

# Understanding the European Economic and Social Committee

## SUMMARY

The European Social and Economic Committee (EESC), established in 1957 by the Treaty of Rome, is one of the two advisory bodies of the European Union (EU). Composed of representatives of various European economic and social groups and categories, such as employers, workers, producers, farmers, liberal professions and civil society organisations, the EESC assists the European Parliament, the Council and the Commission in the policy-making and legislative process, in an advisory capacity. EESC members are appointed by the Council according to the proposals of national governments and after consulting the European Commission, for a mandate of five years. Since the 2002 Treaty of Nice the maximum number of EESC members has been fixed at 350. With the withdrawal of the United Kingdom from the EU, the 24 UK members of the EESC also left. In the new mandate starting on 21 September 2020, the total number of members is 329.

Over time, the EU Treaties have increased the number of policy areas in which the consultation of the EESC is required for the adoption of legislation; however, the EU institutions often request the Committee's opinion beyond these mandatory areas, and even before legislation is proposed, in order to assess the views of civil society on a specific topic. Importantly, the EESC has acquired the right to give its views on any EU-related issue and the Committee's own-initiative opinions and information reports currently account for around 15 to 20 % of the opinions it adopts every year.

In addition to the consultative role assigned by the Treaties, the Committee has set for itself the task of communicating the European Union to citizens, reinforcing participatory democracy and providing a forum for civil dialogue between the EU institutions and civil society. For over 20 years, the EESC has organised events on various topics, cooperated with national economic and social committees and, in general, strived to enhance the role of civil society both in Europe and outside. In all its aspects, the EESC has become a bridge between Europe and organised civil society.



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## From Rome to Lisbon: The evolution of the EESC in brief

The European Economic and Social Committee (EESC) is one of the European Union's two advisory bodies, the other being the European Committee of the Regions (CoR). Whereas the CoR was created by the 1992 Maastricht Treaty, the [EESC](#) had already been established by the 1957 Rome Treaties, in the context of [the sector-by-sector approach](#) to European integration and the establishment of the common market. Accordingly, in order to achieve European integration in certain economic sectors, the involvement and support of both sides of industry and corporate interests were deemed essential. Articles 4 and 193-198 of the 1957 [Treaty establishing the European Economic Community](#) provided that the Committee would have a consultative role (assisting the Commission and the Council, but not the Assembly – the European Parliament's predecessor – which at that time had very limited powers) and would be composed of representatives of various groups and categories of economic and social activity, such as employers, workers, producers, farmers, transporters, liberal professions and other representatives of the general public. Since the Treaty of Nice (2002), the EESC has been composed of a maximum of 350 members from all the EU Member States, appointed by the Council of the EU according to the proposals of national governments and after consulting the European Commission.

Since the Lisbon Treaty's entry into force, the role and composition of the EESC have been defined by Articles 301-304 of the [Treaty on the Functioning of the European Union](#) (TFEU). [Article 13](#) of the Treaty on European Union (TEU) states that the Committee will assist the European Parliament, the Council and the Commission in an advisory capacity. The EESC is not one of the seven EU institutions (Article 13 TEU), as a result the Committee does not have standing before the Court of Justice of the European Union (CJEU) to defend its prerogatives (unlike the CoR which may come before the CJEU in specific cases regarding [subsidiarity-related matters](#)). Another limitation relates to the non-binding nature of EESC opinions: if the EESC does not issue its opinion within the set time limit this does not prevent the institutions from taking further action (the same applies to the CoR). On the other hand, the EESC has come to enjoy significant autonomy. Since the 1970s, the EESC has had the right to express itself on any topic (this was confirmed formally by the Maastricht Treaty). Also since the [1992 Maastricht Treaty](#), the EESC can set its own rules of procedure, no longer requiring the approval of the Council, and enjoys budgetary and administrative autonomy. Like the EU institutions, the EESC submits a draft budget to be included in the Commission's proposal for an annual budget to be approved by the European Parliament and Council; then the EESC must be granted [budget discharge](#) by the Parliament. Administratively, the EESC now has the power to appoint its secretary-general, who previously had to be approved by the Council.<sup>1</sup> The Lisbon Treaty also extended the mandate of EESC members from four to five years. However, the EESC's [five-year terms](#) are not fully aligned with those of the European Parliament and the Commission: the previous [EESC mandate](#) began on 21 September 2015 and ended on 20 September 2020.

The EESC's involvement in the EU decision-making process has expanded continuously since 1958. The Treaties have gradually increased the number of EU policy areas where the opinion of the EESC is required for the adoption of EU legislation. In 1958, the [EEC Treaty](#) provided for the mandatory consultation of the EESC in 10 areas.<sup>2</sup> Currently, there are [14 areas](#) where consultation is mandatory. Optional consultation of the EESC is also possible. Moreover, as already mentioned, the [EESC](#) may issue own-initiative opinions on any issue considered important for the interests of the EU public. Furthermore, the European Parliament, the Council Presidency or the Commission may request exploratory opinions in order to assess the views of civil society on a given topic, before legislation is proposed.

