cases of procurement fraud, corruption, conflict of interest and other serious irregularities*” in 2017
- There reform package includes an article that requires public access to certain high value contracts
- The final package lacks crucial provisions for whistleblower protection
- No further action was possible for the Council, due to delays in the translation of the agreed text

Key Issue:
Corporate Reporting

Why is this important?

Citizens must also have adequate information in order to assess the activities of companies operating in their territory, including financial information. In the absence of country-by-country reporting, the local public is unaware of how much profit such operations generate and what, if any, special arrangements their governments may have entered into with multinational companies.

What is the key recommendation?

The Directive should require that all large companies based in the EU should (i) disclose information on their anti-bribery and anti-corruption programmes and (ii) disclose details of revenues, sales, profits, taxes paid, political party contributions and other community contributions for every country in which they operate around the world

What priority was given to Corporate Reporting?



- This directive was included in the programme of the Greek Presidency as the key priority in the area of company law
- The official programme stressed that finalisation of this dossier would *“enhance the overall competitiveness and effectiveness of the single market.”*

What progress did the Council make?



- After Member States finalised their position on December 13, 2013 this proposal moved into technical trialogue discussions
 - On February 11 EP and EC reached a preliminary agreement at the second trialogue and the Greek Presidency informed COREPER of this agreement on February 12
 - At the next COREPER meeting several delegations raised reservations as to the scope of the proposal and requested various technical changes
 - The final compromise text was submitted to COREPER on February 24, 2014 where the ambassadors arrived at a compromise two days later
 - The proposal is expected to be formally adopted by national ministers at the next Competitiveness Council on September 25, 2014
 - The scope of the reporting is reduced from 18.000 companies to 6.000 companies and no robust
-

- reporting provisions were included in the Final Directive
- The Presidency succeeded in reintroducing a crucial review clause that stipulates the Commission to revisit country-by-country reporting in 2018

If you are interested in more specific information we encourage you to visit a more detailed version of the Scorecard here: <http://www.transparencyinternational.eu/wp-content/uploads/2014/09/Scorecard-for-Greek-Presidency-long.pdf>

BACKGROUND

ABOUT THE COUNCIL OF THE EU

- The EU Council is the institution representing the governments of member states. The EU Council is where national ministers from each EU country meet to adopt laws and coordinate policies
- The Council is an essential EU decision-maker. It negotiates and adopts new EU legislation, adapts it when necessary, and coordinates policies.
- The Council is a single legal entity, but it meets in 10 different “configurations”, depending on the subject being discussed (e.g. Justice and Home Affairs Council, Foreign Affairs Council, etc.)
- It takes decisions by a simple majority, qualified majority or unanimous vote, depending on the decision that needs to be taken.
- The Council is supported by the Permanent Representatives Committee (COREPER) and more than 150 highly specialised working parties and committees, known as the ‘Council preparatory bodies’. These bodies examine legislative proposals, and carry out studies and other preparatory work which prepares the ground for Council decisions (e.g.
- The presidency of the Council of the EU rotates among member states every six months. The presidency chairs meetings at all levels: Council, Permanent Representatives Committee (COREPER) and working parties. It puts forward guidelines and draws up the compromises needed for the Council to take decisions

How are laws made in the EU?

The Commission submits a legislative proposal to the European Parliament and the EU Council. At the first reading Parliament adopts its position. If the Council approves the Parliament’s wording then the act is adopted. If it does not, the Council adopts its own position and passes it back to Parliament with explanations. The Commission also informs Parliament of its position on the matter. At the second reading, the act is adopted if Parliament approves the Council’s text or fails to take a decision. The Parliament may reject the Council’s text or modify it and pass it back to the Council. The Commission gives its opinion once more. Where the Commission has rejected amendments in its opinion, the Council must act unanimously rather than by majority.

If, within three months of receiving Parliament’s new text the Council approves it, then it is adopted. If it does not then the Council President, with the agreement of the Parliament President, convenes

the *Conciliation Committee* composed of the Council, an equal number of MEPs and the European Commission as moderator for dialogue discussions. The committee draws up a joint text on the basis of the two positions. If within six weeks it fails to agree a common text, then the act has failed. If it succeeds and the committee approves the text, then the Council and Parliament (acting by majority) must then approve said text (third reading). If either fails to do so, the act is not adopted.

What are dialogues?

Dialogues are conciliation meetings where negotiating teams from the European Commission, the European Parliament and the Council of the EU agree compromises that are acceptable to all parties in order to speed up the legislative process. Dialogues are always chaired by the Permanent Representative of the country that holds the Presidency of the Council of the EU and the content may vary from very technical issues with working level officials and assistants from the three institutions to political discussions between high level politicians and ambassadors. Due to the informal nature of these meetings there is no standard format, there are no minutes taken and any agreement reached in the meeting is preliminary and still has to be approved via the applicable procedure.

LIST OF ABBREVIATIONS

AFCO	Committee on Constitutional Affairs in the European Parliament
AMLD	the 4th Anti-Money Laundering Directive
CATS	Coordinating Committee in the area of policy and judicial cooperation in criminal matters
COPEN	Working Party on Cooperation in Criminal Matters
COREPER	Committee of Permanent Representatives (the national ambassadors to the EU)
ECON	Economic and Monetary Affairs Committee in the European Parliament
EC	European Commission
EP	European Parliament
EPPO	European Public Prosecutor's Office
EU	European Union
EU ACR	EU Anti-Corruption Report
GAC	General Affairs Council
GAG	Working Party on General Affairs
GENVAL	Working Party on General matters including evaluation
JHA	Justice and Home Affairs Council
JTR	Joint Transparency Register of the European Parliament and the Council of the EU
JURI	Legal Affairs Committee in the European Parliament
LIBE	Civil Liberties, Justice and Home Affairs Committee in the European Parliament
MEP	Member of the European Parliament

**Transparency International
EU Liaison Office**

Rue de l'Industrie 10

1000 Brussels

BELGIUM

Tel: +32 (0)2 893 24 58

brussels@transparency.org

twitter.com/ti_eu

<http://www.transparencyinternational.eu>

**Transparency International
Greece**

Thetidos 4

Athens, 11528

GREECE

Tel: +30 210 7224950

tihellas@otenet.gr

twitter.com/transparency_gr

<http://www.transparency.gr>