

A Practitioner's Perspective

The Politics and Practices of COREPER I:

The Engine Room of the EU Council

Katrina Williams



Editorial Board

Professor Chris Anderson

Dr Cristóbal Garibay-Petersen

Dr Gianmarco Fifi

Dr Vesna Popovski

Ms Melanie Erspamer

All views expressed in this paper are those of the author(s) and do not necessarily represent the views of the editors or the LSE.

© Katrina Williams

A Practitioner's Perspective

The Politics and Practices of COREPER I: The Engine Room of the EU Council

Katrina Williams*

Abstract

Abstract: Most of the legislative output of the Council of the European Union is processed by a little-known preparatory body, functioning under the acronym COREPER I. The author, a former practitioner, lifts the lid a little on this powerful body's role and working methods, pointing the way to future research.

* As part of a long career in the British Civil Service spent in domestic and international policymaking, Katrina Williams served from April 2017 to April 2020 as the United Kingdom's last Deputy Permanent Representative (DPR) and Ambassador in COREPER I. This article is based on a 13 October 2023 presentation given at the LSE European Institute's seminar 'The European Union in Practice: Politics and Power in the Brussels System', chaired by Anthony Teasdale and Martin Westlake. The views expressed in this article are personal and do not commit any other person or organization. The author would like to thank Martin Westlake and Melanie Erspamer and the anonymous reviewers in the European Institute at the LSE for their help in enhancing the original draft article.

Table of Contents

1. The purpose of this paper	4
2. COREPER: A lesser-known body in a lesser-known institution	5
3 The two COREPERS	7
4. COREPER I - The 'engine room' of the Council	9
5. The practical expression of politics and creating the space for agreement	10
6. The importance of alliances - and the importance of size	12
7. Co-decision (the ordinary legislative procedure)	14
8. Successes and Challenges	15
9. Conclusion.....	17
Bibliography.....	20

The Politics and Practices of COREPER I: The Engine Room of the EU Council

1. The purpose of this paper

The purpose of this paper is to describe and explain, on the basis of personal experience as the United Kingdom's last Deputy Permanent Representative to the European Union, the role and functions of what I would describe as being a lesser-known body in a less-known institution. The body in question is known in the EU's jargon as 'COREPER I', and the less-known institution is the Council of the European Union. The Council brings together ministerial representatives of the EU's member states. It is, together with the European Parliament, a twin arm of the EU's legislative and budgetary authority. The Council's work is prepared by two committees made up, respectively, of the Permanent Representatives (ambassadors) of the member states, and the Deputy Permanent Representatives (also enjoying ambassadorial status). These two committees are collectively known as 'COREPER 2' (the permanent representatives) and 'COREPER I' (the deputy permanent representatives), the acronymic title, 'COREPER' being derived from the French title 'Comité des représentants permanents'. The two COREPERs are in turn served by a large number – around 150 – of specialised working parties. In terms of division of labour, COREPER I deals with the vast majority of the Council's legislative work. It is therefore, as the title describes, the engine room of the Council, and yet its role and working methods are largely unknown and rarely figure in academic analyses of the Council. This article seeks to begin to correct that absence.

2. COREPER: A lesser-known body in a lesser-known institution

Of the seven Institutions of the European Union (EU)¹, the Council is by a long chalk still the most enigmatic – even for seasoned observers of EU affairs. And of the three Institutions most closely associated with the EU legislative process – namely, the Council, the European Commission, and the European Parliament – it is perhaps the least understood – and, arguably, the least transparent. But its role – and within it that of the two COREPERs (the committees of ambassadors which meet at least weekly to settle the positions of the Member States on the full range of political, legislative, and budgetary issues) is nevertheless a central part of the decision-making process.

Long gone are the days when the only information to be gleaned about the Council was from a few obscure articles and some dusty and mostly privately bound monographs. The first ‘proper’ full-length academic studies were published from the mid-1990s onwards (Westlake, 1995; Hayes-Renshaw and Wallace, 1997; Sherrington, 2000). A plethora of books and articles about the Council and the European Council erupted in parallel. (The Council’s website provides comprehensive bibliographies on the European Council, the Council, and the General Secretariat of the Council respectively².) The Council itself became far more open in that period, doubtless in part because of the provisions of the 12 December 1992 Edinburgh European Council’s conclusions on greater transparency (Westlake, 1998) and also because of the 1995 arrival of a number of new Member States – Sweden in particular – with an attachment to a more open style of government.

