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THE EUROPEAN COMMUNITY:
INSTITUTIONS AND PUBLICATIONS

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Abstract — The purpose of this speech was to review the institutions of the European Community, their decision-making processes, and the resulting publications. The services of the Washington, DC office of the Commission were also touched upon.

The European Community is a complex subject, and its documents are, like the Community, complex. Halfway between an international organization and a government, it is a supranational organization passing laws that are binding on its member states. The Community is a new and different entity that is continually evolving.

The complexity begins with the names: European Community, European Communities, ECSC, EEC, and Euratom. It is possible to use all of these designations in the proper context. The European Communities, or European Community as it is often editorially called, is legally derived from three treaties which are fully in force. These are: *The Treaty Establishing the European Economic Community* (EEC), *The Treaty Establishing the European Atomic Energy Community* (Euratom), *and the Treaty Establishing the European Coal and Steel Community* (ECSC). Together they formed three Communities.

Much of the confusion rests with the fact that these three treaties and Communities were once administered by three separate executive institutions, each composed of a Council of Ministers and a Commission (the Commission of the ECSC was called the High Authority). In 1967, however, these were merged into a single Council and a single Commission to govern policy for the three Communities as a whole. Today, the proper name of the Commission is the Commission of the European Communities (plural). The Council's proper name is the Council of Ministers of the European Communities (plural). The European Community Information Service uses the single form of the name and the European Parliament has passed a resolution endorsing the singular form, and the singular appears on many publications. Librarians should use their own judgement when cataloging documents of the European Communities. They could use the singular form as it is the name of the future.

BRIEF HISTORY

Inspired by Jean Monnet and proposed by the French Foreign Minister Robert Schumann in the Schumann declaration of 9 May 1950, the ECSC was launched in April 1951 with the signature of the

ECSC Treaty. The hope was to prevent future wars by placing the elements of war, coal and steel, under a common authority. Germany and France would be united in a common endeavor. There were six original member states: France, Belgium, Germany, Italy, Luxembourg, and the Netherlands. The ECSC was so successful that in March 1957, two other treaties, the Treaties of Rome, were signed by the same six nations, establishing the EEC and Euratom. These Treaties went into force in January 1958. Note that there are two Treaties of Rome, although only the EEC treaty is commonly referred to as the 'Treaty of Rome'.

In 1972, a Treaty of Adhesion was signed adding four new member states to the Community: Great Britain, Denmark, Ireland and Norway. Norway's voters rejected the terms of the membership in a referendum and consequently the Community has nine members.

THE INSTITUTIONS AND THE DECISION-MAKING PROCESS

The Commission

Employing about 7000 civil servants, the Commission is an organization similar to the United States government. The Directorate-General (D.G.) for External Relations is like the State Department, the Economic and Financial Directorate-General is something like the Treasury Department, and there is a D.G. for Agriculture, for Transport, etc. These departments are located in Luxembourg and Brussels.

The Commission's main task is to propose, or initiate legislation which is sent to the Council of Ministers, the other executive institution, for passage. Usually the first format of proposed legislation is a mimeographed document which has a 'COM' number, date, and title. COM documents have a limited distribution, but they are offered to depository libraries if they wish to receive them. It is at the release of a COM document that the proposal may get publicity. Newspapers might report on it and librarians might receive requests for it. It is difficult to obtain these documents, but they are available.

Frequently, proposals are republished in the *Information and Notices* or 'C' section of the *Official Journal of the European Communities,* but without the explanatory memoranda from the front of the COM documents. Some proposals with more political significance are also published with the explanatory memoranda included, as *Supplements to the Bulletin of the European Communities.*

The 'Eurocrats' of the Commission are sworn by oath to think of what is good for the Community as a whole. They no longer represent their member states. They draft proposals that they feel are good for all the member states. During the drafting period they consult with member-state experts, pressure groups and representatives of industry and labor. Considerable preparation goes into every proposal.

In addition to initiating legislation, the Commission is also the guardian of the treaties. The commission investigates violations of the treaties and can issue a decision against the violator, whether it be a person, company, or member state. Violations of some regulations are subject to a fine. The Commission can always take the violator to the Court of Justice and vice versa. The Commission also administers many of the EC laws and makes laws which the Council has delegated. Before the Council of Ministers decides whether a proposal should become law, it asks the opinion of the European Parliament and the Economic and Social Committee.

The European Parliament

Organized committees in the European Parliament write reports on proposals which are then debated by the full body. If the Parliament dissapproves of a proposal or suggests modifications, the Commission is likely to revise or withdraw its proposal. Strong political sentiment in the Parliament against a proposal would mean that the Council might not pass it into law. Although the Parliament is only an advisory body, it does have political influence on the legislative process. The Parliament also has some powers over the Community budget and it can oust the Commission by a motion of censure. This has never happened, but there have been a number of unsuccessful votes on censure motions since

Great Britain joined the Community.

