

Erasmus in Action Manual



Erasmus in Action (EiA) Manual

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Erasmus in Action
2018-1-BE05-KA205-002386



Co-funded by the
Erasmus+ Programme
of the European Union

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

Legislative process “in a nutshell”

First Reading

At first reading, the Parliament and the Council examine in parallel the Commission’s proposal. It is, however, the Parliament that has to act first, by approving the Commission’s proposal without amendments, by amending it or by rejecting it. Firstly, the proposal is sent to the EP committee responsible for its consideration. The respective committee selects the rapporteur responsible for issuing committee’s ‘draft report’. This is usually where the first amendments are presented. When the committee adopts the draft report, the proposal moves into the plenary stage in the EP.

Most commonly, the vote on important legislative files in plenary is preceded by a debate in plenary. Additional amendments may be proposed at the plenary stage, but only by the responsible committee, by a political group or a group of individual Members reaching at least one-twentieth of Parliament’s component Members (i.e. at least 38 individual Members). The Parliament, acting by a simple majority (i.e. a majority of the Members voting), then adopts its first reading on the Commission proposal: it may reject the proposal as a whole, approve it without amendments or, most commonly, adopt amendments to the proposal.

If the EP approves the proposal, it moves to the Council. The proposal passes through three levels at the Council:

1. Working party,
2. Committee of Permanent Representatives (Coreper, Part I or II),
3. The Council, where the formal vote takes place.

If the Council, acting by a qualified majority, or by unanimity, approves the Parliament’s position at first reading the act concerned is adopted in the wording corresponding to the Parliament’s position. If the act is adopted, it is submitted for the signature of the Presidents and Secretaries-General of Parliament and Council, and is published in the Official Journal, which means that it is formally adopted.

If the Council is unable to fully accept the outcome of the Parliament's first reading, it adopts its position at first reading and communicates it to the Parliament in order to proceed to the second reading.

Second Reading

Like in most national legislative processes the European Union often requires more than just one reading to get the final text approved. However the second reading only takes place if the Council of the European Union approves amendments to the EU Parliament's position. As at this point the parliament already voted that the MEPs need a chance to read, discuss and approve or reject the amendments proposed by the Council. This is when the second reading takes place.

The second reading is comparable to the first one. The European Parliament can either accept the Council's position and its amendments or reject those which would either lead to the adoption or failure of the European Commission's proposal. The Parliament's third option is to suggest amendments to the initial proposal and of course to the amendments proposed by the Council of the European Union.

In the second stage of the second reading the proposal moves back to the Council where the new changes made by the European Parliament can either be adopted or amended even further. The first would lead to the adopting of the directive while the latter leads to Conciliation, the third and final reading.

Third Reading

Similar to how national legislatures have first, second, and third readings for their proposed laws, the EU too has its first and second readings where a Commission proposal is flung back and forth between the Council and the Parliament like a ping pong.

However, this is where the EU's third reading differs:

- Here is when a Conciliation Committee is convened between the two co-legislators, Parliament and Council, because...
- ...the aim is to facilitate negotiation between them.
- The end result ideally, is that a joint text is created that is satisfactory to delegates of both Council and Parliament in the Conciliation Committee.
- This joint text then must be approved by *both* the Council and Parliament in order for the legislative act to pass and become EU law.
- If the negotiations in the Conciliation Committee or if the joint text is not approved by the co-legislators, then the legislative proposals fails at this stage.

At this stage of the ordinary legislative procedure, we can assume that the Council and the Parliament are still able to agree on some things on the matter of the Commission's proposal (otherwise the act is simply not adopted if Parliament rejects the Council's position wholesale).

The role of EU citizens in the institutions

The importance EU citizens' participation in the elections for the European Parliament

The next elections for the European Parliament will take place between the 23rd and the 26th of May 2019. Adult citizens from all Member States are encouraged to participate in these elections by casting their votes and having their voice heard. Although you might have heard of these elections, you probably have some unanswered questions about them. What are we voting for?, who are we voting for?, what is at stake?, etc.