Whilst remaining relatively obscure, COREPER³ and its role also became a little better known. Four publications in particular should be mentioned in this context. In 1967

¹ As defined by the Treaty of European Union (TEU) Article 13(1), these are: the European Parliament, the European Council, the Council, the European Commission, the Court of Justice of the European Union, the European Central Bank, and the Court of Auditors.

² https://consilium-eureka.primo.exlibrisgroup.com/discovery/search?vid=32CEU_INST:32CEU_VU_BIB&lang=en

³ As explained in the introduction, so-called from its French acronym, Comité des représentants permanents. It is also known as the ‘Committee of Permanent Representatives’ but most denizens of the ‘Brussels bubble’ use the longstanding French acronym.

already, the European Commission's first and longest-serving Secretary General, Emile Noël, published a lengthy and learned disquisition on COREPER's origin and evolving role (Noël, 1967) and this would later be echoed by LSE historian Piers Ludlow's 2005 analysis of COREPER's early origins (Ludlow, 2005). In the same mid-1990s wave of publications referred to above, Dutch legal scholar Jaap de Zwaan published a book-length analysis of COREPER itself (de Zwaan, 1995). Last, but by no means least, in 2002 British diplomat David Bostock⁴ 'revisited' COREPER, bringing a seasoned practitioner's and insider's eye to COREPER's role and way of functioning. This article is primarily about COREPER I, which has been mostly neglected in the literature (none of the publications above focuses on the specific role and practices of COREPER I, for example). In the spirit and the tradition of David Bostock, it brings the valedictory eye of a practitioner and insider to bear on perhaps one of the most obscure of the Council's mechanisms and yet one of its more important ones. (As a senior Commission official was wont to say – 'The COREPER I Ambassadors are the most powerful people in Brussels of whom no-one has ever heard').

From an academic point of view, this paper is significant because it describes how and in what ways the Council's two main preparatory bodies work and how they interact – to the extent that they do interact (a point of interest in itself). With the honourable exceptions of the four studies mentioned above, scholars of the Council have tended to lump the two COREPERs together and, when considering COREPER, tend to think mostly in terms of the work, and the working practices, of COREPER II. There are a number of understandable reasons for this. A first is that, unlike COREPER I, COREPER II is relatively visible (it is composed of the Permanent Representatives, after all). A second is that its work is more political and more high profile, whereas COREPER I's legislative role is considered as being more mundane. A third, as pointed out in the previous paragraph, is that COREPER I is a largely unstudied and unknown body. Its very obscurity is a self-fulfilling prophecy of sorts; because it is relatively

⁴ And one of the author's distinguished predecessors as UK Deputy Permanent Representative, 1995-1999.

unknown, it will remain unknown. This paper, written by a former insider and practitioner, points out the differences of the two bodies and the role and working practices of COREPER I in its own right. It is therefore a modest but important contribution to the academic literature about the Council of the European Union.

This paper is also a significant contribution in the context of legislative studies. When scholars refer to the Council as one of the twin arms of the European Union's legislative authority, they are tacitly referring to the role not of COREPER II, but of COREPER I. It is the latter's vast remit that corresponds most closely to the mandates of the vast majority of the specialised standing committees in the European Parliament (EP). Yet whereas the EP's parliamentary committees have been the subject of a burgeoning literature about their role and practices, very few scholars have focused on the role and practices of their equivalent in the Council; namely, COREPER I.

In its own modest way, and written primarily from a practitioner's point of view, this paper therefore begins to fill two important gaps in the scientific literature about the European Union. On the one hand, in terms of institutional studies, it describes the role of COREPER I (as opposed to COREPER more generally which, as we have seen, mostly means COREPER II) within the Council of the European Union. On the other, it describes the legislative role of COREPER I and therefore enhances knowledge about the internal mechanics of the ordinary legislative procedure in the other twin arm of the European Union's legislative authority.