In June of 1979 the largest international election ever will take place when the European Parliament will be directly elected for the first time. At that time, the membership of the Parliament will expand from 198 to 410. Currently, EP members are appointed by the national legislators according to the political representation of the national parliaments. The Parliament meets eleven times a year. Its secretariat is in Luxembourg but it meets half the time in Luxembourg and half the time in Strasbourg in the Maison de l'Europe of the Council of Europe.

The Economic and Social Committee

This committee is also consulted on important policy proposals. There is nothing in the U.S. Government to compare with the Economic and Social Committee. It is a legalized pressure group whose membership is selected from labor, management, agriculture, consumer, and family organizations. Its view can influence the Council of Ministers. The Committee publishes a report and an opinion on each proposal that it considers. The report is usually only available in mimeographed form which may be distributed upon request. The opinion serves as a summary of the report and is published regularly in the 'C' section of the *Official Journal*. The Economic and Social Committee is headquartered in Brussels and has 144 members.

The Council of Ministers

Once the Council of Ministers has received the opinions of the Parliament and the Committee, it is time for the member states at the Council to decide if they want the proposal to become law. The Council is the main decision-making body. It consists of one minister from each member country and represents the national viewpoint in the legislative process. Ministers with various responsibilities attend the Council meetings concerned with their areas of competence, i.e. agricultural ministers attend meetings on agriculture. There can be three to four meetings of the Council each month depending on the size of the workload. The foreign and agricultural ministers may meet monthly, but the transportation and social ministers may meet two times per year. The Council can make most decisions by a simple or 'weighted majority' vote, but usually tries to achieve unanimity. In 1965, French President DeGaulle challenged the weighted vote concept. The resulting 1965 crisis was settled by the 'Luxembourg Compromise', an agreement to disagree. The majority vote procedure was set back and has only begun to reoccur in meetings of the Council during the mid-1970's.

The Presidency of the Council rotates every 6 months, according to the alphabetical order of the name of the member state in its own language. For example, the Presidency is now changing from Denmark to Germany. The attitude of the Presidency can greatly influence the actual use of the weighted majority vote in the Council.

There is no specific time period for the legislative process. A proposal may sit before the Council for years before it is adopted, or it might be passed in weeks. The Council's headquarters is in Brussels and it meets in both Brussels and Luxembourg.

The Court of Justice

Although it is not involved directly in the decision making process, the Court of Justice is nevertheless a key institution of the Community. It closely resembles a branch of the United States government, the Supreme Court. The Court can decide cases relating to the Treaties, or enactments based on the Treaties between the member states, between one of the institutions and a member state, and between the institutions. Cases of individuals and companies affected by the law can also come before the Court. Another role of the Court is to provide interpretations of the law. Its decisions are final and cannot be appealed in national Courts. These decisions are published in *Reports of the Cases before the Court*. Like the U.S. Supreme Court, the Court of Justice realises its impact on the process of European integration, and carefully deliberates as it develops a new body of European law. There are nine judges on the Court, one from each member state. The Court is located in Luxembourg.

LEGISLATION

There are four types of legislation: regulations, decisions, directives, and resolutions or recommendations. Regulations and decisions are immediately binding on the member states. They are published in the *Official Journal*. This journal would be equivalent to the *Federal Register of the United States*. The date of enforcement is written into the legislation. Usually it is in force upon publication in the *Official Journal*, but it may take effect a few days later or at the beginning of a given year.

Directives are binding on member states as regards the results to be achieved, but leave the mode and means to the discretion of member state authorities. They are like minimum standards with which the state must comply. Legislation in the sectors of right of establishment, freedom of services, and standards to remove technical barriers to trade usually takes the form of a directive. Recommendations and resolutions, as their names imply, are not binding.

THE PUBLICATIONS

There are two categories of publications: those that are required by the Treaties and those that are published for the purposes of public information. I have already mentioned the *Official Journal of the European Communities*. It has two sections. The 'L' section for 'Legislation' that is binding and the 'C' section for 'Information and Notices'. Both sections are published daily.

The Annual Report entitled *General Report on the Activities of the Communities* is required by the Treaties. It and *The Bulletin of the European Communities,* published monthly, are useful tools for the study of the Community. They give citations and references to the *Official Journal*. Both review the work of the Commission and the other institutions. The Commission is the main publisher. In the category of public information, it publishes brochures, press releases, studies, magazines, statistical periodicals and monographs.

The *Debates of the European Parliament* are published in an annex to the *Official Journal*. Its appearance is the same as the *Official Journal*, but it has a different numerical sequence and is available by a separate subscription. The *Working Documents* of the Parliament are also available on a subscription basis. Librarians are frequently confused by the *Working Document* series because of the many gaps in the numerical sequence. The numbers are placed on the documents according to the order of their distribution to the parliamentarians. During each session this distribution will include other reports which are not documents originated by the Parliament, but must be distributed to the Parliament's members. These other reports are assigned Parliament document numbers as well and even have a cover attached to them with the number, but they are not included in the subscription for the *Working Documents*. For example, the *Annual Report of the Commission* will be distributed and be given a Parliamentary document number. Its distribution by the Parliament, however, is only to the Parliamentary representatives.

