



# HANDBOOK OF THE PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION



Council of the  
European Union





**HANDBOOK OF THE PRESIDENCY  
OF THE COUNCIL OF THE EUROPEAN UNION**

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# FOREWORD

The six-month Presidency of the Council continues to form an important part of the European Union's institutional system, in a context which has been radically altered by the changes made to the European Treaties over the past few years.

This new version of the Presidency Handbook takes account of those developments, and in particular the consequences of the entry into force of the Treaty of Lisbon. It also updates essential information on the organisation of the work of the Council bodies. The aim is to provide the Presidency with practical reference material that will answer most questions raised and/or direct it towards reliable sources of information.

This handbook has been drawn up under the sole responsibility of the General Secretariat of the Council (GSC) with a view to ensuring the smooth running of the European Council and the Council. It has no legal force. It is an internal document summarising the practices and knowledge accumulated by the Secretariat in terms of ensuring the efficient conduct of the six-month Presidencies — a role which has become increasingly complex over the years.

This handbook is one of a series of practical guides published by the GSC. The Delegates' handbook, its sister volume, contains information of general interest to the delegates of Member States concerning the conduct of proceedings and the Secretariat. The series includes other booklets on the Council's rules of procedure, the ordinary legislative procedure, drafting of documents and transparency.

The six months of a Presidency present a considerable challenge to all those who take it in turn to prepare for and exercise it. I trust that this handbook will help all those concerned to take on this responsibility, which is essential to the smooth functioning of the European Union.

The GSC remains at their disposal for any assistance which they may require.

Jeppé Tranholm-Mikkelsen  
*Secretary-General of the  
Council of the European Union*

The General Secretariat of the Council provides a 'Prepare your Presidency' portal on the Extranet. Here you will find a lot of useful information about how to organise a Presidency.

<https://extranet.consilium.europa.eu>

# CHAPTER I — GENERAL

## 1. SOURCES

The Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) contain a number of provisions dealing with the role of the Council Presidency and the conditions in which it is exercised.

According to Article 16(9) TEU, in conjunction with Article 236(b) TFEU, the Presidency of Council configurations, other than that of Foreign Affairs, is held by Member State representatives in the Council on the basis of equal rotation, in accordance with the conditions established by the European Council by a qualified majority. The European Council adopted that decision on 1 December 2009<sup>1</sup>. It provides, *inter alia*, that the Presidency of the Council, with the exception of the Foreign Affairs configuration, is held by pre-established groups of three Member States for a period of 18 months. The groups are made up on a basis of equal rotation among the Member States, taking into account their diversity and geographical balance within the Union. Each member of the group in turn chairs for a semester all configurations of the Council, with the exception of the Foreign Affairs configuration. The same applies to most of the Council's preparatory bodies. The order of Presidencies is defined by Council decision<sup>2</sup> in accordance with Article 4 of the European Council decision mentioned above.

Pursuant to Article 18(3) TEU, the High Representative of the Union for Foreign Affairs and Security Policy presides over the Foreign Affairs Council. This has implications for the chairmanship of the Council's preparatory bodies in this area. Hence the Political and Security Committee is chaired by a representative of the High Representative<sup>3</sup>.

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1 OJ L 315, 2.12.2009, p. 50.

2 It is set out in Annex I to Council Decision 2009/908/EU of 1 December 2009 laying down measures for the implementation of the European Council decision on the exercise of the Presidency of the Council and on the chairmanship of preparatory bodies of the Council (OJ L 322, 9.12.2009, p. 28) (see corrigendum: OJ L 344, 23.12.2009, p. 56). The list of six-monthly Presidencies from the second half of 2011 onwards is contained in Chapter V, Section 1(d).

3 See Article 2, second paragraph, of European Council Decision 2009/881/EU and Article 19(4), second paragraph, of the Council's Rules of Procedure (CRP).

A number of working parties in the field of external relations<sup>4</sup> are also chaired by a representative of the High Representative (see Article 2, third paragraph, of the aforementioned European Council decision and Article 19(4), third paragraph, of the Council's Rules of Procedure, hereinafter referred to as the CRP<sup>5</sup>).

Article 237 TFEU states that 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<sup>6</sup>. Other articles specify the role of the Presidency by field or sector. The Presidency's overall role is not described by the Treaty.

In the field of economic policy, a number of provisions assign certain tasks to the President of the Council concerning the provision of information to the European Parliament (e.g. reporting to the European Parliament on the results of multilateral surveillance, explaining — where appropriate — the Council's recommendations on the broad guidelines of the economic policies of the Member States and of the Union to European Parliament committees, if such recommendations have been made public, or notifying the European Parliament of a decision taken pursuant to Article 122 TFEU<sup>7</sup>).

Article 48(4) TEU gives the President of the Council the task of convening a conference of representatives of the governments of the Member States for the purpose of determining by common accord the amendments to be made to the Treaties on which the European Union (EU) is based.

The CRP further define this general framework by highlighting the tasks of the Presidency throughout the decision-making process in the Council and its preparatory bodies. In particular, Article 20 confers a number of specific tasks on the Presidency.

Finally, practice has played a large part in defining the role of the Presidency. Experience over the years has fleshed out the Presidency's role, the main features of which are described below.

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4 For a list of working parties, see Annex II to Council Decision 2009/908/EU.

5 Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

6 See also Article 1(1) CRP.

7 See Article 121(2) and (5).

## 2. THERE IS ONLY ONE PRESIDENCY

The counterpart of the single Council — an essential element of the structure of the Treaty on European Union — is the single Presidency, whether it is exercised on a permanent basis (in particular in the field of foreign affairs) or by rotation (in other areas). This is enshrined in Article 1(5) CRP, which states that references to the Presidency or the President apply to any person chairing one of the Council configurations or, as appropriate, one of its preparatory bodies.

Coordination and continuity between the different Council configurations and the various persons involved in the Presidency is therefore essential. The CRP also provides for a measure of flexibility in order to ensure that the Presidency is run as smoothly as possible. In support of such coordination and continuity, for example, the following occurs:

- (a) Each Presidency participates in the preparation of a joint 18-month programme with the two other Member States in the same pre-established group (commonly called the 'trio'). This programme is the point of departure and the framework for the more detailed six-monthly work programme that each Presidency prepares and circulates at the beginning of its term. The 18-month programme must be prepared with the President of the Foreign Affairs Council, in close cooperation with the Commission and the President of the European Council (Article 2(6) CRP).
- (b) Instances are provided for in the CRP<sup>8</sup>, which specifically provide for cases where the following Presidency may take the place of the Presidency-in-Office on committees and in working parties — but not in the Permanent Representatives Committee (Coreper) — where it is certain that the Council meeting for which they are preparing will be held under the following Presidency. Where a dossier is to be dealt with essentially during a given semester, a delegate of the Member State holding the Presidency during that semester may, during the preceding semester, chair meetings of committees, other than Coreper, and working parties when they discuss that dossier. In the specific case of the examination of the budget of the Union for a given financial year, meetings of preparatory bodies, other than Coreper, dealing with the preparation of Council agenda items on the examination of the budget are chaired by a delegate of the Member State which will hold the Council Presidency during the semester concerned.

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8 See Article 19(5) and (6) CRP.

- (c) Certain committees which prepare Council proceedings are chaired on a permanent basis independently of the six-month Council Presidency<sup>9</sup> (e.g. the Economic and Financial Committee, the Social Protection Committee and the Military Committee)<sup>10</sup>.

### 3. THE PRESIDENCY IS NEUTRAL

The Presidency must, by definition, be neutral and impartial. It is the moderator for discussions and cannot therefore favour either its own preferences or those of a particular Member State. This means taking due account, on their own merits, of all positions expressed.

The duty to be neutral exists alongside the political dimension which is reflected in the priorities set in the choice and handling of dossiers. This order of priority reflects the stage of maturity of dossiers and the deadlines that apply to them as well as the political themes which the Presidency wishes to set for its semester. In its role as moderator, the Presidency must also take action where it notes a stalemate; this may require compromise suggestions to reconcile the different interests involved in a single issue or a set of interconnected issues, which inevitably means that political choices have to be made.

### 4. THE PRESIDENCY DEPLOYS NATIONAL RESOURCES

Major deployment of the entire national administrative apparatus is required to get the Presidency, firstly, prepared and, later, up and running. The size of this extra workload for national administrations (both capitals and Permanent Representations) should not be underestimated. The success of a Presidency largely depends on how well it is prepared and how clearly responsibilities are divided between the capital and the Permanent Representation. In any case, the administration of the Member State taking on the Presidency does not work in isolation. It has the support of the General Secretariat of the Council (GSC).

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9 The current list is contained in Annex III to Council Decision 2009/908/EU.

10 The list of those committees and working parties is contained in Annex I to the list of Council preparatory bodies drawn up by the General Secretariat pursuant to Article 19(3), second paragraph, CRP.

## 5. THE PRESIDENCY IS ALWAYS IN THE HANDS OF THE COUNCIL

Any procedural decision is taken by the Council by a simple majority, acting on a proposal by the Presidency. Any statement by or letter from the Presidency expressing the Council position, particularly in its relations with the other institutions, must meet with the Council's or Coreper's agreement.

Article 19(7) CRP gives Coreper the power to adopt a number of procedural decisions.

## 6. THE GENERAL SECRETARIAT OF THE COUNCIL

The Treaty provides that the Council is assisted by a General Secretariat, under the responsibility of a Secretary-General<sup>11</sup>. This is a fundamental principle applied to the Council and its preparatory bodies as an institution, irrespective of the Council configuration or whether its Presidency is permanent or rotating. The rules of procedure stipulate that the Secretary-General has full responsibility for administering the appropriations entered in the Council budget. In practice, the Secretary-General undertakes a wide variety of tasks in assisting the Council at various levels and in ensuring the smooth running of the GSC.

### (a) The Secretary-General

The Secretary-General is head of the GSC and holds overall political responsibility for its activities. He/she has ultimate responsibility for the organisation and execution of the services provided by the GSC as a whole, and to the Presidency in particular, for meetings of the European Council, the Council and its preparatory bodies. He/she takes part in meetings of the European Council, of the General Affairs Council and, where appropriate, of certain other Council configurations. He/she maintains close contacts with the Permanent Representatives Committee.

The Secretary-General is responsible for administering the Secretariat's human and financial resources. In addition, the Secretary-General is available to give advice both before and during meetings of the European Council, the Council, and its preparatory bodies. He/she regularly briefs the Chair of the Permanent Representatives Committee ahead of each meeting of Coreper.

### (b) The General Secretariat of the Council

Assisting the Presidency takes many forms. Pursuant to Article 23(3) CRP, the GSC is closely and continually involved in organising, coordinating and ensuring the coherence of the Council's work and implementation of its 18-month programme; under the responsibility and guidance of the Presidency, it assists the latter in seeking solutions.

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11 Article 240(2) TFEU. See Article 23 CRP regarding the role of the Secretary-General and the GSC.

In the run-up to the Presidency, the GSC contributes to the preparation of the Presidency. It gives advice to future Presidencies on organisational, staffing and training aspects. In particular, before the start of the Presidency, it offers a range of briefings to key officials at the Permanent Representation and in the capital.

- (i) Besides logistical support, as described in Chapter V, the GSC supports the Presidency in its responsibilities for organising work, drawing up the timetable, setting the dates of meetings, convening meetings and briefings before meetings.
- (ii) During meetings, the GSC informs the Presidency about the procedures applicable and is responsible for drawing up all the documents reporting on progress or summarising the outcome, at every stage of the decision-making process (working parties, committees, Coreper and Council). It makes sure that those reports are circulated<sup>12</sup>.

The GSC advises the Presidency in its relations with the European Parliament, and organises and accompanies the Presidency in its meetings with representatives of the EP, in particular in trilogues.

- (iii) It acts as the registrar and institutional memory of the Council's and the European Council's discussions and decisions.
- (iv) The GSC has gradually built up an advisory role with the Presidency which manifests itself in different ways; in particular it is involved — to varying degrees — in working out the terms of Presidency compromises, in respect of both drafting and content.
- (v) The Legal Service of the Council has a specific role to play which should be emphasised. It is the legal adviser to the Council and the European Council<sup>13</sup>. Indeed, since the EU is — according to the Court of Justice of the European Union — 'a Community based on the rule of law, inasmuch as neither its Member States nor its institutions can avoid a review of the question whether the measures adopted by them are in conformity with the basic constitutional charter, the Treaty'<sup>14</sup>, it is vital that the Council should have access to independent legal opinions. While the Legal Service is an integral part of the GSC, it is independent in the opinions it gives. Representatives of the service attend

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12 See below, point (ix) concerning the Press Office.

13 The Director-General of the Legal Service is also the legal adviser to the Intergovernmental Conferences (IGCs) which amend the Treaties.

14 Judgment of 23 April 1986 in Case 294/83 *Les Verts v Parliament* (ECR 1986, p. 1339, paragraph 23).



working party, committee, Coreper, Council and European Council meetings and are called upon to answer any legal questions raised during discussions, or to ensure the legal accuracy of texts to be adopted by the Council. Oral contributions by the Legal Service, which are in some cases set down in written form, play an important part in helping the Presidency and delegations to conduct proceedings. The Legal Service, and in particular its team of legal/linguistic experts, is responsible under Article 22 CRP for ensuring the drafting quality of legislative acts, pursuant to the interinstitutional agreement of 22 December 1998. Finally, the Legal Service represents the Council when it is party to proceedings before the courts of the European Union (the Court of Justice, the General Court and the Civil Service Tribunal).

- (vi) As part of the policy of transparency, the GSC has responsibility for implementing, on behalf of the Council, Regulation (EC) No 1049/2001<sup>15</sup> regarding public access to European Parliament, Council and Commission documents. It is also responsible for making the Council's legislative deliberations public in accordance with Article 7 CRP, making Council deliberations public in accordance with Article 8 CRP and making statements in the minutes, items in those minutes, votes and explanations of votes public in accordance with Article 9 CRP. The GSC also implements Annex II to the CRP, which lays down specific provisions concerning public access to Council documents. It is therefore responsible for maintaining a public register of Council documents and for making certain documents directly accessible to the public in accordance with Article 11 of Annex II. Such documents may be accessed via the Council website ([www.consilium.europa.eu](http://www.consilium.europa.eu) and <http://register.consilium.europa.eu>).
- (vii) The Secretary-General, or a Director-General acting on his/her behalf, gives notice of the acts adopted by the Council (Article 18 CRP). The normal practice is for the Presidency to be consulted prior to such notification.
- (viii) The Secretary-General or a senior Council official may, acting on the Presidency's instructions, represent the Council before European Parliament committees (Article 26 CRP).
- (ix) The Press Office provides information on the Council to the outside world by drafting and circulating:

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15 Regulation of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

- background notes on the main items under discussion during a Council meeting: these are available a few days prior to the Council meeting;
- press releases circulated during and after Council meetings as well as after agreements via written procedure;
- An ‘outcome of the Council meeting’ document containing the outcome of proceedings and the text of any conclusions, resolutions or agreements decided on by the Council and, where appropriate, the results of votes made public, together with any explanations of votes made public;
- other information such as documents regarding the main dossiers to be dealt with by the Council over the following two weeks, main media events taking place in the following week, etc.

Moreover, the Press Office also:

- provides the Presidency with media guidance, especially ahead of Council meetings, media monitoring on relevant topics, including coverage of Council meetings, and social media support;
- arranges contacts with journalists;
- manages the press centre;
- organises background and technical briefings on Council activities and meetings as well as arranging Presidency press conferences following Council meetings;
- organises the webcast of public deliberations and debates via the Council’s video-streaming portal;
- manages the audio-visual aspects of the Council’s activities and provides the Presidency and other participants with audio-visual resources such as camera teams and TV and radio studios. Videos and photos of events such as doorsteps and press conferences are made available online for download in broadcast/high quality on the Newsroom portal.

Information for the press is made available on the Council website ([www.consilium.europa.eu/press](http://www.consilium.europa.eu/press)).

(x) Internet site

The General Secretariat of the Council manages a single website which covers both the European Council and the Council of the European Union: [www.consilium.europa.eu](http://www.consilium.europa.eu). This website is a source of information and online services for the general public and for practitioners and professionals, researchers and students alike. The website contains up-to-the-minute information on the activities, statements, discussions and reports of the President of the European

Council, on the composition, policies, activities and decision-making procedures of the two institutions, and on the budget, language coverage, legal bases, summits, meetings and special events in the European Union. It also contains information on the activities and statements of the Eurogroup and its president.

