

COMMITTEE ON EUROPEAN AFFAIRS

Date: Thursday 14 October 1999

Time: 9.30am

Venue: Committee Room 1, National Assembly Building

Title: THE ROLE OF THE UNITED KINGDOM'S PERMANENT REPRESENTATION TO THE EUROPEAN COUNCIL

Purpose

At its meeting on the 1st of July, 1999 the Committee requested a report on the United Kingdom Permanent Representation. The purpose of this report is to inform the committee as requested, and provide the context for considering the reports on the Assembly's representation and the Assembly's links with the Wales European Centre.

Recommendation

Committee members are invited to note the content of this report.

Timing

None.

Background

The United Kingdom government has a Permanent Representation to the European Union in Brussels, as do each of the 15 Member States. It is a part of the Foreign and Commonwealth Office. It represents the UK in negotiations with other Member States, on proposals for Community action under the Treaty on European Union. It consists of about 100 staff from the Foreign and Commonwealth office, other government departments or recruited locally. Sir Stephen Wall is the United Kingdom Permanent Representative to the European Union.

The Functions of the United Kingdom Permanent Representation

The United Kingdom's Permanent Representation (UKRep):

- informs government departments and the Scottish and Welsh Executives about developments in Brussels. This includes monitoring and reporting back to the government during the 'negotiation process' of the Council of Ministers.
- UK Rep negotiates on behalf of the government to secure the United Kingdom's policy interests and supports the UK's Ministerial representatives at meetings of the Council of Ministers which take decisions. It keeps in close contact with European institutions including the Commission, the European Parliament, the Committee of the Regions and other Permanent Representations.
- it advises, assists and informs UK interests on a range of issues affected by European matters. It keeps close links with business and companies in the United Kingdom, representatives of the United Kingdom Assemblies, Parliaments and Regions, UK Parliamentarians, lobbyists, consultants, academic bodies and the media.

The Role of the United Kingdom Permanent Representation in the Decision-making Process

- The Commission formally initiates all new proposals for Community action - law or spending or cooperative action - based on provisions of the Treaty
- The Commission's proposals are discussed by Working Groups consisting of officials from the fifteen Member States and Permanent Representations. The Working Groups scrutinise the details of the proposals, assess their likely impact for Member States and their compatibility with Community competence and subsidiarity. Through the Permanent Representations the Member States seek to negotiate an agreed position on Commission proposals before issues are brought before the Council of Ministers for endorsement.
- The Council of Ministers in its various forms (e.g. Agriculture, Internal Market, Finance Ministers) takes decisions on those proposals at regular Council meetings. More often than not there is a consensus but sometimes votes are taken: whether unanimity or a qualified majority is required depends on the legal base. UKRep supports the UK's Ministerial and official representatives at those meetings
- The European Parliament's role in the decision-making process depends on the procedure in place for a particular policy-area, whilst the Committee of the Regions and the Economic and Social Committee issue non-binding Opinions
- Once regulations and directives are published in the Official Journal it is the duty on national administrations and courts in Member States, the European Court of Justice and the Commission to ensure that they are properly implemented, depending on the requirements of the legislation.

Officials from UKRep and civil servants from relevant Government Departments are involved in Working Groups which consider Commission proposals (a list of the policy areas covered by

officials in UKRep is included in Annex A). Working Groups consist of officials from the fifteen Member States and they meet to study Commission proposals in detail and propose amendments.

Working Groups report to COREPER - the Committee of senior officials from the representations which process proposals for meetings of the Council of Ministers. COREPER 1, on which the UK's Deputy Permanent Representative sits, deals with most internal EU law and spending proposals (e.g. single market, agriculture/ fisheries, environment, social etc). COREPER 11, on which the UK Permanent Representative sits, deals with institutional issues, foreign policy including fraud, foreign affairs and most ECOFIN business including the EU budget, justice and Home Affairs issues under the European union's third pillar). These bodies meet at least once a week.

The relationship between the United Kingdom's Permanent Representation and the National Assembly

The National Assembly for Wales is responsible for devolved matters as outlined in the *Transfer of Functions Order* and many are affected by European policy. The *Concordat on Co-ordination of European Union Policy Issues* defines the relationship between the National Assembly and the UK Government on European matters; these arrangements are outlined in a separate report to this Committee. The Concordat ensures that:

- the National Assembly will be able to feed ideas into the discussions on formulating the United Kingdom policy line on European Union issues
- a single United Kingdom line is represented in the Council of Ministers
- the National Assembly for Wales is informed of Commission proposals, including notifications of relevant meetings within the European Union. The Concordat states that Assembly officials will have access to relevant papers (including telegrams) that are copied inter-departmentally by UKRep.

It is important that the National Assembly has an opportunity to contribute to the United Kingdom policy line taken in negotiations at the European level.

The Concordat states that Cabinet Secretaries have the right to attend the Council of Ministers when relevant issues are being discussed, though emphasises that in doing so they will be part of the UK team, and will speak for the UK as a whole

UKRep remains responsible at official level for representing the UK in negotiations with other Member States and the Commission through all the institutions of the Council of Ministers. UKRep officials are happy to provide

advice and assistance on the matter to Members and officials of the National Assembly, should

they wish. UKRep has its own website.

Compliance

This report is presented to the Committee for information and discussion. There are no issues about regularity or propriety, or any financial implications.

Cross-cutting Themes

None.

Contact

European Affairs Division

Annex A

The United Kingdom's Permanent Representation is divided into sections which cover all European policy areas.

Policy Area	Head of Department
Political Affairs	Giles Paxman
Institutions	Peter Wilson
Agriculture	Katrina Williams
Industry and Internal Markets	Antony Vinall
Social, Environmental and Regional	Chris Capella
Economic Affairs, Finance and Tax	Nicholas Ilett
External Relations, Development and Trade Policy	Dominick Chilcott
Justice and Home Affairs	Nick Baird

Commercial Opportunities for British firms under European Community programmes

John Carroll

Annex B

<u>Agenda setting</u>	<u>Decision-making</u>	<u>Implementation</u>
Commission	Council of Ministers	National administrations
Member States	European Parliament	EU Court of Justice
Interest Groups		National Courts
		Commission