

**Model
European
Union**

Mainz 2016

Preparation Guide



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Model European Union Mainz 2016 Preparation Guide

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Dear Participants of MEU Mainz 2016,

Welcome to MEUM 2016 and **congratulations** for having been chosen as one of the more than 90 people participating in this year's conference! In order to enjoy the debates and legislative work at MEU, you will have to come prepared to Mainz. The purpose of this guide is to support you in your **preparations for MEUM 2016**.

This guide contains a lot of essential information for you; it is crucial that you read it carefully and **bring a printed version** with you to Mainz. Without a hard copy of the two attached Commission proposals and the Rules of Procedure of our simulation it will be difficult if not impossible to successfully engage in the simulation. The contents of this guide are of importance to all participants of MEUM, no matter whether you are a Minister, MEP or Journalist. In the next weeks, we will provide you with further preparatory advice specifically about the role you play.

At the core of this guide are two introductory texts on the legislative proposals up for debate at MEUM 2016. We wrote these texts to give you some context to the Commission proposals and to help you to find your way through the at places quite technical legal texts. The texts on the Directives furthermore provide a short summary of the contents of the proposals and include some hints at controversial aspects. MEPs and Ministers should consider this as a starting point to their investigation in these issues. It is vital that you **carefully read the actual proposal texts** and that you do further research on the Commission proposals **and also specifically the position of the role you play**. The two Commission proposals up for debate at MEUM 2016 were introduced into the real European decision-making process quite recently; there is a vast amount of information on these processes online. In preparation for your role you should use as much of the information available as possible on how the role you represent behaved during the several stages of the real decision-making procedure. Say you represent the Netherlands in the Council, you should not only research which general positions this country took with regard to the two proposals, but you may also investigate which amendments the Dutch governments introduced or supported during the process of debate.

We are aware that it is quite ambitious to take two unedited Commission proposals as the subject-matter of our simulation. You do not need to be a student of Law to successfully engage in the simulation but you certainly need to delve into the articles of the two proposals.

This guide furthermore contains an introduction to decision-making in the EU and at MEU Mainz; descriptions of the roles at MEU; some suggestions for further reading on the two proposals; and attached the two Commission proposal texts. At the end of this guide you will find the Rules of Procedure, which give a detailed account of the proceedings at MEU.

Your MEU Mainz Organising Team wishes you the best of luck preparing your role for MEUM 2016. If you have any queries about the procedure of the simulation, please don't hesitate to contact us.

See you in Mainz soon!

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Attached: The two Commission Proposals

1 EU and MEU Decision-making

Decision-making within the European Union is a complex process involving not only Heads of State and Government but also democratically elected Members of the European Parliament and the powerful European Commission charged with drafting legislation. The following paragraphs will give a brief introduction to the **ordinary legislative procedure** (pre-Lisbon called the “co-decision procedure”), and the types of legal documents available to policy-makers while focusing on the features of this process to be simulated at Model European Union Mainz 2016.

The two most important sources of secondary legislation within the EU are **regulations** and **directives**. A regulation is “binding in its entirety” and “directly applicable in all Member States”. This means that the whole text of the legislation will become binding law at the same time in all Member States. Directives on the other hand are only binding “as to the result to be achieved”. Member States must implement all measures set out in a directive within their respective national legal framework. In theory, therefore, Member States have more leeway in implementing directives although, in practice, this is not always the case as directives are often drafted very tightly and leave little room for interpretation by Member States.

The European Legislative Process

The so-called ‘**institutional triangle**’ of the Commission, the European Parliament (EP) and the Council of Ministers produces European law. Under the ordinary legislative procedure the Commission introduces a legislative proposal that is then debated, amended and potentially passed into law if both the EP and the Council are in favour. Hence, under this procedure the EP and the Council have equal powers; the Council cannot pass legislation without the approval of the EP and vice versa.

During the **first reading** of a draft proposal, the Council may choose to approve an unchanged or amended text from the EP or propose a common position for reconsideration by the EP at a **second reading**. If, after the second reading, the two institutions continue to disagree on a piece of legislation, a compromise can be reached in a conciliation committee attended by an equal number of representatives from the EP and the Council. During the European legislative process in general, however, many pieces of law are agreed upon during informal discussions between the EP and the Council. A representative of the EP, called a rapporteur, and the Council Presidency negotiate these so-called first-reading agreements.

Aiming at making the EU more efficient, transparent and democratic, the **Lisbon Treaty** brought several changes to the EU decision-making process. The Treaty empowers the EP by expanding the co-decision procedure, now referred to as the ordinary legislative

procedure. Accompanied by the extension of co-decision is the increased usage of qualified majority voting within the Council. Hence, in contrast to unanimity votes, this measure is intended to make Council decision-making more efficient and less prone to political hostage taking.

For a more detailed description of the EU decision-making process and the different types of European law see e.g. Simon Hix (2011) *The Political System of the European Union* or Neill Nugent (2010) *The Government and Politics of the European Union*.

The Legislative Process at Model European Union

The table below is a sketch of the legislative procedure at the simulation. For a more detailed account of all relevant procedures, please, have a thorough look at the Rules of Procedure at the end of this document. A profound understanding of these rules is essential in order to successfully participate in the simulation.

Step	Proposal I	Proposal II
1	Commission introduces proposal to EP	Commission introduces proposal to Council
2	EP debates proposal, prepares and adopts amendments	Council debates proposal, prepares and adopts amendments
3	EP Representatives present amended version to the Council	Council Representatives present amended version to the EP
4	Council debates amended proposal, prepares and adopts amendments	EP debates amended proposal, prepares and adopts amendments
5	Council Representatives present amended version to the EP	EP Representatives present amended version to the Council
6	Debate and final voting in the EP: EP either accepts or rejects version of proposal as amended by the Council	Debate and final voting in the Council: Council either accepts or rejects version of proposal as amended by the EP

At the core of the simulation is the idea that both legislative proposals are being discussed at the same time. The procedure begins by the simultaneous introduction of proposal one to the EP and proposal two to the Council. In the course of the simulation the proposals are being exchanged several times between the EP and the Council with both institutions having the chance to pass amendments to the texts of the Commission proposals.

The table below furthermore gives you an idea of the time schedule of the week in Mainz. This table only includes a very rough schedule of the simulation and is merely

meant to give you a vague idea of the course of action. We will provide you with a fully detailed schedule at your arrival in Mainz, also containing lots of other useful information (how to get from A to B in Mainz) and a plan of the social programme.

Rough Schedule of the Simulation	
WED	Arrival Day; getting to know each other; Workshops on Rules of Procedure and Proposals
THU	Opening ceremony; Commission introduces proposals; first debates in Council and EP; faction meetings; press conference
FRI	EP and Council decide on amendments to the respective proposals; EP and Council exchange proposals; debate; faction meetings; press conference
SAT	EP and Council decide on amendments to the respective proposals; final debate and final voting; closing ceremony
SUN	Departure Day

Preparation for Model European Union Mainz 2016

Following the **ordinary legislative procedure**, the EP and Council at MEUM 2016 will be presented with a draft proposal for each debate topic as presented by the Commission. These texts are **actual proposals drafted by the European Commission** and introduced to the EP and the Council in the course of the ordinary procedure. The Commission proposal on macro-financial assistance has only been introduced into the legislative procedure quite recently. EP and Council voted on the proposal only a few months ago. The **Returns Directive** on the other hand has already been passed into law by European institutions a couple of years ago. In 2005, the European Commission put forward the proposal for a directive on common standards for returning illegally staying third-country nationals. Council and EP reached an agreement on this controversial piece of European legislation in 2008. Hence there is much information available on the progress of the debate between the EP and the Council and the negotiations of compromises between parties and the governments of different member states.

