



# The EU's impact on forests

**A quick guide to the basics of EU lobbying**





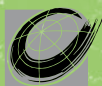
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*FERN works to achieve greater environmental and social justice, focusing on forests and forest peoples' rights in the policies and practices of the European Union.*



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*Taiga Rescue Network is an international network of environmental organisations and indigenous peoples working for the protection and sustainable use of the world's boreal forests.*



## A quick guide to the basics of EU lobbying

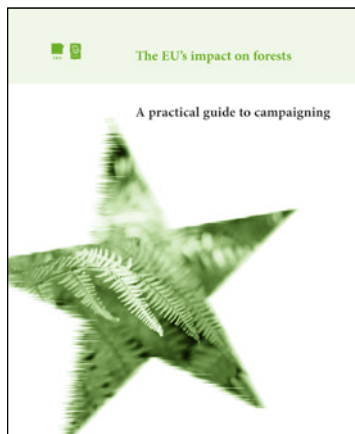
European forest campaigners can no longer ignore the role the EU plays in developing and implementing trade and investment agreements that impact on forests and in aid spending that either supports or destroys forests.

Furthermore the accession of 10 new countries to the EU in 2004 has dramatically increased the area and quality of forests in the EU; in addition the EU plays an important role in the broader political debate on social corporate accountability and the upholding of human rights where forests and forest peoples are concerned – both inside and outside the EU.

The need to campaign at EU level is increasingly not only acknowledged but also recognised as an opportunity for change within the NGO movement. FERN and TRN's publication *The EU's impact on forests: A practical guide to campaigning* gives details of four examples of campaigning:

- I raising concerns about a project in a developing country;
- II raising concerns about a project in the EU or an accession country;
- III getting policy adopted at EU level and
- IV getting EU legislation in place.

This booklet provides a summary of *The EU's impact on forests: A practical guide to campaigning*. The full guide is available from [info@fern.org](mailto:info@fern.org) or online at [www.fern.org/pubs/reports/EU-guide.pdf](http://www.fern.org/pubs/reports/EU-guide.pdf) and [www.taigarescue.org/\\_v3/files/pdf/63.pdf](http://www.taigarescue.org/_v3/files/pdf/63.pdf).



# Building a campaign

To build an effective campaign at EU level you will need to first define the campaign's objectives. Then answer the following questions:

## Competence

### **Is this an issue to be dealt with at EU level, or can it be dealt with at national level?**

The EU works on the basis of the 'subsidiarity principle'. This means that the Commission will propose action *only* if it considers that a problem cannot be solved more efficiently by national, regional or local action. So it only makes sense to develop an EU campaign – that is, a campaign involving EU institutions – when there is an EU dimension to the problem.

Example: Complaints about forest management practices in an EU Member State fall outside the EU competence, while demands to control imports of illegally sourced timber clearly do. Once you have decided that there is an EU competence for your campaign objective you would need to identify what the EU powers are, in relation to your campaign objective.

## EU powers

### **What are the relevant policies and/or Treaty articles?**

The EU can only act within the limits of the powers given to it by the Treaties. Be clear what they say about your particular issue. See the Treaty of Nice: [http://ec.europa.eu/comm/nice\\_treaty/index\\_en.htm](http://ec.europa.eu/comm/nice_treaty/index_en.htm). (Also, identifying the specific articles that are related to your issue can be useful in reminding Commission officials about their responsibilities.)

## Process

### **Which decision-making procedures and processes are relevant?**

If your campaign objective requires a change in policy or legislation, be clear about the decision-making procedure that applies. For legislation, depending on the subject area, there are three different forms of decision-making.

- Co-decision procedure: eg environment and development cooperation
- Assent procedure: eg structural and cohesion funds
- Consultation procedure: eg agriculture and trade

The Council plays a crucial role in all processes, whilst the Parliament only has a decisive role in the co-decision procedure. The legal basis of a law, as laid down in the Nice Treaty, determines which process will be followed. See the Treaty of Nice (articles 251, 300) for clarification: [http://ec.europa.eu/comm/nice\\_treaty/index\\_en.htm](http://ec.europa.eu/comm/nice_treaty/index_en.htm).

## Targeting

### Who should we target?

Ask yourself the following questions:

- Which Directorate-General (DG) is in charge of the issue? Which DGs are influential? Specifically, which units and people within them?
- Which European Parliament committee is involved? Which Members of the European Parliament (MEPs) are sympathetic?
- Which Member State holds the European Presidency? What are its agenda and sensitivities?
- What is the position of the different EU Member States and hence the position of the Council?
- What other allies and opponents are there in the NGO world or elsewhere?