Via the website, there is the possibility to watch live or recorded public debates as well as video streamed press conferences and briefings. The public register section contains references to public documents produced from 1999 onwards, 70 % of which are directly accessible. Information brochures and certain other publications can be selected and ordered free of charge, or printed in pdf format or downloaded as electronic books. The historical archives contain searchable records, some in electronic form, dating back to the early days of European integration. The Council voting calculator explains the voting rules and makes it possible to do an online calculation of the various possible results.

Delegates can also register for e-mail or SMS alerts to receive the latest (particularly press) documents published on the site.

The General Secretariat also publishes up-to-date information on job offers, traineeships, contact points, etc. on the website.

(xi) Publications and documentation

The Council's Documentation Centre, located in the Justus Lipsius building (00-GH-12), provides delegates, visitors and EU officials with all the publications of the European Council and the Council, as well as some publications produced by other institutions. Brochures in all the official EU languages can be ordered, including for distribution to groups or at events. European Council and Council publications can also be obtained at [www.consilium.europa.eu/en/documents-publications/publications](http://www.consilium.europa.eu/en/documents-publications/publications). For more information, please contact [documentation@consilium.europa.eu](mailto:documentation@consilium.europa.eu) or tel. +32 (0)2 281 19 03.

In addition, Info Point Europa, the information centre located in Brussels' European district, at rue Archimède/Archimedesstraat 1, on Rond-Point Schuman/Schumanplein, has two meeting rooms (seating 30 and 70 persons respectively) which the Presidency can reserve for presentations, conferences, seminars or discussions. Exhibitions may also be organised there. The centre is managed jointly by the GSC and the Commission. For information, please contact +32 (0)2 295 38 44.

(xii) Open Day

Once a year, on a Saturday in May around the Europe Day (9 May), the public is welcomed to the premises of the European Council and the Council of the EU. The other Brussels-based EU institutions also open their doors on the same day and contribute to this annual public event known as the Open Day.

Officials from the General Secretariat of the Council give information and provide guided tours of the Justus Lipsius building in Dutch, English, French and German. Thousands of visitors can, in this way, discover the meeting rooms where Heads of State or Government and ministers make decisions which affect the life of European citizens. The European Central Bank and many EU agencies also use the premises of the Council to present their work on this day.

- (xiii) The GSC takes charge of publishing official Council documents in the *Official Journal of the European Union* ([www.eur-lex.europa.eu](http://www.eur-lex.europa.eu))<sup>16</sup>.

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16 Article 17 CRP.

# CHAPTER II — GETTING READY FOR THE PRESIDENCY

## 1. PLANNING OF WORK — TIMETABLE OF MEETINGS<sup>17</sup>

For each 18-month period, the pre-established group of three Member States (commonly called the 'trio') holding the Presidency of the Council for their term prepares a programme of Council activities for that period (Article 1(4) and Article 2(6) CRP). They present their draft programme to the General Affairs Council for endorsement.

The 18-month programme comprises a general introductory section placing the programme in the context of the EU's long-term strategic guidelines and an 'operational' section containing the Council's activities for the period in question. The draft is prepared with the President of the Foreign Affairs Council with regard to that configuration's activities. It must also be prepared in close cooperation with the Commission and the President of the European Council before being endorsed prior to the period by the General Affairs Council. It must be presented in a single document (see Article 2(6) CRP). The GSC assists the three Member States throughout this exercise.

Each Presidency, for each configuration (including the Foreign Affairs configuration), makes known the timetable of the meetings which the Council is to hold during its semester. This timetable must be available seven months before the beginning of the semester concerned, and must also be presented in a single document (Article 1(2) CRP).

Generally speaking, the Presidency must try to spread work out as evenly as possible over the semester, in particular to prevent an excessive concentration at the end; 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 must take account of public holidays observed by the EU institutions.

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17 See also the *Delegates' handbook*.

## 2. CHANGES TO THE TIMETABLE

If necessary, the Presidency can always change the timetable by proposing to cancel or add a meeting or to change dates. In any case the Presidency should convene Council meetings only when there is a substantive agenda (that is, when there are policy decisions to be taken or political guidelines to be given). Sessions of the Council should not be convened for presentations or information points only. Limited use should be made of the option of adding extra Council meetings because of the costs involved and the availability of ministers. It is also generally accepted that a month's notice is needed for unscheduled Council meetings. If it does change the timetable, the Presidency must be sure to consult Coreper. Any requests from the Commission or delegations for changes to the timetable must also be made in Coreper.

The Presidency examines delegations' requests and remarks, 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, the Council has its seat in Brussels, in the Justus Lipsius building. 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) CRP). This can happen when a meeting of the Council is required to take decisions or give political guidelines in the margins of international negotiations (for example, a WTO ministerial session).

The Presidency must comply with the number of configurations in which the Council meets, according to the CRP<sup>18</sup>.

## 3. PLANNING OF WORK — PREPARING INDICATIVE AGENDAS

Each Presidency draws up provisional agendas for each Council meeting scheduled for the next semester showing, on an indicative basis, the legislative work and operational decisions planned. The meeting dates planned by the Presidency are set out in a single document that applies to all Council configurations (Article 1(2) CRP). These draft provisional agendas are circulated at the latest one week before the beginning of the Presidency's term of office on the basis of the 18-month programme (Article 2(7) CRP).

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18 The list of current Council configurations is set out in Annex I to the Council's Rules of Procedure. It was last amended on 16 September 2010 (European Council Decision Euco 19/10 of 16 September 2010 amending the list of Council configurations, OJ L 263, 6.10.2010, p. 12). The updated list is contained in Annex I.

The indicative agendas cannot cover every contingency. However, for planning to be credible, changes should be confined to cases of necessity. Work on the indicative agendas begins at least nine months before the Presidency.

The indicative agendas are drafted with the help of the GSC which provides a first draft to the incoming Presidency approximately six to eight weeks before the start of the Presidency. The Commission is consulted during the process.

Good coordination between the institutions and a smooth transition between Presidencies mean that each Presidency should:

- update the list of dossiers to be examined in the semester concerned;
- cross-check the timetables for procedures within each institution; in the case of the European Parliament, for example, it is vital to take account of the timetable for plenary sessions and committee meetings;
  
- assess the importance of each dossier and its political or technical nature;
- in the case of dossiers under the ordinary legislative procedure ('codecision'), take particular account of the timetable that is imposed by the Treaty and by the schedule of sessions of the Council and European Parliament;
- use the presentation and terminology that have become established<sup>19</sup>.

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19 For codecision in particular, see doc. 5084/12.

## **Presidency's role in the preparations and follow-up of the European Council**

Since the entry into force of the Lisbon Treaty, the role of the rotating Presidency in the planning, preparations and running of the European Council has subsided. These tasks now fall upon the permanent President of the European Council and his/her team. This said, the rotating Presidency has an important role, given the important synergies which need to be established between the Council and the European Council and the fact that the formal preparations of each European Council are done by Coreper and the General Affairs Council (GAC), both chaired by the rotating Presidency. While the formal strand of the European Council preparations is based on a set of straightforward rules and timelines set out in the Rules of Procedure of the European Council, close collaboration between the President of the European Council and his/her Cabinet and the rotating Presidency is crucial in achieving the European Council's goals. To ensure that, weekly meetings are organised between the Coreper Chair and the European Council President's Head of Cabinet, which have become a valuable and highly appreciated practice. These meetings allow for a tour d'horizon on key issues on the table, establish synergies between the Council and the European Council and, most importantly, actively promote cooperation between the two institutions. In more practical terms, the rotating Presidency has the opportunity to look at advance copies of the draft European Council conclusions and react before these are finalised. Similarly, the rotating Presidency is often consulted on tactics and programming matters, which have direct links with the Council's activity.



## The European Semester

The European Semester, the annual process of economic policy coordination, involves a number of Council formations and the European Council. It has been standard practice to divide the semester into two phases, the first from the publication by the Commission of the Annual Growth Survey (AGS) package in late autumn until the March European Council, and the second from the March to the June European Council. In the first phase, the Council typically debates the AGS in a number of formations and adopts conclusions in EPSCO (Employment, Social Policy, Health and Consumer Affairs Council) and Ecofin (Economic and Financial Affairs Council). All these contributions are normally summarised into a Presidency synthesis report to the March General Affairs Council on the basis of which the March European Council provides guidance to Member States for their National Reform Programmes and Stability or Convergence Programmes. In the second phase of the semester, the Commission proposals for country-specific recommendations are examined and approved in the EPSCO and Ecofin Council formations in June, followed by their approval by the June GAC, and by endorsement by the June European Council of the integrated recommendations. The Presidency for the first semester of each year presents a roadmap to the General Affairs Council before the start of its term, outlining all Council discussions related to the European semester. The Presidency should also ensure appropriate coordination with the chairs of independent committees that prepare the meetings of Ecofin and EPSCO. These committees are the Economic and Financial Committee, the Economic Policy Committee, the Employment Committee and the Social Protection Committee.

## 4. THE MACHINERY OF THE PRESIDENCY

One of the first tasks when setting up the Presidency is to appoint the Chairs 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 Chairs 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 to have working parties function efficiently, it is recommended that future Chairs be fully briefed on the functioning of the Council, its preparatory bodies and the GSC. The GSC provides briefing programmes tailored to the needs of each Presidency. Incoming Presidencies are encouraged to make first contacts with the GSC about three years in advance (see Annex II for contact points).

### **Special provisions that apply, in particular, for the budgetary procedure**

Article 19(5) CRP provides that ‘for the preparation of meetings of Council configurations meeting once every semester, 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 semester shall be chaired by a delegate of 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 applied. This point is particularly important in the context of the budgetary procedure. Under Article 19(6), second subparagraph: ‘In the specific case of the examination of the budget of the Union 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 semester of the year prior to the financial year in question. The same shall apply, with the agreement of the other 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 arrangements’.

As and when required, particularly if a member of the current rotating Presidency is unable to attend a meeting, it may be chaired by another member of the ‘trio’ or by the following Presidency (even if this is outside the ‘trio’) (Article 20(2) CRP). If a Chair is to be replaced under one of the above scenarios permanently throughout a semester, the Presidency will invite the Council to endorse a list of the bodies concerned in advance of the semester, in accordance with Article 19(4) CRP.

In order to coordinate every aspect of the organisation of meetings, the Presidency must also designate someone at the Permanent Representation as ‘meeting coordinator’ for the practical organisation of meetings who will remain in regular contact with the General Secretariat departments responsible for reserving rooms and teams of interpreters<sup>20</sup> (see Section 6 on Interpreting).

The ‘meeting coordinator’ 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 under the authority of the coordinator.

The coordinator must be able to negotiate with working party Chairs and, if need be, arbitrate. It is essential for him/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 GSC and from the Joint Interpreting and Conference Service. He/she must act on behalf of the Chair of Coreper, and on his or her authority. As his/her role is essential for the smooth running of the Presidency, he/she should, as far as possible, be free to work exclusively on these tasks.

Should the need arise, the coordinator can also play a role in setting priorities when the number of documents needed for a given date exceeds the capacities of the document translation and production services. He/she is also an important contact person for the General Secretariat’s Central Coordination Department for document translation and production.

To enable the Council to operate efficiently and cost-effectively, the Presidency must keep limits on the number of meetings, particularly of working parties and committees. 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 department of the GSC (the Conference Directorate of DG Administration).

Full advantage should be taken of the potential represented by new technologies. For instance, e-mail consultation and exchanges can sometimes help reduce the duration of meetings (see also Annex V CRP on Council working methods).

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20 See also the *Delegates’ handbook*.

## 5. TRAVEL EXPENSES INCURRED BY DELEGATES OF MEMBER STATES

The travel expenses of delegates of Member States are reimbursed at the expense of the general budget of the European Union under the conditions and within the limits defined in Decision 30/2013 of the Secretary-General of the Council of 12 June 2013. Travel expenses are eligible for reimbursement if the travel was undertaken in order to attend:

- a meeting of the European Council or the Council or one of its preparatory bodies;
- a meeting in the framework of the activities of the European Council or the Council;
- a meeting of an Intergovernmental Conference with a view to revising the Treaties or the accession of a country to the European Union, or of one of its dependent bodies;
- any meeting other than those mentioned above, held within the framework of the Treaties which is considered to be inextricably linked to the work of the European Council or 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 (list of preparatory bodies taking part in the Council's preparatory work) under the above decision is regularly updated according to the Council's functions. It can be accessed on the Council's website:

[www.consilium.europa.eu/en/council-eu/preparatory-bodies](http://www.consilium.europa.eu/en/council-eu/preparatory-bodies)<sup>21</sup>.

The principle of reimbursement of travel expenses is applied on the basis of a fixed budget allocated to each Member State. That allocation allows each Member State to decide on the extent of its representation at meetings, whether or not they take place at the Council's headquarters.

The annual envelope for the Member State holding the Presidency is increased by 50 %.

Decision 30/2013 is reproduced in Annex III.

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21 Last amended in July 2014 (doc. 11926/14).

## 6. INTERPRETING

There are different interpreting arrangements depending on the type of meeting to be covered.

A full interpretation regime (23/23) is provided for Council meetings, European Council meetings and meetings of up to 20 preparatory bodies, and is entirely funded from the Council's budget. For the other preparatory bodies, interpreting is provided 'on request' (Annex IV). Decision 111/07 of the Secretary-General/High Representative (Annex V) establishes the exact procedures and details for interpreting 'on request'; it is supplemented by Decision No 85/05 of the Deputy Secretary-General of the Council of 23 June 2005 concerning the breakdown between delegations sharing official languages for the purpose of the financing of interpreting (Annex VI).

For the system to work effectively, Presidencies must plan and schedule the meetings of working parties preceding Council meetings as carefully as possible. Meetings will need to be planned in certain cases down to sub-area level. Presidencies must establish their detailed timetables for the entire semester at least three months before it starts, to make it possible to calculate the estimated costs of interpreting requests from delegations at the beginning of each semester for the 'on-request' working parties.



# CHAPTER III — HOW THE DECISION-MAKING PROCESS WORKS

The decision-making process comprises several stages from the examination of a proposal in the Council until the final decision is taken. Detailed information and explanations on the ordinary legislative procedure ('codecision') are available in the *Guide to the Ordinary Legislative Procedure*. The purely procedural aspects<sup>22</sup> 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*.

The list of Council preparatory bodies established by Coreper decision is regularly updated and is published by the GSC (second subparagraph of Article 19(3) CRP). It can be accessed on the Council website: [www.consilium.europa.eu/en/council-eu/preparatory-bodies](http://www.consilium.europa.eu/en/council-eu/preparatory-bodies)<sup>23</sup>.

## 1. WORKING PARTIES

Once the GSC has received a Commission proposal<sup>24</sup> in all its language versions, the relevant working party is convened to examine it on the instructions of Coreper (or the Special Committee on Agriculture (SCA)<sup>25</sup> for most agricultural questions) as follows:

- With the Presidency's agreement, the GSC issues the meeting convocation and agenda — in principle, at least one week before the meeting.
- The choice of meeting date must take into account the availability of meeting rooms and interpreting facilities<sup>26</sup> as well as likely dates for discussion in Coreper

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22 The reference here is essentially to the procedures laid down in Article 294 TFEU and those peculiar to the budget, international agreements and Titles V (CFSP) TEU and V (JHA) TFEU.

23 Last amended in July 2013 (doc. 12111/1/13 REV 1).

24 For TFEU matters, proposals come mostly from the Commission although under certain provisions of the Treaty the European Central Bank (ECB) and the Court of Justice may submit draft legislation for adoption by the Council. For Title V TEU, the initiative may come from the Member States or the Commission.

25 The Special Committee on Agriculture was set up in 1960.

26 For information regarding rooms and interpreting, see the *Delegates' handbook*.

or the SCA<sup>27</sup>. In many cases, possible dates for contacts with the European Parliament will also need to be factored in.

- Documents to be examined by the working party (Commission proposal, compromise texts and others) should in principle reach delegations at least a week before the date of the meeting. In most cases, delegations are unable to take positions on documents that are circulated at the last minute, especially on complex or politically sensitive issues.

For legislative proposals accompanied by an impact assessment, the Council procedure for examining impact assessments with the help of an indicative checklist applies (doc. 10882/14). The Commission should be invited to present the impact assessment at the working party at the same time as it presents the legislative proposal. Delegations should be informed sufficiently in advance and the indicative checklist circulated to them (doc. 8406/13). The Chair should organise the discussion at the working party so that it enables delegations to express their views on the Commission impact assessment and its usefulness in supporting the work of the Council. Delegations should be encouraged to share their national impact assessments, if possible at the same meeting. When the legislative proposal is referred from the working party to Coreper/Council, the report should include a summary of the impact assessment discussion. Detailed guidance on handling impact assessments is presented in *Handling impact assessments in the Council* – indicative guidelines for working party chairs (doc. 16024/14).

