accountability
comitology committees 59, 194–8, 204
deliberative supranationalism 256–60
democratic regimes 59, 252–3
European Commission 204
European Parliament 211, 214–16
European Union 44
adaptation committee 221, 237
Administrative Procedures Act 62
AFCO (constitutional affairs committee) 154, 169, 174
agriculture 39, 67, 183, 187, 189, 200, 228
enabling provisions in markets 234–5
fishmeal in animal nutrition 209–10
organic farming, protection of 230, 235
plant protection products 235
protection of geographical indications and designations of origin for products 236
sheepmeat exports from UK 235
tobacco, conversion rates for premium for raw 238
Bayer case 241–2
Amsterdam Treaty 126, 131, 132, 146, 154, 171, 175
Angelopharm v Hamburg 240–41
Antici group 174
Audiovisual working group 99
Austria
cadmium use 236
comitology meetings 189
EU racial discrimination directive 100
nuclear energy research budget 113
social concertation 100
bargaining systems 26, 77, 112, 59, 59
BAT case 242
Belgium
comitology meetings 189
consensual government 25
majoritarian government 21
power-sharing government 22
social concertation 100
telecommunications programmes 101
Berlin plus arrangements 133, 141, 142
biotechnology 67, 173
border checks and visa applications 233
broadcasting directive 166, 167, 181
budgets
CFSP (Common Foreign and Security Policy) committees 140
comitology committees 189
European Commission 74, 76, 229
and European Council working groups 101, 107, 108, 113
Central-Import Münster case 232
CFSP (Common Foreign and Security Policy) committees 120–51
Berlin plus arrangements 133, 141, 142
Brussels formations 126, 127
budget 140
coordination reflex 127, 142
committee structure 124–5
CORTESY (CORReu TERMINal SYstem) 128, 141, 146
and decision-making 124–6, 131
ESDP and national security 125
and EU presidency 126
and European Commission 126, 129, 138, 139–40
European Correspondents network 128, 138, 139
and European Political Cooperation (EPC) legacy 121–5, 126, 130
Foreign Relations Counsellors Working Party (RELEX Counsellors) 127–8, 137
High Representative 126, 127, 133, 134, 136–8, 140, 142–4, 146–8
and PoCo (Political Committee) see PoCo (Political Committee)
Political and Security Committee (PSC) see Political and Security Committee (PSC)
and working parties 126–8, 139, 140
Christiansen, Thomas 1–11, 37, 54, 65, 115, 117, 249–76
citizens' rights
Committee for Civilian Aspects of Crisis Management (CIVCOM) 137, 143, 144, 145
and informal governance 59–60
Passenger Name Records (PNR) 209, 211, 212, 214, 215, 216, 217
Safe Harbour Decision 208, 211, 212, 214, 215
codecision procedure
European Commission 3, 4, 205, 230
European Council 3, 4, 36, 106, 171–3, 184–6, 203, 229–30
European Parliament 3–4, 36, 106–7, 125, 154, 156–7, 162, 171–2, 184–6, 203, 205, 229–30
coalition governments 20–21, 25
comitology
development of involvement by European Parliament 156, 202–4, 205, 223
European Commission 56, 83, 92, 183, 213, 238–9
European Court of Justice (ECJ) 227–48
comitology committees
accession countries 189, 193
accountability 59, 194–8, 204, 214–16
budgetary constraints 189
chairs 190–92, 193–4
checks and balances 236
and confidentiality 243–4
consensus building 6, 190–92, 193
deliberative supranationalism 196, 197
dynamics of 33–5, 46, 186–94, 237–8
environment 187, 192, 198
European Commission implementing committees 186–94, 229, 237–8
European Council 33, 82, 88, 90, 191, 237–8
European Parliament 33, 95, 196, 197, 210, 237
expert knowledge 191, 192, 195
implementation of EU Directives see European Commission implementing committees
languages used 188, 238–9
legitimacy 59, 194–8, 204
measures adopted, number of 187
and Member States 188, 189, 191–3, 195, 196, 231, 236–7
non-EU representatives 189
published reports 194, 198
registration of documents 212
rules of procedure 190
and transparency 193–4, 242–4
and umbrella groups 71–2
voting 190
Comitology Decision (1987) 183, 231
Comitology Decision (1999) 183–7, 190, 193–4, 196, 198, 201, 205–16, 221, 231, 233–4
Comitology Decision, new 220, 222–3
Committee of Permanent Representatives see COREPER committees
as alternative forms of governance 41
comitology see comitology committees
doing and deliberative governance 31–6, 40, 54
and deliberative supranationalism 12–38, 196, 197, 251–2
efficiency 31–2
European Political Cooperation see European Political Cooperation (EPC)
European system, pros and cons of 268–71
