

Chapter II – Getting ready for the Presidency

1. Planning of work – Timetable of meetings¹⁶

A multiannual strategic programme covering a period of three years is drawn up by the Presidencies concerned in consultation with the Commission and submitted for adoption to the European Council (see Article 2(4) CRP). The first such programme was adopted by the European Council in December 2003 and covers the period 2004-2007. The multiannual programme is intended to provide a strong framework and timeliness for implementing agreed priorities and specific objectives, but at the same time to be able to respond to evolving circumstances both inside and outside the Union. Accordingly, it is possible for the European Council to agree adjustments to the programme should they be required.

In the light of the three-year strategic programme, an annual operating programme of Council activities is drawn up by the two Presidencies due to hold office during the course of each calendar year. It is presented to the "General Affairs" part of the "General Affairs and External Relations Council" in December of the previous year, and subsequently finalised by the two Presidencies in the light of the Council's debate.

Every Presidency draws up a timetable of Council meetings which has to be available seven months before the start of the six months of the Presidency (Article 1(2) CRP).

Generally speaking, the Presidency must try and spread work in as balanced a way as possible throughout the six months to prevent an excessive concentration at the end of its term of office; it must also try to avoid overlapping meetings so that members of Coreper (Part 1 or Part 2) can participate in Council configurations on matters for which they are competent. It is especially important to avoid scheduling more than two Council meetings on the same day. As a general rule and except in justified cases, this timetable is drawn up to take account, as far as possible, of public holidays applicable to the staff of the General Secretariat.

2. Changes to the timetable

If it considers it advisable, the Presidency can always change the timetable by proposing to cancel or add a meeting. In any case, the Presidency should convene Council meetings only when there is a substantive agenda (e.g. when policy decisions are to be taken or political orientations given), and not when there are merely points of information or progress reports to be given.

¹⁶ See also the "Delegates' Handbook", Part III of this Council Guide, Chapter I, Sections 1 and 2

For practical reasons, mainly concerning the availability of ministers, limited use should be made of the option of adding extra Council meetings. It is also generally accepted that a month's notice is needed before the date of the Council meeting. If it does change the timetable, the Presidency must be sure to consult the members of Coreper. Any requests from the Commission or delegations for changes to the timetable must also be made in Coreper.

The Presidency examines the other delegations' requests and comments carefully but it is accepted that, since it is in charge of organising work, it is the Presidency which determines the timetable (even if, formally, such a procedural decision is a matter for a simple majority).

With regard to venues for meetings, it should be noted that the Council has its seat in Brussels, in the Council building (Articles 1(3) and 28 CRP) in accordance with the protocol annexed to the TEU and the two Community Treaties. During the months of April, June and October, the Council holds its meetings in Luxembourg. In exceptional circumstances and for duly substantiated reasons, the Council or Coreper, acting unanimously, may decide that a Council meeting will be held elsewhere (Article 1(3), second subparagraph, CRP).

The Presidency must respect the number of configurations¹⁷ in which the Council is called upon to meet.

3. Planning of work – preparing indicative agendas

Each Presidency shall establish provisional agendas for each Council meeting scheduled for the next six month period showing the legislative work and operational decisions envisaged. They shall be established at the latest one week before the beginning of its term of office on the basis of the annual operating programme and after consulting the Commission (Article 2(6) CRP).

The indicative agendas cannot be definitive since it is impossible to plan for every contingency; for planning to remain entirely credible, however, the main point to remember is that changes should be confined solely to instances of real necessity. This kind of planning must be carried out long enough in advance to ensure a smooth transition between each Presidency.

The indicative agendas are drafted in coordination with the General Secretariat of the Council. They are forwarded by the General Secretariat to the various delegations and the Commission for information.

¹⁷ The list of current Council configurations is set out in Annex I to the Council's Rules of Procedure

As part of the coordination mentioned previously between the various bodies of the European Union¹⁸, and in order to ensure a smooth transition between Presidencies, each Presidency should:

- update dossiers to be examined in the six-month period;
- cross-check the timetables for procedures to take place within each institution; in the case of the European Parliament, it is vital to know the timetable for plenary sessions and committee meetings;
- assess the importance of each dossier and its political or technical nature, which may affect the course of the procedure to be followed by the Council;
- allocate dossiers under the decision-making procedures arising from the Treaty, in order to comply with the arrangements for legislative procedure (consultation, cooperation, co-decision, assent).

4. The machinery of the Presidency

The first task when setting up the Presidency is to appoint the chairpersons of the various working parties and committees in good time. Depending on the nature of each working party or committee, the Presidency may decide whether, besides the chair, it should appoint a delegate with the task of presenting the national positions of the Member State holding the Presidency. Future chairpersons should be appointed in sufficient time to allow them, where necessary, to acquaint themselves with the proceedings of the working parties and committees. Given the need, amongst other things, to make working party and committee proceedings even more efficient on account of limited resources and an increasing workload, it is recommended that training in or a prior introduction to the role of chairperson be provided in conjunction with the General Secretariat.

The roles of chairperson and national delegate or spokesman are in principle separate. It is essential that the appropriate contacts take place before meetings so that, among other things, the role played by each can be clarified.

Article 19(5) CRP provides that *"for the preparation of meetings of Council configurations meeting once every six months, where held during the first half of this period, the meetings of committees other than Coreper and those of working parties held during the preceding six months shall be chaired by a delegate of*

¹⁸ See also Chapter IV.

the Member State whose turn it is to chair the said Council meetings". In order to ensure a smooth transition between presidencies, this provision should be implemented. This is the reason why the verb "may" was replaced by "shall" in the amendment to the CRP made in July 2002 following the European Council in Seville. This has become the rule with regard to the budgetary procedure. Under Article 19(5), second subparagraph: *"in the specific case of the examination of the Community budget for a given financial year, meetings of Council preparatory bodies, other than Coreper, dealing with the preparation of Council agenda items on the examination of the budget shall be chaired by a delegate of the Member State which will hold the Council Presidency during the second six-month period of the year prior to the financial year in question. The same shall apply, with the agreement of the order Presidency, to the chairing of Council meetings at the time when the said budget items are discussed. The Presidencies concerned will consult on the practical arrangement."*

As and when required, particularly if the Presidency is unable to attend any Council meeting, the latter may be chaired by the following Presidency (Article 20(2) CRP).