The Presidency, with the assistance of the GSC, prepares the agendas for all working party meetings. It is normal to set up before every working party meeting an advance briefing between the Presidency and the relevant Secretariat officials (director-general, Legal Service and, if applicable, codecision unit). The Commission representative may be invited to attend. The Presidency is responsible for setting up these briefings with the assistance of the GSC.

Relations between the Chair and the delegate representing the Member State holding the Presidency must also be clarified. This is in order to avoid both blatant collusion and contradictory situations which would compromise the clarity of discussions. The Chair's authority is seriously compromised if he or she presents the views of their Member State.

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27 Article 21 CRP states that the Presidency is to 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 should 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 working party follows similar rules of procedure to the Council and Coreper. Its purpose is to enable national delegates to discuss their positions with each other in order to iron out technical and substantive difficulties raised by the proposal under discussion. Horizontal or institutional problems normally require discussion in Coreper, as do the most difficult substantive questions.

A working party generally examines the proposal in depth, article by article, and explores compromise options. It reports to Coreper only when it judges that sufficient groundwork has been done and all issues that could be resolved at its level have been. The decision to pass the dossier on to Coreper is for the Presidency to weigh up, in consultation with the GSC.

As far as an outcome is concerned, there are no final decisions and no votes in the working party. To get an indication, however, the Chair can hold an informal poll of delegations' positions. At the end of the meeting, he/she 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 Chair can either refer matters to Coreper, or decide to hold a further meeting of the working party to iron out those issues which, by their nature, need to be resolved before Coreper meets. He/she must ensure in any case that a dossier is only submitted to Coreper when there is a reasonable prospect of progress or clarification of positions being achieved at that level. Conversely, dossiers should only be referred back to the working party when necessary, and in any event only with the remit to tackle precise, well-defined problems (see points 1 to 5 of Annex V to the CRP on working methods).

In effective negotiations, it is necessary to use time between meetings. Thus, the Chair, with the aid of the GSC, can try to resolve outstanding issues through bilateral and multilateral exchanges with delegations and the Commission. The Chair can also conduct written consultations by requesting delegations to react in written form to a proposal. It is important that the Chair gives the working party an account of the result of his or her multilateral consultations (see the abovementioned Annex V to the CRP on working methods).

### **Arrangements specific to Common Foreign and Security Policy (CFSP)**

Working parties in the CFSP area are chaired by representatives of the High Representative of the Union for Foreign Affairs and Security Policy, with the assistance of the GSC. Working parties contribute to the preparation of Council decisions and/or positions by regularly gathering experts from the Member States' relevant ministries ('capitals configuration') and/or Permanent Representations ('Brussels configuration'). They carry out either regional or thematic work, frequently, but not exclusively, on the instructions of the Political and Security Committee (PSC) (in the field of CFSP) and/or Coreper. Working parties meet with varying frequency, in line with the nature of their work and the urgency of the items on their agendas.

Notices of meetings are sent by COREU to the capitals, the Commission and the Permanent Representations, preferably at least a week before the meeting. They must indicate the items on the agenda and the practical details of the meeting. The distribution of an 'annotated agenda' has become common practice for most working parties. Notices of meetings are also circulated by means of Council communications to ensure that the relevant departments of the GSC (security, logistics, etc.) are informed.

The GSC takes part in the drafting of the reports of CFSP working party meetings. As a general rule, reports are available 24 hours after the working party meeting and are in principle sent by COREU. Member States are bound only by the operational conclusions which, after having been checked with the Presidency, are approved by a 'silent' procedure, which expires according to the timeline indicated in the COREU.

### **Arrangements specific to Justice and Home Affairs (JHA)**

As a result of the integration of the Schengen acquis into the European Union, many of the meetings referred to above are also frequently held in 'mixed committee' format, although the mixed committee format cannot be a substitute for normal meetings. Iceland, Norway, and now Switzerland and Liechtenstein too are involved in this cooperation.

## 2. THE GENERAL SECRETARIAT OF THE COUNCIL<sup>28</sup>

After the working party meeting, the Secretariat and the Presidency discuss what follow-up steps to take. As a general rule, the GSC 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. Depending on the situation, deadlines and progress of work, the Secretariat and the Presidency may also decide not to draft a report but instead a draft compromise or a strategic document<sup>29</sup>.

Generally, at least two weeks are needed to make a document of around 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 GSC's logistical capacity. In view of the pace of work, connected inter alia with negotiations with the European Parliament under the ordinary legislative procedure, together with very short intervals between the various discussions at different levels, it is not possible to translate the working documents that form the basis of proceedings (so-called 'four-column documents' and Coreper reports). To prepare for a Council, the language services make every possible effort to translate the texts being discussed into all languages in time for Coreper meetings. All documents submitted to the Council, without exception, are translated into all languages.

Once a working party Chair decides that a dossier should be put on Coreper's agenda, he/she informs the relevant contact at the competent directorate-general (DG) of the GSC and the Chair of the Antici or Mertens Group. The Antici or Mertens Chair will contact the appropriate people in the Directorate for General Policy (DGP) of the GSC, to have the item put on the draft agenda for the Coreper meeting. Procedurally, an item can only be put on Coreper's agenda when the responsible department of the GSC requests it of DGP. On the basis of the requests it receives, DGP draws up draft agendas for Coreper I and II respectively, in consultation with the Presidency. In practice, the final draft is approved by the Presidency member of the Antici or Mertens Group before it is issued.

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28 See also the *Delegates' handbook*.

29 See the *Guide for the drafting of documents*.

### 3. THE PERMANENT REPRESENTATIVES COMMITTEE (COREPER)

Article 240 TFEU provides that ‘a committee consisting of the Permanent Representatives of the Governments 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 latter’. 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<sup>30</sup> and for all areas falling within the sphere of competence of the Union, including the CFSP and JHA. Article 19(1) CRP provides that Coreper’s role is 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<sup>31</sup> states that all items on the agenda for a Council meeting are to be examined in advance by Coreper, unless otherwise decided by Coreper (by simple majority) or, in urgent cases, by the Council (voting unanimously).

Coreper is divided into two parts:

- Coreper Part 2 (Coreper II), composed of the Permanent Representatives, which usually meets on Wednesdays or Thursdays;
- Coreper Part 1 (Coreper I), composed of the deputy Permanent Representatives, which meets on Wednesdays as a rule, but often also on Fridays.

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

- Coreper II: institutional matters, preparation of Council meetings in the following configurations: General Affairs; External Affairs; Economic and Financial Affairs; and Justice and Home Affairs;

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30 Veterinary and zootechnical harmonisation, as well as the harmonisation of plant health, animal feedingstuff and plant and seed legislation, traditionally go through Coreper.

31 Without prejudice to the role of the Economic and Financial Committee as determined in Article 134(2) TFEU and the current Council decisions which concern it.

- Coreper I: preparation of Council meetings in the following configurations: Employment, Social Policy, Health and Consumer Affairs; Competitiveness (Internal Market, Industry, Research and Space); Transport, Telecommunications and Energy; Agriculture and Fisheries; Environment; and Education, Youth, Culture and Sport.

Coreper oversees the implementation of Council impact assessment policy. The Presidency may consider presenting the impact assessment of a major legislative proposal with significant economic impacts to Coreper before work starts in the working party. On that occasion, the Presidency may also consider proposing to Coreper that another Council preparatory body analyse the impacts in its field of competence. Where serious concerns over an impact assessment are identified by a significant number of Member States at the level of working party, the Presidency may also refer the matter to Coreper to decide whether the working party should proceed with examination of the proposal or whether the Commission should be invited to complement its impact assessment. For further details, see *Handling impact assessments in the Council – indicative guidelines for working party chairs* (doc. 16024/14).

### **(a) Provisional agenda**

The provisional agenda is finalised by the Coreper Chair (via the Antici or Mertens Group) the week before the meeting<sup>32</sup>. It is forwarded to delegations by the Secretariat in the form of a communication. At the beginning of the week during which the meeting takes place, a numbered, and if necessary updated, draft agenda is sent to delegations.

The Coreper agenda is divided into two parts:

- Part I includes the items on which agreement has been reached at working party level and which can be endorsed by Coreper without debate, unless opposed by a delegation. If opposed, the item is withdrawn from the agenda or moved to 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 an oral or written communication from those requesting them, but cannot culminate in a decision. Since it became possible for Coreper to adopt procedural decisions (Article 240(1) TFEU 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.

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

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 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 that 'unless considerations of urgency require otherwise, the Presidency shall postpone to a subsequent Coreper meeting any legislative acts on which the committee or working party has not completed its discussions at least five working days prior to Coreper's meeting'.

To ensure the smooth and efficient conduct of proceedings, it is essential that these provisions are respected.

Departures from this discipline create avoidable costs and inefficiency. The GSC, in particular, does not have the budgetary margins to accelerate processes (especially document translation and production) to compensate for derogations from the CRP. The GSC (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.

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 GSC drafts short notes for the delegates on the items in Part I and reports summarising the progress of discussions (possibly with an annotated text) for items in Part II. It also draws up for each item on Part II of the agenda an information note for the Presidency alone (brief for the Chair of Coreper). In general, this note contains information on the procedure to be followed, useful information and tactical advice for conducting proceedings, the components of a compromise if applicable, introductory speaking notes and background information, as well as any other material useful for moving the discussion forward. Briefs for the Chair are exclusively reserved for the Presidency. On CFSP-related items, the Chair may receive an additional information note prepared by the European External Action Service (EEAS).

The Presidency can also take the line of making a specific compromise, to get work moving. The contribution is drafted by the Presidency, assisted by the GSC (and in particular by the Legal Service), usually in liaison with the Commission. For CFSP matters, this is done with the EEAS.

A preparatory meeting (briefing) is held before the Coreper meeting, attended by the Coreper Chair, together with the Mertens or Antici coordinator, officials of the GSC dealing with the matters on the agenda, a representative of the Legal Service, a representative from the Secretary-General's office, and a Commission representative. When the dossiers on the agenda concern the Union's external policies, the EEAS representative takes part in the preparatory meetings. By analogy, the same practice is followed in the various working parties.

In general and on the Presidency's initiative, six weeks before the end of a Presidency, the following Coreper Chair is invited to attend these preparatory meetings.

The Antici Group, set up in 1975, prepares the work of Coreper (Part II). It is composed of the immediate assistants to the Permanent Representatives and a Commission representative, under the chairmanship of the Presidency's Antici member. Meetings of the group are also attended by a representative of the GSC and the assistant to the Director-General of the Legal Service. The group is responsible for examining 'I items', reviewing 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 keep Coreper's workload as light as possible (see Annex V to the CRP on the Council's working methods, 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 prepared by Coreper (Part II), before these minutes are submitted as 'I items' to Coreper. 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, is made up of the immediate assistants to the Deputy Permanent Representatives and performs more or less the same function for Coreper (Part I) with a similar composition. It also deals with the authorisations to hold Council or working party meetings outside the Council's headquarters.

It may also be noted that in 2003 Coreper created the Nicolaïdis Group, which assists with the organisation of meetings of the Political and Security Committee (PSC) — which is also involved in preparing for Coreper's CFSP-related work — for example, by going through the provisional agendas in advance, deciding the order in which items should 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 Chair states in what sequence items will be discussed.

The Chair 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 announces its intentions regarding the running of the meeting (see *Comments on the Council's Rules of Procedure*).

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 relevant service of the GSC and the Legal Service, may be asked to redraft the text, or Coreper may request a working party to meet as a matter of urgency in parallel with Coreper proceedings.

### **(d) Outcome**

At the close of discussions, the Chair 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, in the context of preparations for a Council meeting, as a nominal 'B' item; or
- note agreement on a number of items, as well as substantive differences of views remaining on other points that need discussion at Council level to be resolved; in such circumstances, he/she 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
- ask the relevant working party to sort out the technical difficulties which have emerged at the Coreper meeting.

In relation to the codecision dossiers, and particularly the preparation of informal trilogues with the European Parliament, the Chair summarises the elements of the discussion which form the Presidency's mandate for its contacts with the Parliament.

Following the Coreper proceedings, on each item the GSC issues a note summarising progress to assist further discussion at Council level, as well as a note to the Presidency. If full agreement has been reached in Coreper, the GSC issues an 'A item note' listing



the references of the texts to be adopted by the Council after finalisation by the legal/linguistic experts, together with any statements.

Within two weeks of the Coreper meeting, the GSC issues a summary record of the outcome of Coreper's proceedings.

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 meetings<sup>33</sup>.

#### 4. THE COUNCIL

In line with the timetable presented seven months before the beginning of the rotating Presidency (see Chapter II), the Council meets 'when convened by its President on his or her 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, who may commit the government of the Member State in question'<sup>34</sup>.

The Commission is invited to take part in meetings, although the Council may decide by simple majority to deliberate with the Commission not present ('in closed session'). 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).

The Council meets in different configurations depending on the subjects for discussion. These configurations are listed in Annex I.

Each Council configuration meeting, apart from the Foreign Affairs configuration, is chaired by the appropriate minister of the Member State holding the Presidency. The Foreign Affairs Council is chaired by the High Representative of the Union for Foreign

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33 See the footnote relating to Article 3(1) and (2) of the CRP, which states that: 'The President will endeavour to ensure that, in principle, the provisional agenda for each meeting of the Council dealing with implementation of the Title of the TFEU relating to the area of freedom, security and justice and any documents relating to the items involved reach members of the Council at least 21 days before the beginning of the meeting.'

34 See Article 16(2) TEU. Certain provisions of the Treaty stipulate that the Council is to meet at the level of Heads of State or Government.

Affairs and Security Policy, who may, where necessary, be replaced by the member of that configuration who represents the Member State holding the rotating Council Presidency (see the second subparagraph of Article 2(5) CRP). When the Foreign Affairs Council is convened to discuss common commercial policy issues, its President is replaced by the Presidency-in-Office (see the second subparagraph of Article 2(5) CRP).

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 General Affairs Council has a horizontal responsibility for overseeing general coordination of policy, and for ensuring coherence in the work done by the various Council configurations. 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 in the five days leading up to the European Council meeting (Article 2(2) and (3) CRP and Article 3(1) of the European Council's Rules of Procedure).

The frequency of Council meetings varies with the configuration. The General Affairs, Foreign Affairs, Ecofin and Agriculture and Fisheries configurations usually meet every month.

The Presidency can also decide, case by case, that certain dossiers should best be negotiated and handled by the General Affairs Council. This is the case for the negotiation on the multiannual financial framework — in fact, agreed in advance by four consecutive presidencies.

### **(a) 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 21 days.

To allow national parliaments to express their views on questions that might be of particular interest to them, Protocol No 1 on the role of national parliaments in the European Union and Protocol No 2 on the application of the principles of subsidiarity and proportionality, annexed to the Treaties, established a mechanism preventing the Council from adopting a legislative act before national parliaments have had time to examine the text. Article 4 of Protocol No 1 provides that the Council may not place a legislative proposal or initiative on its provisional agenda for a decision (on the final adoption of a legislative act, or on a position under the ordinary legislative procedure) until eight weeks have elapsed since the submission of the proposal or initiative. The

same article also provides that a 10-day period must elapse ‘between the placing of a draft legislative act on the provisional agenda for the Council and the adoption of a position’. That rule also appears in Article 3(3) of the CRP. The Council, acting in accordance with the voting arrangements applicable for the adoption of the act or position in question, may derogate from the 8-week and 10-day periods 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 (see Article 3(2) CRP). After this deadline, however, unanimity is required to enter an additional item on the agenda (see Article 3(7) CRP).

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 for discussion and those for decision.

The GSC 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 GSC 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.

The provisional agenda is divided into two parts, dealing respectively with deliberations on legislative acts and with non-legislative activities. The first part is entitled ‘Legislative deliberations’ and the second ‘Non-legislative activities’. Deliberations on the legislative part must be held in public (Article 16(8) TEU). Each of these two parts is divided into:

- ‘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 meeting, or kept on the agenda — as a ‘B’ item — by a simple majority if the item had been entered within the deadlines stipulated by Article 3 CRP).

Delegations may, additionally, enter statements in the Council minutes when ‘A’ items are adopted<sup>35</sup>.