implementing see European Commission implementing committees as informal governance 40, 46, 53, 54, 59
of inquiry 85
legitimacy in 31–2, 54
overlapping membership 83
role in European Union 40, 41, 54
and transparency 54
see also individual committees
Common Foreign and Security Policy see CFSP
community action programme (Kaleidoscope) 181
Conciliation Committee 3, 4, 217
consensual governments 20–22, 25, 35, 47, 272
consensus building 6, 87, 90, 93, 125, 191–2, 195
constitutional affairs committee (AFCO) 154, 169, 174
Constitutional Treaty 222
consultative groups see European Commission expert advisory groups
consumer protection cosmetics tested on animals directive 208–9, 211, 215, 240–41
fishmeal in animal nutrition 209–10, 211, 215
Internal Market and Consumer Protection (IMCO) 155
Copenhagen Report 122
COREPER (Committee of Permanent Representatives) 88, 125, 144
and European Council 3–4, 32, 97–9, 104, 105, 108–13, 129, 137
and PoCo (Political Committee) 124, 129, 130–31
and Political and Security Committee (PSC) 120, 127, 130, 138
CORTESY (CORReu Termina Syste) 128, 141, 146
Cosmetics Directive 208–9, 211, 215, 240–41
crisis management 132, 136–7, 139, 140, 142–6
Committee for Civilian Aspects of Crisis Management (CIVCOM) 137, 143, 144, 145
cross-border trade of services liberalisation 164
cultural programmes 100, 105–6, 109, 113, 166, 181
Culture 2000 106–7, 108, 166
Customs Code committee 243
Data Protection Directive 103, 208, 209, 219
de Maillard, Jacques 96–119
decision-making stage 7–9, 29, 59, 96–7, 125, 144
Brusselisation 115
and CFSP (Common Foreign and Security Policy) committees 124–6, 131
and comitology see comitology committees
democratisation see comitology committees
gap between national and EU-level 101–2
and informal governance 53, 57–8
and language 239
lobbying 74
and networks 32, 42
and scientific expertise 184, 240–42
and uncertainty 93
and working groups see European Council working groups
defence 125, 156
see also security
deliberative supranationalism 12–38, 196, 199, 251–2
accountability 256–60
checks and balances 260–63
efficiency and effectiveness 264–6
transparency 266–8
democratic regimes
accountability 59, 252–3
checks and balances 253–4
common organisational features
15–17, 19
deliberative democracy 26–9, 31–6, 40, 54, 272–3
and efficiency 24, 31–2, 254–5
European Union as 13, 44, 59
government control 85
legitimacy in contemporary
government 8, 12–17, 19, 22–6, 31, 40, 47, 52–5, 57, 251–2
and networks 48–9
and soft law 47–8
transparency 255–6
types of 17–22
Denmark
EU defence provisions 143
Germany and Denmark v
Commission 239
national parliament inclusion 100
network governance 39
social concertation 100
DG Enterprise 69, 70, 71, 75, 77, 78, 90
DG RELEX 127, 139, 145
d’Hondt procedure 158
drinking water directive 102, 109, 164, 166, 167, 181
Duke, Simon 120–51
e-commerce directives 99, 100, 103, 108, 111, 166
EC Treaty
Article 30 124
Article 202 183, 195, 203, 228–30, 233
Article 205 229
Article 211 183, 228
Article 230 209
Article 250 199
see also Treaty on European Union
Economic and Monetary Affairs
committee 156, 169, 174, 175
education
LEONARDO programme 98, 99, 108, 166, 181
SOCRATES 99, 106, 107–8, 166, 167, 173, 181
electron microscope importation from
Japan 240
employment policy 56, 98
end of life vehicles directive 166, 181
environment
Article 175 175
comitology committees 187, 192, 198
conflict in European Parliament
committees 166–7
Environment Committee 156, 163, 175
Environment, Public Health and
Food Safety (ENVI) 155, 157, 169, 174
financial assistance for projects 233
groundwater and plant protection
235
hazardous substances in electrical
and electronic equipment
(brominated flame retardant
DecaBDE) 210–11, 215, 216–17, 218
hazardous substances in electrical
and electronic equipment (lead
and cadmium phase-out) 210, 211, 212, 213–14, 216–17
Motor Vehicles Emissions group 75
Road Traffic Noise group 75
Scientific Committee on Health and
Environmental Risks 211
working group 99, 104–5
Eridania case 235
EU Presidency 129, 132, 133, 134, 135, 136, 141, 173, 174
role of 123–4, 125, 126, 139, 140, 147
see also individual countries
EU Satellite Centre 137–8, 146
European Capabilities Action Plan
(ECAP) 145
European Commission
accountability 204
and brokering 109–13
budget responsibility 229
and CFSP (Common Foreign and
Security Policy) 126, 129, 138, 139–40
and co-decision procedures 3, 4, 205, 250
### Index