It is thus for the Presidency to:

- determine the chairperson and national spokesman for each working party and committee;
- appoint, before the start of the six months, the persons who will be chairing the meetings of Coreper Part 1 and Part 2, the Political and Security Committee, the Article 36 Committee, the Special Committee on Agriculture (SCA), and the Article 133 Committee;
- appoint, where appropriate, national spokesmen at each level in each sector.

In order to coordinate every aspect of the organisation of meetings, the Presidency must also designate someone at the permanent representation as an official responsible for the practical organisation of meetings who will remain in regular contact with the General Secretariat departments responsible for reserving rooms and teams of interpreters¹⁹ (see section 6 on Interpreting).

This person is empowered to notify the General Secretariat of the Presidency's priorities, particularly where the number of meetings theoretically planned for a given day exceeds interpretation or meeting-room capacity. Depending on new priorities, a meeting (even if planned for a long time) may also have to be called off at the last minute.

¹⁹ See also the "Delegates' Handbook", Part III of this Council Guide.

This person must be able to negotiate with working party chairpersons and, if need be, arbitrate. It is essential for him or her to have a genuine understanding of how the decision-making system works, of the procedures for organising meetings and of the respective roles of civil servants from the capitals, from the permanent representations, from the General Secretariat of the Council and from the Joint Interpreting and Conference Service. He or she is acting on behalf of the chairperson of Coreper and on his or her authority. As his or her role is essential for the smooth running of the Presidency, he or she should, as far as possible, be relieved of other duties.

Should the need arise, this person can also play a role in determining priorities when the number of documents requested for a given date exceeds the resources available in the Document Translation and Production Departments. He or she may also be a useful contact person for the General Secretariat's Central Coordination Department.

To enable the Council to operate effectively, the Presidency must endeavour to restrict the number of meetings, particularly of working parties and committees, to what is absolutely necessary and at any rate resist the temptation to provide meeting rooms and teams of interpreters as a matter of course, without first ascertaining whether the meetings requested are strictly necessary.

To ensure that the number of meetings scheduled by the Presidency matches the Secretariat's available resources, the Presidency draws up a cooperation plan with the relevant Directorate-General in the Secretariat.

Full use should be made of the potential represented by new technologies. For instance, comments and exchanges by electronic mail can sometimes help to reduce the amount of time spent in meetings (see the recommendations of the Code of Conduct on working methods for an enlarged Council reproduced in Annex 2).

5. Travel expenses incurred by delegates of Council members

Article 1 of the Decision of the Secretary-General/High Representative of 19 September 2003 concerning reimbursement of travel expenses of delegates of Council members provides that travel expenses incurred by delegates of Council members shall be charged to the general budget of the European Communities as long as the travel actually took place to attend

a meeting of the Council or one of its preparatory bodies;

another meeting in the framework of the activities of the Council as an institution;

– a meeting of an intergovernmental conference with a view to revising the Treaties or the accession for a State to the European Union, or of one of its dependent bodies;

– any meeting held within the framework of the Treaties and which is considered to be inextricably linked to the work of the Council and aimed at giving major political impetus to the development of the Union.

The list of meetings for which travel expenses may be reimbursed or not under the above Decision is regularly updated according to the Council's functions.

The principle of reimbursement of travel expenses is applied on the basis of a fixed budget allocated to each Member State. The budget allocation enables each Council member to decide on the extent of its representation at meetings held at the Council's headquarters or elsewhere.

The text of this Decision is set out in Annex 3 to this section.

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6. Interpreting

In December 2003 Coreper defined a new approach to interpreting in order to face the challenges posed by the enlargement of the Union and the near doubling in the number of its languages. Whilst retaining that full language interpreting will continue to be provided for meetings of the Council and the European Council and will be entirely financed by the Council budget, in line with basic principles, it also sets out new arrangements for meetings at the preparatory level in the Council attended by officials and civil servants. Thus, it provides that a maximum of twenty preparatory bodies should meet with 20/20 interpreting financed entirely from the Council budget and that for the other preparatory bodies, interpretation will be made available on request (see Annex 4). A decision of the Secretary-General/High Representative sets out in more detail the modalities of this "on request" system (see Decision 56/04 of 7 April 2004, Annex 5, as supplemented by Decision 85/05 of 23 June 2005, Annex 6, and amended by Decision 133/05 of 13 October 2005, Annex 7).

Particular attention should be paid to the fact that, for the system to work effectively and to allow maximum transparency, Presidencies need to ensure rigorous planning and programming of meetings of working parties ahead of particular Council meetings. Meetings will need to be planned in certain cases down to sub-area level. Every effort therefore needs to be made to programme meetings, to the extent possible, in two-month blocks at least two months in advance. Ideally, Presidencies should make a provisional planning for the entire six months, in order to facilitate calculation of the estimates of the cost of the requests for interpreting made by delegations at the beginning of each six-month period.

Chapter III – How the decision-making process works

The decision-making process comprises several stages from the examination of a proposal within the Council until the final decision is taken. As regards co-decision, see the "Co-decision Guide", Part IV of this *Council Guide*. A number of special features relating to Titles V (CFSP) and VI (JHA) TEU are dealt with in Chapters V and VI. The purely procedural aspects²⁰ and any consultation of the other institutions and bodies of the Union held within the framework of the activities of the Council are discussed in the "Comments on the Council's Rules of Procedure", Part II of this *Council Guide*.

A list of Council working parties established by decision of Coreper is set out in Annex 8 to this part (annex I of the SN doc 15180/05). The list is regularly updated and is published by the General Secretariat (Article 19(3) CRP).

1. Working parties

Once the General Secretariat of the Council has received a Commission proposal²¹ in all its language versions, the relevant working party is convened to examine it on the instructions of Coreper (or the SCA²² for most agricultural questions) as follows:

- with the Presidency's agreement, the General Secretariat informs the members of the working party – in principle, at least one week before the meeting – of the convening of the meeting (and advising them of the agenda);
- the choice of meeting date must take into account the availability of meeting rooms and interpreting facilities²³ as well as likely dates for discussion in Coreper or the SCA²⁴. In view of the time which must elapse between the referral to Coreper and examination by the Council (see below: two or three weeks), it is preferable for the last working party discussion to be held three to four weeks before the Council meeting at which the issue is to be examined;

²⁰ The reference here is essentially to the procedures laid down in Articles 251 and 252 TEC and those peculiar to the budget, international agreements and Titles V (CFSP) and VI (JHA) TEU.