- ‘B’ items, which are the items that the Council will discuss.

The agenda may also include ‘Other business’ items. These items 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 be accompanied by an explanatory document by the delegation submitting the request (Article 3(9) CRP).

### **(b) Preparation**

A preparatory meeting (briefing), chaired by the President, is held 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/her deputy, and by the Secretary-General and/or the Director-General of the department of the GSC 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 open<sup>36</sup> to a maximum of five persons per delegation, including the minister and Permanent Representative or his/her 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 GSC and the Legal Service are always present.

### **(d) Council proceedings**

For efficiency and cost-efficiency reasons, the Presidency must endeavour to avoid proceedings continuing beyond 21.00.

The Presidency conducts the proceedings in the following order:

- Noting ‘Other business’ items and any requests for changes to the agenda.
- Adoption of the agenda.

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35 See also Chapter III, Section 4(g), ‘Publication of votes’.

36 Only those in possession of a pass issued by the GSC may attend Council meetings (see Article 5(3) and (4) CRP). See the *Delegates’ handbook*, Chapter IV, Section 1(b) ‘Accreditation procedures’.

- Adoption of the 'A' items, taking account of any statements<sup>37</sup> 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). The adoption of the 'A' items in the first part of the agenda, 'Legislative deliberations', takes place in public.
- Discussion of the 'B' items. Discussion of the 'B' items in the first part of the agenda, 'Legislative deliberations', takes place in public.

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 finalisation of the texts in all the official EU languages by the Council's and the European Parliament's legal/linguistic experts).
- Policy debates, which give members of Council the opportunity 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). The time-consuming practice of *tours de table* should also be avoided. 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 (see Article 20 of, and Annex V to, the CRP).

As agreed in the working methods for the Council (paragraph 6 of Annex V to the CRP), no items are to be placed on the Council agenda simply for presentation by the Commission or Council members, except where a debate on new major initiatives is envisaged.

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37 Council members who make a statement may request that it appear in the Council minutes. See also Chapter III, Section 4 (g), 'Publication of votes'.

The Presidency may, where it deems fit, particularly in the event of a long-standing stalemate, 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 28 Council members, the members of the Commission, the Secretary-General 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 can be summed up as one of three main possible outcomes: 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 finalisation.
- 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 eight weeks have elapsed between the draft act being sent to national parliaments and its inclusion on a Council agenda for a decision. The purpose of the eight-week period is to enable national parliaments to examine the text (Article 4 of Protocol No 1 on the role of national parliaments in the European Union and Article 3(3) CRP; see also point 4(a) above on the agenda).

The rules for voting in the Council are laid down in Article 16(4) and (5) TEU and Article 238 TFEU. They are explained in greater detail in Article 11 CRP. The *Comments on the Council's Rules of Procedures* explain the voting rules in the light of various procedures.

The different kinds of vote are:

- Simple majority voting: according to Article 238(1) TFEU, for deliberations where a simple majority is required, the Council adopts decisions by a majority of its members (i.e.: for 28 members of the Council, a vote in favour by 15 members). This voting rule applies, essentially, in the cases expressly provided for by the Treaties, that is for procedural matters (Article 240(3) TFEU), requests to the

Commission to undertake studies or submit proposals (Article 241 TFEU) and acts adopted pursuant to Article 337 TFEU.

- Qualified majority voting is the default rule, as provided for by Article 16(3) TEU<sup>38</sup>. It is governed by Article 16(4) and (5) TEU and Article 238(2) and (3) TFEU.
  - (i) For an act to be adopted by a qualified majority the following conditions must be met:
    - Article 16(4) TEU: where the Council acts on a proposal from the Commission or the High Representative, at least 55 % of the members of the Council, i.e. at least 16 of them, and representing Member States comprising at least 65 % of the Union's population, vote in favour. A blocking minority must include at least four Council members, failing which a qualified majority is deemed to have been achieved;
    - Article 238(2) TFEU: where the Council does not act on a proposal from the Commission or the High Representative, at least 72 % of the members of the Council, representing Member States comprising at least 65 % of the Union's population, vote in favour.
  - (ii) In cases where not all members of the Council participate in voting, a qualified majority will be achieved if the conditions laid down in Article 238(3) TFEU are met.
  - (iii) Lastly, pursuant to Article 3(2) of Protocol No 36 on transitional provisions, between 1 November 2014 and 31 March 2017, when an act is to be adopted by qualified majority, a member of the Council may request that it be adopted in accordance with the qualified majority arrangements applicable until 31 October 2014. Pursuant to these arrangements, Council deliberations must result in 260 votes (out of 352) being cast in favour of the Council act, based on the following weightings:

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38 See Article 3 of Protocol No 36 on transitional provisions.

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

The 260 votes must be:

- votes in favour cast by a majority (i.e. at least 15) 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 (19) of the members of the Council in other cases (i.e. when the Council does not act on a proposal by the Commission or the High Representative, but acts, for instance, either on a recommendation or other act of the Commission or the High Representative or on a proposal or act of an institution other than the Commission).

Where these transitional arrangements apply, 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 figures for the population of the Union's Member States are updated annually.

Under the (simple or qualified) majority voting system, an abstention counts as a vote against.

Under unanimous voting, an abstention does not prevent a decision from being taken (Article 238(4) TFEU).



A unanimous vote is required, in general, for the Council to diverge from a Commission proposal and where the Commission is not prepared to amend its proposal<sup>39</sup>. Unanimity is also required in all cases where the Treaties expressly provide for it, i.e. for matters which the authors of the Treaty judged to be sensitive, such as the establishment of a European Public Prosecutor's Office (Article 86(1) TFEU), the harmonisation of legislation concerning indirect taxation (Article 113 TFEU), the approximation of legislation in areas other than those specified in Article 114 TFEU (Article 115 TFEU) or the flexibility clause in Article 352 TFEU. It is the basic rule for the adoption of Council decisions in the area of the CFSP, except in certain cases described in Article 31(2) TEU (such as decisions implementing a CFSP decision or the appointment of a special representative).

As regards voting procedure, Article 11 CRP provides that:

- 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 corresponding to successive presidencies;
- any member of the Council may also act on behalf of not more than one other member (Article 239 TFEU and Article 11(3) CRP);
- the presence of a 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 15 Council members, or fewer if one or more members of the Council may not legally participate in the vote — in the case of 'opt-outs' (Articles 11(4) and 16 CRP)<sup>40</sup>;
- when the vote is taken, the President, assisted by the GSC, checks that there is a quorum.

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39 This condition does not apply if the act adopted by the Council is based on a Commission recommendation; that is the case for acts of various kinds in the area of economic coordination, in particular those referred to in Article 121(2) and (4) and Article 126(7), (8), (9), (11) and (12) TFEU. In Article 126, paragraph 7 itself specifies a Commission recommendation as the basis, while the other paragraphs are covered by paragraph 13, which also specifies a recommendation.

40 See definition of 'member of the Council', Article 16(2) TEU.

## **(f) Written procedure**

Under Article 12(1) CRP, acts of the Council on an urgent matter may be adopted by a written vote where the Council or Coreper unanimously decides to use that procedure. In special circumstances the President may also propose the use of that procedure where all members of the Council agree to it. Agreement by the Commission is also required where the written vote is on a matter which the Commission has brought before the Council.

Moreover, on the initiative of the Presidency, the Council may act by means of a simplified written procedure called 'silence procedure' in instances listed in Article 12(2) CRP. 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.

The GSC establishes that the written procedures have been completed.

## **(g) Publication of votes**

Pursuant to Article 16(8) TEU, the Council meets in public when it deliberates and votes on a draft legislative act. The results and explanations of votes, as well as the statements in the minutes, are made public in accordance with Articles 7 and 9 CRP. There is a distinction between (i) automatic publication and (ii) publication requiring a vote.

### ***(i) Automatic publication (Articles 7(4) and 9(1) CRP)***

The following are made public automatically ([www.consilium.europa.eu/en/general-secretariat/corporate-policies/transparency](http://www.consilium.europa.eu/en/general-secretariat/corporate-policies/transparency)):

- the results of votes and explanations of votes by members of the Council, as well as the statements in the minutes and the items in those minutes relating to the adoption of legislative acts;
- the results of votes and explanations of votes by members of the Council or their representatives on the Conciliation Committee provided for under the ordinary legislative procedure, as well as the statements in the Council minutes and the items in those minutes relating to the Conciliation Committee meeting;
- the results of votes and explanations of votes by members of the Council, as well as the statements in the minutes and the items in those minutes relating to the adoption of non-legislative acts laying down rules which are legally binding in or for the Member States, by means of regulations, directives or decisions, on the basis of the relevant provisions of the Treaties, with the exception of internal measures, administrative or budgetary acts, acts concerning interinstitutional or international relations or non-binding acts (such as conclusions, recommendations or resolutions).

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

- The 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; 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 indents are also made public by Council or Coreper decision taken by a simple majority at the request of one of their members.

Except in cases where Council deliberations are open to the public in accordance with Articles 7 and 8 CRP, votes are not made public in the case of discussions leading to indicative votes or the adoption of preparatory acts.

## **(h) Outcome of Council meetings**

### *(i) Formal adoption of a text*

Texts are formally adopted after finalisation 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 ordinary legislative procedure are signed by the President of the Parliament and the President of the Council<sup>41</sup>. In practice, signing takes place in the margins of a plenary part-session of the European Parliament.

Article 15 CRP provides that such acts and those adopted by the Council are also to be signed by the Secretary-General, who may delegate his or her power to sign to directors-general of the GSC.

### *(ii) Publication in the Official Journal*

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

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41 Article 297(1) TFEU, first subparagraph.

### *(iii) The minutes*

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

Draft minutes are approved by the Council or by Coreper after each Council delegation and the Commission have had the opportunity to check their content. When approved, the minutes are signed by the Secretary-General, who may delegate his or her power to sign to directors-general of the GSC.

### *(iv) Document ‘outcome of the Council meeting’*

The ‘outcome of the Council meeting’ is drafted by the Council Press Office and contains the main conclusions of the meeting. This document commits only the General Secretariat and not the Council. It is made available on the Council website ([www.consilium.europa.eu](http://www.consilium.europa.eu) > Meetings > Council of the EU).

## **5. INFORMAL MEETINGS OF MINISTERS**

The main purpose of informal meetings is to permit joint consideration and as free as possible an 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 such meetings, the following guidelines approved by the Helsinki European Council (December 1999) must be followed:

- a maximum of five informal ministerial meetings may be held during any Presidency;
- no official agenda may be drawn up;
- the presence of assistants is limited to a maximum of two per minister;
- discussions must in no circumstances require Council documents to be prepared, either before or after the meeting;
- meetings cannot arrive at formal conclusions or decisions; any press release must make this point explicitly clear.

## **(b) Logistics**

At logistical level (see Chapter V), the GSC 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 GSC provides ministers with technical assistance in all matters relating to meeting room facilities, including interpreting.



# CHAPTER IV — THE PRESIDENCY'S RELATIONS WITH THE OTHER INSTITUTIONS

## 1. THE EUROPEAN PARLIAMENT

During its semester, the Presidency has to carry out a number of specific tasks aimed at facilitating relations between the Council and the European Parliament. Its main task in the early days of the Presidency is to present the Presidency's work programme to the Parliament's plenary and to individual committees. Those are valuable occasions on which good relations between the two institutions can be established. It is also involved to a considerable degree in parliamentary debates — both within the plenary and in the Parliament's different committees.

### **(a) Presentation of the Presidency work programme**

#### *(i) before the Presidency*

About a month before the beginning of the Presidency, a meeting is organised in the Presidency Member State with the chairs of the political groups at the EP and the EP President (the 'Conference of Presidents') to discuss the Presidency's priorities.

Similarly, a few weeks before starting its term, the Presidency is invited to address the Conference of Committee Chairs ('CCC'), which consists of the chairs of all the EP committees.

#### *(ii) at the beginning of the Presidency*

At the beginning of its term of office, the Presidency presents its programme to the European Parliament, at a Strasbourg plenary session, and participates in the subsequent debate on the matter with MEPs. It is established practice that on this occasion, the Presidency is represented by the Prime Minister of the Member State holding the Presidency.

In its early period of office, the Presidency also appears before most of the EP committees to make a statement and to answer questions on issues of relevance for the committee. The Presidency is usually represented at ministerial level by the President of the relevant configuration of the Council. Such meetings allow for more detailed discussions on files which are of particular concern to committee members, and the GSC of the Council assists the minister in preparing his/her statement and replies.

### *(iii) mid-term*

In addition, roughly halfway through the Presidency, a stock-taking meeting may take place between the Presidency and the Conference of Committee Chairs in order to assess progress.

### *(iv) at the end of the Presidency*

At the end of its term, the Presidency, represented by the Prime Minister of the Member State holding the Presidency, reports to the Parliament plenary on the progress achieved.

## **(b) Plenary sittings**

The Presidency's commitments consist mainly in:

- (i) taking part in debates of particular importance or making a statement on a specific subject, either at the Council's initiative or at the request of the European Parliament;
- (ii) answering any 'oral questions with debate' on the agenda for the part-session.

The agenda for the plenary is usually organised in such a way as to require the Presidency to be present on Tuesday and Wednesday.

On the occasion of visits to the EP by Heads of State or Government, the Presidency may be present in the plenary, although it does not usually make a statement. However, the Presidency is generally invited to the meal which may take place during such visits. There may also be private meetings between the President of the Council and Heads of State or Government visiting the Parliament.

At the Parliament's plenary sessions, it is the Minister or Secretary of State for European Affairs of the Member State holding the Presidency who usually represents the Council. However, the Council may be represented by another minister (e.g. the Minister for Foreign Affairs or, in debates on a specific subject, by the President of the competent Council configuration). A notable exception is the Foreign Affairs Council, which is represented by its President — the High Representative — unless the latter requests to be replaced by the Foreign Affairs Minister from the Member State holding the Presidency<sup>42</sup>.

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42 See the second paragraph of Article 26 CRP.



With the agreement of the Presidency, the Council may also be represented by a member of the pre-established group of three Member States referred to in Article 1(4) of the CRP (three-Presidency team), by the next Presidency<sup>43</sup> or by the Secretary-General.

The Council may also present its views to the European Parliament by means of a written statement<sup>44</sup>.

At the European Parliament's Conference of Presidents, during which the agenda of the plenary sessions is drawn up, the Council is represented by the General Secretariat's Directorate for Interinstitutional Relations.

### **(c) Involvement in committees**

In addition to the ministerial appearances at the beginning and at the end of a Presidency, at which the Presidency's aims and achievements are discussed, some committees may request additional appearances during the Presidency term in order to be kept updated on developments within the Council on specific dossiers.

The Presidency normally accepts such invitations provided they do not become excessive. These meetings are an important part of the Council's relationship with the Parliament. They provide useful opportunities to inform committees of developments within the Council. However, the Presidency should be careful to avoid being drawn into negotiations during these meetings.

When a minister is not available, senior officials of the Presidency and the GSC, acting on instructions from the Presidency, may also appear before Committees<sup>45</sup>. This is however not systematic and needs to be decided upon on an ad hoc basis if appropriate in the context of the issue and if a specific request has been made by the European Parliament.

As regards AFET, under the Lisbon Treaty the Presidency's obligations were much reduced. Normally any meeting with the Presidency is supposed to be limited to discussing issues of enlargement and neighbourhood policy, although it invariably happens that MEPs try to draw the minister into a wider discussion on foreign policy issues. There is no longer a requirement for the Presidency to attend meetings of AFET's two sub-committees (SEDE and DROI), unless it is specifically requested to do so by the High Representative on his/her behalf<sup>46</sup>.

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43 See the first paragraph of Article 26 CRP.

44 See the third paragraph of Article 26 CRP.

45 See Article 26 of the Council's Rules of Procedure.

46 *Ibid.*

#### **(d) Exchange of views on international agreements**

In accordance with Article 218(10) TFEU, the European Parliament must be immediately and fully informed at all stages of the negotiation and conclusion of agreements between the EU and third countries or international organisations. It is generally the negotiator, either the Commission or the High Representative, that briefs the Parliament. However, the briefing may also take the form of an exchange of views in a parliamentary committee or a plenary part-session attended by the Presidency.

#### **(e) Meetings of the trilogue**

Meetings of the trilogue, which are usually informal and linked to specific issues, involve the President of the Council, the Commissioner responsible and usually the President or one of the Vice-Presidents of the European Parliament and the Chairs of the relevant European Parliament committees. Officials from the institutions concerned may also attend.