The following texts on the two Commission proposals are intended to introduce participants, including journalists, to the general topic areas and potential points for debate within the legislation. Furthermore, some pointers to country and party positions are included together with key stances by influential interest groups. It is imperative that both Members of the Council and MEPs **further investigate** both general attitudes to a given topic area for their assigned country and/or party and their actions during

any past negotiations. *Personal opinions and pre-conceptions should be cast aside as participants take on their assigned role at MEUM 2016!*

2 Proposal for Relocation

2.1 Background to the Proposal

On 27 May 2015, a proposal was adopted for the benefit of Italy and Greece establishing temporary measures concerning international protection. Furthermore the Council agreed on a general approach for an exceptional and short-term relocation mechanism.

Italy and Greece were the most affected countries by the influx of refugees during the summer of 2015. Since then the influx increased and shifted partly to the Eastern European countries. As a result the need for extending legislation in the Dublin area was accentuated and called for by all European Union institutions.

This extension is supposed to be achieved by the proposal at hand. The aim is a general relocation mechanism for countries facing a compelling immigration of asylum seekers. Furthermore the proposal shall be part of the systematic and comprehensive European Agenda on Migration. This decision was followed by an agreement between the Community and Ukraine in 2005 on a European Neighbourhood Policy Action Plan identifying medium-term priorities in EU-Ukraine relations. Bilateral political dialogue and economic cooperation have been further developed within the framework of the EU-Ukraine Association Agenda adopted on 23 November 2009.

2.2 The proposed Decision

What is a European decision?

The decision is a legal instrument available to the European institutions for the implementation of European policies. Decisions are binding acts which may have general application or may apply to a specific addressee. Furthermore they are legal acts which form part of the secondary law of the European Union (EU). They are therefore adopted by the European institutions on the basis of the founding Treaties. Depending on the case, the decision may apply to one or more addressees; equally, it may not specify to whom it is addressed.

A decision may be addressed to Member States or individuals. For example, the Commission uses decisions to take action against undertakings which have engaged in concerted practices or abused a dominant position.

To enter into force, the decision must be notified to the party concerned. In principle, this procedure consists of the sending of a registered letter with acknowledgement. The decision may also be published in the Official Journal, but this does not dispense with the need for notification, which is the only way to render the act enforceable against those to whom it is addressed.

Since the entry into force of the Treaty of Lisbon, the decision no longer necessarily specifies to whom it is addressed. The decision has therefore acquired a broader definition and, in particular, has become the basic instrument in the field of the Common Foreign and Security Policy. The Council and the European Council may therefore adopt decisions relating to the interests and strategic objectives of the Union; the action to be taken by the Union at international level; the positions to be adopted by the Union on international issues or the implementing procedures relating to actions and positions of the Union.

The legislative procedure for adoption of a decision varies depending on its subject matter. The ordinary legislative procedure (formerly known as the Codecision procedure) requires agreement of and allows amendments by both the European Parliament and the Council of the European Union. The Assent procedure requires agreement of both Parliament and Council, but the Parliament can only agree or disagree to the text as a whole - it cannot propose amendments. The Consultation procedure requires agreement of the Council alone, the Parliament merely being consulted on the text. In some areas, such as competition policy, the Commission may itself issue decisions.

Legal basis

This proposal amends Regulation (EU) No 604/2013, the Dublin Regulation, establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person. It should therefore be adopted on the same legal basis, namely Article 78, second paragraph, point (e) of the TFEU, in accordance with the ordinary legislative procedure.

The crisis relocation mechanism contained in this proposal entails permanent derogations, to be activated in specific situations of crisis to the benefit of specific Member States, notably from the principle laid down in Article 3(1) of Regulation (EU) No 604/2013 according to which an application for international protection shall be examined by the Member State which the criteria set out in Chapter III indicate as being responsible. In place of this principle, the proposal establishes, for well prescribed crisis circumstances, a mandatory distribution key for determining the responsibility for examining applications.

Purpose

The overall objective of this legislative proposal is to ensure that the Union has at its disposal a robust crisis relocation mechanism to structurally deal with situations of crisis in the asylum area in an effective manner. Such mechanism should be rapidly triggered in respect of any Member State that experiences crisis situations of such a magnitude as to put under significant strain even well prepared and functioning asylum systems, also taking into account the size of the Member State concerned.

The proposed relocation mechanism aims, on the one hand, to ensure, in situations of crisis, a fair sharing of responsibilities between Member States for large numbers of applicants in clear need of international protection, and, on the other hand, the proper application of the Dublin system including the full protection of the rights of applicants for international protection. Whereas the proposal aims to introduce in Regulation (EU) No 604/2013 a crisis relocation mechanism as a permanent framework for the implementation of relocation measures, these measures will be applied in respect of specific crisis situations in a given Member State and will, by definition, remain temporary.

2.3. Positions

European Commission

Jean-Claude Juncker (President of the European Commission):

"A true European refugee and asylum policy requires solidarity to be permanently anchored in our policy approach and our rules. This is why, today, the Commission is also

proposing a permanent relocation mechanism, which will allow us to deal with crisis situations more swiftly in the future.

A common refugee and asylum policy requires further approximation of asylum policies after refugee status is granted. Member States need to take a second look at their support, integration and inclusion policies. The Commission is ready to look into how EU Funds can support these efforts. [...] A united refugee and asylum policy also requires stronger joint efforts to secure our external borders. [...] We need to strengthen Frontex significantly and develop it into a fully operational European border and coast guard system. It is certainly feasible. But it will cost money. The Commission believes this is money well invested. [...] A truly united, European migration policy also means that we need to look into opening legal channels for migration. Let us be clear: this will not help in addressing the current refugee crisis. But if there are more, safe and controlled roads opened to Europe, we can manage migration better and make the illegal work of human traffickers less attractive. Let us not forget, we are an ageing continent in demographic decline. We will be needing talent. Over time, migration must change from a problem to be tackled to a well-managed resource. [...] A lasting solution will only come if we address the root causes, the reasons why we are currently facing this important refugee crisis. Our European foreign policy must be more assertive. We can no longer afford to be ignorant or disunited with regard to war or instability right in our neighbourhood." ¹

European Parliament

Martin Schulz (President of the European Parliament):

"Some claim that too many people are coming to Europe. That it is no longer manageable. However, Parliament is convinced that by sharing the task, it becomes manageable. Some communities and regions are indeed faced with an over-proportionate duty putting a strain on them. To distribute a few hundred thousand among 507 million in 28 countries should not pose a problem. This is neither a "German problem", nor a "Greek problem" nor a "Hungarian problem" - it is our common task. Until everyone around this table gains awareness of this reality, we will not reach satisfactory solutions.

Secondly, we have created a single area without internal borders, the Schengen area, but we left the management and the policing of the external borders in the hands of the individual Member States. This imbalance is now causing problems, problems which are putting one of our most striking achievements – freedom of movement - in danger.

Those who close borders permanently in a common market destroy that common market. Because the free movement of goods and services entail the free movement of persons. A Schengen Area where citizens are stopped at the borders while thousands of lorries carrying goods for the "just-in-time economy" pass without a check would not survive more than a day.