²¹ For Community matters, proposals come mostly from the Commission although, under certain provisions of the Treaty, the ECB and the Court of Justice may submit draft legislation for adoption by the Council. For Titles V and VI TEU, the initiative may come from the Member States or the Commission.

²² The SCA (Special Committee on Agriculture) was set up in 1960.

²³ As regards meeting rooms and interpreting facilities, see also the "Delegates' Handbook", Part III of this *Council Guide*.
²⁴ Article 21 CRP states that the Presidency shall organise the meetings of the various committees and working parties so that their reports are available before the Coreper meetings at which they are to be examined, and unless considerations of urgency require otherwise, the Presidency shall postpone to a subsequent Coreper meeting any legislative items on which the committee or working party has not completed its discussions at least five working days prior to Coreper's meeting.

the documents (Commission proposal or outcome of working party proceedings) must reach delegations at least one week before the date of the meeting.²⁵

The Presidency, with the assistance of the General Secretariat of the Council, prepares the agendas for working party meetings. It is helpful, when organising proceedings, to set up an advance meeting between the Presidency and the relevant Secretariat officials (briefing) which the Commission representative may be invited to attend where the subject so warrants.

Relations between the chairperson and the national spokesman need to be clarified before the meeting. This is in order to avoid both blatant collision and contradictory situations which would compromise the clarity of discussions. In some instances, if no spokesman is appointed, the chairperson may have no alternative but to assume both roles. Should he/she find himself/herself in such a situation – which should be avoided wherever possible – the chairperson should make it clear, when speaking, which hat he/she is wearing.

The working party follows similar rules of procedure to the Council and Coreper. It is intended to provide an opportunity for national delegates to compare and contrast their respective positions in order to iron out the difficulties occasioned by the proposal under discussion in so far as those difficulties are not substantive, horizontal or institutional in nature and thus warrant discussion by Coreper.

The working party generally carries out a thorough examination of the proposal, article by article, and reports to Coreper only when it considers that the dossier has been scrutinised sufficiently and all the questions which could have been resolved at its level have been.

As far as the results are concerned, while it is possible to compare delegations' positions at working party level, no final decision is possible since no formal vote can be taken. To get an indication, however, the chairperson can hold an informal poll of delegations' positions. At the end of the meeting, he will then draw conclusions summarising the content of the discussions and listing the points on which agreement seems possible, those raising political or horizontal questions to be referred to Coreper, and perhaps also those requiring further examination. Depending on the conclusions, the chairperson can either refer matters to Coreper, or else decide to hold a further meeting of the working party to iron out those issues which, by their nature, need to be resolved before referral to Coreper. He/she shall ensure in any case that a file is only submitted to Coreper when there is a reasonable prospect of progress or clarification of positions being achieved at that level. Conversely, files should only be referred downwards again when necessary, and in any event only with the remit to tackle precise, well-defined problems (see points 1 to 5 of Annex IV to the CRP on working methods).

²⁵ See the "Delegates' Handbook", Part III of this Council Guide, Chapter I, Section 4.

To increase efficiency and minimise the number of meetings, it is necessary to use time *between* meetings. Thus, the chairman, with the aid of the Secretariat, can endeavour to clarify any outstanding issues and draw up a solution through bilateral and multilateral exchanges with delegations and the Commission. He can also conduct written consultations by requesting delegations to react in written form to a proposal before the next meeting of the working party (see the abovementioned Annex IV to the CRP on working methods).

2. The General Secretariat²⁶

The General Secretariat of the Council drafts, on its own responsibility and as quickly as possible, a report on a dossier in a working party as a basis for the next stage of work. The form of such reports is adapted to the needs of the relevant working party.

A minimum of two weeks is required to make a document of about 10 pages available in all languages. That amount of time may not always reflect the urgency of the matter and can, in exceptional circumstances, be shortened provided that the time allowed remains compatible with proper preparation of the dossiers and with the General Secretariat's logistical capacity, given the constantly rising number of documents for translation. It is customary to send out notice of meetings and documents simultaneously (eight days in advance)²⁷. The minimum period of two weeks required for translation means that the last reading by the working party must allow the Secretariat enough time to prepare the report before the beginning of the period needed for translation. Should this period need to be shortened, the absolute minimum requirement is that the working party's last reading should take place five working days before Coreper meets, thus enabling the Secretariat to prepare both the report and the note to the chairman of Coreper in good time before the end of the week preceding Coreper's meeting.

Once a working party chairperson thinks that a matter should be included on the agenda for Coreper, he must notify the Presidency coordinator, as well as the Presidency representatives on the Antic/Mertens Groups who will make the necessary contacts with the Directorate for General Policy Questions of the General Secretariat in order to have the item placed on the preliminary draft agenda for the appropriate Coreper meeting.

²⁶ See also the "Delegates' Handbook", Part III of this Council Guide, Chapter II.

²⁷ The Presidency may, if it thinks it necessary, convene the working party at shorter notice, particularly in order to inform it about practical arrangements for further work.

3. Coreper

Article 207 TEC stipulates that "a committee consisting of the permanent representatives of the Member States shall be responsible for preparing the work of the Council and for carrying out the tasks assigned to it by the Council". This horizontal task applies to the Council in all its configurations (except for the Agriculture and Fisheries Council, for which preparations are traditionally carried out by the SCA for most matters relating to agriculture ²⁸) and for all areas falling within the sphere of competence of the Union including the CFSP and JHA. Article 19(1) CRP lists more precisely what are the horizontal tasks of Coreper which are to "ensure consistency of the Union's policies and actions and see to it that the following principles and rules are observed:

- (a) *the principles of legality, subsidiarity, proportionality and providing reasons for acts;*
- (b) *rules establishing the powers of Union institutions and bodies;*
- (c) *budgetary provisions;*
- (d) *rules on procedure, transparency and the quality of drafting."*

Article 19(2) CRP ²⁹ states that all items on the agenda for a Council meeting shall be examined in advance by Coreper, unless otherwise decided by Coreper (by simple majority) or by the Council (voting unanimously).

Coreper is divided into two parts:

- Coreper Part I (Coreper I), composed of the deputy permanent representatives, which meets on Wednesdays as a rule, but often also on Fridays;
- Coreper Part 2 (Coreper II), composed of the permanent representatives, which usually meets on Wednesdays or Thursdays.

²⁸ Veterinary and zootechnical harmonisation, as well as the harmonisation of plant health, animal feedstuffs and plant and seed legislation traditionally go through Coreper.
²⁹ Without prejudice to the role of the Economic and Financial Committee as determined in Article 114(2) TEC and the existing decisions of the Council which concern it.