The European Parliament is one of the EU's law-making bodies and, according to Article 14 of the Treaty on the European Union, it "shall, jointly with the Council, exercise legislative and budgetary functions", as well as "functions of political control and consultation." This means that, thanks to the negotiations carried out by members of this institution, decisions that affect the life of all EU citizens are taken. Moreover, article 14 established that "the members of the European Parliament shall be elected for a term of five years by direct universal suffrage in a free and secret ballot," which means that, we,

citizens, get to choose directly who we want to represent us during this decision-making process. In essence, we have the power to decide the direction that European Union legislation should take.

More specifically, we vote for the members of the European Parliament (MEPs), which are citizens from all the Member States and representatives of different factions. For the 2019 elections for the European Parliament, we will elect 705 MEPs. The repartition of seats is not arbitrary. In fact, “it takes into account the size of the population of each country, with smaller countries getting more seats than strict proportionality would imply.” However, these MEPs are not grouped by nationality but by political affinity. The European Parliament is currently composed of eight factions (or party groups), as well as non-attached members, after this EU elections probably can be changed the factions or the party groups at the EP. All of this entails that every EU nationality and the whole political spectrum are represented in this institution because, as the motto of the European Union says, we are “united in diversity.”

Remember: it is your opportunity to take a stand, profit from the direct democracy and participate in the European project. All you have to do is vote in the next elections for the European Parliament.

Other forms of taking part in the European democratic process – beyond the elections

Some might have the perception that the European Union is a distant, unfeeling, bureaucratic nightmare that cares little for the people under its jurisdiction and serves only itself, and only listens to itself.

On the contrary, there are several options that the people of the European Union can use to have their voices heard in a more direct manner without having to wait for the next round of European elections.

Some of these options are quite similar to what citizens of a nation-state have in terms of the rights they obtain as citizens of that state. Some of these rights may include the rights to freedom of assembly, expression, and association, the right to take part in consultations by the Institutions on various projects and proposals, the right to petition their parliament and the right to complain to an ombudsman.

EU citizens also have the right to directly take part in the legislative process of the Union via the **European Citizens' Initiative**. Introduced under the Treaty of Lisbon, the initiative allows citizens to directly call on the European Commission to introduce new laws or amend existing legislation under the areas of law where the Commission can propose legislation.

Is the Democratic Deficit real? If so, how to tackle it?

The notion of a democratic deficit within the European Union (EU) refers to the perceived lack of democratic legitimacy in EU governance. The tension to make EU more democratic and ensure higher standard of democratic legitimacy, led *inter alia* to an elected European Parliament being created in 1979, with the power to create and enact EU legal acts and other documentation. However, the aim to provide democratic legitimacy in all activities of the EU and its institutions and organs did not result in complete success. Voter turnout has fallen consecutively over the seven elections since the first elections in 1979, and voter turnout in the 2014, statistics show, stood at 42.54% of all the eligible voters of the EU. Such data might be considered alarming due to the fact that this is lower than any national election in the 28 countries of the EU.

There are two trends that relate to the perceived occurrence of democratic deficit within the EU. On the one hand, there is a trend supported by some that the EU should reform its institutions, organs, activities and how they are performed, for the purpose of making them more accountable. On the other hand, there is a trend that the EU should reduce its powers, and the EU Member States should reclaim their full sovereignty, and so supporters of such trend demand the withdrawal of their States from the EU.

Impact of EU elections

General introduction of EU elections

Direct elections to the European Parliament are held every 5 years. The first direct elections were held in 1979. The European Parliament elections take place within a 4-day period all over the European Union. The next European Parliament elections will take on 23-26th May 2019. All adult EU citizens will have opportunity to select their representatives in the European Parliament. The precise date of election day depends on each member country. With next elections some of the members will get more representatives than usual since the UK is leaving the Union and UK citizens will not have right to vote. The last European elections in 2014 were the largest transnational elections ever held at the same time. This time the stakes are even higher. By voting, you help decide what kind of Europe we have in the years to come. The European elections in May 2019 will have a direct impact on your life. They will decide how Europe will act in the coming years to address your concerns about jobs, business, security, migration and climate change.