Finally, going beyond the advisory role assigned by the Treaties, the [EESC](#) has taken on the task of informing citizens and civil society about the European Union, with the aim of bringing the EU closer to the people, [reinforcing](#) participatory democracy and advancing the role of civil society within and outside the EU. The EESC's focus on civil society, participatory democracy and the European Citizen's

initiative is evident through its numerous initiatives and events and underlines its [role](#) as 'a bridge between Europe and organised civil society'.

## The EESC members

The EESC is composed of a maximum of 350 members from all the EU Member States. They represent various European economic and social groups and categories, comprising employers', employees' and civil society organisations. EESC members are appointed, not elected, and generally remain employed by their national organisations; they do not receive a salary from the EESC, only travel and subsistence allowances. Provision is made for potential incompatibilities.<sup>3</sup> In practice, each Member State proposes a list of members (and alternate members) drawn up according to national procedures.<sup>4</sup> After consulting the Commission, the Council adopts the list of EESC members based on the Member States' proposals. Once appointed, EESC members 'shall be completely independent in the performance of their duties, in the Union's general interest' ([Article 300 TFEU](#)).

The national allocation of seats is decided by the Council. Council Decision [\(EU\) 2015/1157](#) of 14 July 2015 established the composition for the term of the Committee that just ended. Following the departure of the 24 EESC members from the United Kingdom (UK), after the United Kingdom's exit from the EU on 1 February 2020, the number of EESC members decreased to 326. In May 2019, to take account of the United Kingdom's withdrawal from the EU, the Council adopted Decision [2019/853](#), adapting the number of seats of the EESC, to apply as of 21 September 2020: the total number of EESC members is now 329, with Estonia, Cyprus and Luxembourg each receiving an additional seat (thus restoring to these countries the number of seats they had prior to Croatia's accession to the EU in 2013).

Table 1 – Number of EESC seats in the previous and current mandates

EESC seats 2015-2020	EU Member State	EESC seats 2020-2025	EU Member State
24	Germany, France, Italy, UK	24	Germany, France, Italy
21	Spain, Poland	21	Spain, Poland
15	Romania	15	Romania
12	Belgium, Bulgaria, Czechia, Greece, Hungary, Netherlands, Austria, Portugal, Sweden	12	Belgium, Bulgaria, Czechia, Greece, Hungary, Netherlands, Austria, Portugal, Sweden
9	Denmark, Ireland, Croatia, Lithuania, Slovakia, Finland	9	Denmark, Ireland, Croatia, Lithuania, Slovakia, Finland
7	Latvia, Slovenia	7	Estonia, Latvia, Slovenia
6	Estonia	6	Cyprus, Luxembourg
5	Cyprus, Luxembourg, Malta	5	Malta
Total	350	Total	329

[Council Decision \(EU\) 2020/1392](#) contains the list of EESC members appointed for the new term (2020 to 2025). Although their term of office started on 21 September, it is only at the first EESC [plenary session](#) scheduled for 27-29 October 2020 that the structures and leadership of the EESC will be constituted (i.e. the EESC renewal). In the following sections, the description of EESC structures is based on the mandate that has just ended.

## How the EESC is organised

The EESC's [Rules of Procedure](#) state that the Committee consists of four bodies: the assembly, the bureau, the president and the specialised sections. Besides these, other structures have been created, such as the Consultative Commission on Industrial Change (CCMI), three specialist observatories (on the [single market \(SMO\)](#), the [labour market \(LMO\)](#) and [sustainable development \(SDO\)](#)), the [European Semester Group \(ESG\)](#), the [Group on Fundamental Rights and the Rule of Law](#) and the [Liaison Group](#) with civil society organisation and networks. The Committee also has three quaestors and an audit committee. The EESC is also divided into three groups, whose composition and role are defined by the Rules of Procedure.

The EESC [budget](#) for 2020 amounts to €142.5 million. At the end of 2019, the EESC secretariat numbered 702 [staff](#). The EESC shares its headquarters in Brussels and some support staff with the CoR.

### The three groups

The Committee is divided into three groups: the [Employers' Group](#) (Group I), the [Workers' Group](#) (Group II) and the [Diversity Europe Group](#) (Group III, previously the Various Interests Group). The Employers' Group consists of entrepreneurs and representatives of business associations working in industry, commerce, services and agriculture in the EU. The Group cooperates closely with the major European business federations: BusinessEurope, CEEP, Eurochambres, EuroCommerce and SMEunited. The Workers' Group brings together representatives from national trade unions, confederations and sectoral federations, most of them associated with the European Trade Union Confederation (ETUC). The Diversity Europe Group represents the wide interests of civil society, with members drawn from farmers' organisations, small businesses, the crafts sector, the liberal professions, the social economy (mutuals, cooperatives, foundations and non-profit associations), consumer and environmental organisations, associations representing family, women's and gender equality issues, youth, minority and underprivileged groups, people with disabilities, the voluntary sector and the medical, legal, scientific and academic communities. Each Group has its own leadership structure (president, vice-presidents, bureau), secretariat and rules of procedure.