The allocation of tasks decided by Coreper itself is as follows:

- Coreper II: institutional matters, preparation of Council meetings in the following configurations: General Affairs and External Relations - Economic and Financial Affairs - and Justice and Home Affairs;
- Coreper I: preparation of Council meetings in the following configurations: Employment, Social Policy, Health and Consumer Affairs - Competitiveness (Internal Market, Industry and Research) - Transport, Telecommunications and Energy - Agriculture and Fisheries - Environment - Education, Youth and Culture.

(a) *The provisional agenda*

The provisional agenda is finalised by each Coreper chairperson the week before the meeting ³⁰.

The Coreper agenda is divided into two parts:

- Part I contains items on which agreement has been reached within the working party and which may therefore be approved by Coreper without discussion, unless a delegation is opposed, in which case the item is withdrawn from the agenda or entered in Part II;

- Part II contains items requiring substantive examination by Coreper, and "Other business" items entered at the request of the Presidency, a delegation or the Commission. "Other business" items will give rise to a communication from those requesting them, but cannot culminate in a decision. Since it became possible for Coreper to adopt procedural decisions (Article 207(1) TEC and Article 19(7) CRP), such items have been marked on Coreper agendas with an asterisk in order to notify delegations that a procedural decision is to be taken.

An item can be included on the agenda with the indication "Possibly" so that the Presidency can withdraw or retain the item at very short notice. It is, however, advisable to make only limited use of this procedure, which makes planning and the work of delegations more difficult.

Article 21 CRP specifies how much time to allow for the submission and inclusion of items on Coreper agendas. To ensure the smooth conduct of proceedings and sound management of the General Secretariat, it is essential that these provisions are respected.

³⁰ Preferably before noon on Friday to avoid creating overtime for services of the General Secretariat (translators, Secretariat Departments, reproduction services, etc.).

Too many derogations lead to the creation of overtime which, with a little discipline, could easily be avoided. This applies to agendas for Coreper which are often circulated too late. Given the whole host of services involved in the production of such documents (Directorate for General Policy Questions, Coordination, Translation Divisions, Secretariat Departments, Reproduction and Circulation Departments) and the fact that each of these services is dependent upon the previous link in the chain, the total cost of overtime standbys, which may at first glance appear trivial, is not insignificant.

The General Secretariat (Directorate for General Policy Questions) has accordingly been instructed, apart from exceptional circumstances, to accept items for inclusion on Coreper agendas only up until noon on the Friday preceding the meeting.

Lastly, if one or more delegations so request, and Coreper agrees unanimously, a new item may be added when the final agenda is adopted at the start of the meeting. Use should be made of this possibility only where absolutely justified by exceptional circumstances.

(b) Preparation for Coreper

Working from the provisional agenda, the General Secretariat drafts for the delegates short notes on the items in Part I or reports summarising the progress of discussions (possibly with an annotated text) for items in Part II. For each item on the agenda, it also drafts a briefing note addressed only to the Presidency (Brief for the Chair of Coreper) informing him or her of the procedure to follow and of any supplementary information which might help discussions to progress. Briefs for the Chair are exclusively reserved for the Presidency and are never circulated to the other delegations or outside.

The dossier should be available to the Presidency the day before the meeting at the latest.

Where it is appropriate, the Presidency can even take the line of making a specific contribution itself, generally in the form of a compromise, to get work moving. Such contributions are drafted by the Presidency, assisted by the General Secretariat of the Council, usually in conjunction with the Commission.

A preparatory meeting (briefing) is held before the Coreper meeting, attended by the Coreper chairperson, together with the coordinator, officials of the General Secretariat of the Council dealing with the matters on the agenda, and a representative of the Legal Service. Coreper (Part 2) briefings are usually attended by the Deputy Secretary-General, and by the Legal Counsel to the Council (Director-General of the Legal Service).

The Antici Group, set up in 1975, prepares the work of Coreper (Part 2). It is composed of the immediate assistants to the permanent representatives and a Commission representative, under the chairmanship of the Presidency's Antici representative. Meetings of the group are also attended by the representative of the GSC (Directorate for General Policy Questions) and the assistant to the Director-General of the Legal Service. The group is responsible for examining Coreper agendas and deciding on the organisation of the proceedings, particularly the order in which agenda items will be discussed. More generally, it aims to lighten as much as possible the work load of Coreper (see Annex IV to CRP on working methods for an enlarged Council, points (4) and (5)). The meeting is also the time when delegations inform one another of their respective positions and state what items they want entered under "Other business". The group reviews the minutes of meetings held by those Council configurations set up by Coreper (Part 2), before items are submitted as 1/A items to Coreper and then the Council. The Antici Group may also be instructed by Coreper to deal with certain horizontal or particularly sensitive dossiers on an ad hoc basis.

The Mertens Group, which was set up in 1993, performs more or less the same function for Coreper (Part 1). It also deals with the authorisations to hold Council or working party meetings outside the Council's seat.

It may also be noted that Coreper created in 2003 the Nicolaidis Group, which assists with the organisation of PSC meetings, e.g. by going through the provisional agendas in advance, fixing the order in which the items for discussion would be taken and dealing if necessary with practical arrangements for the meeting.

(c) Conduct of meetings

Coreper first adopts its definitive agenda. This is when requests are made for items to be taken under "Other business" or for new items to be placed on the agenda (see above) and the chairperson states in what sequence items will finally be discussed.

The chairperson then calls upon Coreper to approve the items entered in Part I of its agenda. Such approval may occasion reservations and statements, but no discussion of substance can take place.

The Presidency takes any decisions on the conduct of the meeting (see "Comments on the Council's Rules of Procedure", Part II of this Council Guide).

Coreper's discussions follow a similar pattern to those in the Council (see below) except that in principle they cannot culminate in any final decision (except in the case of procedural decisions assigned to Coreper by Article 19(7) CRP).

As a rule, Coreper avoids long drafting exercises. Where it appears that improved wording is required for further work to proceed, the Presidency, aided by the General Secretariat and the Legal Service, may be asked to re-draft the text, or Coreper may request a working party to meet as a matter of urgency in parallel with Coreper proceedings.