Impact on Local & National Level

Local level:

The European Parliament is the only body which is delegated directly by the citizens of the Union, therefore it is the only institution with the direct obligation to represent the people of their Member State. As a result of this, the effects on smaller but fundamental actors in the whole system, such as families, regional and local municipalities, will be noticeable regardless of the election outcome.

During the previous mandate the Parliament, and with it the European Union, had to overcome some major issues never really seen before. However, there are still certain topics which are awaiting its solution. Taking into account all the factors and the resources available for the parliament, the election will make its own impact.

On the national level:

The expected change on the national level will be the numbers of the MEPs and the representation of the Member states. The UK-EU negotiation to conclude the Brexit will affect the number of the MEPs. Currently the British possess 74 seats in the Parliament. According to Article 14 of the Treaty of the EU (a.k.a. TEU), the Parliament and the Council made the decision to delegate those remaining seats to the underrepresented Member States, taking into account the demographic changes.

Other effects on the Member State at this moment are merely assumptions such as the possibility that a better-balanced representation in the parliament will lead to the more effective body. The EU has been criticized by many political and non-political actors and in recent years compared to previous periods which raises the question of reforming the Union, but in what direction and by what means still remain unsolved.

Impact on European & International Level

European level:

It is important to note that the European Parliament is the only transnational Parliament in the world that is directly elected. Currently the EU Treaties allow for 751 seats for the 28 Member-States and these seats are distributed according to the principle of "degressive proportionality" to the population of the Member States.

Regarding the leaders of the EU it is worth to mention that a new President of the European Parliament will be appointed by the MEPs and replace Mr. Antonio Tajani. The mandate of Mr. Donald Tusk will end in November 2019 and a new President of the European Council will be appointed by national leaders of the Member States. Likewise, Mr. Jean Claude Juncker will also be replaced and so the future President of the European Commission will be the one to give political guidance to the Commission.

In regards to the Presidency of the Council of the European Union, Romania will be in charge during the time of the elections and then Finland, Croatia and Germany will follow.

International level:

The European Union is a strong global governor in a lot of fields namely the field of Human Rights, Climate Change and others that shape the global order.

New strategies will be design and new goals will be set next May but we will also see the continuity of the EU's work from the last few years.

Same goes for the EU's engagement in the 2030 Agenda for Sustainable Development that was set out by the United Nations.

The notion of Youth Participation in European elections

The European Union (EU) is at a turning point. Some groups question the Union's very foundations, shunting its core values and ideals. In this context, youth participation is essential. Unfortunately, in previous elections of the European Parliament (EP), only a small number of eligible voters turned out to the booths¹ and an even smaller number of young people made their voices heard despite the strong existing divides throughout our societies. Tackling the challenges of Youth Participation means regaining a sense of lost citizenship, of civic duty, and of societal commitment to building a better Europe, collectively.

Youth participation is essential, by participating we are holding leaders accountable and setting an example for people of our age group and beyond. We are claiming what is our right in the decision-making process and trying our best to ensure a better future. While the overall responsibility for youth policy lies with the Member States, the European Union supports the participation of youth in society as much as possible, as is exhibited by the EU Youth Strategy².

There are many more ways and possibilities how can one participate:

- Volunteering, Participation in civil society initiatives, interest groups and/or NGOs (like ESN or BETA);
- Raising awareness about important topics, e. g. through social media or conversations with our families and peers;
- Membership in a political party;
- Voting and/or standing in local, regional, national and European elections;

¹ <https://epthinktank.eu/2015/12/14/young-people-engaged-but-not-voting/>

² https://ec.europa.eu/youth/policy/youth-strategy_en

- Engaging and/or taking a leadership role, e.g. in our local youth organisation or sports club;
- Starting and/or supporting petitions (on national level) and the European Citizens' Initiative;
- Directly contacting your representatives (e.g. Members of the Parliament [MPs] or Members of the European Parliament [MEPs]);
- Participation in demonstrations or protests;
- Lobbying decision makers;
- Support (e.g. financial support through donation) of civil society initiatives, interest groups and/or NGOs;
- Active participation in political and societal debate, e.g. on matters relating to youth;
- Voicing concerns and ideas e.g. through the press or the radio, participating in online discussions, writing or following blogs.