3 The two COREPERS

To explain COREPER I requires a brief description of where it sits in the mechanisms of the Council. These mechanisms exist essentially to achieve an agreed upon and common view between the Member States – whether on framework declarations and strategies or on draft legislation. To do this, they operate what could be described as a pyramid of discussions to reach either a consensus or a majority view.

At the foot of the pyramid sits the strong foundation of specialized Council Working Parties – more than 150 of them, which will work on a proposal (usually from the Commission, but sometimes from the presidency or, more rarely, a Member State or a group of Member States). Working parties, chaired by the rotating presidency of the Council and with support from the Commission, are attended by national experts – whether the attachés from the Permanent Representations who have expertise in the subjects under discussion, civil service experts travelling from Member State capitals, or a combination of both. They classically work by scrutinising draft texts – of legislation, political agreements, or mandates – line-by-line, aiming to resolve as many differences of perspective and as many drafting issues as they possibly can. Depending on the issue at stake this phase might take weeks or months.

If the working party does its work well (as it mostly does), what results is a revised text in which the majority of points have been resolved or clarified, leaving only the most divisive, substantial, or political issues outstanding. This text will then advance to the level of ambassadors, to be considered in COREPER, where the ambassadors will again aim to resolve as many issues as possible before the file passes to ministers in the meetings of the Council of Ministers or, for the weightiest issues, perhaps to the heads of state or government meeting in the European Council.

The focus of this article is therefore on that middle tier of the process – on COREPER, and more specifically on the mysteriously named COREPER I. As discussed above, there are two COREPERs, COREPER I and COREPER II⁵. The division of labour between the two is set out below. Each COREPER is attended at ambassadorial level – by the Permanent Representative of each Member State for COREPER II, and by the Deputy Permanent Representative for COREPER I. Like the working parties, each is chaired by the ambassador of the Member State holding the six-month rotating presidency, with support from the permanent Council Secretariat, and conducted with the assistance of the European Commission. The working languages are English,

⁵ Though this ordering may seem counterintuitive to the Anglo-Saxon eye, the designations 'I' and 'II' refer to the way in which items were grouped on COREPER's agenda in the early days of the Communities (see Noël, 1967, p. 231).

French, and German (with interpretation where necessary), with English the predominant language for working texts (a significant advantage for native or near-native English speakers).

The work of COREPER I and COREPER II is strictly split by subject matter: the two operate in parallel and, as any COREPER I ambassador will be swift to point out, neither is subordinate to the other – a subtle but significant point. Although within the Permanent Representations the Deputy Permanent Representative will report to the Permanent Representative, significantly COREPER I does not report to COREPER II. COREPER I is therefore effectively an autonomous body – one, as argued above, that deserves study in its own right.

Broadly speaking, the demarcation between COREPER I and COREPER II is that COREPER II handles the macro issues which determine the European Union's framework and direction – the EU budget, foreign and security policy (including trade policy), and justice and home affairs (including immigration). COREPER II is assisted in this by a further ambassadors group – the Political and Security Committee – which works under a permanent chair from the European External Action Service. COREPER I handles everything else.

4. COREPER I – The 'engine room' of the Council

'Everything else' means the broadly micro-economic files which account for six of the Council's ten specialised formations. In essence this means all files relating to the single market in goods and services, competitiveness and industrial policy, all digital files (including questions relating to Artificial Intelligence), research, space policy, climate, environment, energy, transport, social policy, health, food policy and animal health and welfare, education, culture, and sport. The sole omission is agricultural policy as embodied in the Common Agricultural Policy (CAP), which is covered by a separate group – the Special Committee on Agriculture – established as a temporary measure in 1960 to assist with the establishment of the CAP, but still going strong more

than sixty years later (a good illustration of the French saying, 'rien ne dure que le provisoire'!).

The breadth of issues covered, plus the largely legislative and hence detailed focus of COREPER I, place unique demands on its ambassadors, who have to be able to move seamlessly from the strategic to the granular – to understand not only what Article 35 a) of a draft regulation needs to say, but why – and how much – it matters to national interests. Mostly career diplomats, COREPER I ambassadors need to be happy to spend an hour debating the relative merits of the words 'would', 'could', or 'should' in a legislative text. Or they need to be ready (as the author once was) to spend several minutes setting out in precise detail the challenges faced by United Kingdom Funeral Directors from new provisions on formaldehyde exposure in the workplace! The agenda covers the full range of life – meetings can skip from legislation governing the permitted gaps in banisters to the (highly sensitive) rules governing the portability of welfare benefit payments within the EU.