(d) *The outcome*

At the close of discussions, the chairperson of Coreper may:

— note Coreper's agreement on the item under discussion and therefore suggest that it be entered as an "A" item for a forthcoming Council meeting;

— or note agreement on a number of points, as well as substantive differences of views remaining on other aspects that need discussion at Council level to be resolved. In such circumstances, he suggests that they be entered as Council "B" items;

— or note that some matters need further study by Coreper before being forwarded to the Council, and thus re-enter the item on the agenda for a future meeting;

— or, finally, ask the relevant working party to sort out the technical difficulties which have emerged at the Coreper meeting.

Following the Coreper proceedings, the General Secretariat of the Council issues a note summarising progress to assist further discussion at Council level, as well as a note to the Presidency. If full agreement is reached at Coreper level, the General Secretariat issues an "A" item note listing the references of the texts for adoption by the Council, together with any statements there may be.

The General Secretariat draws up minutes of Coreper meetings which are called "summary record of the proceedings" (or "compte-rendu sommaire" in French, known as "CRS").

Deadlines for sending documents to the Council: Article 3(4) CRP stipulates that "only items in respect of which the documents have been sent to the members of the Council and to the Commission at the latest by the date on which the provisional agenda is sent may be placed on that agenda", i.e., at least 14 days before the beginning of the meeting, and, preferably, 21 days in the case of JHA meetings³¹.

4. The Council

In line with the timetable presented seven months before the beginning of the six months of the Presidency (see above, Chapter II), the Council meets "when convened by its President on his own initiative or at the request of one of its members or of the Commission" (Article 1(1) CRP).

The Council consists of "a representative of each Member State at ministerial level, authorised to commit the government of that Member State" (Article 203 TEC)³².

The Commission is invited to take part in meetings, although the Council may decide by simple majority to deliberate with the Commission not present (called "en cadre interne" in French, this is seldom the case, but can occur, for instance, if the Council – or one of its bodies – is discussing an appointment or a legal case between it and the Commission – see Article 5(2) CRP). The President and members of the Commission as well as of the Council may be accompanied by officials who assist them (Article 5(3) CRP).

Each Council configuration meeting is chaired by the appropriate minister of the Member State holding the Presidency.

Should it prove impossible for the Member State holding the Presidency to provide a President for the Council, that place is filled temporarily by the Member State next in line to hold the Presidency.

The Council meets in different configurations depending on the subjects for discussion. Annex II to this part sets out the list of these configurations as shown in Annex I to the CRP.

The General Affairs and External Relations Council has a horizontal responsibility for overseeing general policy coordination. It is also responsible for the preparatory work for European Council meetings which includes drawing up an annotated draft agenda at least four weeks in advance and holding a final preparatory meeting on the eve of the European Council meeting (Article 2(2) and (3) CRP).

The frequency of Council meetings varies with the configuration. The General Affairs and External Relations, Ecofin and Agriculture and Fisheries Councils meet every month.

³¹ See Article 3(1) CRP and statement (a) concerning this provision in footnote 1 to this Article.
³² Certain clauses of the Treaty provide for the Council meeting at the level of Heads of State or Government.

(a) *The agenda*

The President draws up the provisional agenda for each meeting on the basis of the material available at least 14 days before each meeting. For the Justice and Home Affairs Council, the time limit is in principle 21 days.

To allow national parliaments to express their views on questions that might have particular interest for them, the protocol on the role of national parliaments in the European Union, annexed to the Treaties by the Treaty of Amsterdam, established a mechanism preventing the Council from adopting a legislative act before national parliaments have had time to examine the text. Point 3 of the protocol provides that the Council may place a legislative proposal or initiative on its provisional agenda for decision (on the final adoption of a legislative act, or on a common position under the co-decision procedure) only when six weeks have elapsed between the submission of the proposal or initiative and the Council's decision to adopt it. That rule also appears in Article 3(3) of the CRP. The Council, acting unanimously, may derogate from the six-week period for reasons of urgency.

It is mandatory to enter an item on the provisional agenda if a delegation or the Commission so requests at least 16 days before the Council meeting and if the documents are available. On the other hand, once that deadline has passed, unanimous agreement is required for the inclusion of any further item.

The provisional agenda is distributed to Coreper by the Presidency (usually three weeks before the Council meeting). Items on which a vote may be taken are asterisked. It is important that, as far as possible, the agenda also makes a distinction between items down for negotiation and those for decision.

The General Secretariat of the Council drafts a briefing note to the President of the Council supplementing the report(s) for all delegations. In the same way as the brief to the Chair of Coreper (see above), this note sets out the latest information which the General Secretariat has on the state of the dossier, and outlines the main substantive, legal, procedural and tactical points which will assist the Presidency in conducting discussions. Briefing notes to the President of the Council are exclusively reserved for the Presidency and are never circulated to the other delegations or outside.

Like the agenda for Coreper, the Council's agenda is divided into two parts:

"A" items, which the Council may adopt without any discussion.

However, a member of the Council may always request the withdrawal of one of these items on the actual day of the Council meeting (the item then being held over until a forthcoming Council, or kept on the agenda as a "B" item – by a simple majority if the item had been entered within the set 14 or 16 days deadlines provided for by Article 3 CRP.)

Delegations may, additionally, enter statements in the Council minutes when "A" items are adopted.

"B" items, these are the items which the Council will discuss.

The agenda may also include "Other business" items which may be placed on the provisional agenda at the request of a delegation without any advance notice but may occasion neither a discussion nor a decision by the Council. However, any request for the inclusion of an "Other business" item must in principle be accompanied by an explanatory document by the delegation submitting the request (Article 3(9) CRP).

The CRP lay down specific rules on how much time to allow for the submission and inclusion of items on Council agendas (Article 3). To ensure the smooth conduct of proceedings and sound management of the General Secretariat, systematic application of those rules is required.

Too many derogations lead to the creation of overtime which, with a little discipline, could easily be avoided. This applies to "A" items for the Council which are often released too late. Given the whole host of services involved in the production of such documents (Directorate for General Policy Questions, Coordination, Translation Divisions, Secretariat Departments, Reproduction and Circulation Departments,) and the fact that each of these services is dependent upon the previous link in the chain, the total cost for overtime standbys, which may at first glance appear trivial, is not insignificant.

The Directorate for General Policy Questions has accordingly been instructed, apart from in exceptional circumstances, to accept "A" items for inclusion on Council agendas only up until noon on the day preceding the meeting. Any request for inclusion received by the Meetings Department after that deadline will automatically be deferred until the Council's next meeting.