¹ http://europa.eu/rapid/press-release_SPEECH-15-5614_en.htm

Please allow me to be very open and clear on this issue: closing internal borders is permissible as a very short term measure in certain circumstances. But it does not solve anything. People running for their lives from the violence of Assad or the so-called Islamic State will not be deterred by fences or walls. It is not a crime to cross a border to seek asylum. This is why the refugee crisis needs to be properly managed." ²

ALDE

Cecilia Wikström (ALDE, SE): "My heart fills with pride when I see citizens all across Europe taking to the streets to welcome refugees into their communities. They have shown much more of a backbone and humanity during the last week than most of our politicians have done over the last decade. We must review the existing asylum legislation in Europe and adapt it to this century to provide for legal and safe routes to get here. We must agree to a system of binding quotas of refugees to be accepted by every member state and my group is, of course, all in favour of the proposals of the Commission. This is a defining moment for Europe. And our best days are yet to come." ³

ECR

Timothy Kirkhope (ECR, UK): "I am hoping that we can start to look at the wider picture of how we can really begin to take on the traffickers, speed up processing and returns of economic migrants, (ensure) safe reception conditions for genuine refugees, and resources to support the refugee camps in Lebanon, Turkey and Jordan. I am also hoping that we ask what part each country can play, rather than enforcing a plan upon them." ⁴

Timothy Kirkhope (ECR, UK): "EU resources, funding and action should be looking at how to assist frontline receiving Member States in the processing and returns of asylum seekers, and how to help integrate those granted asylum. The EU should also be looking at how to tackle criminal groups in third countries as well as making sure that FRONTEX has the resources it needs to save lives at sea. Most importantly the commission needs to address how to stop trafficked vessels from setting sail in the first place by helping to create stability and safety in these war-torn countries." ⁵

² http://www.europarl.europa.eu/the-president/en/press/press_release_speeches/speeches/speeches-2015/speeches-2015-september/html/speech-at-the-informal-meeting-of-heads-of-state-and-government?webaction=view.acceptCookies

³ <http://audiovisual.europarl.europa.eu/Assetdetail.aspx?ref=I108185>

⁴ <http://www.europarl.europa.eu/news/en/news-room/20150921STO94019/Migration-civil-liberties-committee-to-debate-permanent-relocation-scheme>

⁵ <http://ecrgroup.eu/news/kirkhope-commission-proposals-on-resettlement-will-not-fix-migrant-crisis/>

EFDD

Paul Nuttall (EFDD, UK): "What do you think will happen if you say that everyone can claim asylum? It is simple: more people will come. That means more people will risk their lives crossing the Mediterranean, crossing the Aegean Sea. That means more boats, more drownings and more deaths. Having said that, although I disagree with Europe's response to the migrant crisis, at least we are doing something. The real scandal here is the countries that are doing absolutely nothing, and by that I mean the oil-rich Gulf states [...]. The fact is, they are taking no refugees whatsoever, and they are pushing their co-religionists towards Europe. If we want to stop the deaths, as Tony Abbott, the Prime Minister of Australia, has said, you must stop the boats."⁶

Steven Woolfe (EFDD, UK): "[...] [I]f I was in danger, I would want to leave as well. These are very clear principles that we know. But the United Nations declarations understand this, and make sure that asylum is defined as based on a well-founded fear of persecution. The UN also makes a clear definition of those who are economic migrants, as well as those not fleeing from persecution. But the EU's proposals are trying to abandon these principles. They are trying to create international law. They are trying to abandon the Dublin Regulations. Middle-class and wealthy MEPs, who have enough cash to avoid the economic and social problems of mass migration, come up with schemes such as this to salve their consciences, but they ignore the poor, the voiceless, the immobile, who live throughout Europe and who will have to live on the edge and suffer the consequences of these schemes. One cannot think of one without considering the other."⁷

ENF

"ENF stands firm in defending the interests of the European peoples. Last Thursday the European Parliament already voted in favour of the relocation of 120,000 migrants. We are opposing the ongoing mass immigration to the EU and the free passages for terrorists who hide amongst the asylum seekers. Therefore, ENF will point out the failure of Schengen and urge to control our borders."⁸

EPP

Agustín Díaz de Mera García Consuegra (EPP, ES): "We support the Commission's proposal. this is a proposal based on solidarity, it's a very decided and urgent proposal,

⁶ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20150909+ITEM-006+DOC+XML+V0//EN&language=EN>

⁷ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20150909+ITEM-006+DOC+XML+V0//EN&language=EN>

⁸ <http://www.europarl.europa.eu/news/en/news-room/20150921STO94019/Migration-civil-liberties-committee-to-debate-permanent-relocation-scheme>

because it is an urgent phenomenon. And it's a phenomenon that is going to be lasting overtime." ⁹

Roberta Metsola (EPP, MT): "'Fortress Europe' is not an answer, but neither is abandoning our external border controls. Ministers meet again this week. They must have the political courage to act. Our Union depends on it." ¹⁰

Manfred Weber (EPP, DE): "In this migrant crisis, it is not Europe, it is national egotisms that have failed", said Manfred Weber MEP, Chairman of the EPP Group, during the State of the Union debate. He underlined the need for a European solution to a European problem. "Europe needs to fulfil its humanitarian duty, helping those fleeing for their lives, and as a Christian-Democrat, I want to reiterate that is not Christian rights, but human rights that Europe invented. But we also need to better secure our external borders and make sure that asylum rules are used properly and not abused", he said." ¹¹

GUE/NGL

Kostas Chrysogonos (GUE/NGL, GR): "What we need a permanent and binding relocation mechanism, we need to get rid of the criteria of country of first entry, it simply doesn't work. But most of all we need a peaceful solution in Syria and Iraq. That is the only response. Nothing will be solved without a peaceful solution to these wars." ¹²

Greens/EFA

Ska Keller (Greens/EFA, DE):

"It is important that we put the focus on what refugees themselves want - such as living where they already have family, settling in a country where they speak the language or developing skills - in order to create a win-win situation for refugees and the whole of society."

"I agree with most of Jean-Claude Juncker's proposals. I especially welcome that he was very clear about Europe's obligation to take on board refugees. There are other things I am not so happy about. For example creating a list of safe countries of origin, because I do think that this has severe implications on the right to ask for asylum, which he said

⁹ <http://audiovisual.europarl.europa.eu/Assetdetail.aspx?ref=1108185>

¹⁰ <http://www.europarl.europa.eu/news/en/news-room/20150921STO94019/Migration-civil-liberties-committee-to-debate-permanent-relocation-scheme>

¹¹ <http://www.eppgroup.eu/plenary-reports/Session-Report--7-9-September-2015>

¹² <http://www.guengl.eu/news/article/gue-n-gl-news/eu-needs-a-permanent-obligatory-and-fair-mechanism-to-distribute-asylum-see>

before is one of the most important fundamental rights. Overall I really have to say that it was a great speech and I do hope member states will follow soon." ¹³

S&D

Birgit Sippel (S&D, DE): "We welcome the bold plans presented by President Juncker yesterday on relocation and resettlement of refugees, particularly the increased numbers involved in the relocation scheme. It is now up to national governments to show that the EU has the ability to tackle the biggest challenges we face. We also welcome the proposal for a permanent crisis relocation mechanism which can be triggered in emergency situations such as the one the EU presently faces. This will ensure that in the future we will not repeat the shameful display of the last six months, with national governments bickering while people die in our seas and at our borders. We now have the broad outline of how to resolve the crisis - the replacement of the Dublin regulation, binding relocation numbers and increased funding to ensure refugees can integrate into their new societies." ¹⁴

¹³ <http://www.europarl.europa.eu/news/en/news-room/20150909STO92392/Ska-Keller-We-need-to-create-a-win-win-situation-for-refugees-and-society>

¹⁴ <http://www.socialistsanddemocrats.eu/newsroom/we-have-credible-plan-resolve-refugee-crisis-national-governments-must-now-endorse-it-say>

3 The PNR Directive

3.1 Background

In 1995 the Schengen Treaty entered into force and removed all borders between the European countries. Due to the free movement of travelers the joint prevention and prosecution of crime and terror became necessary.

To some extent this intelligence shall be achieved by the proposal at hand. The aim is to legalize the collection of passenger data to ensure protection of European citizens and internal security. This gathering of data shall only be performed by Passenger Information Units in each Member State and these information shall be exchanged securely between all Units and competent authorities.