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comitology Decision (1999)</td>
<td>209</td>
</tr>
<tr>
<td>comitology in 56, 83, 92, 183, 213, 238–9</td>
<td></td>
</tr>
<tr>
<td>Commission v. Council</td>
<td>233</td>
</tr>
<tr>
<td>Commission v. EP and Council</td>
<td>229</td>
</tr>
<tr>
<td>confidentiality 243–4</td>
<td></td>
</tr>
<tr>
<td>core principles and guidelines 76</td>
<td></td>
</tr>
<tr>
<td>cosmetics tested on animals directive 208–9</td>
<td></td>
</tr>
<tr>
<td>Council v. Commission</td>
<td>233</td>
</tr>
<tr>
<td>Council working parties</td>
<td>98</td>
</tr>
<tr>
<td>Crisis Management Centre</td>
<td>139</td>
</tr>
<tr>
<td>decision-making stage 3, 4–5, 80, 81, 125</td>
<td></td>
</tr>
<tr>
<td>DG Enterprise 69, 70, 71, 75, 77, 78, 90</td>
<td></td>
</tr>
<tr>
<td>DG RELEX 127, 139, 145</td>
<td></td>
</tr>
<tr>
<td>DGs 67, 71, 74, 79, 84, 174</td>
<td></td>
</tr>
<tr>
<td>EU Parliament’s right of scrutiny 205–7, 212, 215, 216–18</td>
<td></td>
</tr>
<tr>
<td>European Correspondents network 128, 138, 139</td>
<td></td>
</tr>
<tr>
<td>European Council draft legislation and reports from 78, 80, 82, 83,</td>
<td></td>
</tr>
<tr>
<td>86, 87, 88</td>
<td></td>
</tr>
<tr>
<td>European Parliament v. Commission 230, 235</td>
<td></td>
</tr>
<tr>
<td>and European Political Cooperation (EPC) 123</td>
<td></td>
</tr>
<tr>
<td>executive power 203–4</td>
<td></td>
</tr>
<tr>
<td>expert advisory groups see European Commission expert advisory groups</td>
<td></td>
</tr>
<tr>
<td>External Relations Directorate 139, 146</td>
<td></td>
</tr>
<tr>
<td>General Secretariat 67, 69, 174, 193</td>
<td></td>
</tr>
<tr>
<td>Germany and Denmark v Commission 239</td>
<td></td>
</tr>
<tr>
<td>Germany v. Commission 230, 231–2, 237, 238–9</td>
<td></td>
</tr>
<tr>
<td>implementing powers see European Commission implementing committees</td>
<td></td>
</tr>
<tr>
<td>lobbying 4–5, 74</td>
<td></td>
</tr>
<tr>
<td>neutrality 111</td>
<td></td>
</tr>
<tr>
<td>Open Method of Coordination see Open Method of Cooperation (OMC)</td>
<td></td>
</tr>
<tr>
<td>Passenger Names Records (PNR)</td>
<td>209</td>
</tr>
<tr>
<td>Pharos 237</td>
<td></td>
</tr>
<tr>
<td>policy-making 1–2, 34, 44, 57, 64–5, 79</td>
<td></td>
</tr>
<tr>
<td>public register of documents 205</td>
<td></td>
</tr>
<tr>
<td>Rey Soda case 234</td>
<td></td>
</tr>
<tr>
<td>Rothmans case 242–3</td>
<td></td>
</tr>
<tr>
<td>Safe Harbour Decision 208, 211</td>
<td></td>
</tr>
<tr>
<td>scientific committees 211, 240–42</td>
<td></td>
</tr>
<tr>
<td>Single European Act 123, 124, 130, 183</td>
<td></td>
</tr>
<tr>
<td>and sunset clauses 222</td>
<td></td>
</tr>
<tr>
<td>TACIS programme 231</td>
<td></td>
</tr>
<tr>
<td>Title IV (Schengen acquis)</td>
<td></td>
</tr>
<tr>
<td>transparency 242–4</td>
<td></td>
</tr>
<tr>
<td>TU München case 240</td>
<td></td>
</tr>
<tr>
<td>and ultra vires right 206, 207, 213</td>
<td></td>
</tr>
<tr>
<td>United Kingdom v Commission</td>
<td></td>
</tr>
<tr>
<td>Vreugdenhil case 234–5</td>
<td></td>
</tr>
<tr>
<td>White Paper on Governance 196</td>
<td></td>
</tr>
<tr>
<td>Zuckerfabrik Franken 236</td>
<td></td>
</tr>
<tr>
<td>European Commission expert advisory groups</td>
<td></td>
</tr>
<tr>
<td>ad hoc 68, 69, 70</td>
<td></td>
</tr>
<tr>
<td>appointment of members 67</td>
<td></td>
</tr>
<tr>
<td>budget allocation 74, 76</td>
<td></td>
</tr>
<tr>
<td>chairperson and secretary selection 74–5</td>
<td></td>
</tr>
<tr>
<td>civil servants in 77, 84, 89, 90</td>
<td></td>
</tr>
<tr>
<td>coalition building 86</td>
<td></td>
</tr>
<tr>
<td>in comitology committees 189</td>
<td></td>
</tr>
<tr>
<td>complex structures 78–80</td>
<td></td>
</tr>
<tr>
<td>consensus building 87</td>
<td></td>
</tr>
<tr>
<td>control and management of 73–80</td>
<td></td>
</tr>
<tr>
<td>controversial subjects 34–5</td>
<td></td>
</tr>
<tr>
<td>decision-making role 70, 81, 82, 83, 85, 86–90, 91</td>
<td></td>
</tr>
<tr>
<td>deliberation/strategic negotiation arenas 89–91</td>
<td></td>
</tr>
<tr>
<td>development groups 70</td>
<td></td>
</tr>
<tr>
<td>evaluation groups 87</td>
<td></td>
</tr>
<tr>
<td>fig-leaf example 87</td>
<td></td>
</tr>
<tr>
<td>functions of 80–89</td>
<td></td>
</tr>
<tr>
<td>good governance paper 94</td>
<td></td>
</tr>
<tr>
<td>inclusive or exclusive 76–8, 91</td>
<td></td>
</tr>
<tr>
<td>independent experts 90</td>
<td></td>
</tr>
<tr>
<td>industry representatives 71, 72, 76, 77</td>
<td></td>
</tr>
<tr>
<td>interest groups 71, 72, 77, 79, 89</td>
<td></td>
</tr>
</tbody>
</table>
The role of committees in the policy-process of the EU