Under the ordinary legislative procedure (Article 294 TFEU), for the negotiation of compromise texts and for reaching agreement on proposals for legislative acts, such meetings are the rule.

The Council is generally represented by the Chair of Coreper at these trilogues. Budgetary matters and horizontal issues are also dealt with in the trilogues. The Presidents of the three institutions may also meet periodically in Strasbourg in an informal political trilogue to raise general policy questions and questions relating to the operation of interinstitutional relations.

#### **f) Ordinary legislative procedure**

See the *Guide to the Ordinary Legislative Procedure*.

#### **(g) Joint parliamentary committees, parliamentary cooperation committees (and other interparliamentary delegations)**

The President of the Council is normally invited to attend meetings of joint parliamentary committees and to take the floor in debates. The President of the Council may be represented by an ambassador or senior official. His/her presence at the meeting may be limited to one half-day.

#### **(h) ACP–EU Joint Parliamentary Assembly**

In accordance with the agreements in force, the ACP–EU Joint Parliamentary Assembly meets twice a year and the venue alternates between an ACP country and an EU Member State.

The Presidency of the Council is required to attend those meetings for at least half a day and to give a presentation on the state of relations between the European Union and the ACP States. It also has to answer questions put to the Council at ‘question time’.

### **(i) Parliamentary Assembly of the Union for the Mediterranean (EMPA), Euro-Latin American Parliamentary Assembly (Eurolat) and EU-Neighbourhood-East Parliamentary Assembly (Euronest)**

The Presidency of the Council is normally invited to attend the plenary sessions of these assemblies, which take place once a year either in Brussels or in one of the partner countries.

The Presidency of the Council can also be invited to attend meetings of the EMPA, Eurolat or Euronest Committees and to take the floor in debates. The President of the Council may be represented by an ambassador or senior official at those meetings.

### **(j) Other contacts**

Before Council meetings, there may sometimes be a meeting between the President-in-Office (and exceptionally all the members of the Council in the context of the budgetary procedure) and the President of the Parliament or rapporteurs or parliamentary delegations.

The Presidency may organise a buffet reception in Strasbourg to mark the end of its term of office during the last plenary in its semester.

## **2. THE EUROPEAN COMMISSION AND THE EUROPEAN EXTERNAL ACTION SERVICE**

Apart from the relations established with the Commission and the European External Action Service in the context of the normal operation of the institutions, there are no specific obligations incumbent on the Presidency<sup>47</sup>.

However, it has become the practice, when planning the rotating Presidency programme, for the Presidency, represented by the relevant minister, to meet the Commission (President and relevant members) for the purpose of drawing up the work programme. There are also contacts between the Presidency and the European External Action Service to coordinate the work programme of the respective Council configurations.

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47 See, however, Article 2(6) CRP on the preparation of an 18-month draft programme by the three-Presidency team; the draft is prepared with the President of the Foreign Affairs Council with regard to that configuration's activities during that period, and in close cooperation with the Commission.

### **3. THE COURT OF JUSTICE OF THE EUROPEAN UNION**

Apart from courtesy visits, the Presidency has no specific formal obligations towards the Court of Justice. There are, however, regular contacts between the Council Legal Service and the Court of Justice in the context of legal proceedings and, in particular, in the procedure for the appointment of judges.

### **4. THE COURT OF AUDITORS**

The Presidency invites the President of the Court of Auditors to present his/her annual report to the Ecofin Council. The Council examines this report in the context of the discharge procedure. The Council examines special reports submitted by the Court of Auditors and adopt conclusions on the recommendations contained therein.

### **5. THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS**

The Presidency can expect to send ministers to present its work programme to the Economic and Social Committee and the Committee of the Regions. Occasionally, ministers are heard at the plenary sessions of the two Committees for discussions on specific topics, in particular on issues for which the Presidency has requested opinions from the Committee(s).

The General Secretariat's Directorate for Interinstitutional Relations follows and reports on the plenaries and bureau meetings of the two Committees.

### **6. RELATIONS WITH NATIONAL PARLIAMENTS**

The parliament of the Member State holding the Presidency hosts and chairs the meetings of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC), which take place once every Presidency. The Presidency often presents its priorities either to the COSAC meeting, or to the COSAC's preparatory meeting, known as the meeting of the Chairpersons of the Committees for Union Affairs.

The General Secretariat's Directorate for Interinstitutional Relations attends these meetings as well as the meetings of the Chairpersons of the Committees for Union Affairs, and reports on the outcome of each meeting.

# CHAPTER V — PROTOCOL AND LOGISTICS

## 1. MEMBER STATES, ACCEDING STATES AND CANDIDATE STATES

### (a) Official names of Member States, acceding States and candidate States

The two-letter ISO code (ISO code 3166 alpha-2) is to be used for country abbreviations, with the exception of Greece, the United Kingdom and the former Yugoslav Republic of Macedonia, for which the recommended abbreviations are EL, UK and FY.

### (b) Protocol order: general rule

As a general rule, the protocol order for Member States is based on the alphabetical order of the names of the Member States in their national language. Member States are followed first by the acceding States, also in alphabetical order, and then by the candidate States in order of their applications for accession to the European Union.

#### Member States

Original language (short version)	English (short version)	French (short version)	Code
Belgique/België	Belgium	Belgique	BE
България	Bulgaria	Bulgarie	BG
Česká republika	Czech Republic	République tchèque	CZ
Danmark	Denmark	Danemark	DK
Deutschland	Germany	Allemagne	DE
Eesti	Estonia	Estonie	EE
Ireland	Ireland	Irlande	IE
Ελλάδα	Greece	Grèce	EL
España	Spain	Espagne	ES
France	France	France	FR
Hrvatska	Croatia	Croatie	HR
Italia	Italy	Italie	IT
Κύπρος	Cyprus	Chypre	CY

Latvija	Latvia	Lettonie	LV
Lietuva	Lithuania	Lituanie	LT
Luxembourg	Luxembourg	Luxembourg	LU
Magyarország	Hungary	Hongrie	HU
Malta	Malta	Malte	MT
Nederland	Netherlands	Pays-Bas	NL
Österreich	Austria	Autriche	AT
Polska	Poland	Pologne	PL
Portugal	Portugal	Portugal	PT
România	Romania	Roumanie	RO
Slovenija	Slovenia	Slovénie	SI
Slovensko	Slovakia	Slovaquie	SK
Suomi/Finland	Finland	Finlande	FI
Sverige	Sweden	Suède	SE
United Kingdom	United Kingdom	Royaume-Uni	UK

## Candidate States

Original language (short version)	English (short version)	French (short version)	Code
Türkiye	Turkey	Turquie	TR
Поранешна Југословенска Република Македонија	Former Yugoslav Republic of Macedonia	Ancienne République yougoslave de Macédoine	FY
Crna Gora/ Црна Гора	Montenegro	Monténégro	ME
Srbija/Србија	Serbia	Serbie	RS
Shqipëria	Albania	Albanie	AL

Ísland*	Iceland	Islande	IS
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\* Since May 2013 accession negotiations have been on hold. In March 2015, the Icelandic government confirmed that it has no intention to resume accession talks.

### (c) Codes for the language versions of Council documents

Language versions are listed in the common alphabetical order of the official names of the languages in their original written form (the codes used are the current ISO 639-1 codes (code alpha-2)).

#### Member States

Language in original form	Name of the language	ISO code
български (bǎlgarski)	Bulgarian	bg
español (castellano) <sup>48</sup>	Spanish	es
čeština	Czech	cs
dansk	Danish	da
Deutsch	German	de
eesti keel	Estonian	et
ελληνικά (elliniká)	Greek	el
English	English	en
français	French	fr
Gaeilge	Irish <sup>49</sup>	ga
hrvatski jezik	Croatian	hr
italiano	Italian	it
latviešu valoda	Latvian	lv
lietuvių kalba	Lithuanian	lt

48 In practice, the term *lengua española* or *español* is used in Spanish texts — at the request of the Spanish authorities — instead of the term *castellano*. ‘Castellano’ is the official name of the language, but it is used only to determine its place in the order.

49 The term ‘Gaelic’ also occurs, but the two terms are not synonymous.

magyar	Hungarian	hu
Malti	Maltese	mt
Nederlands	Dutch	nl
polski	Polish	pl
português	Portuguese	pt
română	Romanian	ro
slovenčina (slovenský jazyk)	Slovak	sk
slovenščina (slovenski jezik)	Slovenian	sl
suomi	Finnish	fi
svenska	Swedish	sv

## Candidate States

Language in original form	Name of the language	ISO code
crnogorski jezik/црногорски језик	Montenegrin	(no ISO code decided)
македонски јазик (makedonski jezik)	Language of the former Yugoslav Republic of Macedonia	mk
shqip	Albanian	sq
srpski jezik/српски језик	Serbian	sr
türkçe	Turkish	tr

íslenska*	Icelandic	is
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- \* Since May 2013 accession negotiations have been on hold. In March 2015, the Icelandic government confirmed that it has no intention to resume accession talks.



#### (d) Order of rotating Presidencies

By Decision 2007/5/EC, the Council determined the order of rotating Council Presidencies for the period 2007 to 2020<sup>50</sup>. The order of rotating Council Presidencies from the first half of 2015 onwards is as follows, per pre-established group of three Member States:

2015	Latvia
	Luxembourg
2016	Netherlands
	Slovakia
2017	Malta
	United Kingdom
2018	Estonia
	Bulgaria
2019	Austria
	Romania
2020	Finland

<sup>50</sup> Council Decision (2007/5/EC, Euratom) of 1 January 2007 determining the order in which the office of President of the Council shall be held (OJ L 1, 4.1.2007, p. 11).

At meetings of the European Council, the Council and Council bodies, alphabetical order is replaced by the order of Council Presidencies. The acceding States are always seated after the last Member State in the order of the rotating Presidency.

As an example, the standard table plan below shows the Council of the EU seating arrangements (except Foreign Affairs Council) during the first half of 2015. For subsequent Presidencies, only the seats of the Member States rotate clockwise around the table.

European Commission	
France	Slovenia
Czech Republic	Portugal
Sweden	Germany
Spain	Finland
Belgium	Romania
Hungary	Austria
Poland	Bulgaria
Denmark	Estonia
Cyprus	United Kingdom
Croatia	Malta
Ireland	Slovakia
Lithuania	Netherlands
Greece	Luxembourg
Italy	Latvia
Legal Service General Secretariat President of the Council of the EU Presidency/Permanent Representative	

## 2. RULES FOR PLACING FLAGS

### (a) Internal EU meetings

For internal EU meetings, the flags of the Member States are placed in the alphabetical order of their names in their national language from left to right as you look at them. The flags of acceding States come next in alphabetical order of their names in their national language, followed by those of candidate States in the order of their applications to join the EU.

- When an event is organised by the President of the European Council, the European flag precedes the flags of the Member States. The same applies for all events organised by EU institutions or services.
- When an event is organised by the Presidency, its flag comes first in the series and the European flag comes last. The flags of the other Member States are placed in between in alphabetical order of the names of the Member States in their national language.

### (b) Bilateral summit meetings between the Union and a third State, when taking place in Brussels

The flag of the third country is flown to the left of the European flag, as you look at them.

### (c) Multilateral meetings with third States, when taking place in one of the Member States of the European Union

At multilateral meetings with third States, it is customary to fly the flags of all participating States and put the flag of the host State or the EU flag in first place. The alphabetical order to be followed may vary depending on the type of meeting. According to a well-established practice:

- at meetings such as EU–GCC, EU–ACP, ASEM and EU–ASEAN the alphabetical order in English is followed;
- at Union for the Mediterranean meetings the alphabetical order in French is followed.

### (d) Official photo sessions

When an official photo session is organised during a visit by a Head of State or Government or another high-level dignitary, the visitor and the host frequently pose in front of the flags. As a matter of courtesy, the host should ensure that his/her guest is to his/her right. The same rule applies at press conferences.

In both cases, the flags are arranged so that the visitor and host can each pose or speak in front of his/her own flag for clearer identification.

### **3. ORDER OF PRECEDENCE AMONG INSTITUTIONS AND ORDER OF PRECEDENCE AMONG DIGNITARIES OF THE EUROPEAN INSTITUTIONS, BODIES AND SERVICES**

In line with Article 13 of the Treaty on European Union, the order of precedence among institutions and the order of precedence among dignitaries of the European institutions, bodies and services is as follows:

#### **(a) Order of precedence of institutions**

1. European Parliament
2. European Council
3. Council of the European Union
4. European Commission
5. Court of Justice
6. European Central Bank
7. Court of Auditors

#### **(b) Order of precedence of bodies and services**

1. Economic and Social Committee
2. Committee of the Regions
3. European Investment Bank
4. European External Action Service

#### **(c) Order of precedence among dignitaries of the institutions, bodies and services**

1. President of the European Parliament
2. President of the European Council
3. Members of the European Council, including the President of the Commission. Among the members of the European Council the order of precedence is the following:
  - (a) Head of State or Government of the rotating Presidency;
  - (b) other Heads of State according to the order of Presidencies;
  - (c) other Heads of Government according to the order of Presidencies, as well as the President of the Commission.

4. Presidents of the Council of the European Union acting in that capacity (rotating Presidency as well as the High Representative)
5. President of the Court of Justice
6. President of the European Central Bank
7. President of the Court of Auditors
8. High Representative (acting in that capacity)
9. Ministers acting as members of the Council
10. Vice-Presidents of the European Parliament and of the Commission
11. President of the Economic and Social Committee
12. President of the Committee of the Regions
13. President of the European Investment Bank
14. Vice-Presidents of the European Central Bank
15. Members of the Commission and of the Parliament
16. Judges and Advocates-General of the Court of Justice
17. President of the General Court
18. European Ombudsman
19. Members of the Board of Directors of the European Central Bank
20. Members of the Court of Auditors
21. Permanent Representatives
22. Vice-Presidents of the Economic and Social Committee
23. Vice-Presidents of the Committee of the Regions
24. Vice-Presidents of the European Investment Bank
25. Members of the General Court
26. European Data Protection Supervisor
27. President of the Civil Service Tribunal
28. Members of the Economic and Social Committee
29. Members of the Committee of the Regions
30. Members of the Civil Service Tribunal

31. Registrar of the Court of Justice, Secretaries-General and registrars of the institutions, bodies and services
32. Assistant European Data Protection Supervisor
33. Directors-General of the European institutions, bodies and services
34. Directors of the European institutions, bodies and services

#### **(d) Order of precedence among dignitaries of the institutions in the context of the external representation of the Union**

Notwithstanding the preceding list, as far as the external representation of the Union is concerned, the precedence of dignitaries is as follows:

1. President of the European Council (Article 15(6) TEU)
2. The Commission (Article 17(1) TEU)
3. The High Representative of the Union for Foreign Affairs and Security Policy (Article 27(2) TEU).

## **4. PROTOCOL ORDER FOR MOTORCADES**

As a general rule, the order of arrival of official motorcades follows the reverse protocol order; for departures, motorcades follow the order of protocol.

For practical reasons, at European Council meetings and the meeting of Council bodies, the order of arrivals and departures strictly follows the ‘first come, first served’ principle.

## **5. ORGANISATION OF MEETINGS: THE COUNCIL AND ITS PREPARATORY BODIES**

Practical arrangements for protocol and logistical aspects of meetings of the Council and its preparatory bodies are set up by the GSC, notably by the Protocol Unit, the Conferences Unit, the Operations/Technical Unit and the Catering Unit of DG A2A Protocol and Conferences. They are responsible for allocating the meeting rooms, making the necessary interpreting arrangements, drawing up a seating plan for meeting and dining rooms, providing catering services, managing accreditation for meetings with limited access and ensuring that audio-visual equipment is working properly.

Issues such as the number of seats available to the Presidency, to the Member States and to the institutions, as well as the rules on seating order, arrangements for inviting outside guests, and the provision of working meals for the different Council configurations and their preparatory bodies are set out in the ‘standing instructions’ issued by the Secretary-General of the Council, which are available to all delegations.

## 6. MEETINGS OUTSIDE THE USUAL PLACES OF WORK

The bulk of the cost of all meetings within the framework of the Council which are held in non-member States, such as association or cooperation councils, is born by the host State. However, interpreting costs could be charged to the Council budget, subject to the prior agreement of the Secretary-General and to the availability of appropriations. The GSC generally helps with the practical organisation of such meetings.