3.2 The PNR Directive

Legal Basis

The legal basis of this directive is the Treaty on European Union, and in particular Article 29, Article 30(1)(b) and Article 34(2)(b). The principles encapsulated in this article give the Council the power to adopt decisions which shall define the approach of the Union to a particular matter of a geographical or thematic nature. Member States shall ensure that their national policies conform to the Union positions. Any Member State, the High Representative of the Union for Foreign Affairs and Security Policy, or the High Representative with the Commission's support, may refer any question relating to the common foreign and security policy to the Council and may submit to it, respectively, initiatives or proposals. Member States which are also members of the United Nations Security Council will concert and keep the other Member States and the High

Representative fully informed. Member States which are members of the Security Council will, in the execution of their functions, defend the positions and the interests of the Union, without prejudice to their responsibilities under the provisions of the United Nations Charter.

Purpose

The aim of this proposal is more systematic collection, use and retention of PNR data with respect to international flights, subject to strict data protection guarantees, that would strengthen the prevention, detection, investigation and prosecution of terrorist offences and serious crime and is, as further explained below, necessary to meet those threats to security and reduce the harm they cause.

The proposal aims to harmonise Member States' provisions on obligations for air carriers, operating flights between a third country and the territory of at least one Member State, to transmit PNR data to the competent authorities for the purpose of preventing, detecting, investigating and prosecuting terrorist offences and serious crime. It does not require air carriers to collect any additional information from passengers or to retain any data, nor does it require passengers to provide any data in addition to that already being provided to air carriers.

PNR data enable law enforcement authorities to identify persons who were previously "unknown", i.e. persons previously unsuspected of involvement in serious crime and terrorism, but whom an analysis of the data suggests may be involved in such crime and who should therefore be subject to further examination by the competent authorities. Identifying such persons helps law enforcement authorities prevent and detect serious crimes including acts of terrorism. To achieve this, law enforcement authorities need to use PNR data both in real-time to run PNR against predetermined assessment criteria which indicate which previously 'unknown' persons require further examination and pro-actively for analysis and creation of assessment criteria.

PNR data help law enforcement authorities prevent, detect, investigate and prosecute serious crimes, including acts of terrorism, after a crime has been committed. To achieve this, law enforcement authorities need to use PNR data in real-time to run the PNR data against various databases of 'known' persons and objects sought. They also need to use PNR data in a re-active manner to construct evidence and, where relevant, to find associates of criminals and unravel criminal networks.

Finally, the use of PNR data prior to arrival allows law enforcement authorities to conduct an assessment and perform a closer screening only of those persons who are most likely, based on objective assessment criteria and previous experience, to pose a threat to security.

Positions

EU Parliament:

The President of the European Parliament **Martin Schulz** on the votes on the Passenger name record (PNR) Directive and on the package on the protection of personal data:

"These votes are crucial steps for European citizens, their security and the protection of their privacy. The European Parliament has today united beyond its political differences to bring a very large majority behind these pieces of legislation.

The setting up of a European PNR, which will regulate the transfer of PNR data from the airlines to national authorities as well as their processing of this data, is an important tool in the fight against terrorism and serious crime. During the negotiations the European Parliament obtained important improvements to the text which make it both proportionate but also effective. We now call on the Member States to fulfill their responsibility by implementing this legislation and ensuring that the sharing of data will be carried out as systematically as possible between the various national and European authorities.

The security of European citizens should never be ensured at the expense of their rights and freedoms. The European Parliament fought hard to defend compromises which best reflected this principle. The Directive on the protection of personal data will therefore frame the processing of data during police or judicial investigations. The directive will protect citizens and facilitate cooperation between national authorities.

The Regulation on the protection of personal data is fundamental for European citizens and the protection of their fundamental rights in an age of ever-growing digitalisation of our society. The right to be forgotten, the need for clear and affirmative consent, and instruments to protect the youngest in our society are enshrined for all citizens (...)"¹⁵

Commission:

First Vice-President **Frans Timmermans** and Commissioner for Migration, Home Affairs and Citizenship, **Dimitris Avramopoulos** on the European Parliament's vote on the EU PNR Directive:

"The Commission warmly welcomes today's positive vote of the European Parliament on the EU PNR Directive. This is a strong expression of Europe's commitment to fight terrorism and organised crime together through enhanced cooperation and effective intelligence sharing. The atrocious terrorist attacks in Paris on 13 November last year and Brussels on 22 March showed once more that Europe needs to scale up its common

¹⁵ http://www.europarl.europa.eu/the-president/en/press/press_release_speeches/press_release/press_release-2016/press_release-2016-april/html/martin-schulz-welcomes-the-results-of-the-votes-on-pnr-and-protection-of-personal-data

response to terrorism and take concrete actions to fight it. The EU PNR Directive will be an important contribution to our common response.

The EU PNR Directive will improve the safety and security of our citizens, while also including robust privacy and data protection safeguards ensuring full compliance with the right to data protection.

The processing of PNR data is an effective and much needed tool for Europe to prevent and fight terrorist activity and serious crime. The use of PNR data can sometimes be the only means for law enforcement authorities to identify previously unknown individuals who might be involved in criminal activity and pose a threat to our public safety, and to identify and trace criminal networks and travel patterns. PNR data can be used for prevention as well as investigation and prosecution of terrorist offences.

The creation of a system for the collection and processing of PNR data received from air carriers by each Member State and the exchange of information among Member States will ensure a better cooperation between national authorities, and reduce security gaps. The Directive effectively regulates the transmission of PNR data by air carriers to Member States including on intra-EU flights, and contains robust safeguards in terms of privacy, data protection and the respect of fundamental rights. PNR data may only be processed for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (...)"¹⁶

Greens/EFA:

Green MEP and home affairs spokesperson **Jan Philipp Albrecht:**

"This EU PNR system is a false solution, based on the flawed political obsession with mass surveillance. PNR is a placebo at best, which will not only undermine the fundamental rights of EU citizens but also undermine the security of our societies by diverting badly-needed resources from security and intelligence tools that could actually be useful for combating terrorism, like targeted surveillance.

The tragic attacks on Brussels and Paris underlined that the problem is not the lack of information on terrorist suspects, as all suspects were already known to the authorities. Instead, it was the failure to properly share this information and act to ensure comprehensive surveillance of these individuals. Authorities can already access flight records today, so are aware of who takes what flights. Instead of mass data collection, there should be targeted surveillance of suspects and risk flights to a defined list of risk destinations.

There is no proof that the mass collection and storage of air passenger data helps in combating terrorism. It takes enormous resources to sift through the haystack of data for a needle that may not exist. According to estimates by the Commission, this PNR system will cost €500 million. These funds could be much better used by police and security services to address the existing gaps and shortages they face to properly survey and monitor suspects.

¹⁶ http://europa.eu/rapid/press-release_STATEMENT-16-1404_de.htm

Beyond this, there are major fundamental rights concerns with the unrestricted retention of air passengers' data without suspicion. The landmark ruling of the European Court of Justice in 2014 made clear that the general retention of data without grounds is not compatible with EU law. This has clear implications for passenger data exchange and retention systems. The European Court of Human Rights has raised similar concerns."¹⁷

GUE/NGL:

GUE/NGL Coordinator on the Civil Liberties, Justice and Home Affairs Committee, **Cornelia Ernst:**

"It is delusional to think that collecting more data on ordinary citizens will make Europe a safer place. (...) we don't need more large volumes of data, we need better use of existing data. (...) Following the recent terrorist attacks in Paris and Brussels, we have learned that better cooperation between police and public prosecutors in the member states is needed. It would be much more effective to invest in this rather than spending billions of euros on Passenger Name Records (...) ordinary people will unnecessarily become suspects and this undermines the principle of the rule of law."¹⁸

French GUE/NGL MEP, **Marie-Christine Vergiat:**

"Everyone wants European citizens to be safe, but the PNR directive won't work because the collection of data is not targeted. It is just a sort of harmonisation that does not require member states to exchange data. It would not have prevented the attacks in Paris or Brussels. These terrorists travelled by car and train, and intelligence services already knew about them. (...) We don't need technology that will help big business make profits. Instead, we must do what is necessary to allow police and law enforcement authorities to do their work."¹⁹