(b) *Preparations*

A preparatory meeting (briefing) is chaired by the President before each Council meeting. It is typically held the day before the Council, but may immediately precede it. Depending on the Council configuration, the briefing is attended by the permanent representative or his deputy, and by the Secretary-General High

¹¹ See also Chapter III, Section 4(g), "Publication of votes"

Representative, the Deputy Secretary-General or the Director-General of the department of the General Secretariat concerned, as well as by the legal adviser or a representative of the Legal Service.

(c) *Access to the Council meeting room*

Access to the Council meeting room is open³¹ to a maximum of five people per delegation, including the minister and permanent representative of his deputy. Other members of delegations can follow the Council's discussions in a listening room, unless decided otherwise.

The Presidency is at liberty to adjust the composition of delegations around the table depending on the degree of technicality or of political sensitivity of the matter discussed (meetings in restricted session, ministers plus one person, ministers only, etc.). Whatever the case, the General Secretariat of the Council and the Legal Service are always present.

(d) *The Council proceedings*

In the interests of concision and lower costs for the Council, the Presidency must endeavour to avoid proceedings continuing beyond 21:00.

As regards conduct of business, the Presidency proceeds in turn to:

- take note of "Other business" items and any requests for changes to the agenda;
- adopt the agenda;
- adopt the "A" items, taking account of any statements³⁵ or reservations. These "A" items are normally adopted "en bloc". If an item is the subject of a statement by one or more members of the Council which is likely to give rise to a discussion or a request for withdrawal, it can either be withdrawn from the agenda or left on the agenda on the basis of a simple majority vote (see above);
- discuss the "D" items.

³¹ Access to Council meetings is subject to production of a pass (see Article 4(3) and (4) CRP). See the "Delegates' Handbook", Part III of this *Council Guide*, Chapter II.
³⁵ Council members who make a statement may request that it appear in the Council minutes. See Chapter III, Section 4(e), "Publication of votes".

Discussions may be of several types:

- Discussions with a view to a decision, when negotiations may be initiated to overcome the final obstacles to an agreement (agreement on a legislative text, a resolution, a statement, negotiating directives, etc.). By and large, agreement is recorded on the substance of a legislative act (political agreement), but it is not adopted, since this is done subsequently when it becomes an "A" item (after the requisite alignment of the texts in all the official EU languages by the Council's legal/linguistic experts).

- Policy debates, which give members of Council a chance to express their general positions on an issue without really embarking on the negotiation of a text: in such discussions, it is customary for each delegation to take the floor only once on the substance of the issue and to limit the amount of speaking time (to three or four minutes); moreover, the time-consuming practice of *jours de table* shall be proscribed in principle. As far as the conduct of the proceedings is concerned, the Presidency may ask members of the Council to advise it beforehand in writing of any reservations, suggestions and, where applicable, drafting changes they would like made to the text.

As was agreed in the working methods for an enlarged Council (Annex I to CRP), no items are to be placed on the Council agenda simply for presentation by the Commission or Council members, except where a debate is foreseen on new major initiatives.

The Presidency may, where it deems fit, particularly in the event of a long-standing statement, draw up a compromise on a specific aspect or on a whole text. It may happen that such a compromise is also presented as part of a package deal covering several texts under discussion. Such compromises may also be tabled in Coreper or in the working party.

In addition to the 25 Council members, the members of the Commission, the Secretary-General/High Representative, and the representative of the Council Legal Service may take the floor in the Council. Other persons, such as EU Special Representatives or the Chairs of special committees, may be invited by the President to address the Council.

After the discussion, the President draws the conclusions which may be reduced to three main cases: agreement, referral back or a vote:

- in the event of agreement (either unanimous or by the majority required under the Treaty), the text is deemed to be approved ("political agreement"), although it may still have to appear as an "A" item at a subsequent Council meeting for adoption after legal/linguistic alignment;

in the event of a referral, it is customary for the President to give some indications as to the procedure for subsequent proceedings, outlining the main points under discussion and stressing the potential solutions to which delegations are asked to give further consideration:
in the event of a vote, the following rules apply.

(e) *Voting*

As mentioned earlier, voting on a legislative act may not take place, except on grounds of urgency, unless six weeks have elapsed between the presentation of the proposal or draft act and its inclusion on a Council agenda for a decision. The purpose of the six-week period is to enable national parliaments to examine the text (Article 3(3) of the CRP. See also under section 4(a) "The agenda" above).

The rules for voting in the Council are set out in Article 205 TEC and explained in Articles 11 and 12 CRP. The comments on the CRP, Part II of this Council Guide, explain the voting rules in the light of various procedures.

The different kinds of vote are:

— simple majority voting: although this is presented as the norm in Article 205(1) TEC, in fact it applies only in limited instances²⁶, e.g. for procedural decisions (under Articles 23(3) and 34(4) TEU) and where no alternative voting arrangements are provided for in the applicable legal basis. Under the simple majority voting rule, the Council adopts decisions by a majority of its members, i.e. if thirteen members cast votes in favour.

— Qualified majority voting is governed by Article 205(2) and (4) TEC. For an act to be adopted by a qualified majority the following conditions must be met:

(a) *232 votes must be cast in favour of the Council act based on the following weightings:*

Germany, France, Italy and United Kingdom:	29 votes
Spain and Poland:	27 votes
Netherlands:	13 votes
Belgium, Greece, Hungary, Portugal and Czech Republic:	12 votes
Austria and Sweden:	10 votes

²⁶ For example, Article 207 TEC on adoption of the Rules of Procedure, Article 284 TEC on the Commission's right to collect information.
²⁷ Out of a total of 321 votes, 90 votes are therefore required for a blocking minority.

Denmark, Finland, Ireland, Lithuania and Slovak Republic:	7 votes
Cyprus, Estonia, Latvia, Luxembourg and Slovenia:	4 votes
Malta:	3 votes

(b) *the 232 votes must be:*

— votes in favour cast by a majority (i.e. thirteen) of the members of the Council in the case of acts adopted on a proposal from the Commission;

— votes in favour cast by at least two-thirds (i.e. seventeen) of the members of the Council in other cases (i.e. when the Council does not act on a Commission proposal).

(c) A member of the Council may request verification that the Member States constituting the qualified majority represent at least 62% of the total population of the Union. The Council Decision of 11 October 2004 amending the Council's Rules of Procedure (OJ L 319, 20.10.2004, p. 15) lays down the rules for calculating the population figures for the Member States of the Union.