The principle underpinning the composition and functioning of the EESC is parity between the Employers' Group and the Workers' Group; at the same time, neither of these two groups should be outweighed by Group III. The Member States must take this principle into account when sending their nominations for members of the EESC. Furthermore, all the Committee's activities are reliant on and stem from agreement between the three groups.<sup>5</sup>

At the end of the 2015-2020 mandate, the Employers' Group had 109 [members](#), the Workers' Group 113 [members](#) and the Diversity Europe Group 103 [members](#). There was also one non-affiliated [member](#). Members cannot belong to more than one group. While, at the start of a new term, for most members their affiliation to one of the groups is self-evident, others are faced with a choice. Moreover, some members decide to change groups during the mandate. The EESC Rules of Procedure allow members to opt to join one of the groups, but only after receiving the approval of the members of that group (in order to maintain the balance between the groups). Also, should a member decide to remain unaffiliated, the EESC secretariat will provide the necessary support. However, in light of the parity rule, the participation of such independent members in EESC activities and structures must be approved by the president after consulting the groups.

As some EESC members may feel that they represent interests spanning more than one group, they are allowed to form *categories*, on a voluntary basis. However, the creation of categories is subject to the approval of the EESC bureau which sets their objectives, structure, composition, duration and procedures. They are open to the three groups of the Committee, and members may not belong to more than one category. A category must have at least 10 members. The following categories were set up within the EESC in the previous mandate:

- [Consumers and Environment](#): 20 members from the Diversity Europe Group (Group III); the category focuses on consumers' rights and environmental protection.
- [Farmers](#): 31 members from the Employers' Group and Diversity Europe Group focusing on EU agricultural and rural policy objectives.
- [Professions](#): 10 members from the Employers' and Diversity Europe Groups; the category focuses on developments affecting liberal professions in Europe.
- [Voluntary Sector](#): 13 Employers' Group and Diversity Europe Group members; the category focuses on voluntary organisations and civil society.
- [SMEs, Crafts and Family Business](#): 34 members of the Employers' Group and Diversity Europe Group; the category's goal is to monitor all aspects related to SME policy, with an emphasis on the specific needs of crafts and family businesses.
- [Social Economy](#): 26 members from the Diversity Europe and Employers' Groups, representing cooperatives, mutuals, associations, foundations and social NGOs; the category is aimed at promoting a different way of doing business, based on common values such as solidarity, social cohesion, social responsibility, etc.
- [Transport](#): 14 members from the Employers' Group; its principal goal is to be a discussion and learning forum for all EESC members interested in transport issues.

## The presidency

In accordance with [Article 303 TFEU](#), the Committee elects its 'chairman and officers' for a term of two and a half years from among its members. The Treaty also mentions the obligation of the chair to convene the EESC at the request of Parliament, Council or the Commission. In addition to the Treaty provisions, the office and role of the presidency are defined by the EESC's [Rules of Procedure](#).

The presidency comprises the president and two vice-presidents, who may not be re-elected after the expiry of their term. The president is elected in turn from one of the three groups. The two vice-presidents must therefore come from the other two groups and are responsible respectively for administrative and financial affairs and for communication. Furthermore, the president may not be a vice-president or president of a group or section in the following two and a half years after the expiry of his or her mandate. After being elected, the president presents the work programme for his or her mandate to the EESC plenary. At the [end of the mandate](#), the president also presents a review of the achievements.

The enlarged presidency is formed of the president, the two vice-presidents and the three group presidents. Its role is to prepare and facilitate the work of the bureau and the assembly, and to facilitate decision-making in extraordinary circumstances.

The president has significant powers, but these are constrained by the Rules of Procedure in order to maintain the balance between the groups and the consensual nature of the Committee. The president's tasks include representing the Committee externally and convening the Committee when required to adopt the opinions requested by the institutions or when the EESC chooses to deliver its own opinion on any EU matter. The President also directs all the work of the Committee and its internal bodies and exercises, together with the bureau, and the budgetary and financial powers provided for in the Financial Regulation and the EESC Rules of Procedure. The outgoing president is [Luca Jahier](#) (Diversity Europe, Italy). His mandate's [priorities](#) were sustainable development, peace and culture, as part of his agenda for a 'new rEUnaissance'.

The role of the vice-presidents has evolved from that of deputising for the president and acting as representatives to also presiding over the Commission for Financial and Budgetary Affairs and the Communication Commission. The Commission for Financial and Budgetary Affairs (12 members) is responsible for drawing up the draft EESC budget, for the bureau's approval, and for ensuring the budget's proper implementation. It also advises on matters relating to the management of appropriations and supervises the discharge process. The vice-president in charge of the budget is also the chair of the EESC delegation responsible for negotiations with the EU budgetary authority. The Communication Commission (also 12 members) is in charge of the EESC's communication

strategy and coordinates all EESC structures dealing with communication tasks. The vice-presidents for the 2018-2020 term were [Milena Angelova](#) (Budget, Employers' group, Bulgaria) and [Isabel Caño Aguilar](#) (Communication, Workers' group, Spain).