Irish GUE/NGL MEP, **Martina Anderson:**

"The right to protection of personal data is enshrined in the European Convention on Human Rights and the European Charter of Fundamental Rights. (...) The PNR proposal is invasive and unnecessary. The European institutions should concern themselves more with the protection of citizens' civil liberties rather than which meals they order on a flight (...) "²⁰

ECR:

British ECR MEP **Timothy Kirkhop:**

¹⁷ <http://www.greens-efa.eu/>

¹⁸ <http://www.guengl.eu/news/article/gue-n-gl-news/better-information-sharing-between-national-authorities-not-pnr-will-help-t>

¹⁹ <http://www.guengl.eu/news/article/gue-n-gl-news/better-information-sharing-between-national-authorities-not-pnr-will-help-t>

²⁰ <http://www.guengl.eu/news/article/gue-n-gl-news/better-information-sharing-between-national-authorities-not-pnr-will-help-t>

"We have adopted an important new tool for fighting terrorists and traffickers. (...) By collecting, sharing and analysing PNR information our intelligence agencies can detect patterns of suspicious behaviour to be followed up. PNR is not a silver bullet, but countries that have national PNR systems have shown time and again that it is highly effective. (...) It has taken a number of years and hundreds of hours of negotiation, but finally we have an agreement. There were understandable concerns about the collection and storage of people's data, but I believe that the directive that we have adopted puts in place data safeguards, as well as proving that the law is proportionate to the risks we face. (...) EU governments must now get on with implementing this agreement. We cannot afford to waste any more time in developing a robust response to the terrorist threat."²¹

EPP:

EPP Group Chairman **Manfred Weber**, following the vote on the airline passenger name records (PNR) system:

"With today's adoption of the Passenger Name Record (PNR) Directive, we strengthen security for Europeans. (...) The new legislation is not a panacea but it is a very important tool in fighting terrorism and organised crime (...) In this context we have to strengthen law enforcement authorities too. We have to use all instruments available to protect citizens' lives and enhance security in our cities. The new data protection standards are very high. It is not a mass collection of data but targeted access to data. The collected data are used only in cases of serious crimes, in a restricted manner. With this positive vote today we, European politicians, showed our commitment to the safety and protection of citizens."²²

EPP Group Shadow Rapporteur **Axel Voss**:

"Today's vote was the final leg of a long journey in which common sense finally prevailed. The EU PNR Directive is a strong solution to fighting terrorism! (...) We need this instrument in order to distinguish the bad from the good and to make our world a safer place. PNR adds true value to other EU tools. It provides data that cannot be provided by other tools. ISIS and other terrorist groups are not far away. They arrived in the heart of Europe and it is our duty to better protect our EU citizens, everything else would be political irresponsibility."²³

S&D:

Claude Moraes, S&D MEP and chair of the civil liberties, justice and home affairs committee:

²¹ <http://ecrgroup.eu/news/eu-passenger-name-records-directive-finally-takes-off/>

²² <http://www.eppgroup.eu/press-release/EU-PNR%3A-victory-for-the-security-of-EU-citizens>

²³ <http://www.eppgroup.eu/press-release/EU-PNR%3A-victory-for-the-security-of-EU-citizens>

"(...) These measures have an important role to play in combatting terrorism. The PNR directive can be a useful tool in the fight against terror if the data collected is used and shared effectively by law enforcement agencies. However it is not and should not be presented as a silver bullet. (...) The most important lesson that has come out of the tragic events in Paris and Brussels is not that we do not have enough information on terror suspects but that this information is not being used or shared effectively by national law enforcement agencies. That is why we pushed so hard for the Data Protection Package to be voted alongside PNR because we need to have a clear legal framework of how personal data can be used and shared. Having this framework will make it significantly easier for national law enforcement agencies to share information quickly and effectively. (...) What we have learnt in the last few years is that adopting measures at an EU level is only half of the battle. Getting national governments to actually implement these and use instruments to their full extent is essential if we want to combat terrorism and keep citizens safe. They must get serious about funding Europe-wide anti-terrorism bodies, make better use of European instruments for sharing vehicle registration details, finger printing and DNA-data and finally strengthen Europol. Only then will we be able to get to grips with the scale of the threat that we face."²⁴

S&D Group president, **Gianni Pittella**:

"We have argued for a long time that it is essential to pass both of these important measures at the same time. The PNR directive can be a useful tool in the fight against terror. However, despite the constant portrayal from EPP and other equally demagogic right wing political groups, it is not a silver bullet. We won't defeat terrorism with a sort of water-gun. First and foremost it lacks an automatic and mandatory exchange of PNR data. Secondly, because it will only be useful under the condition that the member states realize that there is no other way out than working together to fight back against terrorist threats. (...) The tragic events in Paris and Brussels have highlighted yet again that information is simply not shared or used appropriately by member states. We urgently need to improve the sharing of information between law enforcement agencies. That is why we pushed so hard for the Data Protection Package to be voted alongside PNR. Thanks to the approval of the Data Protection Package we now have a harmonized European system that will allow national agencies to process and protect all data much more easily. (...) We now urge member states to adopt these measures into national law as quickly as possible. They must also better use the existing tools available in the EU - covering vehicle registration, finger printing and DNA data - which are not being used to their full capacity. Governments must now fight terrorists together. (...)"²⁵

ALDE:

²⁴ <http://www.socialistsanddemocrats.eu/newsroom/sd-group-pnr-and-data-protection-package-will-be-voted-next-week-now-national-governments>

²⁵ <http://www.socialistsanddemocrats.eu/newsroom/gianni-pittella-combined-pnr-and-data-protection-package-can-be-useful-tool-only-if>

ALDE group president **Guy Verhofstadt**:

"(...) whereas more and more information is collected on citizens, sharing of information has been lagging behind (...) instead of the Pavlov reflex of calling for more data collection, we should focus on better information exchange and better cooperation".²⁶

"We need a data protection directive before we approve the PNR."²⁷

Shadow rapporteur **Sophie in 't Veld**, ALDE:

"(...) no new powers without new safeguards", and requested the council adopt the directive on data protection at the same time as a directive on PNR.²⁸

"The data retention ruling says the indiscriminate collection of data of persons without any suspicion is not allowed (...)"²⁹

4 Further Reading

4.1 Relocation Proposal

European Union Documents

Proposal: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/proposal_for_regulation_of_ep_and_council_establishing_a_crisis_relocation_mechanism_en.pdf

A refugee relocation system:

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_eu_solidarity_a_refugee_relocation_system_en.pdf

Press release:

http://europa.eu/rapid/press-release_IP-16-829_en.htm

Videos :

<http://www.euronews.com/2015/09/22/eu-ministers-approve-migrant-relocation-plan-in-face-of-eastern-opposition/>

²⁶ <https://www.theparliamentmagazine.eu/articles/special-report/meps-odds-eu-wide-pnr>

²⁷ <http://m.europarl.europa.eu/EPMobile/en/news/product.htm?reference=20150109IPR06307&l=en>

²⁸ <https://www.theparliamentmagazine.eu/articles/special-report/meps-odds-eu-wide-pnr>

²⁹ <http://www.politico.eu/article/deal-close-on-eu-passenger-name-records/>

4. 2 PNR Directive

European Union Documents:

Briefing: <http://www.europarl.europa.eu/EPRS/EPRS-Briefing-554215-The-EU-PNR-Proposal-FINAL.pdf>

Proposal Overview: <http://www.europarl.europa.eu/news/de/news-room/20150123BKG12902/EU-Passenger-Name-Record-%28PNR%29-proposal-an-overview>

Proposal:

<http://statewatch.org/news/2015/dec/eu-council-eu-pnr-final-compromise-14670-15.pdf>

Videos:

Europarltv (Debate): <http://www.europarltv.europa.eu/en/player.aspx?pid=9eb9610a-e6eb-4f04-8708-a445009cd502>

Europarltv (Striking the balance in security and data privacy):

<http://www.europarltv.europa.eu/en/player.aspx?pid=7e12ec5f-6f9b-48f9-9e84-a56b00dc9447>

Euronews:

<http://www.euronews.com/2015/02/06/how-the-eus-passenger-names-record-system-might-affect-you/>

5 Role Descriptions

Ministers of the Council

In the Council of Ministers representatives of the 28 national governments regularly meet to discuss and decide upon policy and legislative issues. Depending on the topic at hand, national ministers from specific departments come together in different formations, such as for General Affairs and External Relations or Economic and Financial Affairs. In the ordinary legislative procedure as simulated at MEU, the Council discusses, amends and votes on legislative proposals introduced by the Commission with the EP being a coequal legislator.