The librarian will find a list of these documents published in the index to the *Debates* series and also in the weekly *Bulletin* of the Parliament. It is the only way to know if the library's collection is complete.*

SERVICES OF THE REFERENCE AND DOCUMENTATION DIVISION OF THE EUROPEAN COMMUNITY INFORMATION SERVICE IN WASHINGTON

The Information Service is a small but highly organized library which primarily answers inquiries

*A selected official documents list and a price list of 1978 subscriptions available from the European Community Information Services were distributed at the conference.

about the European Community. It averages about 800 public inquiries a month. We have found that the only way to keep control of our materials is to organize like a library. At present we have about 25,000 titles cataloged by author, title, series, and multiple subjects. We average six to seven entries per item in the card catalog.

The heart of the library is the vertical file system. There are over 1000 different subject files on the Community and related topics. The *Official Journal* and other publications are split by subject daily so that all files develop as the events occur. This enables us to retrieve very quickly and seldom resort to indexes.

We are very eager to try to help librarians and anyone involved in research on the Community. We prefer to work directly with the people requesting information of a librarian because it is always best to work on a first hand-basis. However, we do leave this judgement up to the librarian.

The Washington office and our division is also the sales agent for the Community in the United States. We carry minimum stocks of most publications. For that reason we can fill gaps in a library's collection or send copies of documents to someone with a question on the Community. We are the only library in the United States that has everything published by the Community in English, whether of a technical nature or not, or in French, or in the original language, if the item is not published in English.

One of the responsibilities of the Washington office is to work with the Community's 50 depository libraries in the United States. [See my article in *Government Publications Review,* 2 (No. 3), 253.]. We help select these depositories and we act as an intermediary between the depositories and our institutions in Europe. We regard the depositories as an important part of our information network. Although the Washington office would like to expand our depository system here as there are requests, this is impossible. There are very few depositories in many other countries and the Community's institutions must consider this policy from a world perspective.

The Washington office does not actually send documents to depositories. They and subscription holders receive their publications directly from Brussels and Luxembourg. Unfortunately, there is no centralized service for depositories; each EC institution sends its publications and makes its own policy. If the Washington Office cannot answer a depository's question or fill its order, we forward the request or tell the library where to write. We try to offer the same services to any library that we offer to our depositories. We may have to charge another library for a publication, but we are still happy to work with anyone. Please feel free to write or call.

The Community also has a small office in New York City which concentrates on United Nations activities since the Commission is now an official observer at the UN. This office has a library similar to that of the Washington office. It does not have the same stocks however, since Washington is the main sales outlet. Persons in the New York area are welcome to visit our library or call for information.

SELECTED QUESTIONS AND ANSWERS

What classification systems are used in Washington?

The Washington office believes in subject classification. It is the only efficient method to retrieve Community documentation. This is especially true because of the lack of overall indexes. We use the Universal Decimal System (UDC) to harmonize with our institutions in Brussels which selected this system. There was a very good reason for selecting a decimal system rather than the key word approach. The Community originally had four official languages; French, German, Dutch, and Italian. On enlargement, Danish and English were added to this list. A numerical system eliminates the problems caused by multiple official languages. It is also less ambiguous and permits the cataloguer to relate various concepts with ease.

We understand that other libraries cannot possibly give the same attention to the Community collection that we give, but we do wish that they would at least follow the basic subject breakdown of

the general directorates of the Commission. These could be studied by examining the *Directory of the Commission of the European Communities*. Another more detailed breakdown appears in the detailed Table of Contents of the *Catalogue des Publications* 1952 – 1971. Many librarians use this catalog as a shelf list. The use of the catalog as a guide could be continued even though the catalog is now out of date.

What is being published in microform?

The *Official Journal* is now available in microfilm or microfiche. A depository library is eligible to receive a microform or paper edition. By the end of this year, the *Official Journal* from 1952 on will be available on microform. Unfortunately, the Office of Official Publications has experienced technical difficulties with the production of the microform, but the date mentioned above should be firm. EUR reports are also available on microfiche on an irregular but increasing basis. These reports are abstracted in the periodical *Euroabstracts,* a monthly publication with an annual index. EUR reports tend to be technical and cover such subjects as nuclear technology, life sciences, physics, environment, coal and steel research, and chemistry. The foreign trade NIMEXE and CST series are also available in microfiche.

What is the Special Edition of the Official Journal?

The *Special Edition* reproduces the secondary legislation of the Community that was in force at the time of enlargement. It published, in separate English and Danish editions, the legal texts of those laws passed between 1952 and 1972 which are binding on the old and new member states. This edition is not presently available in microform. It is a very valuable tool and is an excellent item for a library wishing to begin a collection on the Community.