The full cost of all meetings convened on the Presidency's initiative outside the institutional framework — principally those held in its own country such as informal meetings of ministers, Coreper, the PSC, the Article 36 Committee, the Special Committee on Agriculture and working parties — is borne by the Presidency.





# CHAPTER VI — FINANCIAL RESPONSIBILITY

## 1. PREPARING FOR THE PRESIDENCY

Permanent Representations should as far as possible handle preparations on behalf of the Presidency, or at least coordinate them.

Preparatory meetings between Presidency representatives and the relevant Secretariat officials should thus, as a rule, be held in Brussels.

For preparatory briefing meetings or training programmes that are presented by GSC staff in the Presidency's capital, travel and accommodation expenses are chargeable to the Presidency.

## 2. TRAVEL EXPENSES OF DELEGATES OF COUNCIL MEMBERS

In order to cover the travel expenses incurred by the delegates of Council members, a system of financial allocations has been introduced by a Decision of the Secretary-General (see Annex III). Member States holding the Presidency receive an envelope increased by 50 %. The budget allocation may be used for the meetings listed in the decision.

The following should be noted in this connection:

- Informal meetings are not eligible. The Secretariat will not meet any expenses, all of which have to be borne by the Presidency (including the travel and subsistence expenses of Secretariat officials).
- In no case may the number of meetings of committees or working parties held in the country of the Presidency — which are eligible for reimbursement — should exceed the limit of 15.

### 3. INTERPRETING

Under Decision 111/07 of 23 July 2007 (Annex V), the Council budget covers interpreting services for meetings of the European Council, the Council and certain preparatory bodies.

The decision also indicates the preparatory meetings for which no interpreting is provided (which include, in particular, meetings outside the headquarters of the Council).

For the preparatory bodies indicated in the decision, provision is made for an overall annual budget totalling around EUR 1.9 million for each language<sup>51</sup>. Delegations wishing to have active or passive interpreting for their language in the bodies in question may request it, with the cost being set off against the budget allocated. Requests exceeding the provision are borne by the requesting State. Some 66 % of any unused amounts is automatically transferred to the budget for travel expenses (see Article 6(2)) unless there is a request by a delegation not to do so (see Article 6(5)). In this context, cancellation of meetings less than two weeks before the event should be avoided, as far as possible. Late cancellation of full language coverage (23/23) can cost the Council budget up to EUR 61 000.

### 4. PRODUCTION AND TRANSLATION OF DOCUMENTS

In planning the meetings and proceedings of working parties and Coreper, allowance must be made for the time inevitably taken to draft, translate and produce documents. The Presidency should therefore discourage the holding of working party meetings the day before or the same day as Coreper meets, since such meetings make it impossible not only to have documents translated, but also to have them properly distributed, thereby detracting from the efficacy of proceedings.

With its special responsibility for the planning and organisation of Council business, the Presidency should also as far as possible avoid, or at least limit to exceptional cases, the holding of meetings at weekends or on public holidays, which give rise to considerable additional expenditure.

Cooperation between the Presidency and the Secretariat is also desirable as regards document production and translation into the official languages of the Union, which confronts the Secretariat with a substantial workload and a constant organisational

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51 To be shared by countries with the same official language.

challenge<sup>52</sup>. In order to avoid unnecessary work when documents have to be translated and to provide for optimum quality of the texts in all languages, the Presidency will support the Secretariat's efforts to ensure that the principles of clarity and concision are observed in the drafting of texts. Particular attention should be paid here to allowing reasonable intervals between meetings dealing with a particular issue, to compliance with time limits and to whether to have a text translated, which should be considered only where of assistance in making progress.

## 5. PUBLICATION OF DOCUMENTS IN THE OFFICIAL JOURNAL

Cooperation between the Presidency and the Secretariat should ensure that allowance is also made for the time inevitably needed to identify, send, correct, proofread, typeset and publish documents in the *Official Journal of the European Union (OJ)* after their adoption<sup>53</sup>. Attention should be paid to good document quality, availability of all language versions and reasonable planning of publication and entry-into-force dates, so as to avoid any costly re-planning of publications, last-minute corrections to texts being processed or the publication of corrigenda in the Official Journal, all of which are paid from the GSC's budget.

Since 1 July 2013, the OJ only appears in electronic format (e-OJ), which is the authentic version and produces legal effects. It can be accessed via the EUR-Lex website: [www.eur-lex.europa.eu](http://www.eur-lex.europa.eu) > Official Journal > Direct access to the Official Journal

Paper copies can exceptionally be printed upon demand by the GSC or the Publications Office. Requests have to be sent to the e-mail address: [DQL.Journal-Officiel@consilium.europa.eu](mailto:DQL.Journal-Officiel@consilium.europa.eu)

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52 In 2014, the General Secretariat of the Council processed 33 100 original documents totalling 369 438 pages, 118 672 of which were translated, in certain cases in each of the 24 translation units.

53 In 2014 the Council produced a total of 258 411 pages in the Official Journal, including 227 133 pages in the L series, 29 271 in the C (informations) & CA (competitions) series and 2 007 in the CE (electronic) series, in the 24 official languages of the EU.



# CHAPTER VII — SECURITY

The Security Office's mission is to provide a safe and secure environment for GSC staff and visitors and to protect the Council's and the GSC's activities, assets and information by all reasonable means.

The Presidency should include the Security Office (SO) in a number of aspects essential for safeguarding the effectiveness of the security system. These aspects include the application of security measures to meetings where classified information is discussed and collaboration regarding access control to certain meetings.

In addition, the Presidency should be aware of other security measures designed to ensure the safe conduct of the Council's day-to-day work.

## 1. SECURITY MEASURES APPLICABLE TO MEETINGS WHERE CLASSIFIED INFORMATION IS DISCUSSED

Handling of EU classified information within the Council is governed by the Council's security rules<sup>54</sup>. Access to meetings classified 'CONFIDENTIEL UE/ EU CONFIDENTIAL' or above requires an appropriate security clearance. At the beginning of each meeting where classified information is discussed, the Chairs will inform all participants of the provisions to be observed according to the classification level of the matters discussed at the meeting, and of the security measures to be adopted for dealing with classified documentation handled or produced in the meeting (copies, redistribution, etc.). No stock of classified documents will be available in the meeting rooms.

Different measures apply according to the level of the classified information discussed:

### **(a) Meetings where information classified 'RESTREINT UE/EU RESTRICTED' is discussed**

At the beginning of the meeting, the Chair will remind participants not to leave classified documents unattended. After the meeting, the Chair will remind the delegates that they are to remove or return any classified information distributed for or during the meeting.

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54 Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

### **(b) Meetings where information classified ‘CONFIDENTIEL UE/EU CONFIDENTIAL’ is discussed**

In addition to the measures mentioned in (a), the Chair will remind delegations and interpreters that all electronic devices (portable computers, mobile phones, PDAs, etc.) in the meeting room must be switched off for the duration of any ‘CONFIDENTIEL UE/EU CONFIDENTIAL’ items. Electronic devices which cannot easily be deactivated cannot remain in the meeting room (or interpreting booths) during discussion of such items. Small lockers which are accessible until 19.00 are available in the Atrium area at the main entrance to the Justus Lipsius building.

### **(c) Meetings where information classified ‘SECRET UE/EU SECRET’ or ‘TRÈS SECRET UE/EU TOP SECRET’ is discussed**

Such meetings take place in a secured meeting room. In addition to the measures mentioned in (a), the Chair will remind participants that no mobile phones, portable computers or any other electronic equipment may be taken into the room. All such objects must be placed in the special-purpose lockers at the entrance to the room.

The Presidency has no discretion in these matters. The SO can provide advice and assistance regarding implementation of the current rules.

## **2. ACCESS CONTROL BY THE SECURITY OFFICE TO CERTAIN MEETINGS**

In the case of meetings of certain Council configurations, and of certain Council preparatory bodies (e.g. Coreper II and Coreper I meetings), access and attendance checks are carried out by Security Office staff.

Access and attendance checks at other meetings are carried out by peer verification under the responsibility of the Presidency or by SO staff at the request of the Presidency.

## **3. ACCREDITATION**

Accreditation is the process of granting access rights to someone after having identified that person as being entitled to such rights.

With the exception of VIPs (see ‘VIP entrance’) attending Council meetings, persons seeking access to the controlled zones of Council buildings need to be accredited.

Persons who visit the Council on business on a regular basis are entitled to a permanent pass. It is for the administrative or secretarial department which handles that person’s rights to make the initial request for a permanent pass.

Persons who attend meetings occasionally receive a temporary pass on presentation of a valid official identity card (with photo) or passport

**AND**

should present a valid attendance print-out from the extranet for the meeting they are due to attend;

**OR**

are accompanied to the accreditation desk by a member of the Permanent Representation with a valid Council badge;

**OR**

are notified to the GSC's accreditation desk by the existing designated contact points or functional mailbox in each Permanent Representation;

**OR**

(where relevant) should present a COREU announcing the meeting.

In all cases, accreditation itself takes place in the main entrance lobby on level 00 — Tel. 7850; [security.accreditation@consilium.europa.eu](mailto:security.accreditation@consilium.europa.eu)

## **4. EMERGENCIES**

The Council buildings are equipped with a range of alarm systems and fire-fighting equipment so that prompt action can be taken and the building quickly evacuated in case of need.

There is one emergency number, 2000, for use throughout the Council premises.

This number is staffed by members of the SO 24 hours a day, including Sundays and public holidays.

## **5. VIP ENTRANCE**

Reception and accreditation of VIPs and their entourage normally take place at the VIP entrance (Froissart 110). However, subject to prior notification, they may exceptionally use the main entrance (Loi 175).

If the Council is meeting, the VIP entrance and access will remain open until the last VIP leaves the building.

Access via the VIP entrance is restricted to the following categories of visitors:

- Heads of State and Government;
- Members of royal families;
- Ministers;
- State secretaries;
- Dignitaries of the European institutions, bodies and services (the President and members of the European Parliament, the President and members of the European Commission, the President of the Court of Justice, the President of the European Central Bank, the President of the Court of Auditors, the High Representative, the President of the Economic and Social Committee, the President of the Committee of Regions, and the President of the European Investment Bank);
- Secretaries-General and Deputy Secretaries-General of the European institutions, bodies and services, and of international organisations or similar bodies;
- Ambassadors and deputy ambassadors or the equivalent (including Permanent Representatives, heads of mission of third countries, Deputy Permanent Representatives, PSC ambassadors, members of the EU Military Committee or their replacements and other chiefs of the defence forces);
- Persons designated by the Cabinet of the President of the European Council or the Private Office of the Secretary-General, by the Head of Protocol (and by delegation the Protocol Service) or by the Head of the Security Office (or by delegation, the Security Office);
- Duly accredited persons accompanying the visitors specified above.

**(a) VIPs regularly attending meetings during the Presidency**

VIPs regularly attending meetings during the Presidency may obtain an electronic pass not only for entry via the automated pedestrian access points, but also for automatic opening of the VIP access barrier for their cars (Froissart 110). Their vehicles, with the appropriate sticker from the Security Office, may be parked, if space is available, in the VIP car park on level CO.02 or in the courtyard opposite the VIP entrance.

VIPs then enter on foot via the VIP entrance on level CO.02.



The aforementioned passes may, at the request of the Permanent Representations, be given to the regular chauffeurs of the VIPs in question.

The vehicles of members of the Council who do not have the aforementioned passes may be authorised to enter the VIP courtyard provided that the Permanent Representation forwards in advance to the Accreditation Service the names of the VIPs and the registration numbers and makes of the vehicles they use.

**(b) Other VIPs**

VIPs who occasionally visit the Justus Lipsius building (ministers and ambassadors, the President of the European Parliament and similar persons) may use the VIP entrance (Froissart 110) to enter by car and then enter the building on foot via the VIP entrance on level CO.02 provided that the Security Office has been notified in advance of their arrival.

Persons accompanying these VIPs in their cars must be accredited at the VIP entrance at level CO.02. If the Security Office is notified in advance of their arrival, their passes are prepared in advance and made available as soon as they arrive at the VIP entrance. Otherwise they must go through the usual accreditation procedure.



## LIST OF COUNCIL CONFIGURATIONS<sup>55</sup>

1. General Affairs
2. Foreign Affairs
3. Economic and Financial Affairs<sup>56</sup>
4. Justice and Home Affairs<sup>57</sup>
5. Employment, Social Policy, Health and Consumer Affairs
6. Competitiveness (Internal Market, Industry, Research and Space)<sup>58</sup>
7. Transport, Telecommunications and Energy
8. Agriculture and Fisheries
9. Environment
10. Education, Youth, Culture and Sport<sup>59</sup>

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55 Annex I to the CRP amended in September 2010 by decision of the European Council (EUCO 19/10).

56 Including the budget.

57 Including civil protection.

58 Including tourism.

59 Including audio-visual affairs.

# KEY CONTACT PERSONS IN THE GSC

## HORIZONTAL QUESTIONS

General and Institutional Policy

- Jim Cloos
- Paul Culley (coordinator for incoming Presidencies)
- Geneviève Tuts

Legal Service

- Hubert Legal

Meeting Planning/Interpretation/Protocol

- Margarida Lacerda
- Dominique Marro

Quality of Legislation (legal/linguistic experts)

- Andreas Lernhart

Document Translation

- Sabine Ehmke-Gendron and Asterios Zois

Document Production

- Reijo Kempainen

Media/Press

- Reijo Kempainen

## SECTORIAL COUNCILS

General Affairs (and the European Council)

- Jim Cloos

Foreign Affairs (Trade and Development Cooperation)

- Leonardo Schiavo

Economic and Financial Affairs

- Carsten Pillath

Justice and Home Affairs

- Christine Roger

Employment, Social Policy, Health and Consumer Affairs

- Angel Boixareu

Competitiveness

- Carsten Pillath

Transport, Telecommunications and Energy

- Jaroslaw Pietras

Agriculture and Fisheries

- Angel Boixareu

Environment

- Jaroslaw Pietras

Education, Youth, Culture and Sport

- Jaroslaw Pietras

## DECISION No 30/2013

### OF THE SECRETARY-GENERAL OF THE COUNCIL CONCERNING REIMBURSEMENT OF TRAVEL EXPENSES OF DELEGATES OF MEMBER STATES

THE SECRETARY-GENERAL OF THE COUNCIL,

Having regard to the European Council's Rules of Procedure of 1 December 2009<sup>60</sup>, and in particular Article 13(3) thereof and to the Council's Rules of Procedure of 1 December 2009<sup>61</sup>, and in particular Article 23(5) thereof,

Whereas:

1. The Secretary-General of the Council is fully responsible for administering the appropriations under Section II – European Council and Council – of the general budget of the European Union, and takes all necessary steps to ensure their sound management. He implements the appropriations in accordance with the provisions of the Financial Regulation applicable to the general budget of the European Union.
2. Given existing budgetary constraints, and in order to facilitate planning of budgetary expenditure of Member States and the General Secretariat of the Council, it is necessary to specify the criteria, limits and practical arrangements for the reimbursement of delegates' expenses by the General Secretariat of the Council.
3. The appropriations in Section II – European Council and Council – of the budget under 'meetings and conferences' are intended to cover the refund of travel expenses incurred by the Presidency and delegations at meetings of the European Council and the Council and meetings held within the European Council and the Council framework,

HAS DECIDED AS FOLLOWS:

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60 OJ L 315, 2.12.2009, p. 55.

61 OJ L 325, 11.12.2009, p. 49.

## *Article 1*

### *Principles*

1. Travel expenses incurred by delegates of Member States shall be charged to the general budget of the European Union (Section II – European Council and Council), subject to the conditions and limits set out below, as long as the travel actually took place to attend:
  - (a) a meeting of the European Council or the Council or one of its preparatory bodies;
  - (b) a meeting in the framework of the activities of the European Council or the Council;
  - (c) a meeting of an intergovernmental conference with a view to revising the Treaties or the accession of a State to the European Union, or of one of its dependent bodies;
  - (d) any meeting other than those mentioned under (c), held within the framework of the Treaties and which is considered to be inextricably linked to the work of the European Council or the Council and aimed at giving major political impetus to the development of the Union.
2. The list of meetings for which travel expenses may be reimbursed is in Annex I to this Decision. This list shall be regularly updated.
3. The reimbursement of delegates' travel expenses referred to in paragraph 1 is based on an allocation of the appropriations under Section II – European Council and Council – of the budget heading 'meetings and conferences' of the general budget of the European Union.