The sheer volume of this work is astonishing: at any one time, COREPER I will be handling around 200 open files – mostly draft legislation or revisions to legislation. Some of these will be relatively straightforward – many will have been all but resolved in the Council Working Party. But a significant proportion will be complex, either technically or politically. The six-month rotation of presidencies adds pressure points in June and December, as the ambassadors move constantly between COREPER meetings to prepare files and support ministers in the decisive Council meetings. Late night and all-night meetings are common, and agendas can extend to 30 different items as each presidency aims to land its legacy.

5. The practical expression of politics and creating the space for agreement

At first sight, the focus of the work of COREPER I is less explicitly political than the work of COREPER II, which engages more with the geopolitical and globally sensitive.

In practice, however, politics plays out all the time in COREPER I, an unspoken debate frequently underpinning relatively innocuous-sounding files. The job of the COREPER I ambassador is to spot, understand, and work with these political trends. COREPER I is where the EU effectively decides on how open it wants to be to economic flows within its own borders, and on its approach to economic openness globally. So, a debate on the working conditions for long-distance lorry drivers may well be a proxy for the openness of Member States to competitors within the EU. Similarly, the drafting of the conditions under which third countries might participate in the EU's flagship research programme, Horizon, was effectively a debate on whether the EU wanted to make the programme its own (a variant of 'strategic autonomy') or to open itself to global collaboration. (The whole debate on global openness had, of course, added spice and poignancy for the Deputy Permanent Representative of a country shortly to assume third-country status.)

The volume, complexity, and sensitivity of EU work means that agreement takes time, and often feels implausible. The decision-making process and the features which make the process work in COREPER I also determine its environment and culture – and, picking up the point about the Council's enigmatic nature, can raise some difficult dilemmas for the Council about balancing a safe space in which agreement can be reached with transparency about the workings of the Council and the choices that ministers are making collectively.

Most of the files handled by COREPER I (over 90%) depend on treaty articles governed by Qualified Majority Voting (QMV). This means that the route to agreement is necessarily via compromise, which by definition is difficult for the participants – and especially difficult for a minister in a live-streamed meeting of the Council. Compromise means most or all participants being willing to move their positions away from their ideal solution: this carries costs – whether political or economic – and hence can feel difficult or painful. So COREPER I carries a heavy obligation to try to bridge that gap – and many of its working practices are geared towards providing a safe space in which Member States can test options for solutions and flex their

positions to reach that compromise. To provide a degree of privacy to do that, meetings of COREPER I have tight restrictions on who may be in the room (the ambassadors, their 'sherpas' – the so-called 'Mertens'⁶ – and the relevant attachés from the Permanent Representations). Experts from capitals are not permitted to attend, and the convention is that discussions within COREPER I are not reported publicly or to the media⁷. These conventions are important in creating an environment of trust for decision-making. But they undoubtedly make more difficult the process of presenting to the world the work of COREPER I and the collective thought-processes of the Council.

To enter the safe space, the COREPER I ambassador needs to be fully prepared. She or he can afford to have at most three main negotiating objectives and needs to understand how to leverage those against the ambitions of others. Preparation means establishing, via ministries at home, where she or he has space to move or offer concessions on the one hand, and which points are non-negotiable on the other. The most sensitive points and positions will be signed off by ministers themselves, and establishing the negotiating mandate requires full and sometimes frank discussion in light of negotiating realities and relative priorities. As one colleague once put it to the author: 'The negotiations in this room [COREPER] are easy: it's the negotiations with my Capital which are really difficult.' They may indeed be tough, but at their best these discussions help to sharpen and refine the national position and arguments.

6. The importance of alliances – and the importance of size

A further important influence on the nature of discussion in COREPER I is the fact that, as remarked above, most files are subject to Qualified Majority Voting (QMV). To

⁶ Named after Vincent Mertens de Wilmars, the Belgian permanent representation official who was the first to chair the coordination meeting of the COREPER I coordinators in the second half of 1993 (Westlake, 1995, p. 293).