So let's get active and let's start by voting in the European elections taking place this year:
Thursday May 23rd – Sunday May 26th!

How debates on the EU can be promoted

1. The general presentation of the debates and their promotion

1.1 *Definitions and the significance of debates*

When someone mentions the word debate, people tend to mix up the terms. In order to avoid this confusion, the concepts of a debate, a negotiation and an argument must be briefly defined. In politics, a debate is understood as a formal discussion of a particular topic, in which different arguments are opposed to each other in a public meeting or legislative assembly, usually ending with a vote as a form of decision making. Despite likewise involving people with different goals or viewpoints in the conversation, the aim of a negotiation is to come to an agreement. On the contrary, an argument is either used to

refer to the reasons in favour or against a statement or it can express the process of justifying one's points.

1.2 Promotion of debates on the European Union

As for promoting debates on the European Union, reaching out primarily for the youth through online platforms with the help of practice-based approaches would be the most effective method. Model European Union (MEU) simulations on EU politics and decision making, supported by Bringing Europeans Together Association "BETA" (if you are interested in this, you can find out more <https://www.beta-europe.org>) is a very good example for an already existing solution which could be further expanded. These simulations aim to establish an environment, roles, and discussions similar to the institutions of the EU. Through this role play, the participants have the chance to experience debating at first-hand, to learn more about important topics concerning European politics and to gain practical skills, useful for public speaking. Actively engaging in a debate by expressing-one's views at a simulation is way more effective than trying to convince people to read theories or definitions on their own.

Additionally, monthly or quarterly newsletters, functioning as summaries of debates and updates on their progress should be circulated for instance to universities or to other institutions that deal with education and have the means of reaching students. Another advantage of launching a newsletter is that it contains all the information in one single place, meaning that there is no need to look for other sources of information. The date and place of upcoming debates would be published upon availability too.

2. How to find speakers, what to look for how

2.1 How to find your speakers

Choosing your speakers is a highly important task. Choosing good speakers will not only attract your audience but it will also make your audience love your debate and come back over and over again.

But do not forget this: having good speakers does not forcibly mean having big names! Your budget will of course influence your speakers choice - since it is based on it that you will be able or not to e.g. pay for their transport and accommodation - but that does not mean that you cannot have a lesser-known expert that will leave your audience on the edge of their seats. If you have a smaller budget, you might want to invite a well-learned but less-known speaker: this would enable you to stick to your budget and it would still attract the audience.

In order to find the speakers, you might want to first resort to your personal network. Ask your friends, Professors, former employers or colleagues and the rest of your network if they have someone in mind that they could put you in contact with. Additionally, you can resort to platforms such as LinkedIn to find employers and potential speakers of a certain company, non-profit or even an International Organisation.

2.2 Contacting your speakers and inviting them

First and foremost, do not invite anyone just two days before an event. When organising a debate, you need to give as much information as possible, as soon as possible to the people you are inviting. The purpose of this is to ensure that the guest forms an impression that the team in-charge of the event is reliable and organised. Additionally, approaching guest speakers earlier also ensures that they are able to make themselves available for the event amidst their busy schedule.

When aiming at big names, try to contact someone in their service that is more accessible but will still pass on the message. Send a first email, as detailed as possible, and if do not have an answer within a week, send a follow-up email. Spend some time on that first email, making sure it is perfectly clear, filled with the right information and easy to read,

especially since that email will be the first impression you will make and first impressions are very important! If you still do not get an answer, you can subsequently try to call and enquire if they had received your email.

2.3 Arrangements concerning the debate

Depending on the format of the debate and on the topic, the length of your debate may vary. Be sure to smartly construct your time: for that you can calculate the minutes every intervention will take and come up with a total. If that is the case, do not forget to include a time slot for opening and closing statements and for the Q&A for both the questions of the audience and the answers of your speakers.

Another important choice is that of your Moderator. You might want to choose someone that is charismatic, that can easily make the speakers feel comfortable but also serious enough to impose the agreed upon timings and that will not be afraid to create controversy. Make sure your Moderator is very well prepared regarding both the topic and the speakers.