## The bureau

The bureau is the EESC's primary coordination and preparatory body. The Rules of Procedure set out the bureau's composition, careful to maintain a balance between groups and also in terms of geography:

- the president, the two vice-presidents;
- the three group presidents;
- the section presidents;
- a variable number of members, totalling no more than the number of Member States.

The Rules of Procedure also establish the procedure for electing the Committee bodies: the bureau as a whole must obtain two-thirds of the votes cast in plenary, whereas the EESC president, vice-presidents and the presidents of the sections are elected by a simple majority of EESC members.

Among its prerogatives, the bureau establishes the EESC's organisation and working procedures, and the implementing provisions of the Rules of Procedure. It is the Committee's budgetary authority, together with the president. It has political responsibility for the general management of the Committee and may set up ad hoc groups, drawn from among its members, to examine any questions falling within its competence. On a half-yearly basis, it examines action taken on opinions delivered by the EESC, etc. The bureau can also instruct the president to conclude cooperation agreements with the institutions and other EU bodies. In 2012, the EESC [signed](#) a Protocol of Cooperation with the European Commission (2012), replacing a previous one from 2007, and a cooperation agreement with the Committee of the Regions (2015), preceded by a trilateral cooperation agreement with the CoR and the European Parliament (2014).

The bureau also proposes the three [quaestors](#), who are elected by the assembly for two and a half years. The quaestors' group is responsible for monitoring and ensuring the proper implementation of the Members' Statute, resolving disputes arising from its application and acting as an interface between the EESC's members and the administration in respect of the application of the statute.

## The assembly

The assembly comprises all EESC members, meeting in plenary session. Normally, the full Committee meets in [plenary](#) nine times a year. The preparation and proceedings of the plenary sessions are set out in the EESC Rules of Procedure. The assembly's main prerogative is to adopt the Committee's opinions, by simple majority. It also elects the EESC governing bodies every two and a half years.

## The sections and other bodies

The EESC has set up specialised sections, whose theme and number has varied over the mandates. The Rules of Procedure put the number of sections at six; however the assembly may establish other sections in the fields covered by the Treaties, on a proposal from the bureau. The sections are set up or reconfirmed at the start of each EESC mandate and functionally they recall to a certain extent the European Parliament's committees. The sections in the previous mandate were:

- [Economic and Monetary Union, Economic and Social Cohesion – ECO](#);
- [Single Market, Production and Consumption – INT](#);
- [Transport, Energy, Infrastructure and the Information Society – TEN](#);
- [Employment, Social Affairs and Citizenship – SOC](#);
- [Agriculture, Rural Development and the Environment – NAT](#);
- [External Relations – REX](#).

The sections each have their own president, bureau and secretariat. Each Committee member (except the president) must be a member of at least one section, and a maximum of two sections. Committee members from Member States with nine EESC members or fewer may belong to more than two sections; however, no EESC member may be part of more than three sections. Members are appointed to sections for a renewable two-and-a-half-year period. The presidents and the other members of the bureaus of the sections are elected by the Committee for two and a half years, also renewable. The membership of a section bureau is set at 12 members, including its president and three vice-presidents (one from each group). To preserve the balance between groups, the presidency of three sections is rotated between the groups every two and a half years and the same group may not hold the presidency of any section for more than five consecutive years. The main role of the sections is to prepare opinions and information reports on the matters referred to them. Some sections, for example the INT and NAT sections, deal with more legislative files than others, such as the REX section.

Alongside the sections, the EESC may establish consultative commissions, made up of Committee members and external delegates. The [Consultative Commission on Industrial Change](#) (CCMI) was set up to succeed the consultative committee of the European Coal and Steel Community (ECSC) upon the ECSC's expiry in 2002. The CCMI analyses change in all sectors of industry and is made up of EESC members and external delegates (51 of each in the previous mandate), with only the EESC members having voting rights. It has a bureau formed of three EESC members and three delegates, including a president from the EESC and a co-president, who is an external delegate. In many ways, the CCMI is similar to a section, in particular with regard to its consultative activity – it issues opinions and other reports just like the sections. Furthermore, the bureau may authorise the CCMI to draw up a supplementary opinion for the consideration of the section in charge of the main opinion.

## The observatories

The Committee has also established three observatories – the [Single Market Observatory](#) (SMO), the [Labour Market Observatory](#) (LMO) and the [Sustainable Development Observatory](#) (SDO) – which work under the supervision and oversight of the INT Section, the SOC Section and the NAT Section respectively. Observatories are set up by the plenary assembly, following a decision from the bureau, in turn based on a proposal from a group or a section. While in principle these are not standing bodies, the Single Market Observatory has been active since 1994, the Labour Market Observatory since 2007 and the Sustainable Development Observatory since 2006. In 2010, a fourth observatory – the former Lisbon Strategy Observatory – became the Europe 2020 Steering Committee. It was replaced by the European Semester Group, meeting for the first time in June 2018 (see below).