⁷ Though in recent years *Politico* has become adept at wheedling out and publishing confidences from participants on condition of anonymity.

'pass', a proposal must command majority support from at least 55% of the Member States, and that majority of Member States must represent at least 65% of the EU population. If those conditions are not met, progress cannot be made, but a proposal is formally deemed 'blocked' only if at least four Member States cannot support it.

This means that a newly arrived COREPER I ambassador cannot prevail alone by entrenching her or his position and cannot – in the vast majority of cases – veto. Working in alliances with others is essential – and each file will have its own group of different alliances (with differing degrees of permanence and solidity). A large part of the life of a COREPER I ambassador is devoted to creating, maintaining and deploying these alliances through 'like minded' groups of Member States. Within any individual COREPER meeting it is possible to be in strong agreement with a colleague on one particular file, and at the same time in violent disagreement on another. (For example, in just one day in 2018 the author attended five meetings of different 'like minded' groups to prepare the following week's COREPER meeting). This need to cultivate relationships – remembering that today's adversary is tomorrow's ally, and constantly testing and assessing the strength of alliances – is a core skill and requires and tests high levels of trust and respect between ambassadors. It lies at the heart of the cruel social media memes which portray COREPER II as a punch-up in mud and COREPER I as a 'hug fest'.

The complicated nature of the rules on QMV contributes to the degree to which the Council appears impenetrable to outsiders. Calculating the balance of votes based on numbers and population requires an online app⁸ (though with practice it is possible to be able to sense a Qualified Majority by instinct). But to the newly arrived attaché, and even to seasoned Brussels-watchers, it is often difficult to tell why some files progress and others stall. The answer lies in whether the presidency, laden with open files, perceives it has the chance of a Qualified Majority.

8

<https://play.google.com/store/apps/details?id=eu.europa.publications.consilium.votingcalculator&hl=en>.

In practice, the other feature of QMV is the extent to which the views of the largest Member States matter. The element of population weighting in the vote makes this inevitable. In population terms, the largest Member States – Germany, France, and Italy (and the UK when it was a member) – are so much larger than the others that no proposal can progress unless two of the largest Member States are on board. (The author once calculated that the UK had a population weight equivalent to the 17 smallest Member States). This makes the tendency to watch and wait for the largest Member States (and particularly any Franco-German agreements) particularly marked, with a sense that the Council both fears and needs this power. Most presidencies understand and try to balance out this effect by making sure that, rather than simply ‘chasing the numbers’ needed for a QMV, they produce deals which reflect the broadest consensus of Member States regardless of size. But the system, in principle at least, favours the large.

7. Co-decision (the ordinary legislative procedure)

The last important feature of COREPER I is the extent to which it works with the Commission and European Parliament on co-decision files. The ordinary legislative procedure consists of the joint adoption of legislative acts by the European Parliament and the Council of the European Union, normally following a proposal from the European Commission. Defined in Article 294 of the Treaty on the Functioning of the European Union (TFEU), it is the most common European Union lawmaking procedure. With the Treaty of Maastricht and the introduction of the co-decision procedure, the Parliament became a co-legislator on an equal footing with the Council, except in the cases provided for in treaties where special legislative procedures apply. The Lisbon Treaty renamed the co-decision procedure the ordinary legislative procedure and increased the number of policy areas to which the procedure applies.

After the early days of co-decision, in which COREPER I regularly met in Conciliation with the EP until the early hours of the morning (sometimes twice or three times a week) there is now a presumption that the Council will usually aim to reach agreement

with the EP at the 'Second Reading' stage. This channels the negotiations with the EP through the Deputy Permanent Representative of the Member State holding the presidency – requiring of that individual almost superhuman powers as they juggle negotiations with multiple EP Committee Chairs alongside chairing COREPER I and advising and supporting their ministers as they chair meetings of the Council. To succeed, the presidency must command the trust, respect, and cooperation of colleagues in COREPER I.