When discussing a legislative proposal, the Council as a whole therefore has to take into consideration the position of the EP. Ministers should stay in contact with MEPs in order

to find a compromise on legislation. This is especially important at MEU as the simulation does not provide for a Reconciliation Committee. Elected Council Rapporteurs will organise the communication and co-operation with the political groups in the EP.

In general, the task of Ministers in the simulation is to represent their national interest. To organise a qualified majority for their positions, Ministers have to form alliances with other member states. This can best be achieved by convincingly arguing in formal and private discussions with other ministers, through clever negotiating tactics and cooperation with lobby groups.

Members of the European Parliament

Members of the European Parliament are directly elected to represent European citizens in the work of the various EU institutions and structures. As in the national parliaments, these representatives work together in Parliamentary Groups. With support from their faction, MEPs debate and discuss proposals from the Commission, statements of the Council, newly released reports and general developments in European life.

However, the Parliamentary Groups in the European Parliament are not as homogenous as the political parties of the national parliaments. Rather, the factions of the European Parliament are composed of numerous political parties from individual Member States, making it sometimes challenging to form common positions. During debate, MEPs are often expected to conform to the common position of their faction, but this is not mandatory.

At MEUM 2016, participants in the role of MEP will work with their colleagues to first form a consensus within their Parliamentary Group on two Commission proposals and will then seek to reach a compromise in the Parliament and with the Council.

Faction Leaders

Faction leaders will be elected by the members of their respective political groups on the first day of the simulation at MEUM. Every MEP may stand at these elections in their respective parliamentary group. Together with EP rapporteurs, faction leaders have the task of organising and coordinating the work of their faction. They chair the meetings of their political groups and organise the drafting of amendments to the legislative proposals. At the beginning of the debate on each proposal in the EP, they hold introductory statements outlining the general position of their faction to the house.

Rapporteurs

The role of 'Rapporteurs' has the purpose to reinforce and facilitate communication between the European Parliament and the Council of Ministers, by rendering it official. The role of Rapporteurs at MEU is somewhat different from that of rapporteurs in the real European Parliament.

Both the European Parliament and the Council shall elect their Rapporteurs ('EP Rapporteurs' and 'Council Rapporteurs' respectively) during the conference and not beforehand, namely on the first day of the simulation. The Council shall elect two Rapporteurs for each legislative proposal, while each Faction of the European Parliament shall elect one Rapporteur per proposal.

The Rapporteurs' duties shall include representation of the Council or of the Factions in negotiations under the co-decision procedure (after Lisbon now referred to as the "ordinary procedure") and, most importantly, communication with the co-legislator (Parliament or Council). They shall also ensure cooperation between the two legislative bodies in preparing amendments to the proposals. EP Rapporteurs shall, moreover, work closely with their Faction Leaders and assist the Parliament in forming a position on a legislative proposal by promoting open communication and collaboration among Factions.

Journalists

Journalists have one of the most exciting tasks at MEUM 2016! They have the capacity to form the public opinion and profoundly influence important political decisions. Journalists scrutinise actions, motives and results of both legislative bodies; selecting and filtering facts and news relevant to the participants and the interested public. Producing a daily newspaper, the journalists keep all the participants updated on the progress of discussions and further events during the conference.

Being a journalist at MEUM 2016 is a “never-ending” task: From trying to gather as much information as possible during debates and coffee breaks to keeping one’s eyes wide open during the social programme, everything is important.

MEU Mainz provides the perfect setting for journalists to get to know all facets of newspaper journalism in progress. They will have the opportunity to learn all about the process of editing a broadsheet – from the daily editorial conference to the final newspaper copy. Besides writing articles their daily work comprises not only looking out for headlines by following debates, conducting interviews and taking pictures but also acting as agenda-setters by selecting relevant from less relevant news and structuring the content of the newspaper. In total, they will produce and distribute three newspapers during the conference – one issue per day. Their work is going to start already before the conference – doing research on the Commission’s proposals and the participant’s positions and preparing the first broadsheet.

6 Rules of Procedure for the Council and the Parliament

Rule 1

The President

1.1. The Council or Parliament shall be chaired jointly by a President and Vice-President(s) assisted by a Secretary. The term 'President' in these rules of procedure refers to both President and Vice-President.

1.2. The President shall open, suspend and close sittings, temporarily adjourn meetings, direct the debates of the Council or Parliament, rule on the admissibility of procedural points, motions and amendments, ensure observance of the rules, maintain order, call on speakers, close debates, limit the number of speakers permitted within a certain debate, close the list of speakers, ascertain whether a quorum exists, put questions to the vote and announce the result of any vote.

1.3. The President must ensure that all Members yield to the rules of procedure at all times. Every Member should respect the decisions of the President.

1.4. If questions arise over the interpretation of these rules of procedure, the President shall decide on the correct interpretation.

1.5. No Member may speak in the plenary unless called upon to do so by the President. If a speaker departs from the subject, the President shall call him or her to order. If a speaker is called to order twice on the same item of business, the President may, on the third occasion, forbid him or her to speak again on that item.

1.6. A speaker may not be interrupted except by the President.

1.7. The President may take immediate measures against Members who disrupts the conduct of a session (see Rule 2).

1.8. The President shall not vote on any matter on the agenda. When in the Chair, the President shall not speak in debate. If the President wishes to speak on an item on the agenda, he or she shall not occupy the Chair for any part of that item.

Rule 2

Maintenance of order

2.1. Words or expressions which affront human dignity or which may prejudice orderly debate may not be used.

2.2. The President shall call to order any Member of the Council or Parliament who causes a disturbance during proceedings.

2.3. If the offence is repeated, the President shall again call the Member to order, and this shall be recorded in the report of debate. Should the disturbance continue, or if a further offence is committed, the President may deny the offender the right to speak and/or exclude him/her from the Chamber or Parliament for the remainder of the sitting. The President may also resort to the latter measure immediately in cases of exceptional gravity.

2.4. Should disturbances threaten to obstruct the business of the House, the President shall close or suspend the sitting for a specific period of time to restore order. If he/she cannot make himself heard, he/she shall leave the Chair; this shall have the effect of suspending the sitting. The President shall reconvene the sitting.

2.5. Mobile phones should be turned off during sessions.

Rule 3

Official Language

English is both working and official language for all organs of MEU.

Rule 4

Co-decision procedure for the Council and Parliament

4.1. The Commission proposals at MEU shall be treated under a modified co-decision procedure described hereafter.

4.2. The first Commission proposal will be submitted to the Council and a second proposal to the Parliament. At this point a representative of the Commission shall outline each proposal to the respective bodies, illuminating both the key articles of the proposals and any matters that the Commission deems it important to emphasize which may be of importance to debate. Furthermore, the Commission may be summoned for clarification during debate subject to an absolute majority vote.

4.3. After the proposals have been submitted, both the Parliament and the Council will start the *first Reading* of the respective proposals. During this reading, the Council or Parliament can adopt amendments with a qualified majority [Council] or an absolute majority [Parliament].