The SMO's role is to analyse the functioning of the single market, identify shortcomings and propose solutions. The LMO focuses on identifying and analysing labour market trends and challenges, while the SDO aims to advance sustainable policies across all sectors. The observatories produce reports and studies on the issues within their remit and can conduct [impact studies](#) of EU initiatives or legislation. They organise public events and exchange views with stakeholders and civil society organisations and are also a platform for the exchange of best practices. Importantly, their work feeds into the sections' draft opinions.

## Temporary study groups, subcommittees, ad hoc groups and other bodies

The Committee may set up various other bodies of a temporary or more permanent nature.

Study groups or drafting groups may be set up by the sections to prepare important opinions or information reports. Some study groups may comprise members from various sections. They may not become permanent bodies; however, in exceptional cases the EESC bureau may authorise the duration of a study group for the same two-and-a-half-year period. In addition to drafting opinions and reports, study groups may publish papers or organise fact-finding missions and other events. Table 2 shows the study groups under each section for the previous mandate. While in theory they

are temporary, some of them have acquired a permanent status as they have existed for several EESC mandates.

Table 2 – EESC temporary study groups

ECO section: temporary study group on <a href="#">economic and fiscal governance of the euro area (GEA)</a>
INT section: temporary study group on <a href="#">social economy enterprises</a> ; temporary study group on <a href="#">artificial intelligence</a>
TEN section: temporary study group on <a href="#">services of general interest</a> ; temporary study group on <a href="#">the European energy community</a> ; temporary Study Group on the <a href="#">implementation of the white paper on transport</a> ; temporary study group on the <a href="#">digital agenda</a>
SOC section: temporary study group on <a href="#">disability rights</a> ; temporary study group on <a href="#">immigration and integration (IMI)</a> ; temporary study group on <a href="#">the inclusion of the Roma</a>
NAT section: temporary study group on <a href="#">sustainable food systems</a>

Although the [REX section](#) has no temporary groups, a series of advisory groups, civil society platforms, joint consultative committees and follow-up committees with third countries, or groups of countries with trade and economic relations with the EU, function under its aegis.

Subcommittees can also be created exceptionally on the proposal of the bureau, to deal with horizontal general issues (each subcommittee focuses on a single issue). Their role is to prepare draft opinions and information reports and once the members vote on the opinion or report, the subcommittee is dissolved. In the context of the coronavirus crisis, in April 2020, the EESC bureau [decided](#) to set up a 15-person subcommittee, chaired by the EESC president, to work with three co-rapporteurs to draft a [resolution](#) containing the EESC's proposals for post-pandemic reconstruction and recovery, by June 2020.

Other notable groups have a particular focus on the situation in the Member States. As mentioned above, the 32-member [European Semester Group \(ESG\)](#) started its activities in June 2018. It follows the implementation in the Member States of the economic and social coordination process that is the [European Semester](#), examines the Commission's proposals in this field and issues country reports, while also examining civil society proposals on growth and employment. The [Group on Fundamental Rights and the Rule of Law](#) (21 members), established in January 2018 as a horizontal body within the EESC, focuses on key fundamental rights and rule of law issues in the Member States and acts as a forum for civil society organisations to assess the situation in the EU countries. Particular emphasis is placed on fundamental rights key to civil society, such as freedom of assembly, freedom of expression, non-discrimination, etc. The group [visits](#) Member States where it meets members of civil society organisations and issues reports. It also provides input for EESC opinions regarding the areas covered by its mandate.<sup>6</sup> Finally, the [Liaison Group](#) with civil society organisations and networks, set up in 2004, aims to provide a framework for political dialogue and cooperation between the EESC and the European organisations and networks the group liaises with, as well as other EU institutions, on various issues of common interest. The Liaison Group [comprises](#), on the one side, 15 EESC members (including the EESC president, the three group presidents, the six policy section presidents, the presidents of the three observatories, the president of the CCMI and the president of the European Semester Group), and 27 organisations and networks representing the main sectors of organised civil society at EU level, on the other. The group provides input for EESC opinions, studies and hearings, but also for the Commission's annual work programme. The annual Civil Society Days are its flagship event.

## Fulfilling the advisory role: EESC opinions

### Types of opinion

The EESC fulfils the advisory role assigned to it by the EU Treaties by issuing opinions. As mentioned earlier, opinions fall into two broad categories: those requested by another EU institution and those adopted on the Committee's own initiative. Opinions drafted in response to a referral by the Commission, the Council or the European Parliament may be further classified as **mandatory**, i.e. the Treaties provide for the obligation to consult the EESC in the legislative process, or **optional**, when the Committee is asked for its opinion but there is no such Treaty obligation. The former category has grown since 1958, with [14 EU policy areas](#) currently requiring mandatory consultation of the EESC.

