THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

The European Economic and Social Committee (EESC) is a consultative body of the European Union. It is composed of 350 members. Its opinions are required on the basis of a mandatory consultation in the fields established by the Treaties or a voluntary consultation by the Commission, the Council, or Parliament. It may also issue opinions on its own initiative. Its members are not bound by any instructions. They are to be completely independent in the performance of their duties, in the Union’s general interest.

LEGAL BASIS

Article 13(4) TEU; Articles 301-304 TFEU; and Council Decision (EU) 2015/1157 determining the composition of the European Economic and Social Committee.

COMPOSITION

A. Number and national allocation of seats (Article 301 TFEU)

The EESC currently has 350 members, divided between the Member States as follows:

— 24 each for Germany, France, Italy and the United Kingdom;
— 21 each for Poland and Spain;
— 15 for Romania;
— 12 each for Austria, Belgium, Bulgaria, the Czech Republic, Greece, Hungary, the Netherlands, Portugal and Sweden;
— 9 each for Croatia, Denmark, Finland, Ireland, Lithuania and Slovakia;
— 7 each for Latvia and Slovenia;
— 6 for Estonia;
— 5 each for Cyprus, Malta and Luxembourg.

In May 2019, the Council adopted a decision determining the composition of the European Economic and Social Committee as of 21 September 2020. The decision adapts the number of seats in the event that the UK leaves the EU, resulting in 24 vacant seats. The new rules allocate one additional seat to Estonia, Cyprus and Luxembourg, as these Member States lost a seat after the last decision on the composition of the Committee, owing to Croatia’s accession. The rest of the vacated seats will be kept
in reserve for possible future enlargements. Overall, the size of the Committee will be reduced from 350 to 329 members if the UK leaves the EU.

B. Method of appointment (Article 302 TFEU)

The members of the Committee are appointed by the Council by qualified majority, on the basis of proposals by the Member States. The Council consults the Commission on these nominations (Article 302(2) TFEU). The Member States must ensure that the various categories of economic and social activity are adequately represented. In practice, one third of the seats go to employers, one third to employees and one third to other categories (farmers, retailers, the liberal professions, consumers, etc.).

The maximum number of EESC members allowed by the Treaty of Lisbon is 350 (Article 301 TFEU). This was briefly exceeded between July 2013 and September 2015 owing to the accession of Croatia on 1 July 2013. Adding nine new seats for the new Member State, total membership increased to 353 (from 344). Council Decision 2015/1600 of 18 September 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020, therefore decreased the number of members for Luxembourg and Cyprus from six to five each, and the number of Estonian members from seven to six, in line with the distribution of seats in the Committee of the Regions, which also has 350 members.

C. Type of mandate (Article 301 TFEU)

The members of the Committee are nominated by national governments and appointed by the Council for a renewable five-year term of office (Article 302 TFEU). They are drawn from economic and social interest groups in Europe. The latest renewal was in October 2015, for the 2015-2020 term of office.

They belong to one of three groups:

- **Employers** (Group I);
- **Workers** (Group II);
- **Diversity Europe** (Group III).

The members must be completely independent in the performance of their duties, in the general interest of the EU (Article 300(4) TFEU). Every time a member’s or alternate member’s seat on the EESC becomes vacant following the end of their term of office, a separate Council decision is needed to replace that member.

**ORGANISATION AND PROCEDURES**

The Committee is not among the institutions listed in Article 13(1) TEU (although Article 13(4) states that it assists Parliament, the Council and the Commission by exercising consultative activities), but it does have a large degree of autonomy in its organisation and operation.

- The President and the Bureau, each with a term of office of two and a half years, are appointed by the Committee from among its members.
- The Committee adopts its own rules of procedure.
— It may meet on its own initiative, but it normally meets at the request of the Council or the Commission.

— To help prepare its opinions, it has six specialised sections for the various fields of EU activity (and can set up subcommittees to deal with specific subjects):
  — Agriculture, Rural Development and the Environment (NAT);
  — Economic and Monetary Union and Economic and Social Cohesion (ECO);
  — Employment, Social Affairs and Citizenship (SOC);
  — External Relations (REX);
  — The Single Market, Production and Consumption (INT);

— For the sake of synergy effects, it shares its permanent secretariat services in Brussels with the secretariat of the Committee of the Regions (with regard to its seat in Brussels, see Protocol No 6 to the Lisbon Treaty on the location of the seats of the institutions). In addition, the Bureau of Parliament has also entered into an agreement with the Committee, in the framework of the 2014 budgetary procedure, to jointly realise efficiency gains in the area of translation. The Committee has an annual administrative budget, included in section VI of the EU budget, of EUR 131 million (2014).

POWERS

The Committee was set up by the 1957 Rome Treaties in order to involve economic and social interest groups in the establishment of the common market and to provide institutional machinery for briefing the Commission and the Council of Ministers on European issues. The Single European Act (1986) and the Maastricht Treaty (1992) extended the range of issues which must be referred to the Committee. The Amsterdam Treaty further broadened the areas for referral to the Committee, and allowed it to be consulted by the European Parliament. On average, the EESC delivers 170 advisory documents and opinions a year (of which about 15% are issued on its own initiative). Opinions are published in the Official Journal. The Committee has an advisory function (Article 300 TFEU). Its purpose is to inform the institutions responsible for EU decision-making of the opinions of the representatives of economic and social activity.

A. Opinions issued at the request of EU institutions

1. Mandatory consultation

In certain specifically mentioned areas, the TFEU stipulates that a decision may be taken only after the Council or Commission has consulted the Committee. These areas are:
  — Agricultural policy (Article 43);
  — Free movement of persons and services (Articles 46, 50 and 59);
  — Transport policy (Articles 91, 95 and 100);
— Harmonisation of indirect taxation (Article 113);
— Approximation of laws on the internal market (Articles 114 and 115);
— Employment policy (Articles 148, 149 and 153);
— Social policy, education, vocational training and youth (Articles 156, 165 and 166);
— Public health (Article 168);
— Consumer protection (Article 169);
— Trans-European networks (Article 172);
— Industrial policy (Article 173);
— Economic, social and territorial cohesion (Article 175);
— Research and technological development and space (Articles 182 and 188);
— The environment (Article 192).

2. Voluntary consultation

The Committee may also be consulted by Parliament, the Commission or the Council on any other matter as they see fit. When these institutions consult the Committee, whether on a mandatory or voluntary basis, they may set it a time limit (of at least one month) after which the absence of an opinion cannot prevent them from taking further action (Article 304 TFEU).

B. Issuing an opinion on its own initiative

The Committee may decide to issue an opinion whenever it considers such action appropriate.

Udo Bux
05/2019