## Remember

For almost all campaigns to be effective one would need to address the EU Member States as well as the European Commission and the European Parliament at different stages in the campaign. A campaign exclusively focused on the Commission or the Parliament is unlikely to be very effective. In order to have a real impact on the Council, the final decision making body with regard to legislation and policies, one would also need to work at Member State level.

### Money in

The EU's annual budget is 115 billion euro (2006). This money comes from customs duties on goods imported into Europe, a share of VAT on all purchases made or services rendered and a contribution from the Member States that depends on their gross national product.

### Money out

These funds finance the implementation of Community policies and the running of the institutions. Nearly half of it is spent on agricultural support measures. A very small percentage is spent on administration, environment and development aid:

- The Common Agriculture Policy – 47% (38% on Agriculture and 9% on Rural development);
- Cohesion for growth and employment – 33% (Structural funds and the Cohesion funds);
- Competitiveness for growth and employment – 7%;
- Administration – 5,6%;
- EU economic and development cooperation – 5,4%;
- LIFE (the financing instrument for the environment) 0,17%;
- Remaining 1.83% is spent on: Freedom, security and justice, Citizenship, Fishery funds and Compensation.

## The EU – a thumbnail guide

The forerunner to the EU – the European Economic Community – was created by the *Treaty of Rome* in 1958. Its main tasks were establishing a common market and the convergence of the economic policies of its Member States. However, the EEC gradually took on a wider range of responsibilities, including social, environmental and regional policies.

In 1993, the *Maastricht Treaty* (the Treaty on European Union) introduced new forms of co-operation between the Member States and created the European Union. Just to confuse matters, the term ‘European Community’ was retained to cover matters discussed under the *Treaty of Rome*.

The Treaty of Nice, which came into force in 2003, consolidated the Rome and Maastricht Treaties into a single treaty and expanded the powers of the Parliament and Commission. For texts see: [http://ec.europa.eu/comm/nice\\_treaty/index\\_en.htm](http://ec.europa.eu/comm/nice_treaty/index_en.htm)

EU decisions are made through the interaction of its three main institutions: the European Council, the European Commission, and the European Parliament.

### European Council

- Represents the national governments of Member States.
- Comprised of relevant national ministers according to topic
  - *there are no permanent members.*
- Twice-yearly meetings (called summits) held at the level of heads of state; ministerial meetings held more frequently and by topic.
- Main tasks include:
  - passing European laws (mostly jointly with European Parliament);
  - coordinating broad economic policy;
  - concluding international agreements;
  - approving the EU’s budget, jointly with European Parliament.
- Key councils relating to forest issues:
  - Environment Council;
  - Agriculture Council;
  - General Affairs Council.

### European Commission

- Is an independent executive body appointed by the Member States and agreed by the European Parliament, but politically answerable to the Parliament.
- Comprises:
  - a political arm – the President, two Vice-Presidents, and the ‘college’ of Commissioners;
  - an administrative arm – the Directorates-General and other specialised agencies.
- Main tasks include:
  - proposing draft legislation;
  - implementing EU policies;
  - managing EC funds and aid programmes; negotiating trade and other international agreements.
- Key DGs relating to forest issues:
  - DG Environment
  - DG Agriculture
  - DG Development
  - DG External Relations
  - DG Trade
  - DG Enterprise
  - DG Enlargement
  - DG Regional Policy

### European Parliament

- Is a democratically and directly elected body.
- Comprises 732 members (MEPs).
- Main tasks include:
  - passing new laws (jointly with the Council); exercising democratic supervision over all EU institutions;
  - approving the EU’s budget, jointly with the Council;
  - debating issues of public importance.
- Works in committees to propose and adopt amendments to Commission or Council proposals.
- Key committees for forest issues:
  - Environment Committee
  - Development Committee
  - Committee on Industry, Energy and Research (ITRE)
  - International Trade Committee (INTA)