## *Article 2*

### *Reimbursement of expenses*

1. Expenses arising from transport undertaken in order to participate in meetings mentioned in Annex I shall be reimbursed in conformity with the implementation rules of this Decision, independently of whether such sessions or meetings are held at the Council's headquarters.

### *Article 3*

#### *Annual envelopes*

1. Each Member State is entitled to reimbursement of travel expenses up to a fixed annual envelope for delegates' travel expenses equal to the percentage of the budgetary appropriations under Section II – European Council and Council – of the budget heading 'Meetings and conferences' of the general budget of the European Union, established in Annex II to this Decision. The annual envelopes shall enable each Member State to decide on the extent of its representation at the meetings referred to in Article 1.

The percentage shall be multiplied by 1.5 for Member States holding the Presidency of the Council in any given year. The other Member States' percentages will be adjusted accordingly.

2. In the event of accession of a new Member State the list and the percentages contained in Annex II shall be revised.

### *Article 4*

#### *Procedure for implementing the annual envelopes*

1. The General Secretariat of the Council shall advance the annual envelopes to the relevant national administration. The advance payment shall be made in two instalments: 40 % of the amount on 30 January and 60 % on 15 July of each year, in euro.

Should the European Union budget not be adopted at the time of a payment, the provisional twelfths procedure shall apply.

2. In the first fortnight of December of the budgetary year in question, the Member States shall provide to the General Secretariat of the Council an estimation of the envelope expenditure.
3. In the two months following the end of the budget year in question, each Member State shall provide the General Secretariat of the Council with a statement showing how the envelope for delegates' travel expenses allocated to it has been used. Member States must present supporting documents for each declared amount.

The General Secretariat of the Council shall check the statement and verify the Member State's use of its appropriation.

4. Unused sums and amounts for which no supporting documents have been provided shall be deducted from the amounts to be advanced in the next instalment.



5. The General Secretariat of the Council shall keep lists of attendance at meetings for which travel expenses are to be defrayed from the Council and the European Council budget.

#### *Article 5*

##### *Exceeding and underuse of the six-monthly provision for interpreting*

1. Under the terms of Decision 111/2007 of 23 July 2007 concerning interpreting for the European Council, the Council and its preparatory bodies, the General Secretariat of the Council provides delegations with an estimate of costs for interpreting for meetings, every six months.
2. If the estimated total costs for interpreting exceed the provision available for a given language for the six-month period in question, the delegation(s) concerned may cover the exceeding amount by requesting a transfer from its envelope for delegates' travel expenses to the relevant language envelope.
3. If it appears that the estimated cost of interpreting for a given language is less than the provision available for the current six-month period, the General Secretariat of the Council shall transfer 66 % of the unused amounts to the envelope for delegates' travel expenses after the end of the first six-month period of the year concerned, and before the end of the second six-month period of the year concerned. The transferred appropriations shall be used according to the terms of the present Decision.
4. The transferred amounts shall cover only expenditure incurred in the current financial year.

#### *Article 6*

##### *Final provisions*

1. Decision No 32/2011 of 25 February 2011 concerning reimbursement of travel expenses of delegates of Member States is hereby repealed and replaced by this decision.
2. The implementing rules of the previous Decision 32/2011 (doc. SN 1704/11) apply to this Decision.
3. This Decision shall enter into force on 1 July 2013.

Done at Brussels, 12 June 2013.

*Uwe Corsepius*

## ANNEX 1 TO ANNEX III

### Meetings giving entitlement to reimbursement

1. (i) European Council meetings;
- (ii) Council meetings;
- (iii) joint Council meetings;
- (iv) working parties and committees in the list of committees and working parties involved in the Council's preparatory work established by COREPER (including joint working parties and committees)<sup>62</sup>. This list is regularly updated by the Secretariat in the light of the operation of the Council<sup>63</sup>; from this list, the following Committees set up by the Treaties are excluded (travel expenses are met by the European Commission):
  - (a) Economic and Financial Committee (A.2)
  - (b) Employment Committee (A.3)
  - (c) Social Protection Committee (A.7)
  - (d) Economic Policy Committee (A.11)and, if the meetings are held alongside Parliamentary sessions in Strasbourg:
  - (e) Working Party on General Affairs (B.1);
- (v) Biennial ministerial meetings of the WTO;
- (vi) Summits or ministerial level meetings (bilateral or multilateral) between the European Union and third countries wherever they take place. The reimbursement is strictly limited to the principal meeting;
- (vii) Intergovernmental conferences and their dependent bodies;
- (viii) Meetings of a task force or similar body with representatives of the Member States established at the request of the European Council.

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62 In the framework of bilateral and regional fishing agreements which are the exclusive competence of the Community, the Working Party on External Fisheries Policy (F.24) is required to participate in the meetings referred to in the Annex. In such cases, only applications for the annual meeting of the agreement in question, or alternatively for the meeting considered most important, give entitlement to reimbursement.

63 Current version: see doc. 5581/13 of 22 January 2013.

2. Other meetings (in Brussels and elsewhere)
  - (i) Meetings in the country of the Presidency: meetings of working parties or committees traditionally organised in the country of the Presidency are eligible under this decision. Under no circumstance these meetings may exceed fifteen by Presidency.
  - (ii) COST (European Cooperation in Science and Technology) meetings: only the Committee of Senior Officials (CSO) and the Working Party on Legal, Administrative and Financial Questions (JAF) are eligible for the reimbursement arrangements.
  - (iii) Bilateral and regional fishing agreements (external fisheries policy meetings) — list subject to changes:

## Regional

NAFO — Northwest Atlantic Fisheries Organization

ICCAT — International Convention for the Conservation of Atlantic Tunas

SEAFO — South-East Atlantic Fisheries Organisation

NEAFC — North East Atlantic Fisheries Commission

NASCO — North Atlantic Salmon Conservation Organisation

IOTC — Indian Ocean Tuna Commission

IATTC — Inter-American Tropical Tuna Commission

GFCM — General Fisheries Commission for the Mediterranean

SWIOFC — South West Indian Ocean Fisheries Commission

SIOFA — Southern Indian Ocean Fisheries Agreement

SPRFMO — South Pacific Regional Fisheries Management Organisation

WCPFC — Western and Central Pacific Fisheries Commission

## Bilateral (EC–country)

Cape Verde	Mauritius
Comoros	Micronesia
Côte d'Ivoire	Morocco
Faroe Islands	Mozambique
Gabon	Norway
Greenland	Peru
Guinea	Russian Federation
Guinea-Bissau	São Tomé and Príncipe
Iceland	Senegal
Kiribati	Seychelles
Madagascar	Solomon Islands
Mauritania	

## ANNEX 2 TO ANNEX III

Share of each Member State in the budgetary appropriations under the heading 'Meetings and conferences' expressed as percentages

Member State	Share
Belgium	0.22 %
Bulgaria	4.64 %
Czech Republic	3.07 %
Denmark	4.53 %
Germany	1.95 %
Estonia	6.53 %
Greece	2.55 %
Spain	5.58 %
France	1.18 %
Croatia	2.66 %
Ireland	2.30 %
Italy	4.52 %
Cyprus	4.68 %
Latvia	5.39 %
Lithuania	4.90 %
Luxembourg	0.32 %
Hungary	3.58 %
Malta	3.07 %
Netherlands	0.52 %
Austria	3.33 %
Poland	2.96 %
Portugal	4.97 %
Romania	4.84 %

Slovenia	2.66 %
Slovakia	2.84 %
Finland	7.61 %
Sweden	5.13 %
United Kingdom	3.47 %

## APPROACH ON INTERPRETING

### A. Meetings of the European Council and the Council

Full interpreting will be provided for meetings of the Council and the European Council and will be financed entirely from the Council budget.

### B. Preparatory bodies meeting with full interpreting

A maximum of 20 preparatory bodies will meet with 23/23 interpreting financed entirely from the Council budget.

### C. Other preparatory bodies

Interpreting will be available on request on the following basis:

- (i) Delegations which wish to avail themselves of active or passive interpreting for their official language(s) in a preparatory body must indicate their requests for the following six-month period by 31 October and 1 April each year.
- (ii) The cost of requests will be set off against annual envelopes of more than EUR 1.9 million<sup>64</sup> (in two six-monthly instalments) for each language under the Council budget.
- (iii) Requests for passive interpreting will be charged up to a maximum of 50 % of the cost of active interpreting depending on whether such requests can be covered within possibilities offered by the Commission's DG Interpretation and do not require additional interpreters.
- (iv) DG Interpretation will provide a maximum of 11 teams to the Council on any given day<sup>65</sup>.

64 The envelopes will be adapted annually in line with heading 5 ceiling, plus adjustments for inflation.

65 Of these 11 teams, two will cover full interpreting, and nine will cover preparatory bodies where interpreting is available on request.

- (v) The Secretariat will provide Member States with a monthly statement of estimated interpreting costs for their official language(s).
- (vi) Should the cost of requests exceed the amount available under the budget, the Member States concerned<sup>66</sup> undertake to make an advance payment to the Council Secretariat in the first three months of each six-month period in order to cover such requests.
- (vii) Should the cost of requests for a particular language be less than the envelope set aside, a transfer of 66 % of the unused amounts will be made at the end of each six-month period<sup>67</sup> to the envelopes for Member States under the budget line for delegates' travel expenses<sup>68</sup>. A delegation may request that these funds from the first semester should not be transferred and should be used for interpreting in the second semester.
- (viii) Should difficulties arise because of shortages of booths or interpreters, the Secretariat and the Presidency, in liaison with DG Interpretation, will seek a satisfactory solution with the delegations concerned, in keeping with the principle of equal treatment of official languages.
- (ix) An amount of EUR 3 million will be set aside under the budget as a reserve to cover meeting cancellations and other contingencies.

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66 Member States sharing the same official language will apportion costs between them on the basis of the relative size of their population officially using the language (Decision 85/2005 of the DSG of the Council).

67 These transfers will be based on the estimated interpreting costs referred to in point (v).

68 For Member States sharing official languages, the same key as for point (vi) above will be used for calculating transfers to the envelopes for Member States under the budget line for delegates' travel expenses. Any such transfers may only be used to cover expenditure incurred in the current financial year.



## DECISION No 111/07

OF THE SECRETARY-GENERAL OF THE COUNCIL OF THE EUROPEAN UNION/HIGH REPRESENTATIVE FOR THE COMMON FOREIGN AND SECURITY POLICY CONCERNING INTERPRETING FOR THE EUROPEAN COUNCIL, THE COUNCIL AND ITS PREPARATORY BODIES

THE SECRETARY-GENERAL OF THE COUNCIL OF THE EUROPEAN UNION/ HIGH REPRESENTATIVE FOR THE COMMON FOREIGN AND SECURITY POLICY,

Having regard to the Council's Rules of Procedure of 15 September 2006, and in particular Article 23(5) thereof,

Whereas:

1. The Secretary-General of the Council of the European Union/ High Representative for the Common Foreign and Security Policy (hereafter Secretary-General/High Representative), assisted by the Deputy Secretary-General, is fully responsible for administering the appropriations under Section II — Council — of the general budget of the European Union, and takes all necessary steps to ensure their sound management.
2. The appropriations in Section II — Council — of the budget under Item 2202 (Interpretation costs) are intended to cover the payment for interpretation services rendered to the Council by Commission interpreters (DG SCIC).
3. Article 18(1)(e) of the Financial Regulation<sup>69</sup> foresees the possibility to finance specific items of expenditure with revenue from third parties in respect of services supplied by the General Secretariat of the Council (GSC) at their request.

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<sup>69</sup> Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248 of 16.9.2002, p. 1), as amended by Regulation (EC, Euratom) No 1995/2006 of 13 December 2006.

4. Given existing budgetary constraints as well as the limited capacity of available interpreting, and in order to facilitate planning of the interpreting capacity available to the Council, the Permanent Representatives Committee (Part II), in its 2190th meeting on 29 June 2007, agreed that the approach on interpreting agreed in 2003 should continue to be implemented largely unchanged, with a number of improvements<sup>70</sup>.
5. In order to put into practice this approach, it is necessary to adopt new implementing provisions for interpreting facilities needed for meetings of the European Council, the Council and its preparatory bodies,

HAS DECIDED AS FOLLOWS:

*Article 1*

*Principles and scope*

1. For the purpose of this decision, the budgetary appropriations under Item 2202 (Interpretation costs) of Section II — Council — of the general budget of the European Union shall be used:
  - (a) to cover entirely the payment for interpreting services for meetings of the European Council and the Council;
  - (b) to cover entirely the payment for interpreting services for meetings of the preparatory bodies which are marked 'F' in the list in Annex 1;
  - (c) to cover 50 % of the payment for interpreting services for meetings of Coreper; the remaining 50 % shall be financed in accordance with Articles 4 to 6;
  - (d) to cover, in accordance with Articles 4 to 6, payment for interpreting services for meetings of preparatory bodies for which interpreting is available on request, marked 'R' in the list in Annex 1;
  - (e) to cover payment for interpreting services for any other meeting organised by the GSC for which such payment is approved by the Deputy Secretary-General of the Council;
  - (f) to cover payments due to meeting cancellations and other contingencies; for this purpose, an annual amount<sup>71</sup> shall be set aside as a reserve.

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70 See 11176/07.

71 For 2007, the reserve amounts to EUR 3 468 468.

2. No interpreting shall be provided for meetings of preparatory bodies or coordination meetings of officials outside the headquarters of the Council, nor for meetings of preparatory bodies marked 'N' or 'Z' in the list in Annex 1.

## *Article 2*

### *Planning*

1. Delegations wishing to avail themselves of active or passive interpreting<sup>72</sup> for their official language(s) in a preparatory body marked 'R' in the list in Annex 1 shall indicate their requests for the coming six-month period by 1 May and 1 November each year.
2. No differentiated requests shall be made for different sub-areas of a given preparatory body, except for Member States which use more than one official and working language for which it would create difficulties to make uniform requests.
3. Newly created working parties shall in principle be subject to the 'on request' system unless otherwise decided, taking due account of the specific situation of working parties in external relations.

## *Article 3*

### *Calculation of costs for interpreting*

1. The cost for interpreting shall be calculated on the basis of the daily rate ('pivot price') laid down in the service level agreement between the Commission (DG SCIC) and the GSC applicable for the period in question.
2. Passive interpreting shall be charged at 50 % of the daily rate ('pivot price'), unless it can be provided within possibilities offered by DG SCIC and does not require additional interpreters.

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72 Active interpreting: a booth is allocated for the language into which interpreting is provided; the language in question can be listened to as well as spoken by delegates. Passive interpreting: the language in question may be spoken by delegates, but no interpreting is provided into that language.

## Article 4

### *Annual envelope*

The total cost of interpreting upon request, as well as 50 % of the cost for interpreting for meetings of Coreper, shall be set off against annual envelopes<sup>73</sup> in two six-monthly instalments for each language. The envelopes shall be increased annually in line with the estimate of the parameters for adjusting remunerations used in drawing up the budget. The GSC shall inform Member States of the amount of the provision available for each language for each six-month period.

## Article 5

### *Exceeding the six-monthly provision*

1. Before 1 January and 1 July each year, the GSC shall provide delegations with an estimate of costs for interpreting for meetings of Coreper and interpreting upon request for each language for the coming six-month period, based on the programme of meetings foreseen for this period.
2. If the estimated total costs for interpreting referred to in paragraph 1 exceed the provision available for a given language for the six-month period in question, the delegation(s) concerned shall cover the exceeding amount. This amount shall be apportioned between the delegations sharing official languages in conformity with the breakdown notified by the Member States concerned. The breakdown, as notified by the Member States concerned, is set out in a decision of the Deputy Secretary-General of the Council.
  - (a) A delegation may request, at the beginning of each six-month period, a transfer of available funds from its envelope under the budget line for delegates' travel expenses for the current financial year to the relevant language envelope(s), to cover the exceeding amount;
  - (b) Delegations shall make an advance payment to the GSC in the first three months of the six-month period in question to cover any outstanding amount exceeding the available provision.
3. The revenue resulting from the advance payments referred to in paragraph 2(b) shall be assigned to cover expenditure under Item 2202 (Interpretation costs) of Section II — Council — of the general budget of the European Union.

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73 For 2007, each envelope amounts to EUR 2 300 550.

4. If the actual cost of interpreting provided for a given language during a six-month period is less than the amount of the advance payment made pursuant to paragraph 2(b), the unused amounts shall be set off against any advance payments due for the next six-month period, where applicable in conformity with the breakdown referred to in paragraph 2(b), or, at the request of the delegation(s) concerned, be reimbursed to the Member State(s) concerned.
5. Any advance to the GSC under this Article should be paid to the bank account indicated in Annex 2.