4.4. When the Council and the Parliament have concluded their readings, they exchange the proposals including any amendments passed.

4.5. Parliament and Council will elect one or two representative(s) to present the amendments to the other body and to answer questions from the respective bodies' Members. Members who want to put themselves forward as a candidate shall raise their placards when requested to do so by the President and will be put down on a list. After that, the President can give them the opportunity to present themselves in a short speech if he/she deems it necessary. Otherwise, the Parliament/Council will vote immediately. The candidate(s) who get the most votes will be elected.

4.6. *Second Reading*: In the reading of the proposal that has already been amended by the other body, the Council or Parliament can:

- a. Approve the proposal as amended by the other body. A qualified majority [Council] or an absolute majority [Parliament] is needed. The proposed act is then deemed to be adopted.
- b. Propose amendments. For each amendment, a qualified majority [Council] or an absolute majority [Parliament] is needed.

4.7. When the Parliament and the Council have concluded their readings of this proposal they will exchange the proposals as (potentially) amended a second time.

4.8. In the *final (third) reading*, the Council or Parliament can:

- a. Approve the act with qualified majority [Council] or an absolute majority [Parliament]. It is then deemed to be adopted; or
- b. Reject the act with qualified majority [Council] or an absolute majority [Parliament]. It is not adopted.

Rule 5

General Course of a reading in the Council or Parliament

5.1. A reading consists of introductory statements, general debate on the topic, debate on specific amendments and voting on amendments (first/second reading only).

5.2. At the beginning of a reading, there will be time for introductory statements by Council Members or a representative from each group in the Parliament as selected during group meetings. Each introductory statement should not exceed 3 minutes.

5.3. After the introductory statements, there will be a general debate on the topic. Every Member who wishes to speak may do so.

5.4. The general debate ends when there are no more speakers on the *list of speakers* for the general debate or when a motion for a closure of general debate (see Rule 7.4) has been granted.

5.5. The President can limit the number of speakers permitted during a debate beforehand; he or she can also close the list of speakers during the debate.

5.6. When the general debate on a topic has been closed, the President will announce debate on proposed amendments.

5.7. The debate on a specific amendment ends when there are no more speakers on the list of speakers for the debate on this amendment or when a motion for closure of debate has been granted. The House moves to voting procedures on the amendments (see Rule 11).

5.8. Only amendments that have been debated can be voted on during an amendment voting session.

5.9. When voting procedures on the amendments finish, the House moves to a general debate or to voting procedures on the draft proposal in question (third reading only).

Rule 6

Types of Debate and Right to Speak

6.1. There are 2 types of debate: the Speakers' List and Informal Discussion.

6.2. Speakers' List:

- a. Each Member who wishes to speak during a debate within a Speakers' List must ask to be put on the list by raising their placard when they are asked by the President, by making a 'Motion to be put in the Speakers' List' or by passing a note to the President.
- b. The President can limit the number of speakers permitted during a certain debate before it begins. He/she may also close the list of speakers at any time.
- c. The President will call upon the Members on the Speakers' List when their turn comes. The Members will approach the microphone and hold their speech from their seat.
- d. The speaking time is usually one minute. The chair can announce a change of the time limit for a set of speakers or for individual speakers at his discretion. Motions to extend or limit the speaking time are in order.
- e. When a speaker has finished his speech, he or she will be asked by the President whether he or she is open to questions (a.k.a. points of information) or short remarks of other Members. The speaker has the right not to answer any question. Both the President and the speaker can limit the number of questions/short remarks they want to permit. The time limit for a question/short remark is thirty seconds.
- f. Members who wish to pose a question or make a short remark to a speaker on the rostrum should raise their placards when they are asked to. They will be put on the *list of questions / short remarks* and called upon to stand up and speak.
- g. When the Member has finished his question/short remark, the President will ask the speaker to answer the question or will give him/her the opportunity to

comment on the short remark. The President can also decide not to give the speaker the opportunity to answer.

- h. In exceptional cases, the President can allow that Member who asked the question to comment on the answer of the speaker.
- i. If speakers whose names have been duly entered on the list and who are actually present, are not able to speak due to lack of time, they have the right to hand in the text of their speech to the President in writing, in a final and legible form, provided that it does not exceed the speaking time they would have been allowed. A 1-minute speech is normally equal to 1/2 page. The President may make a summary of the speeches of those speakers in the end of debate.

6.3. Informal Discussion:

- a. An Informal Discussion can be proposed by the President or the Members of the House at any time via a “Motion to move to an Informal Discussion”, specifying the time limit of the Informal Discussion. This time limit may not exceed 20 minutes.
- b. During an Informal Discussion, Members shall stay in the room.
- c. The President does not moderate and the discussion is unofficial.
- d. The Secretary shall project a countdown on the board.

Rule 7 [Council]

Procedural Motions

7.1. A Member shall have a prior right to speak if he or she asks a procedural motion. Members can raise procedural motions at all times, except for during Informal Discussion and voting procedures.

7.2. To raise a procedural motion, a Member shall raise their placard and state the type of the motion.

7.3. No motion may interrupt a speaker.

7.4. There are the following procedural motions:

- a. “Motion to move to Informal Discussions”

A Member may make a motion to move to Informal Discussions so that disputed points can be clarified in an informal setting. The President can either approve the motion or put it to vote immediately. An absolute majority is required. The President also has the possibility to declare a temporary adjournment of the session without a motion from a Member.

b. 'Motion for closure of debate'

A Member may make a motion for closure of the general debate, the debate on the amendments or the debate on a specific amendment. In case there are objections to this motion, it should be put into vote. One Member may speak in favour and one Member may speak against the motion. A two-thirds majority is required. Once a motion for closure of debate has passed, the debate will be closed immediately and none of the speakers still on the list of speakers will have the possibility to hold their speech.

c. "Motion to extend/limit speaking time"

A Member may propose to change the amount of time each speaker may speak. This motion can be raised only when the President asks for points and motions. The President may put this motion into vote. An absolute majority is required.

7.5. There are no abstentions during votes on procedural motions.

7.6. The President is allowed to dismiss dilatory procedural motions.

Rule 7 [Parliament]

Procedural Motions

7.1. A Member shall have a prior right to speak if he or she asks a procedural motion. Members can raise procedural motions at all times, except for during Informal Discussion and voting procedures.

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7.4. There are the following procedural motions:

a. "Motion to move to Informal Discussions"

A Member may make a motion to move to Informal Discussions so that disputed points can be clarified in an informal setting. The President can either approve the motion or put it to vote immediately. An absolute majority is required. The President also has the possibility to declare a temporary adjournment of the session without a motion from a Member.

b. "Motion for closure of debate"

A Member may make a motion for closure of the general debate, the debate on the amendments or the debate on a specific amendment. In case there are objections to this motion, it should be put into vote. One Member may speak in favour and one Member may speak against the motion. Again an absolute majority is required. Once a motion for closure of debate has passed, the debate will be closed immediately and none of the speakers still on the list of speakers will have the possibility to hold their speech.

c. "Motion to extend/limit speaking time"

A Member may propose to change the amount of time each speaker may speak. This motion can be raised only when the President asks for points and motions. The President may put this motion into vote. Again an absolute majority is required.

7.5. There are no abstentions during votes on procedural motions.

7.6. The President is allowed to dismiss dilatory procedural motions.

Rule 8

Procedural Points

8.1. Point of information to the Speaker: After each speech in a Speakers' List, the Members can ask questions to the previous speaker. The question should refer to the last speech heard only. The President shall ensure that the questions fall within the competence and sphere of responsibility of the House and are interrogatory in form.

8.2. Point of order to the Chair: This must be confined to raising questions of procedure for a ruling from the Chair. If the right to raise points of order is misused, the President may forbid the offending Member to speak for the remainder of the item of business.