## Practical tips

### Commission

- Relationships built up over time with Commission officials are one of the most important elements of a successful campaign at EU level.
- When asking for a meeting with someone in the Commission send a fax or email to their Director and Head of Unit, with a copy to the Desk Officer or whoever you need to meet down the line.
- Use the following email address format: `firstname.lastname@ec.europa.eu`.
- For the organisational charts of each DG, see: [http://ec.europa.eu/comm/secretariat\\_general/sgc/acc\\_doc/index\\_en.htm#](http://ec.europa.eu/comm/secretariat_general/sgc/acc_doc/index_en.htm#) (Or FERN can provide a list of relevant people.) For the Commission directory see: [http://ec.europa.eu/staffdir/plsql/gsys\\_page.display\\_index?pLang=EN](http://ec.europa.eu/staffdir/plsql/gsys_page.display_index?pLang=EN)
- Count on it taking more than a week to set up a meeting; the higher up you go, the longer it takes.
- Be clear about what you want, with whom you want to meet, and why you want to meet with them in particular.
- Know your case in sufficient depth: be on top of previous related EU positions, Communications, Council resolutions, relevant Treaty articles and legislation.
- Bring along partner NGOs so as to present a common position.
- When meeting a Commission Official at the Commission always make sure you have your passport with you to get into the building.

### Parliament

- For the complete list of MEPs by name see: <http://www.europarl.europa.eu/members/archive.do?language=EN>
- MEPs are organised by political groups rather than by country. For the list of MEPs by political group see: <http://www.europarl.europa.eu/members/expert/politicalBodies.do?language=EN>
- Because of MEPs busy schedules, it is generally most useful to discuss any issues with their assistants, who can be your best allies. For the list of MEPs' assistants see: <http://www.europarl.europa.eu/members/expert/assistantAlphaOrderByMep.do?language=EN>
- If you want to send an email to an MEP, use the following email address: `firstname.lastname@europarl.europa.eu`
- MEPs have 'pet' or favourite subjects on which they are easy to approach. Familiarise yourself with the specific committees they belong to since that will define the issues they focus on and on which they have the possibility to act.
- It is easiest to set up meetings when MEPs are in Brussels. Check the



Parliament's calendar to find out when they will be there, rather than in their constituencies or in Strasbourg: you will find a link to the calendar at <http://www.europarl.europa.eu/activities/expert/staticDisplay.do?language=EN&id=118>

- To find out which committee is responsible for your issue, see Annex VI of the European Parliament's Rules of Procedure. This can be found at: <http://www.europarl.europa.eu/omk/sipade3?PROG=RULES-EP&L=EN&REF=TOC#GAX6>.
- When meeting a Parliamentarian at the Parliament always make sure you have your passport with you to get into the building.

## Council

- If you are seeking a legally binding instrument, it is essential to target the EU Presidency and the Council in its role as legislator for the EU.
- An item can be put on the EU agenda through the Presidency of the Council, at the request of one of its members or at the request of the Commission.
- Council meetings are prepared either by the General Secretariat in close co-operation with the permanent representations to the EU of the EU Member States in Brussels (COREPER), or by civil servants from the different national ministries in one of the 250 Council Working Groups.
- To find the names and contact details of the representatives of Member State governments who regularly take part in Council meetings, people responsible for COREPER meetings of the General Secretariat of the Council of the European Union, see the directory at: [http://europa.eu/whoiswho/bin/dispen.pl?lang=en&entity\\_id=12](http://europa.eu/whoiswho/bin/dispen.pl?lang=en&entity_id=12)
- Agendas are prepared at least seven months in advance of each Presidency – so if you want something to be placed on the Council's agenda, it is important to plan ahead.
- Links to the work programmes, timetables of meetings and agendas of the Council, COREPER and other preparatory groups are available at: [http://www.consilium.europa.eu/cms3\\_fo/showPage.asp?id=820&lang=en](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=820&lang=en).
- Some Member States have sub-national representations in Brussels as well. These may play an important role in influencing their country's position on major policy issues, as well as being potentially useful sources of information.



## Campaigning for new legislation

As a general rule, the European Council and the European Parliament jointly adopt EU legislation via the 'co-decision' procedure, which in principle gives the Parliament and the Council equal legislative power. The co-decision procedure covers all legislation regarding the environment and development cooperation. However, agriculture, structural and cohesion funds, and trade-related matters are covered by the assent procedure or the consultation procedure. *see below*

The Commission has the 'right of initiative' regarding legislation. In other words, it is responsible for drawing up proposals for new EU legislation, which it presents to the Parliament and the Council.

The Parliament, however, can provide the impetus for new legislation by asking the Commission to put forward proposals.