Two or three days after the debate, you might want to send a thank you email to your audience and ask them what topics they would like to see being debated in possible future events. By doing this, you not only get feedback from your audience - from which you can base yourself to improve - but also gain insights into what interests the public for future debates.

3. Logistics for organising a debate

Please note that this manual works under the assumption that there is already an existing organisation/association that is recognized by state law and national register, according to the state's legislation, therefore it is a legal entity. This list is not exhaustive and may vary according to the state law of the country. It is recommended to consult the state

legislation on topics such as: Public gatherings, Security, Taxation, Fire management, Lease (short-term) and more.

Organising an event

1. 1. Topic and form
2. 2. Venue
3. 3. Accommodation
4. 4. Catering
5. 5. Public Relations (on the event)

Exploring the benefits of MEU conferences

1. *Legal understanding and practical learning opportunities*

“Participants in MEU usually receive extensive preparation materials prior to the conference and their knowledge is further refined during the conference itself. Throughout a few days of intense debates and negotiations, you can learn how decisions are reached and laws are passed on the European level. You get a better understanding of the decision-making process within the European Union while also being confronted with many additional factors and challenges. These realistic simulations are of great importance for young professionals to gain useful skills, meet people with whom they share similar interests and get an insight in how the system works.”

-Milena Nikolić

The most lacking feature in legal studies nowadays, especially in the Civil law field, is practical experience. In most cases, students are unable to obtain any practical experience because of the structure of their studies and in particular the overwhelming focus on theoretical, in-class knowledge. MEUs are able to improve their experience in numerous ways, considering that law is not exclusively drafting or rhetorics but a complex skill-set which every lawyer needs to acquire to prosper in their career. Participating in one of the co-decision bodies (Council of the European Union or the European Parliament) is always highly rewarding, but what is more interesting from the legal perspective is the role of the

European Commissioner. It is rare that the European Commission is simulated as a body during an MEU, however the *representation* of the Commission in those two above mentioned co-decision bodies is not. The Commissioner is the expert on the field of the relevant topic and is expected to have all the necessary knowledge regarding the draft legislation they present to the co-decision institutions. Since the individual who is bearing the title Commissioner and the drafter of that particular document is the same one participant, during that process is inevitable to acquire additional knowledge regarding the Union, it's provisions and data related to the topic. However, the true value of all this information is actually negligible compared to the skills, and mindset developed during the process.

There is another aspect of every MEU which is more related to organising an event than to the precise nature of the EU. Those include for instance Fundraising, Public Relations, Logistics positions for which volunteers sign up at the beginning of the organising process of the conference. They are given tasks and responsibilities and their role usually involves working in a diverse, international team to deliver upon the same goal. This experience is hugely beneficial for young professionals and people with limited work experience, as they both get to enrich their CV with this activity, but also learn how to work efficiently in a team, react in high-pressure circumstances and organise their time accordingly-experiences which their education usually fails to deliver to them.

2. Fostering European identity and Tackling Euroscepticism

"While the EU is almost omnipresent in the life of EU citizens for most of them the EU, as well as its structures and values, it remains an abstract concept they struggle to understand and to identify with."-Olga Komorowski

It is primarily this problem that MEU simulations address with surgical precision. At the moment, euroscepticism is constantly rising. This is usually attributed to a lack of

knowledge regarding the EU institutions and a lack of transparency in the political process directed to the citizens from their Member State. Anecdotally, the rise of anti-EU movements and public disengagement with the EU is attributed to the abstract concepts and the complexity inherent in its institutional structures. Without a clear understanding of what is taking place in European politics, citizens claim, they can not get actively involved in it. The experiences gained during MEUs can actually address this issue even across generations. One of the best techniques according to "Learning by Doing: An Empirical Study of Active Teaching Techniques"^[1] study is when students get the opportunity to gain first-hand experience by interacting with the material in order to understand complex issues. In a similar fashion MEUs contribute to achieving a better understanding of the EU among youngsters. Educating the young population through real-life experiences not only helps them better understanding the complex and multi-layered EU concept but it also acts in a trickle-down process and leads to a better understanding.