legislative areas 70, 72, 78, 80–89, 90
legitimacy 92–4
liaison groups 67
lobby group representatives in 84, 89
Member States representatives in 77, 86, 89–91
MEPs in 91
Motor Vehicles Emissions group 75
networks 70, 86, 87
NGOs 72, 77, 79
non-legislative areas 70, 78
number of 67–9
parallel groups 88–9
and policy development 36, 70, 71–3, 75, 78, 82, 83–9, 92–5
and policy implementation see European Commission implementing committees
published reports 78, 80, 92, 94
recruitment 76–7
role of 83–7
scientific committees, consultation with 66–7, 77, 84, 89, 92, 209, 210, 213, 217, 237–8
senior officials (high-level) group 71, 73, 78, 79
sensitive issues 80
sub-groups 68, 69, 71, 72–3, 75, 78, 79, 80
typology 69–73, 78
umbrella groups 71–2, 73, 77, 78, 79–80, 209
value to European governance 94–5
European Commission implementing committees
Advisory Procedure 185, 186, 197
civil society involvement 184
comitology committees, dynamics of 186–94, 229, 237–8
Comitology Decision (1999) 183–5, 186, 190, 194, 195
Commission v Council 233
Commission v EP and Council 229
cosmetic products 184, 196
consensus building 93
and COREPER 3–4, 32, 97–9, 104, 105, 108–13, 129, 137
European Parliament scrutiny 201–6
hazardous substances in electrical and electronic equipment (lead and cadmium phase-out) 210, 211, 212, 213–14, 216–17
institutional tensions 202–4
Köster case 230, 232
legitimisation of 184, 202–4
LIFE case 233
limits of powers 234–7
Management Procedure 185, 186, 190, 203, 219, 230, 233–4
and Member States 183, 184–5, 188, 189, 190, 203
monitoring of 197
and national interest groups 192, 194, 197
Regulatory Procedure 185, 186, 190, 196, 197, 203, 234
and scientific expertise 184, 196
submission delays 237–8
see also comitology committees
European Correspondent Unit 128, 138, 139
European Council
co-decision procedure 3, 4, 36, 171–3, 184–6, 203, 229–30
comitology committees 33, 82, 88, 90, 191, 237–8
Comitology Decision (1999) 183–5, 186, 206, 231
Commission v Council 233
Commission v EP and Council 229
cosmetic products 184, 196
consensus building 93
and COREPER 3–4, 32, 97–9, 104, 105, 108–13, 129, 137
cosmetics tested on animals directive 208–9
Council v Commission 233
crisis management 144
and decision-making 35, 125, 134
Draft European Union Exercise Concept 142–3
draft legislation and reports from Commission 78, 80, 82, 83, 86, 87, 88
European Parliament v Council 231, 235
hazardous substances in electrical and electronic equipment (brominated flame retardant DecaBDE) 210–11, 215, 216–17, 218
hazardous substances in electrical and electronic equipment (lead and cadmium phase-out) 210, 211, 212, 213–14, 216–17
institutional tensions 202–4
Köster case 230, 232
legitimisation of 184, 202–4
LIFE case 233
limits of powers 234–7
Management Procedure 185, 186, 190, 203, 219, 230, 233–4
and Member States 183, 184–5, 188, 189, 190, 203
monitoring of 197
and national interest groups 192, 194, 197
Regulatory Procedure 185, 186, 190, 196, 197, 203, 234
and scientific expertise 184, 196
submission delays 237–8
see also comitology committees
European Correspondent Unit 128, 138, 139
European Council
co-decision procedure 3, 4, 36, 171–3, 184–6, 203, 229–30
comitology committees 33, 82, 88, 90, 191, 237–8
Comitology Decision (1999) 183–5, 186, 206, 231
Commission v Council 233
Commission v EP and Council 229
cosmetic products 184, 196
consensus building 93
and COREPER 3–4, 32, 97–9, 104, 105, 108–13, 129, 137
cosmetics tested on animals directive 208–9
Council v Commission 233
crisis management 144
and decision-making 35, 125, 134
Draft European Union Exercise Concept 142–3
draft legislation and reports from Commission 78, 80, 82, 83, 86, 87, 88
European Parliament v Council 231, 235
hazardous substances in electrical and electronic equipment (brominated flame retardant DecaBDE) 210–11, 215, 216–17, 218
Index