In addition, the Commission, Council or Parliament may ask the EESC to reflect and make suggestions on a particular topic, which may eventually lead to a legislative proposal; these are the EESC's **exploratory opinions**, which are mostly requested by the rotating EU Council presidencies. For example, the Council presidency held by [Croatia](#) (January-July 2020) requested [five exploratory opinions](#) from the EESC. The German Council presidency (July-December 2020) has requested [10 EESC exploratory opinions](#), of which [nine](#) were approved by the EESC bureau in April 2020.

In addition to requests from the EU institutions, the Committee's competence to issue **own-initiative opinions** on any issue considered important for the interests of the EU citizens is enshrined in [Article 304 TFEU](#), which provides that the EESC 'may issue an opinion on its own initiative in cases in which it considers such action appropriate'. Furthermore, according to Rule 34 of its [Rules of Procedure](#), 'the Committee may, on a proposal from the bureau, decide to prepare an **information report** with a view to examining any question pertaining to the policies of the European Union and their possible developments'.

In the specific case of evaluating EU policies (Rule 36, [EESC Rules of Procedure](#)), the EESC issues an **information report** when this ex-post evaluation is made on its own initiative, whereby the Committee transmits the views of organised civil society on the impact of EU policies. The EESC adopts an opinion when the ex-post evaluation is requested by an EU institution.

According to [Article 304 TFEU](#), 'the opinion of the Committee, together with a record of the proceedings, shall be forwarded to the European Parliament, to the Council and to the Commission'. The opinions are published in the Official Journal of the EU. Every six months, the EESC bureau examines the [action taken on opinions](#) delivered by the Committee.

Between 2010 and 2019 included, the EESC issued an average of 176 opinions and information reports a year.<sup>7</sup> The vast [majority](#) were referrals by the Council, the Commission and Parliament (around 70 %); around 15 to 20 % were own-initiative opinions and information reports, and the rest were exploratory opinions requested by the institutions (these are generally requested by the

#### Areas with mandatory EESC consultation:

1. Agricultural policy (Article 43 TFEU);
2. Free movement of persons and services (Articles 46, 50 and 59 TFEU);
3. Transport policy (Articles 91, 95 and 100 TFEU);
4. Harmonisation of indirect taxation (Article 113 TFEU);
5. Approximation of laws on the internal market (Articles 114 and 115 TFEU);
6. Employment policy (Articles 148, 149 and 153 TFEU);
7. Social policy, education, vocational training and youth (Articles 156, 165 and 166 TFEU);
8. Public health (Article 168 TFEU);
9. Consumer protection (Article 169 TFEU);
10. Trans-European networks (Article 172 TFEU);
11. Industrial policy (Article 173 TFEU);
12. Economic, social and territorial cohesion (Article 175 TFEU);
13. Research and technological development and space (Articles 182 and 188 TFEU);
14. Environment (Article 192 TFEU).

Source: [European Parliament Factsheets](#), 2020.

country holding the EU presidency). The EESC's annual total number of opinions and information reports was 151 in 2016, 155 in 2017, 215 in 2018 and 127 in 2019 (see Figure 1).

In addition to opinions and information reports, the EESC can adopt [resolutions](#) on current topics. According to Rule 35 of the EESC Rules of Procedure, the proposal for a resolution must come from a section, a group or a third of its members; it is adopted in

plenary by a simple majority. So far in 2020, the EESC has adopted two resolutions: one containing the [EESC's proposals for post-coronavirus crisis reconstruction and recovery](#) (June 2020) and the other on the [EESC's contribution to the 2021 European Commission work programme](#) (July 2020).

## How opinions are adopted

In order for its views to influence the EU legislative and policy-making process, the EESC must deliver its opinions as early as possible.<sup>8</sup> In the case of referrals, the requesting institutions may set a [time limit](#) that cannot be less than one month from the receipt of the notification by the EESC president (Article 304 TFEU). Besides the time constraints, other key factors for the EESC include the need to ensure the quality of its opinions, the search for consensus among the various views represented in the three groups, and the need to conduct its work in the 24 EU official languages.<sup>9</sup>