The case for that trust is heightened by the fact that the Council (and COREPER I) can often feel beleaguered in its relationship with the Commission and the Parliament, especially when negotiating measures which will set new standards and targets. When discussing – for example – climate measures, the complaint in Council will often be that when the Commission – rightly – pitches its proposals to encourage ambition, the EP will look at the Council's position, and then rack up that ambition further. As one colleague put it, 'the Commission and the EP both bid us up – but neither the Commission nor the EP has to implement the measure or pay for it: that falls to the Council.' The risk is that the debate in COREPER I can sometimes focus on whether the Council's general approach (which forms the basis for negotiation with the EP) should 'underbid' its opening position. In practice the presidency will always press the Council to play a straight hand. The process can be painful but it is important in providing an element of challenge that means the legislators together test and stretch their ambition.

8. Successes and Challenges

The triumph of COREPER I is that it finds a functional way to reconcile the views of 27 Member States in legislative form, and that it provides an effective conduit for negotiation with the European Parliament to successfully tackle issues which impact directly on the lives of EU citizens. This is no small achievement, and at its peak the COREPER process is both creative and innovative. In a number of recent cases, the

success of the EU process in setting standards for a bloc of 500 million plus consumers has enabled it to shape the global framework (examples of ‘the Brussels effect’ at work – Bradford, 2020). But this success requires constant attention – especially as the pace of technological change advances. In this context, COREPER I – and the EU institutions engaged in the process of crafting legislation (the European Parliament, the Council, and the Commission) – constantly work on four major challenges, and this section will briefly consider each in turn:

- **Avoiding Silos:** There is a real and present risk of silos preventing the best solution for EU businesses and citizens, whose lives do not work according to institutional boundaries. The Commission has its own demarcations. It is a little known fact that COREPER I and COREPER II work in parallel but rarely meet each other – despite the fact that the EU’s external trade policy, and options for negotiating trading arrangements with third countries, may often have been determined by some ostensibly domestic decision in COREPER I. The Special Committee on Agriculture (still concerned with over 40% of the EU budget) forms another stand-alone unit. The Deputy Permanent Representatives collectively are often the people who can spot connections and contradictions – in their own countries’ positions and at EU level, but there is arguably more to do at the institutional level to take a holistic view of developing issues;
- **Democratic Accountability:** The transparency of the Council’s work has improved, but more needs to be done to serve EU citizens. The quest for transparency about the actions of the Council remains a live issue. It is closely related to the live debate about how best to demonstrate the value of the EU to its citizens. As one of the author’s former colleagues in COREPER I tellingly observed, describing the value of the EU in terms of Erasmus and the abolition of roaming charges will not work for those who cannot afford to travel and whose main concern is having a job and income. The overlay of the complex rules of the Council does little to help with describing the choices legislators make on behalf of their citizens;

- **Legislating at Pace:** The ordinary legislative procedure – including co-decision with the European Parliament – takes, from start to finish, an average of 22 months. In fast-moving sectors – and especially in relation to digital, IT, and areas like Artificial Intelligence – this presents the risk of legislation being out of date before it reaches the statute book. Whilst it is possible via hard work and goodwill on all sides to move faster – the Council and the European Parliament concluded in just six months negotiations on the first set of rules regulating single use plastic, for example – there are risks both to the quality of legislation and to the process of consulting and bringing on board key actors in simply assuming everything can be done more quickly. The real answer probably lies in rethinking the extent and nature of EU legislation – and in particular the balance between enabling frameworks and prescriptive rules;
- **Implementation and Evaluation:** The European Commission, European Parliament, and European Court of Auditors have made significant steps in recent years in looking at the real-world impact of EU legislation – at whether the measures taken had the intended or desired effect. But the focus on evaluation is still developing, and for those in the Council juggling the 200 or so live dossiers presented by the Commission, focusing on the likely and real impacts remains a challenge: the Council, often working late at night to reach compromise texts, struggles to carry out impact assessments of its work or to assess the likelihood of the neat compromise text being capable of implementation. This, and a focus on whether legislation is always the best means of achieving a particular outcome, is one of the things which keep COREPER I ambassadors awake at night.