hazardous substances in electrical and electronic equipment (brominated flame retardant DecaBDE) 210–11, 215, 216–17, 218
Helsinki ‘Headline Goals’ 134
implementing powers 183–4, 185, 203, 205, 229, 231
Laeken declaration 116, 117
lobbying 74
Nice Treaty 135–8, 147, 171
and PoCo (Political Committee) 128–9, 130–31
and Political and Security Committee (PSC) see Political and Security Committee (PSC)
power of 30, 34
presidency 109–10, 111
Regulations 235, 236
Rules of Procedure 129
Secretariat 109, 111, 112, 125, 126, 129, 139, 146, 165, 174
security and defence Councils 134
sunset clauses 221, 222
and umbrella groups 93, 106, 128
Zuckerfabrik Franken 236
European Council working groups
allocatory draft legislation 108, 109
attaché groups 33, 88, 98, 102–3, 104
brokering interpretation 105, 109–13
and budgets 101, 107, 108, 113
chairs 98, 110–11
civil servants in 103–5
co-decision procedures 106
in comitology committees 189
Committee for Education 98
Community law knowledge 112
composition of 97–8
definition of 98–9
differences in 105–13
dynamics of 35, 102–5
EU treaties, force of 106–7
expert groups in 103, 104
framework legislation 108
general secretariat 98
horizontal-sectoral distinction 108
institutional origins 102–3
inter-institutional brokering 100–10
intersectoral agreement 100
language 104, 112
LEONARDO cultural-educative programme 98
mediation 115
national positions in 100–102, 104–5, 109, 111
negotiation technique 104
policy brokers intervention 109–13
policy instruments 107–9
position of, in EU policy-making 99–102
presidency 98
Presidency paper 111
regulatory draft legislation 108–9
responsibilities of 97–105
technical issues 99, 108–9, 111, 116
texts preparation 110, 111–12
European Court of Justice (ECJ) 5
Alpharma case 241–2
Angelopharma v Hamburg 240–41
BAT case 242
Central-Import Münster case 232
Comitology Decision (1999) 186, 198, 201, 213, 214, 233–4
comitology procedure, choice of 233–4
comitology, role in 227–48
Commission v Council 233
Commission v EP and Council 229
costitutional framework 228–34
Council v Commission 233
Court of First Instance (CFI), CFI 243–4
EC Treaty, Article 202 228–30, 233
EC Treaty, Article 205 229
EC Treaty, Article 211 228
Eridania case 235
European Parliament v Commission 230, 235
European Parliament v Council 231, 235
food supplements, vitamins and minerals in (Directive 2002/46) 232
Forest Focus case 234
France v Ireland 230
Germany and Denmark v Commission 239
Germany v Commission 230, 231–2, 237, 238–9