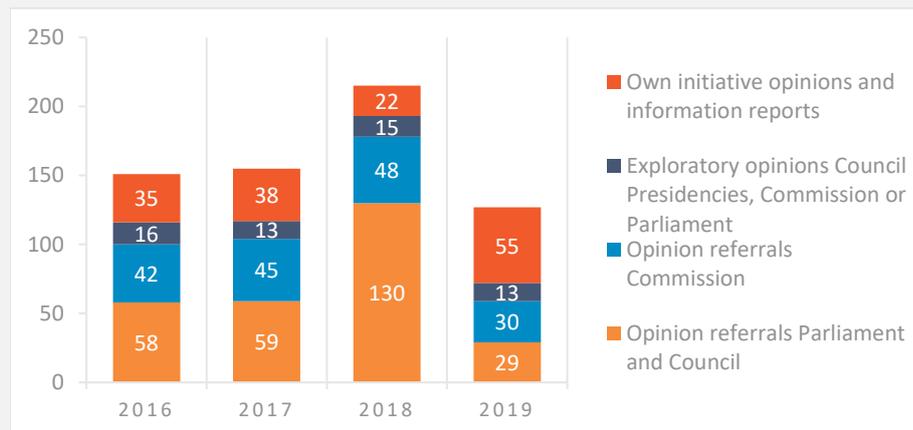
Against this background, in order to ensure the efficient allocation of resources in its work on opinions, the EESC divides opinions into three [categories](#), according to their priority:

- category A: all requests for exploratory opinions (European Parliament, future Council presidencies, Commission); all adopted proposals for own-initiative opinions; certain mandatory or optional referrals;
- category B: mandatory or optional referrals covering topics of secondary interest or of an urgent nature;
- category C: mandatory or optional referrals of a purely technical nature.

It is the bureau that takes the [decisions](#) on authorising and allocating opinions among the categories, based on proposals from the sections. Category A opinions on priority topics are dealt with by a rapporteur (or co-rapporteurs when the topic is considered particularly important) and a study group of six or more members (in multiples of three to maintain the balance between the groups). Category B opinions are normally handled by a rapporteur alone or by a rapporteur-general and, in exceptional cases, together with a three-member study group. Once a Category A or B draft opinion is finalised, it is first submitted by the rapporteur for the section's (or the consultative commission's) approval and it is then voted on by the entire assembly in the plenary session. Category C opinions are sent directly by the bureau to the assembly for approval or rejection, without the appointment of a rapporteur or the creation of a study group. An opinion is adopted when it receives the approval of a majority of members present in the plenary. Members in the respective section and in the plenary vote on the draft and on any amendments made.

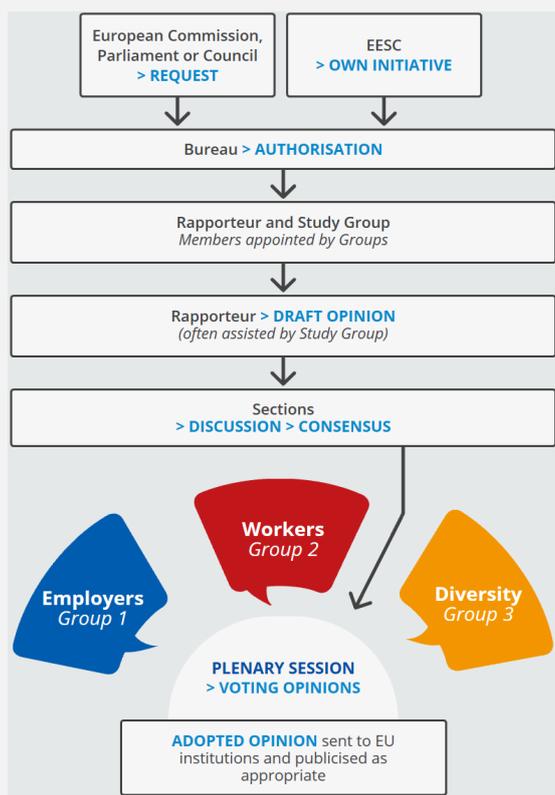
Rule 56 of the EESC [Rules of Procedure](#) provides for the consideration of **counter-opinions**. Any amendment or set of amendments setting out a generally divergent view to the opinion presented

Figure 1 – EESC opinions and information reports, 2016-2019



Data source: EESC Annual Activity Reports [2016](#), [2017](#), [2018](#), [2019](#).

Figure 2 – The life cycle of an EESC opinion



Source: [EESC website](#)

by a section or consultative commission may be considered a counter-opinion following the decision of the bureau. Essentially, a counter-opinion is adopted instead of the original opinion if it obtains a majority of votes in the plenary. If the counter-opinion gathers at least a quarter of the votes, it is annexed to the original opinion. In the process of drafting opinions, experts may be appointed to advise the rapporteurs or the sections; hearings or conferences may also be organised on the topic. Finally, an **urgent procedure** (Rules 62 and 63) may be triggered by the EESC President for the consideration of a referral from the European Parliament, the Commission or the Council. If the urgency stems from a deadline imposed on a section for issuing an opinion, then it is the president of that section in agreement with the three group presidents who will make the necessary arrangements.