**Legally binding EU legislation relevant to forests includes:**

- **Regulations** Directly enforceable laws, applicable and binding on Member States.
- **Directives** Legally binding, but lay down the objectives to be achieved, leaving it to the Member States to decide the best means of achieving these aims within a given time limit.

### Non-legally-binding documents that outline EU positions are:

- **Policies**
- **Communications** Issued by the Commission to analyse a particular situation, highlight policy options and developments, and make the opinion of the Commission known to the public. Whereas such documents serve to set out general lines of policy they often provide early information on intended regulatory activities as well. The vast majority of communications from the Commission are legislative proposals.
- **White Papers** Commissions documents containing proposals for Community actions in a specific area;
- **Green Papers** Commission documents intended to stimulate debate and launch a process of consultation at EU level on a particular topic.

## Raising awareness

If your campaign objective requires awareness raising, here are some suggestions on how to put your issue on the EU agenda:

- See if you can persuade a Parliamentary committee to develop an own-initiative report or a Parliamentary hearing.
- See if you can convince a European Member of the Parliament (MEP) to raise questions. The Parliament is crucial in getting information out of the Commission and the Council and generally scrutinising the executive by asking oral or written questions. Questions and answers can be found at: <http://www.europarl.europa.eu/QP-WEB/home.jsp?language=en>
- Is there EU money involved? If so, the Parliament's role as budget controller could be an important leverage point.

## How to get information?

The Treaty grants a right of access to EU documents to any citizen, whether they be from the Union or not. In the regulation, the definition of a document is broad and no category of document is automatically excluded from the right to access, including classified documents. However, the grounds for refusal of access to information are unfortunately quite numerous. The regulation sets a time limit of 15 working days for replies to requests for documents. Documents that have been drawn up or received by the Commission are also available to the public. In this way, agendas of Commission meetings and minutes are given out on request.

Four ways to obtain documents:

- 1 By sending a request in writing/fax/email to the relevant institution. For addresses see below.
- 2 By searching the institutions' public register of documents:
  - Commission: [http://ec.europa.eu/transparency/access\\_documents/index\\_en.htm#](http://ec.europa.eu/transparency/access_documents/index_en.htm#)
  - Parliament: <http://www.europarl.europa.eu/registre/recherche/RechercheSimplifiee.cfm>
  - Council: [http://www.consilium.europa.eu/cms3\\_fo/showPage.asp?id=254&lang=en&mode=g](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=254&lang=en&mode=g)
- 3 By searching the main website of the institution, Europa: <http://europa.eu>
- 4 By contacting EuropeDirect. The Commission has set up a specific unit, called EuropeDirect, to answer questions about finding information. It can be contacted by phone from any of the 25 Member States by dialling the free phone number: 00 800 67 89 10 11. You should reach an operator who speaks the language from the country you call this number from or by email via a form from their website [http://ec.europa.eu/europedirect/index\\_nl.htm](http://ec.europa.eu/europedirect/index_nl.htm).

### Relevant websites:

- **Eur-Lex** which gives access to all European Union's legislative instruments, including Commission proposals: <http://europa.eu/eur-lex/>
- **Pre-lex** containing inter-institutional procedures and enabling you to follow the major stages of the decision-making process between the Commission and the other institutions: <http://ec.europa.eu/prelex/apcnet.cfm?CL=en#>

- **OJ** Official Journal of the European Communities, which contains legislative acts (L series), including the Treaties, and information and notices (C series): <http://europa.eu/eur-lex/en/oj/>

**Where to send requests for information:**

- **European Parliament** The Secretariat, European Parliament, Rue Wiertz, B.P.1047, B-1047, Brussels, Belgium. Tel: +32.2.284.21.11. Fax: +32.2.284.90.75. Email: use the form at: <http://www.europarl.europa.eu/registre/portail/CourrierCitoyen.cfm?langue=EN>
- **European Commission** Secretariat-General of the European Commission, Unit SG/C/2 'Europe and the Citizen 1', N-9, 2/11, rue de la Loi/Wetstraat 200, B-1049 Brussels, Belgium.
- **European Council** The Secretary-General, Council of the European Union, 175 rue de la Loi, B-1048, Brussels, Belgium or email: [access@consilium.europa.eu](mailto:access@consilium.europa.eu).

For more details about access to Commission documents, see also *Access to European Commission Documents – A Citizen's Guide* at:

[http://ec.europa.eu/comm/secretariat\\_general/sgc/citguide/index\\_en.htm](http://ec.europa.eu/comm/secretariat_general/sgc/citguide/index_en.htm).



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