Thomas Christiansen and Torbjörn Larsson - 9781847205322
Downloaded from Elgar Online at 08/26/2019 02:28:46AM via free access
hazardous substances in electrical and electronic equipment (brominated flame retardant DecaBDE) 211
implementing powers conferral 230–31, 232–3
implementing powers, exercise of 234–44
implementing powers, limits of 234–7
Kik case 239
Köster case 228, 230
legitimacy 31
LIFE case 233
Monsanto case 242
Moskof case 238
Passenger Names Record case 215
Pharos case 237
procedural requirements 237–44
Regulation 1655/2000 233
Rey Soda case 234
Rothmans case 242–3
scientific committees 84
and transparency 242–4
TU München case 240, 241–2
ultra vires control 204, 206, 207
United Kingdom v Commission 235
Vreugdenhil case 234–5
Zuckerfabrik Franken case 236
European Economic Area (EEA) 77, 189, 193
European Parliament
accountability 211, 214–16
goal setting 106, 107, 125, 154, 156, 157, 162, 171–2, 184–6, 205, 229–30
co-decision procedures 36, 106, 107, 125, 154, 156, 157, 162, 171–2, 184–6, 205, 229–30
comitology committees 33, 95, 196, 197, 210, 237
comitology system, development of involvement in 156, 202–4, 205, 223
Commission implementing acts, scrutiny of 201–26
draft legislation and reports from Commission 78, 80, 82, 86, 87, 88, 92
European Parliament v. Commission 230, 235
European Parliament v. Council 231, 235
fishmeal in animal nutrition 209–10, 211, 215, 216
hazardous substances in electrical and electronic equipment (brominated flame retardant DecaBDE) 210–11, 215, 216–17, 218
hazardous substances in electrical and electronic equipment (lead and cadmium phase-out) 210, 211, 212, 213–14, 216–17
implementation powers 184, 185–6, 211, 212–14, 223
lobbying 74, 158–9, 163–5
MEPs 3, 8, 9, 158–61, 163–4, 170
Passenger Name Records (PNR) 209, 211, 212, 214, 215, 216, 217
political pressure, exercising 30, 216–18, 221
presidency 110
right of scrutiny 201, 205–18
role limits 216
Rules of Procedure 157, 161, 173, 207, 208, 210, 218
Safe Harbour Decision 208, 211, 212, 214, 215
Secretariat 8, 163
sunset clauses 221, 222, 223–4
transparency 211, 212–14
ultra vires right 206, 207, 213, 215–16
and umbrella groups 71–2
European Parliament standing committees
AFCO (constitutional affairs committee) 154, 169, 174
Agriculture and Rural Development Committee 157, 163, 169, 174
ALDE group 161
Budgets Committee 157, 169, 174
common perimeter 158–9, 160, 169, 172, 173
co-decision procedures 3, 4, 203
co-rapporteurs 161–2
compence disputes 157
conciliation procedures 154, 172, 173
cross-party selection 158
culture committee 169, 174
democracy in 171, 177
development committee 169, 174
draftmen of opinion 158, 159, 163
dynamics of 160–70
Economic and Monetary Affairs 156, 169, 174, 175
Employment committee 169, 174
Environment Committee 156, 163, 175
Environment, Public Health and Food Safety (ENVI) 155, 157, 169, 174
EPP-ED group 160, 161, 162
external role 170–75
Foreign Affairs Committee 156, 157
Foreign Relations Committee (AFET) 125, 169, 174
formal powers 156–7
format of 154–9
Greens/EFA group 167
group co-ordinators 158, 159, 161, 162–3, 169
historical development 154–6
Industry, Research and Energy (ITRE) 155, 169, 174
inter-institutional conflict 165–6
and interest groups 163–4
Internal Market and Consumer Protection (IMCO) 155
International Trade (INTA) 155
key players 157–9
law-making committees by function 154
Legal Affairs (JURI) 155, 169, 174, 175
and legislative process 156, 157, 158, 159, 161, 167–9, 170–71
lobbying 163–5
non-law-making committees 154
PES group 160, 161, 162
Petitions and Legal Affairs Committee 154, 156
policy challenges of enlarged Union 2007–13 154
and political groups 160–63, 166, 167, 169, 170
public access 164–5
published reports 165
rapporteurs 4, 35, 157–8, 159, 161–3, 167, 172, 173
Regional Policy, Transport and Tourism (RETT) 155, 169, 174
specialised committees 154
temporary committees 154
Transport Committee 157
voting behaviour 162
Women's Committee 154–5, 169, 174
European Political Cooperation (EPC) 121–5, 126, 127, 130, 142
European Security and Defence Policy (ESDP) 131, 133, 134, 135, 136, 137, 139, 141
and crisis management 142–6
European Union accountability 44
committees' role in 40, 41, 54
consensus oriented 94, 106
cooptation of interests 58
Data Protection Directive 208, 209, 219
decision-making 59, 96–7
deliberative government 25–6, 28–9
as democratic regime 13, 44, 59
Draft European Union Exercise Concept 142–3
enlargement 157
informal governance 44, 46–7, 53, 54, 57, 58
legitimacy in 30–31
majority situation 93
and NATO 135, 139, 141, 142, 143, 147
Open Method of Coordination (OMC) see Open Method of Coordination (OMC)
policy process 1–11, 58, 92, 94
political system, misunderstanding of 271–5
transparency, lack of 94
Western (WEU) 134, 135, 138
Excise Duties Committee 243
The role of committees in the policy-process of the EU