## The influence of the EESC

There are relatively few detailed assessments of the EESC's real influence over the EU decision-making process and legislation. Through its Treaty-based role, the Committee has access to the EU decision-makers, in particular the two co-legislators – the European Parliament and the Council of the EU, but it does not possess formal voting/veto power. As such, EESC opinions are not binding on the institutions; some

authors argue that often they are not even read by Members of Parliament or Council representatives.<sup>10</sup> Therefore, it is relevant to assess to what extent and under what conditions EESC positions are taken into account by the EU institutions in the policy and legislative process. In addressing these questions, experts have reached several conclusions. Among other things, the EESC's influence seems to increase if its recommendations are issued early in the decision-making process (timing being a particular difficulty, as the EESC receives a legislative proposal at the same time as the European Parliament and the Council), if the co-legislators believe that the Committee has a high level of expertise on the issue or if it can provide additional legitimacy. EESC opinions are also taken into account more often if they are closer to the position of the addressee. In this context, one of the first challenges for the EESC is to raise the legislators' awareness regarding its opinions; this can be achieved, according to experts, by taking a proactive stance – participating in or organising events on the topic or issuing publications. Another challenge is the EESC's limited resources in covering all policies and issuing high-quality opinions early in the decision-making process; in this respect, it is argued that setting priorities is a way to optimise influence.<sup>11</sup>

## More than an advisory body: Bringing Europe closer to the people

Whereas the advisory function is the only one assigned to the EESC by the Treaties, the Committee has managed to forge a significant [role](#) for itself in communicating Europe and bringing it closer to the citizens. The EESC has consistently contributed to the strengthening of [civil dialogue](#) in Europe and to the debate and initiatives on [participatory democracy](#) in the EU, on representation and representativeness in the context of the European civic dialogue or the [European Citizens' Initiative](#).<sup>12</sup> Another topic of focus for the EESC has been constitutional reform in the EU, expressed in recent years by joining Parliament in [calling](#) for more to be made of under-used existing provisions in the Treaties and by contributing to the [Future of Europe](#) debate.

Finally, in recent years, the Committee has been [reflecting](#) on its future role, identifying its added value as being in the way it provides a unique forum for reaching agreement and upholding 'the EU's general interest' for a wide variety of civil society representatives. The EESC will continue to monitor developments in the area of participatory democracy and digital democracy and will attempt to address existing and new challenges, such as improving the representativeness of its members; increasing the impact of its opinions, not least by focusing on innovative themes; simplifying and adapting its internal structures to new developments in the EU; and stepping up its contribution as a platform for dialogue and participation for organised civil society.

## MAIN REFERENCES

Westlake M., *The European Economic and Social Committee: The House of European Organised Civil Society*, John Harper Publishing, London, 2016.

## ENDNOTES

- <sup>1</sup> See M. Westlake, *The European Economic and Social Committee: The House of European Organised Civil Society*, 2016, pp. 6-8.
- <sup>2</sup> These areas are: the establishment and implementation of the common agricultural policy; free movement of workers; freedom of establishment; freedom of services; common transport policy (initially excluding sea and air transport); approximation of legislation and administrative provisions relating to the common market; implementation of common measures in particular regarding the social security of migrant workers; the EESC was also to be consulted by the Commission before issuing opinions related to the social field (e.g. employment, labour legislation, social security, trade union law, etc.); tasks and assistance under the European Social Fund; common policy of occupational training.
- <sup>3</sup> Article 305 TFEU states EESC membership is incompatible with the function of Member of the European Parliament. Furthermore, the EESC [Rules of Procedure](#) provide for incompatibility with the position of 'member of a government, a parliament, an institution of the European Union, the Committee of the Regions or the board of directors of the European Investment Bank, and with the post of official or other servant of the European Union in active employment'.
- <sup>4</sup> [On the road to gender equality: Gender balance in the European Economic and Social Committee](#), A. Irigoien Domínguez, EESC study, 16 December 2019. For national appointment procedures see Section 5.1.2., pp. 29-35. See also Council doc. 5089/20, [Renewal of the European Economic and Social Committee for the period 2020-2025](#), 8 January 2020.
- <sup>5</sup> See M. Westlake, op. cit., pp. 42-47.
- <sup>6</sup> See also the Group's [end of mandate report 2018-2020](#).
- <sup>7</sup> Based on data from [The EESC from the inside out: Annual Activity Report](#), EESC, 2014, p. 14; and [EESC achievements looking back, looking forward: 2018](#), EESC, 2019, p. 20.
- <sup>8</sup> M. Westlake, op. cit., pp. 71-72.
- <sup>9</sup> Ibidem.
- <sup>10</sup> C. Hönnige, D. Panke, '[Is anybody listening? The Committee of the Regions and the European Economic and Social Committee and their quest for awareness](#)', *Journal of European Public Policy*, Vol. 23(4), 2016, pp. 624, 642.
- <sup>11</sup> See also C. Hönnige, D. Panke, '[The Committee of the Regions and the European Economic and Social Committee: How influential are consultative committees in the European Union?](#)', *Journal of Common Market Studies*, Vol. 51(3), 2013, pp. 452-471 and D. Panke, C. Hönnige and J. Gollub, [Consultative Committees in the European Union: No Vote – No Influence?](#), European Consortium for Political Research, 2015.
- <sup>12</sup> M. Westlake, op. cit., pp. 150-165.

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