Under the qualified majority voting system, an abstention therefore counts as a vote against.

Unanimous voting is required under the TEC for fields which the Treaty drafters have considered sensitive. Generally speaking, unanimity is necessary for the Council to be able to depart from a Commission proposal.²⁸ It is also the rule in the case of joint actions or common positions adopted by the Council under the CFSP, except for the implementation of a common strategy adopted by the European Council, a decision implementing a joint action or common position or a decision to appoint special representative (Article 23(2) TEU). Unanimity is also required for the adoption of common positions, framework decisions, decisions and conventions under JHA, except for decisions implementing or applying JHA decisions and conventions (Article 34(2)(c) and (d) TEU).²⁹

Under unanimous voting, an abstention does not prevent a decision from being taken (Article 205(3) TEC).

As regards voting procedure, Article 11 CRP provides that:

²⁸ But not from a "recommendation" (see various Articles on Economic and Monetary Union (EMU) and Article 300(1) TEC).
²⁹ See also Chapter VI, Section 3.

- the Council votes on the initiative of its President. The President is also required to open a voting procedure on the initiative of a member of the Council or of the Commission, provided that a majority of the Council's members agrees (simple majority);
 - members of the Council vote (in principle) in the order of the Member States laid down pursuant to Article 203 TEC, beginning with the member who follows the member holding the office of President;
 - any member of the Council may also act on behalf of not more than one other member (Article 206 TEC);
 - the presence of the majority of the members of the Council entitled to vote is required to enable the Council to vote (quorum, i.e. the presence of a minimum of 13 Council members or fewer if one or more members of the Council may not legally participate in the vote – case of "opting out", see Article 11(4), Article 16 and Annex III CRP);⁴⁰
 - when the vote is taken, the President, assisted by the General Secretariat, checks that there is a quorum.
- (f) Written procedure*
- Under Article 12 CRP, acts of the Council on an urgent matter may be adopted by a written vote where the Council or Coreper decides unanimously to use that procedure. In special circumstances the President may also propose the use of that procedure subject to the agreement of all members of the Council. The Commission must also give its agreement where the written vote is on a matter which the Commission has brought before the Council.
- In the CFSP context, the Council may, on the initiative of the Presidency, act by means of the simplified written procedure (COREU). In that case the proposal is deemed to be adopted at the end of that procedure, within the period laid down by the Presidency depending on the urgency of the matter, except where a member of the Council objects (Article 12(d) CRP).
- The General Secretariat establishes that written procedures have been completed.

⁴⁰ See definition of member of the Council, Article 203, TEC.

(g) Publication of votes

Pursuant to Article 207(3) TEC, the results and explanations of votes, as well as statements entered in the minutes, are made public in accordance with the terms of Article 9 CRP. A distinction can be drawn between automatic publication and publication requiring a vote.

i) Automatic publication (Article 9(1) CRP)

The following are made public automatically (<http://ec.eu.int>, Documents, Access to Council documents, Summary of Council acts):

- the results and explanations of votes by members of the Council, as well as statements in the Council minutes and items in those minutes relating to the adoption of legislative acts, where the Council acts in its legislative capacity within the meaning of Article 7 CRP;
- the results and explanations of votes, as well as statements in the minutes and items in those minutes relating to the adoption of a common position, in application of the Articles on the co-decision and cooperation procedures;
- the results of votes and explanations of votes by members of the Council or their representatives on the Conciliation Committee (co-decision), as well as statements in the Council minutes and items in those minutes relating to the Conciliation Committee meeting;
- the public votes on co-decision acts are made available on the web site of the Council (<http://ec.eu.int>, Documents, Access to Council documents, Summary of Council acts);
- the results of votes and explanations of votes, as well as statements in the minutes and items in those minutes relating to the establishment by the Council of a convention on the basis of Title VI (JHA) TEU.

ii) Publication decided on by the Council or Coreper (Article 9(2) CRP)

- results of votes are made public by a unanimous Council or Coreper decision taken at the request of one of their members when the Council acts pursuant to Title V (CFSP) TEU or adopts a common position as defined by Title VI (JHA) TEU. In other cases, a Council or Coreper decision taken by a simple majority at the request of one of their members is required;

- When results of votes are made public, explanations of votes are also made public at the request of the Council members concerned. Explanations of votes may only be published with due regard for the CRP, legal certainty and the interests of the Council. The Council's interests are a matter for the Legal Service;

statements entered in the Council minutes and items in those minutes relating to the adoption of the acts referred to in the first and second indent are also made public by Council or Coreper decision taken by simple majority at the request of one of their members.

Votes are not made public in the case of discussions leading to indicative votes or the adoption of preparatory acts.

(h) *The outcome of Council meetings*

Formal adoption of a text

This follows on from finalisation of the text in all the official languages of the Union by the legal/linguistic experts.

The texts of acts adopted jointly by the European Parliament and the Council in accordance with the co-decision procedure are signed by the President of the Parliament and the President of the Council. The signature takes place at a joint European Parliament and Council press conference called to announce the adoption of such a text, or in the margins of a plenary session of the European Parliament.

Article 15 CRP provides that such acts and acts adopted by the Council are also to be signed by the Secretary-General or by the Deputy Secretary-General, both of whom may delegate their signature to Directors-General of the General Secretariat.

Publication in the Official Journal

Acts adopted by the Parliament and the Council or by the Council are published in the Official Journal in all the official languages of the Union (for details see Article 17 CRP) (<http://europa.eu.int/eur-lex>).

The minutes

The outcome of Council meetings is recorded in the minutes drawn up by the General Secretariat within 15 days of each meeting. Article 13 CRP specifies the content of minutes (indication of documents submitted to the Council, decisions taken or conclusions reached by the Council, statements made by the Council or by a member of the Council or the Commission whose entry in the minutes has been requested).

Draft minutes are approved by the Council or by Coreper after each member of the Council and the Commission has had the opportunity to check their content. When approved, the minutes are signed by the Secretary-General or by the Deputy Secretary-General, both of whom may delegate their signature to Directors-General of the General Secretariat.

The press release

The outcome of the Council meeting is the subject of a press release drafted by the Council Press Office, which contains the main conclusions of the meeting. The press release commits only the General Secretariat and not the Council. It is published on the Internet (<http://eu.int/pressdata>).