9. Conclusion

As this article has sought to show, COREPER I is a distinctive body with specific working methods and a considerable degree of autonomy. The primary purpose of this article has been to cast some light on this vital part of the Council's, and the

Union's, institutional and legislative machinery. Hopefully it will also encourage further academic research about a body which has done more than most realise to build the European Union as it exists today and yet remains obscure, both in the policy making and the academic worlds. In that context, it is perhaps useful to recall some of the more significant aspects of COREPER I. A first is its sheer work rate, and the way this necessarily imposes restraints on its working methods⁹.

A second is its legislative nature, but one combining a massive remit with a need for what might effectively be described as improvised specialisation. As was pointed out, most Deputy Permanent Representatives are career diplomats, and yet they have to repeatedly become experts on complicated and at times highly complex legislative proposals. A third is COREPER I's relative autonomy and the way in which it and the other preparatory bodies – particularly COREPER II and the Special Agriculture Committee – function in parallel and with little interconnection. This is as much an imperative of their respective work rates (the first point) as anything else, but it has, as was seen, important knock-on consequences for the Council's overall cohesiveness and its ability to act holistically.

A fourth is the inherent contradiction between, on the one hand, the constant search for qualified majorities, with the need to create safe spaces for Member States to feel their way towards workable concessions and compromises (not to mention the sheer mathematical complexity of the calculations involved), with the democratic imperative of openness and intelligibility to the citizen on the other. A fifth is not just the self-evident importance of alliances, but the constantly shifting nature of those alliances and the importance of relative size in building majorities or minorities¹⁰. Lastly, this article has given some insight into the specific mechanics of the legislative procedure.

⁹ There are no readily available statistics available to illustrate this point, but some indication can be gleaned from the fact that COREPER I prepares most of the output of most of the legislation dealt with by the various sectoral Councils.

¹⁰ Charting and plotting these would be good material for future academic studies, although for the reasons described, it would be difficult to access the essential data and information.

All of these aspects, together with others touched upon in the article, could clearly benefit from more research and closer attention from the European studies and legislative studies communities. Whilst it is true that COREPER I jealously guards its prerogatives of discretion when at work, the very fact that this article has been written shows that there is yet significant potential to study what has largely remained until now an anonymous engine house. Over the years since the Single European Act and the Maastricht Treaty, the European Union has steadily evolved into a bicameral legislative system¹¹. Yet the academic community tends still to overlook the work of COREPER I in the context. It is to be hoped that this article will encourage others to take a closer look.

¹¹ For a fascinating comparative study of what the authors call 'strong bicameralism' (the other examples being the United States of America and Germany), see Brandsma and Roederer-Rynning, 2022.

Bibliography

- Bostock, David, 2002, 'Coreper Revisited,' *Journal of Common Market Studies*, Vol. 40, N° 2, pp. 215-34.
- Bradford, Anu, 2020, *The Brussels Effect: How the European Union rules the World*, Oxford University Press, Oxford.
- Brandsma, Gijs Jan, and Christilla Roederer-Rynning, 2022, 'Strong bicameralism: Pressures for change in inter-institutional legislative negotiations in the EU, the USA, and Germany', European Parliamentary Research Service, March; [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/698943/EPRS_IDA\(2022\)698943_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/698943/EPRS_IDA(2022)698943_EN.pdf).
- De Zwaan, Jaap, 1995, *The Permanent Representatives Committee: Its Role in European Union Decision-Making*, Elsevier, Amsterdam.
- Hayes-Renshaw, Fiona and Helen Wallace, 1997, *The Council of Ministers*, Macmillan.
- Ludlow, Piers, 2005, 'More than Six Ambassadors: The emergence of Coreper in the early EEC'.
- Noël, Emile, 1967, 'The Committee of Permanent Representatives', *Journal of Common Market Studies*, Vol. 5, N° 3, pp. 219-51.
- Sherrington, Philippa, 2000, *The Council of Ministers: Political Authority in the European Union*, Pinter, London.
- Westlake, Martin, 1995, *The Council of the European Union*, Cartermill Publishing, London.
- Westlake, Martin, 1998, 'Maastricht, Edinburgh, Amsterdam – the “end of the beginning”?', in *Openness and Transparency in the European Union*, European Institute of Public Administration (EIPA), Maastricht, 1998.



THE LONDON SCHOOL
OF ECONOMICS AND
POLITICAL SCIENCE ■



**Europe
in Question**

Discussion Paper Series at **LSE** ■