8.3. Point of personal privilege: A Member may raise a **point of personal privilege** when experiencing discomfort, such as not being able to *hear* another Member's speech. This point can be raised without the President asking for points and motions. This is the only point that may interrupt a speaker.

Rule 9

Order of Precedence of Points and Motions

In case of more than one procedural point or motion at the same time, the order of precedence shall be as follows:

1. Point of Personal Privilege.
2. Point of Order.
3. Point of Information.
4. Motion to Limit/Extend Speaking Time.
5. Motion for Informal Discussions.
6. Motion for Closure of Debate.

Rule 10

Amendments to a Proposal

10.1. Any amendments will be debated during the amendments' debate and after the general debate. They will normally be debated in the chronological order they have been delivered to the President. If two or more contradictory amendments relate to the same paragraph, the amendment that differs most from the text shall have priority over the others and shall be taken first. If it passes, the other amendments thereby fail; if it is rejected, the amendment which is next in priority shall be considered, and similarly for each of the remaining amendments. In case of doubt as to the order, the President shall give a ruling.

10.2. Any Member or group can propose amendments to a proposal. Amendments should be submitted on paper to the President and may only be debated once displayed to the House.

10.3. An amendment which would tend to delete, replace or render inoperative the whole of a draft text is not in order. The President can dismiss dilatory amendments.

10.4. Amendments may be handed in at all times during a reading.

10.5. When a proposed amendment is to be debated, the President calls upon the Member who submitted it to present it. Apart from reading out the text of the proposed amendment, the Member should explain it in a few sentences. After that the President shall open a speakers list for and a speakers list against the amendment. No speech on amendments may last for more than thirty seconds and no representative may speak more than once on a particular amendment.

10.6. An amendment can make changes to several paragraphs in the text if these changes are linked with each other and if it would make no sense to split the amendment up into several amendments. The President can dismiss an amendment on the grounds that it changes several paragraphs at a time but could be split up into several amendments.

10.7. The Member who proposed an amendment may withdraw the amendment at any time. If he/she does so, the President will ask whether another Member is willing to propose the amendment. If no other Member immediately announces a wish to propose the amendment, it is deemed void.

10.8. Sub-amendments (a.k.a. Amendments to the Amendments) shall relate to an amendment previously discussed and may not contradict the sense of the amendment. A sub-amendment may not be further amended.

10.9. Friendly amendment: A Member who discovers a spelling, grammatical or stylistic mistake in the proposal or in an amendment being debated may propose a friendly amendment. The friendly amendment should be in a written form and may be delivered to the President at any time. The integration of a friendly amendment into the text of a draft proposal is at the discretion of the President. The President may also propose a friendly amendment.

Rule 11 [Council]

Council: Voting on Amendments

11.1. Upon closure of debate on amendments, the President will announce the beginning of the amendment voting procedure. No amendments may be submitted during the voting procedure and no Member is allowed to enter or leave the House. Guests may be asked to leave the room.

11.2. Amendments that have been debated will be voted following their order of appearance in the text. The President will read out the text of the amendment to be voted. After that, Members will vote directly, without debate. A qualified majority is needed for the amendment to be accepted. Abstentions are permissible in the Council.

11.3. All passed amendments will then be integrated into the text to become such that it becomes an amended proposal.

Rule 11 [Parliament]

Voting on Amendments

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11.2. Amendments that have been debated will be voted following their order of appearance in the text. The President will read out the text of the amendment to be voted. After that, Members will vote directly, without debate. A vote in favour by an absolute majority of Members present is needed for an amendment to be accepted. Abstentions are not permissible in the Parliament.

11.3. All passed amendments will then be integrated into the text to become such that it becomes an amended proposal.

Rule 12 [Council]

Quorum

12.1. Quorum is the number of countries necessary to be present in order for the House to enter the voting procedures. The presence of a majority of the countries, represented by at least one Member, is required for a quorum. Prior to any substantive vote, the President shall check that there is a quorum.

12.2. If there is no quorum, any vote is void unless it is a vote on a procedural motion.

Rule 12 [Parliament]

Quorum

12.1. Quorum is the number of Members necessary to be present in order for the Parliament to enter voting procedure on an amendment or draft proposal. The presence of one third of Members is required for a quorum. Prior to any substantive vote, the President shall check that there is a quorum.

12.2. If there is no quorum, any vote is void unless it is a vote on a procedural motion.

Rule 13 [Council]

Voting procedures

13.1. No Member shall enter or leave the room during voting procedure, nor speak or raise a motion except for points of information concerning the voting procedure. Guests may be asked to leave the room.

13.2. Nobody may be called to speak during a vote.

13.3. There are two different voting systems:

- a. Voting without qualified majority

Every country has one vote. This voting system is applied for all procedural motions.

- b. Voting with qualified majority

For all other votes, a qualified majority is needed. Member States have the following numbers of votes:

- Germany, France, Italy, United Kingdom: 29 votes
- Poland, Spain: 27 votes
- Romania: 14 votes
- Netherlands: 13 votes
- Portugal, Hungary, Belgium, Czech Republic, Greece: 12 votes
- Austria, Sweden, Bulgaria: 10 votes
- Lithuania, Ireland, Denmark, Finland, Slovakia, Croatia: 7 votes
- Luxemburg, Cyprus, Estonia, Slovenia, Latvia: 4 votes
- Malta: 3 votes

For a qualified majority, 260 out of these 345 votes are needed. Furthermore, these votes must be cast by a majority of Member States. Before a directive is deemed to be adopted, a Member of the Council may request, via a procedural motion, that the President check whether the countries that voted in favour of a given directive comprise 62% of the European population. If this is not the case, the directive may not be adopted.

13.4. Members may vote in favour, against or abstain. When voting on procedural motions, however, it is not possible to abstain.

13.5. The Parliament shall vote by either a show of hands or the raising of placards. If the President decides that the result is doubtful, a fresh vote shall be taken via a roll-call vote. During the roll-call, the President will call upon MEPs present. Voting shall be by word of mouth with Members declaring "Yes", "No", or "I abstain". After a voting via a roll-call, no fresh vote can be taken.

13.6. The President shall declare the voting closed and announce the result, which may not subsequently be modified. The numerical result of a vote on a piece of legislation shall be displayed publicly in the Chamber.

Rule 13 [Parliament]

Voting procedures

13.1. No Member shall enter or leave the room during voting procedure, nor speak or raise a motion except for points of information concerning the voting procedure. Guests may be asked to leave the room.

13.2. No Member may be called to speak during a vote.

13.4. Members may vote in favour, against or abstain. When voting on procedural motions, however, it is not possible to abstain.

13.5. The Parliament shall vote by either a show of hands or the raising of placards. If the President decides that the result is doubtful, a fresh vote shall be taken via a roll-call vote. During the roll-call, the President will call upon MEPs present. Voting shall be by word of mouth with Members declaring "Yes", "No", or "I abstain". After a voting via a roll-call, no fresh vote can be taken.

13.6. Every Member has one vote. An absolute majority of votes of all Members present is needed, if no other provisions are made.

13.6. The President shall declare the voting closed and announce the result, which may not subsequently be modified. The numerical result of a vote on a piece of legislation shall be displayed publicly in the Parliament.

Rule 14

Majorities

There are three different kinds of majority:

- a. An absolute majority.

Every Member has one vote. A majority of votes of all Members present is needed. An absolute majority is needed when voting on procedural matters in the Council and for most votes in the Parliament.

- b. A two-thirds majority.

Every Member has one vote. Two-thirds of the votes of all Members present are needed. This majority is only needed for a motion for closure of debate for both the Council and Parliament.

c. A qualified majority [Council].

The number of votes for each Member State is outlined in Rule 13 [Council]. The total number of votes for a qualified majority is 260 out of a possible 345. This majority is needed for adoption of amendments and directives/regulations in the Council only.