5. *Informal meetings of ministers*

The main purpose of informal meetings is to permit joint consideration and an as-free-as-possible exchange of views on topics of general scope; they are not formal Council meetings because they have not been convened as such under the Council's Rules of Procedure. It follows that such meetings cannot replace the Council's normal activities.

(a) *Characteristics of informal meetings*

In order to preserve the informal nature of the meetings in question, the following guidelines approved by the Helsinki European Council (December 1999) must be followed:

- the number of informal ministerial meetings is restricted to five per Presidency;
- there is no official agenda;
- the presence of assistants is limited to two per minister;
- any production of Council documents, whether before or after the meeting, is excluded;
- these meetings cannot arrive at formal conclusions or decisions; any press communication must make this point explicitly clear.

(f) *Logistics*

At logistical level (see Chapter VII), the Council General Secretariat is not involved at all. The Presidency has to take direct responsibility for organisation.

There is one exception to that rule, however: where an informal meeting of agriculture ministers is held immediately before or after a meeting of the SCA, the General Secretariat provides ministers with technical assistance in all matters relating to meeting-room facilities, including interpreting.

6. *The European Council*

Article 4 TEU provides that the European Council "shall meet at least twice a year". In Seville, the European Council stated that it should meet in principle four times a year. This corresponds to what has in fact become the practice for some time. Usually these meetings are held in March, June, October and December. However, it is still possible to convene extraordinary meetings of the European Council. Rules for organising the proceedings of the European Council were agreed by the Seville European Council in June 2002.⁴¹

(a) *Preparation*

Preparations for meetings of the European Council are made by the General Affairs and External Relations Council which coordinates all the preparatory work (see Article 2(3) CRD). In particular, the General Affairs and External Relations Council draws up an annotated draft agenda on a proposal by the Presidency at least four weeks before the meeting of the European Council, holds a final preparatory meeting on the eve of the European Council meeting and approves the agenda. Contributions to the proceedings of the European Council by other Council configurations must be forwarded to the General Affairs and External Relations Council at the latest two weeks before the meeting of the European Council. Except for urgent and unforeseeable reasons linked, for example, to current international events, no other configuration of the Council or Council preparatory committee may meet between the final preparatory meeting of the General Affairs and External Relations Council and the European Council meeting.

In addition, shortly before the meeting of the European Council the President traditionally writes a letter on how he intends to organise the discussions.

⁴¹ See Annex I to the Presidency Conclusions of the European Council of 21 and 22 June 2002.

(b) *Role of the Secretariat*

The Secretariat for the European Council is provided by the Secretary-General/High Representative and the Deputy Secretary-General, aided by a number of assistants.

The General Secretariat provides the normal logistic support, as well as acting in an advisory capacity to the Presidency. It prepares a steering note if required. The Secretary-General normally takes part in the briefing for the President of the European Council on the day before the meeting.

At the European Council itself, the Secretary-General/High Representative and the Deputy Secretary-General aided by the Legal Counsel to the Council (Director-General of the Legal Service) and two or three assistants and three note-takers provide secretarial services for the meeting.

(c) *Presidency conclusions*

An outline of the European Council conclusions is distributed on the day of the European Council meeting in good time for the start of proceedings.

At the close of the European Council, the Council General Secretariat takes responsibility for preparing and circulating the final version of the Presidency conclusions in the light of the discussions in the European Council on the basis of the draft. It also checks, as soon as possible, that all linguistic versions correspond.

Chapter IV – The Presidency's relations with the other institutions

During its six-month term, the Presidency has to carry out a number of specific tasks aimed at facilitating relations between the Council and the other institutions.

1. The European Parliament

(a) *Presentation of the programme – general debates – visits by Heads of State*

The Presidency presents its programme to the European Parliament at the beginning of its term of office. At the end of the term, it reports to the Parliament on progress achieved. Each of these interventions is followed by a debate.

Article 21 TEU (CFSP)⁴² and Article 39 TEU (JHA)⁴³ provide that the Presidency is to keep the European Parliament regularly informed of proceedings in these fields.

The President of the European Council submits an oral report to the European Parliament following the meeting of the European Council.

Article 4 TEU also provides for the European Council to submit to the European Parliament a yearly written report on progress achieved by the Union.

At formal sittings of the European Parliament on the occasion of visits by Heads of State or Government, the Presidency may be represented. The President of the Council does not make a statement on these occasions but is invited to the meal which generally accompanies such visits. There may also be private meetings between the President of the Council and Heads of State or Government visiting the Parliament.

(b) *Plenary sittings*

The Presidency's commitments consist chiefly in the President of the Council (General Affairs) – who may be the Minister for Foreign Affairs or the Minister State Secretary for European Affairs – being present at each plenary part-session of the European Parliament on a specific day (currently Wednesday) and frequently for part of a second day (usually Tuesday afternoon), and:

⁴² See also Chapter V, Section 4(f).
⁴³ See also Chapter VI, Section 4.

(i) answering questions – and additional questions – put at Council Question Time (currently Wednesday afternoon during part-sessions in Strasbourg);

(ii) answering any oral questions on the agenda for the part-session;

(iii) occasionally taking part in certain debates of particular importance or making a statement on a specific subject, either at the Council's initiative or in response to a request from the European Parliament's "Conference of Presidents".

At the "Conference of Presidents" (during which the preliminary draft and then the final draft agenda for the following month's part-session of the European Parliament are drawn up), the Council is represented by the member of the Council Legal Service responsible for relations with the European Parliament (either the Director-General or the Director)⁴⁴.

(c) *Involvement in committees*

An important aspect of relations between the two institutions is the exchange of views between the President of each Council configuration and the relevant European Parliament committees.

The Presidency (normally the minister responsible for the matter) is invited to most European Parliament committees. The minister makes a brief statement and answers questions on matters within his jurisdiction. The General Secretariat of the Council assists the minister in preparing his statement.

The practice is one exchange of views per parliamentary committee but increasingly some committees are asking for two exchanges of views or hearings, one at the beginning and the second at the end of the Presidency's term.

In this context, the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy always has on its agenda an item entitled "exchange of views with Council and Commission representatives, the aim of which is to cover topical events in the sphere of foreign affairs and security (Article 17 TEU)". The President of the Council or, in his absence, his representative or the Director-General for External Relations at the Council General Secretariat regularly takes part in the exchange of views. Such an exchange regularly takes place following a meeting of the GAERC.

⁴⁴ See Article 26 CRP and the Council decision of 6 August 1971 concerning the Assembly's working methods (doc 1621 71 ASS 1147).