## *Article 6*

### *Underuse of the six-monthly provision*

1. The GSC shall provide delegations with monthly statements of estimated costs for interpreting for Coreper meetings and interpreting upon request for their official language(s) for the total of the current six-month period.
2. If it appears, on the basis of the monthly statements referred to in paragraph 1, that the estimated cost of interpreting for a given language is less than the provision available for the current six-month period, the GSC shall transfer 66 % of the unused amounts to the envelope(s) available under the budget line for delegates' travel expenses for that delegation(s) for the current financial year.
3. For delegations sharing official languages, the breakdown referred to in Article 5(2) shall be used for calculating transfers to the envelopes for delegations under the budget line for delegates' travel expenses.
4. The payment of a transfer to the relevant national administration shall be made after the end of the first six-month period of the year concerned, and before the end of the second six-month period of the year concerned. The transferred appropriations shall be used according to the terms of Decision No 190/2003 of 19 September 2003 concerning reimbursement of travel expenses of delegates of Council Members. They shall cover only travel expenditure incurred in the current financial year.
5. A delegation may request that unused funds in interpreting envelopes are not transferred to its travel expenses envelope at the end of the first semester. In the case of languages shared by Member States, the agreement of all Member States concerned shall be required.

This Decision shall enter into force on 1 August 2007 and shall apply from 1 October 2007. It shall replace Decisions No 56/04 and No 133/05 of the Secretary-General/High Representative concerning interpreting for the European Council, the Council and its preparatory bodies.

Brussels, 23 July 2007

*Javier Solana*  
*Secretary-General of the Council/High Representative*

## ANNEX 1 TO ANNEX V

Provision of interpreting in Council preparatory bodies

The interpreting arrangements in the right hand column are designated as follows:

- 'F': Full interpreting
- 'R': Interpreting on request
- 'N': Interpreting not requested
- 'Z': Zero interpreting
- 'C': Interpreting provided by the Commission

COMMITTEES ESTABLISHED BY THE TREATIES		Arrangements
A.1	Permanent Representatives Committee (Coreper) (a) Part II (b) Part I	Article 1(1)(c)
A.2	Economic and Financial Committee	C
A.3	Employment Committee	C
A.4	Article 133 Committee (a) Full Members (b) Deputies (c) Experts (Textiles, Services, Steel, Motor Vehicles, Mutual Recognition)	F until 31/12/07 R from 1/1/08 R R
A.5	Political and Security Committee	Z
A.6	Article 36 Committee	F
A.7	The Social Protection Committee	C

COMMITTEE ESTABLISHED BY INTERGOVERNMENTAL DECISION		
A.8	Special Committee on Agriculture (SCA)	F
COMMITTEES ESTABLISHED BY COUNCIL ACT		
A.9	Military Committee (EUMC)	Z
A.10	Committee for Civilian Aspects of Crisis Management	N
A.11	Economic Policy Committee	C
A.12	Financial Services Committee	R
A.13	Security Committee (a) INFOSEC (AQUAs, experts) (b) GNSS experts (c) Security Accreditation Panels (SAPs)	Z
GROUPS CLOSELY ASSOCIATED WITH COREPER		
A.14	Antici Group	Z
A.15	Mertens Group	Z
A.16	Friends of the Presidency Group	N
COUNSELLORS/ATTACHÉS		
A.18	Counsellors/Attachés	N



## GENERAL AFFAIRS

B.1	Working Party on General Affairs	Z
B.2	<i>No longer exists</i>	
B.3	High-Level Working Group on Asylum and Migration	F
B.4	Horizontal Working Party on Drugs	F
B.5	Working Party on Structural Measures	R
B.6	Working Party on Outermost Regions	N
B.7	Working Party on Atomic Questions (a) <i>No longer exists</i>	R
B.8	Working Party on Statistics	R
B.9	Working Party on Information	N
B.10	Working Party on Legal Data Processing	R
B.11	Working Party on Electronic Communications (a) SESAME High Level Coordinators Group	Z
B.12	Working Party on Codification of Legislation	R
B.13	Working Party of Legal/Linguistic Experts	Z
B.14	Working Party on the Court of Justice	R
B.15	Working Party on the Staff Regulations	R
B.16	Working Party on New Buildings	N
B.17	Ad hoc Working Party on the follow-up to the Council conclusions on Cyprus of 26 April 2004	R

B.18	Ad Hoc Working Party on the Cooperation and Verification Mechanism for Bulgaria and Romania	R
B.19	Working Party on Enlargement and Countries Negotiating Accession to the EU	R

## EXTERNAL RELATIONS/SECURITY AND DEFENCE/DEVELOPMENT

C.1	Working Party of Foreign Relations Counsellors (a) Sanctions	Z
C.2	Working Party on Public International Law (a) International Criminal Court	Z
C.3	Working Party on the Law of the Sea	N
C.4	United Nations Working Party	Z
C.5	Working Party on OSCE and the Council of Europe	Z
C.6	Working Party on Human Rights	Z
C.7	Working Party on Transatlantic Relations	N
C.8	<i>No longer exists</i>	
C.9	Working Party on Eastern Europe and Central Asia	N
C.10	Working Party on EFTA	N
C.11	Working Party on the Western Balkans Region	Z
C.12	Ad hoc Working Party on the Middle East Peace Process	N
C.13	Middle East/Gulf Working Party	N

C.14	Mashreq/Maghreb Working Party	N
C.15	Africa Working Party	Z
C.16	ACP Working Party	N
C.17	Asia–Oceania Working Party	N
C.18	Working Party on Latin America	N
C.19	Working Party on Terrorism (International Aspects)	Z
C.20	Working Party on Non-Proliferation	Z
C.21	Working Party on Conventional Arms Export	Z
C.22	Working Party on Global Disarmament and Arms Control	Z
C.23	Working Party on Dual-Use Goods	R
C.24	Working Party on European Arms Policy	N
C.25	Politico-Military Working Party	Z
C.26	Military Committee Working Group (EUMCWG)	Z
C.27	Working Party on Trade Questions	R
C.28	Working Party on the Generalised System of Preferences	R
C.29	Export Credits Group	R
C.30	Working Party on Development Cooperation	N
C.31	Working Party on Preparation for International Development Conferences	N
C.32	Working Party on Food Aid	N

C.33	Working Party on Commodities	R
C.34	Working Party on Consular Affairs	Z
C.35	Working Party on CFSP Administrative Affairs and Protocol	Z
C.36	Nicolaïdis Group	Z
C.37	Ad hoc Working Party on Joint EU–Africa Strategy	Z

## ECONOMIC AND FINANCIAL AFFAIRS

D.1	Working Party on Financial Questions(a) Own resources	R
D.2	Working Party of Financial Counsellors	N
D.3	Working Party on Financial Services (a) <i>No longer exists</i> (b) <i>No longer exists</i> (c) Solvency II (d) Comitology	F
D.4	Working Party on Tax Questions (a) Indirect Taxation (VAT, Excise duties, Energy taxation) (b) Direct Taxation (including Taxation of Savings, Interest and Royalties)	F
D.5	Code of Conduct Group (Business Taxation) (a) Subgroup A (b) Subgroup B	F
D.6	High Level Working Party	R
D.7	Budget Committee	R
D.8	Working Party on Combating Fraud	R

## JUSTICE AND HOME AFFAIRS

E.1	Strategic Committee on Immigration, Frontiers and Asylum (SCIFA)	F
E.2	Working Party on Migration and Expulsion	F
E.3	Visa Working Party	R
E.4	Asylum Working Party	F
E.5	CIREFI	R
E.6	Working Party on Frontiers	F
E.7	Committee on Civil Law Matters	F
E.8	SIS/Sirene Working Party	R
E.9	SIS-TECH Working Party	R
E.10	Police Cooperation Working Party	F
E.11	Europol Working Party	F
E.12	Working Party on Terrorism	R
E.13	Customs Cooperation Working Party	R
E.14	Working Party on Cooperation in Criminal Matters	F
E.15	Working Party on Substantive Criminal Law	F
E.16	Working Party on Collective Evaluation	R
E.17	Working Party on Schengen Evaluation	R
E.18	Working Party on the Schengen Acquis	R
E.19	Multidisciplinary Group on Organised Crime	F

E.20	Working Party on the European Judicial Network	R
E.21	Working Party on Civil Protection	R
E.22	Ad Hoc Working Party on Fundamental rights and citizenship	R
E.23	Ad Hoc Group on Information Exchange	R

## AGRICULTURE/FISHERIES

F.1	High Level Group on Agriculture	R
F.2	Working Party on Agricultural Structures and Rural Development (a) Agriculture and Environment (b) Rural Development (c) Agricultural Structures (d) Aegean Islands	R
F.3	Working Party on Horizontal Agricultural Questions (a) Simplification of the CAP (b) Strengthening of Controls	R
F.4	Working Party on the Promotion of Agricultural Products	R
F.5	Working Party on Genetic Resources in Agriculture	R
F.6	Working Party on Foodstuff Quality (a) Organic Farming (b) Geographical Indications and Designations of Origin (c) Certificates of Specific Character	R

F.7	<p>Working Party on Animal Products</p> <ul style="list-style-type: none"> <li>(a) Beef and Veal</li> <li>(b) Sheepmeat and Goatmeat</li> <li>(c) Pigmeat</li> <li>(d) Eggs and Poultry</li> <li>(e) Milk and Milk Products</li> <li>(f) Beekeeping and Honey</li> </ul>	R
F.8	<p>Working Party on Arable Crops</p> <ul style="list-style-type: none"> <li>(a) Cereals</li> <li>(b) Oilseeds</li> <li>(c) Rice</li> <li>(d) Protein Crops</li> <li>(e) Dried Fodder</li> <li>(f) Seeds</li> </ul>	R
F.9	<p>Working Party on Sugar and Isoglucose</p>	R
F.10	<p>Working Party on Fruit and Vegetables</p> <ul style="list-style-type: none"> <li>(a) Bananas</li> <li>(b) Fresh Fruit and Vegetables</li> <li>(c) Processed Fruit and Vegetables</li> <li>(d) Potatoes</li> </ul>	R
F.11	<p>Working Party on Olive Oil</p>	R
F.12	<p>Working Party on Wines and Alcohol</p> <ul style="list-style-type: none"> <li>(a) Wines</li> <li>(b) Aromatised Wines</li> <li>(c) Spirit drinks</li> <li>(d) Alcohol</li> <li>(e) OIV</li> </ul>	R

F.13	Working Party on Special Plant Products (a) Floriculture (b) Hops (c) Tobacco (d) Textile Fibres	R
F.14	Working Party on Products not listed in Annex I	R
F.15	Working Party on Financial Agricultural Questions (a) Agri-monetary questions (b) AGRIFIN	R
F.16	Working Party on Forestry	R
F.17	Working Party on Agricultural Questions (a) Labelling of Processed Agricultural Products (b) Feedingstuffs (c) Seeds and Propagating Material (d) Harmful Organisms (e) Pesticide Residues (f) Pesticides/Plant Protection Products (g) Plant Breeder Rights (h) GMO	R
F.18	Working Party of Chief Plant Health Officers	R
F.19	Working Party on Plant Health (a) Protection and Inspection (b) Propagating and Planting Materials (c) Roosendaal Group	R
F.20	Working Party of Chief Veterinary Officers	R



F.21	Working Party of Veterinary Experts (a) Public Health (b) Animal Health (c) Animal Welfare (d) Animal Husbandry (e) Fishery Products (f) Potsdam Group	R
F.22	Coordination Working Party (a) FAO (b) OECD	R
F.23	Codex Alimentarius Working Party	R
F.24	Working Party on External Fisheries Policy	R
F.25	Working Party on Internal Fisheries Policy	R
F.26	Working Party of Directors-General of Fisheries Departments	R
F.27	<i>No longer exists</i>	

## COMPETITIVENESS (Internal Market, Industry, Research)

G.1	Working Party on Competitiveness and Growth	R
G.2	Working Party on Public Procurement	R
G.3	Working Party on Intellectual Property (a) Patents (b) Copyright (c) Design	F R R

G.4	Working Party on Company Law (a) Accounting — Statutory Auditing (b) <i>No longer exists</i>	R
G.5	<i>No longer exists</i>	
G.6	Working Party on Establishment and Services	R
G.7	Working Party on Technical Harmonisation (a) Standardisation (b) Motor Vehicles (c) Dangerous Substances and Preparations (d) Machinery	R
G.8	Working Party on Customs Union (a) Customs Legislation and Policy (b) Common Customs Tariff	R
G.9	Working Party on Data Protection	R
G.10	Working Party on Foodstuffs	R
G.11	Working Party on Free Movement of Persons	R
G.12	Working Party on Competition	R
G.13	Working Party on Research	R
G.14	Joint Working Party on Research/Atomic Questions	R
G.15	CREST	R
G.16	<i>No longer exists</i>	
G.20	Ad hoc Working Party on the European Institute of Technology (EIT)	R

## TRANSPORT/TELECOMMUNICATIONS/ENERGY

H.1	Working Party on Land Transport	R
H.2	Working Party on Shipping	R
H.3	Working Party on Aviation	R
H.4	Working Party on Transport — Intermodal Questions and Networks	R
H.5	Working Party on Telecommunications and Information Society	R
H.6	Working Party on Postal Services	R
H.7	Working Party on Energy	R

## EMPLOYMENT/SOCIAL POLICY HEALTH AND CONSUMER AFFAIRS

I.1	Working Party on Social Questions	R
I.2	Working Party on Public Health	R
I.3	Working Party on Consumer Protection and Information	F
I.4	Working Party on Pharmaceuticals and Medical Devices	R

## ENVIRONMENT

J.1	Working Party on the Environment	R
J.2	Working Party on International Environment Issues	R

## EDUCATION, YOUTH AND CULTURE

K.1	Education Committee	R
K.2	Working Party on Youth	R
K.3	Committee on Cultural Affairs	R
K.4	Audio-visual Working Party	R

## **ANNEX 2 TO ANNEX V**

### **Details of the bank account referred to in Article 5(5)**

Secretariat général du Conseil

KBC Schuman

If paying in Belgium:

Account No: 426-4482204-06

If paying outside Belgium:

IBAN: BE85426448220406

BIC: KREDBEBB

## DECISION No 85/05

OF THE DEPUTY SECRETARY-GENERAL OF THE COUNCIL CONCERNING THE  
BREAKDOWN BETWEEN DELEGATIONS SHARING OFFICIAL LANGUAGES FOR THE  
PURPOSE OF THE FINANCING OF INTERPRETING

THE DEPUTY SECRETARY GENERAL OF THE COUNCIL,

Having regard to Article 5(2) of Decision No 56/04 of the Secretary-General of the Council/High Representative for the Common Foreign and Security Policy concerning interpreting for the European Council, the Council and its preparatory bodies;

Whereas:

- (1) For the application of Decision No 56/04 of the Secretary-General of the Council/High Representative for the Common Foreign and Security Policy concerning interpreting for the European Council, the Council and its preparatory bodies, it is necessary to set out the breakdown between delegations sharing official languages for the purpose of apportioning interpreting costs.
- (2) The Member States concerned have notified to the General Secretariat of the Council the figures determining their respective share of interpreting costs.
- (3) Pursuant to Article 5(2) of the above-mentioned Decision No 56/04, this breakdown, as notified by the Member States concerned, shall be set out in a decision of the Deputy Secretary-General of the Council,

HAS DECIDED AS FOLLOWS:

*Article 1*

For the application of Article 5(2) and (4) and of Article 6(3) of Decision No 56/04 of the Secretary-General of the Council/High Representative for the Common Foreign and Security Policy concerning interpreting for the European Council, the Council and its preparatory bodies, the breakdown between the delegations sharing official languages is set out as follows:

German	Austria	8.90 %
	Germany	91.10 %
Dutch	Netherlands	50.00 %
	Belgium	50.00 %

French	France	100.00 %
English	United Kingdom	93.74 %
	Ireland	6.26 %
Greek	Greece	93.91 %
	Cyprus	6.09 %

#### *Article 2*

The delegations concerned may at any time notify to the General Secretariat any changes in the breakdown set out in Article 1. In such a case, Article 1 shall be modified accordingly with effect from the first day of the six-month period following that notification.

#### *Article 3*

This Decision replaces and repeals Decision No 176/04. It shall enter into force and apply from 1 July 2005.

Brussels, 23 June 2005

*Pierre de Boissieu*  
Deputy Secretary-General of the Council



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