expert groups 32, 34–5, 36, 46
European Commission expert advisory groups
and European Council 66, 70, 82
External Relations Directorate 139, 146

federal systems 19, 50
financial services regulation,
Lamfalussy process 222, 223

Finland
consensual government 25
EU Presidency 134
majoritarian government 21
national experts in working groups 104
parliamentary government 22
food safety
Committee for Agricultural and Rural Development 157
food supplements, vitamins and minerals in 232
protection of geographical indications and designations of origin for products 236
veterinary medicinal products in food of animal origin 236

Foreign Affairs Committee 156, 157

Foreign Relations Committee (AFET) 125, 169, 174

Foreign Relations Counsellors Working Party (RELEX Counsellors) 127–8, 137

Forest Focus case 234
Fouillex, Eve 96–119

France
centralization 100
cultural programmes 100
EU Presidency 133, 135, 136
EU security issues 132, 133
and European Political Cooperation (EPC) 123
France v. Ireland 230
limited concertation 100
MEDIA Plus programme 113
nuclear energy research budget 113
telecommunications programmes 101

Germany
Angelopharm v Hamburg 240–41
comitology meetings 189
committees in 41
and Culture 2000 106–7, 107
decentralization 100
EU Presidency 132, 173
and European Political Cooperation (EPC) 123
Germany and Denmark v Commission 239
Germany v. Commission 230, 231–2, 237, 238–9
MEDIA Plus programme 113
national parliament inclusion 100
social concertation 100
governance, informal see informal governance

Greece
comitology meetings 189
EU presidency 141
national experts in working groups 104

hair loss product 240–41
hazardous substances in electrical and electronic equipment (brominated flame retardant DecaBDE) 210–11, 215, 216–17, 218
hazardous substances in electrical and electronic equipment (lead and cadmium phase-out) 210, 211, 212, 213–14, 216–17
health sector 54, 62, 175
Helsinki ‘Headline Goals’ 134
humanitarian relief 145
human rights 125, 126, 156
see also consumer protection

implementation committees see comitology committees; European Commission implementing committees
implementing powers
European Council 183–4, 185, 203, 205, 229, 231
European Parliament 184, 185–6, 211, 212–14, 223
Member States 183, 184–5
Index

Industry, Research and Energy (ITRE) 155, 169, 174
The role of committees in the policy-process of the EU

European Correspondents network 128
implementing powers 183, 184–5
informal governance 46–7, 57, 58, 125
national interest groups 192, 194, 197
and PoCo 130
policy commitment 93
Political Counsellors 128
representatives in expert advisory groups 77
sanctions for financial assistance irregularities 230, 231–2
MEPs 3, 8, 91, 158–61, 163–4, 170
Mertens group 174
mobile workers’ working time directive 166, 181
Monsanto case 242
Moskof case 238
Motor Vehicles Emissions group 75
Murk, Jan 64–95
national interest groups 192, 194, 197
see also interest groups
NATO 135, 139, 141, 142, 143, 147
neighborhood watch programs 50, 52
Netherlands cultural programmes 100
and Culture 2000 106–7, 107
informal governance 39
majoritarian government 21
MEDIA Plus programme 113
ONP telecommunications directive 110
networks and decision-making 32, 42
deliberative 29, 31–2
and democratic regimes 48–9
European Commission expert advisory groups 86, 87
and informal governance 48–9, 53, 54
Open Method of Coordination (OMC) 51
Neuhold, Christine 152–81
New Public Management 40, 50
Nice Treaty 135–8, 147, 171
Nicolaïdis Group 126, 140, 141
non-governmental input see informal governance
North Atlantic Council (NAC) 135, 140
nuclear energy research 113
Office for Harmonization in the Internal Market (OHIM) 239
Open Method of Coordination (OMC) 3, 44, 46, 51, 56
parliamentary systems 4, 17–18, 19, 20, 21–2, 30, 93
Peters, B. Guy 39–63, 85, 93
Pharos case 237
PoCo (Political Committee) 128–32, 141–2
and Committee of Permanent Representatives 129, 130, 131
and COPS (le Comité politique et de Sécurité) 133
and European Council 128–9, 130–31
Political Directors 131
Secretariat 129
and Treaty on European Union, Article 207 129
see also CFSP (Common Foreign and Security Policy)
Policy Planning and Early Warning Unit (Policy Unit) 146, 147
policy process 21, 43, 45–6, 48, 54–6
European Commission 1–2, 34, 44, 57, 64–5, 79
European Commission expert advisory groups 36, 70, 71–3, 76, 82, 83–9, 92–5
European Council working groups 109–13
of European Union 1–11
Policy Unit and Situation Centre (SITCEN) 144, 145, 146–7
political groups, and European Parliament standing committees 160–63, 166, 167, 169, 170
political legitimacy 8, 12–17, 19
Political and Security Committee (PSC) agendas for meetings 141
and Brusselisation 120
composition of 134, 139
and COREPER 120, 127, 130, 138
crisis management 132, 136–7, 139, 140, 142, 144
see also informal governance
Index

and ESDP see European Security and Defence Policy (ESDP)
expert groups 139
language 141, 146
modus operandi 138–42
and Nice European Council 135–8
and North Atlantic Council (NAC) 135, 140
Policy Unit and Situation Centre (SITCEN) 144, 145, 146–7
RELEX Counsellors 127
see also CFSP (Common Foreign and Security Policy)

political system, misunderstanding of European Union 271–5
Politico-Military Working Party 137, 139, 140–41, 143
port services directive 173
Portugal, EU Presidency 134
power-sharing systems 18–19, 21, 25, 29, 30, 31, 32, 35, 93, 272
private sector involvement 40, 43, 45, 52–4, 108
and co-production 49–50
coordination in government 55–6
and legitimacy 54–5
Private Finance Initiative (PFI), UK 49
public accountability 48
professional licensure 52–3
public access 52, 53
public sector
bargaining powers 55
co-production 49–50
coordination in government 55–6
and empowerment 50
informality in delivering 40, 43, 47, 49–50, 54–5
published reports
comitology committees 194, 198
European Commission expert advisory groups 78, 80, 92, 94
European Parliament standing committees 165
Questions sociales working group 99, 103
R and D Framework, 5th 106, 110, 166, 181
racial discrimination directive 100, 166, 167, 181
Rapid Reaction Mechanism 145
Regional Policy, Transport and Tourism (RETT) 155, 169, 174
RELEX Counsellors (Foreign Relations Counsellors Working Party) 127–8, 137
Research working group 99, 103, 105, 108
Rey Soda case 234
Road Traffic Noise group 75
Rothmans case 242–3
safety and health at work directive 166, 181
St Malo Declaration 132
Scandinavia 41, 48
Schaefer, Günther 2, 84, 182–200, 236
scientific committees 84, 98, 117, 211, 240–42
scientific committees, consultation with European Commission expert advisory groups 77, 84, 89, 92, 213, 217, 237–8
scientific expertise 184, 196, 240–42
Scientific Steering Committee 209, 210
seaefarers’ working time directive 166, 181
seef security
CFSP (Common Foreign and Security Policy) committees 132–4
Committee for Civilian Aspects of Crisis Management (CIVCOM) 137, 143, 144, 145
counter-terrorism 147
defence 125, 156
EU Institute for Security Studies 137–8
EU Military Committee (EUMC) 132, 134, 136–8, 143–5, 147
EU Military Staff (EUMS) 136, 137, 144
EU Police Mission to Bosnia-Herzegovina 140
European Defence Agency 143–5
European Security and Defence Policy (ESDP) 125, 131, 133, 134, 135, 136, 137, 139, 141, 156
The role of committees in the policy-process of the EU

and Member States 143, 146, 147
Settembri, Pierpaolo 152–81
Smith, Andy 96–119
social affairs working groups 99, 103, 109
SOCRATES educational programme 99, 106, 107–8, 166, 167, 173, 181
Spain
decentralization 100
EU Presidency 173
language issues in EU 106
nuclear energy research budget 113
settlement clauses 221, 222, 223–4
supranationalism see deliberative supranationalism
Sweden
cadmium use 236
nuclear energy research budget 113
social concertation 100
Switzerland, consensual government 25
TACIS programme 231
takeover directive 173
telecommunications
e-commerce working group 99
ONP framework directive 99, 108, 110, 166, 167, 181
programmes 100–101
UMTS working group 99, 103, 104, 108
universal service directive 181
third-generation mobile
communications systems directive 166, 181
third world aid programmes 198
Tobacco advertising 158
BAT case 243–4
conversion rates for premium for raw 238
Rothmans case 242–3
tobacco
transparency
and comitology committees 193–4, 242–4
and decision-making stage 242–4
deliberative supranationalism 266–8
democratic regimes 255–6
European Commission 242–4
European Parliament 211, 212–14
European Parliament, Standing Committees 162
European Union 124, 128, 134
European Parliament 211, 212–14
European Parliament, Standing Committees 162
European Union 124, 128, 134
Article 17 (2) 132
Article 207 129
defence-related provisions 143
Petersberg tasks 132, 134, 136
see also EC Treaty
TU München case 240, 241–2
Türk, Alexander 182–200, 213, 227–48
UK
comite meetings 189
cultural programmes 100
and Culture 2000 106–7
EU security issues 132, 133
and European Political Cooperation (EPC) 122
limited concertation 100
majoritarian system 21, 25
MEDIA Plus programme 113
national experts in working groups 104
ONP telecommunications directive 110
Private Finance Initiative (PFI) 49
sheepmeat exports 235
United Kingdom v Commission 235
umbrella groups 67, 71–2, 73, 77–80, 209
unanimity rule 107
United States
Aviation and Transportation Security 209, 216
EU Data Protection Directive 208,
209
negotiated rule-making 47
power-sharing system 25
Vaccari, Beatrice 201–26
vibrations directive 103, 111
voting arrangements
comitology committees 190
and decision-making stage 106
European Council 106, 128
European Parliament standing committees 162
qualified majority voting (QMV) 18, 95–96
Index

voting rights 33
*Vreugdenhil* case 234–5

Women’s Committee 154–5, 169, 174
working groups 35, 46, 125
and CFSP (Common Foreign and
Security Policy) committees
126–8, 139, 140

European Council  *see* European
Council working groups
and European Political Cooperation
(EPC) 123, 124, 130

Youth for Europe 173

Zuckerfabrik Franken case 236