

Conclusions of the Seville European Council: excerpt on the reform of the Council (21 and 22 June 2002)

Caption: This excerpt from the Conclusions of the Presidency of the Seville European Council of 21 and 22 June 2002 on the reform of the Council includes Annex II regarding Measures concerning the structure and functioning of the Council.

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Seville European Council (21 and 22 June 2002)

Presidency Conclusions

1. The European Council met in Seville on 21 and 22 June 2002. The meeting was preceded by an exposé given by the President of the European Parliament, Mr Pat Cox, followed by an exchange of views concerning the main items on the agenda.

[...]

I. The future of the Union

[...]

Reform of the Council

3. The European Council embarked upon a process of reform at Helsinki in December 1999, when it adopted a set of recommendations, and then in Göteborg and Barcelona, where it took note of the reports by the Secretary-General/High Representative focusing on four main subjects: the European Council, the General Affairs Council, the Presidency of the Council, and the legislative activity of the Council and transparency.

4. In the light of a summary report accompanied by detailed proposals submitted in Seville by the Presidency, the European Council held a detailed discussion on the subject and gave its agreement to a series of specific measures applicable, without amendment of the treaties, to the organisation and functioning of the European Council (see Annex I) and of the Council (see Annex II). This reform is a substantial change to present practices in the direction of enhancing the efficiency of the institution on the eve of an unprecedented increase in the number of Member States of the Union.

5. The European Council also took note of the Presidency's report on the current debate regarding the Presidency of the Union. It found that there was a general readiness to examine the question further, with the proviso that any change in the present system of six-monthly rotation would in any event have to continue to observe the principle of equality between the Member States. The European Council therefore asked the future Danish Presidency to take appropriate steps to continue discussions with a view to an initial report to the European Council in December 2002.

6. The European Council also gave a reminder of the importance which it attached to the effective implementation of all the guidelines and operational recommendations adopted by the Helsinki European Council on 10 and 11 December 1999. In particular, the Council is asked to study the question of the use of languages in the context of an enlarged Union and practical means of improving the present situation without endangering basic principles. In this context, a proposal should be submitted in due course and in any event there should be an initial report to the European Council in December 2002.

7. The new rules referred to in point 4 will enter into force under the next Presidency, unless otherwise provided. Consequently, the formal amendments to be made to the Council's Rules of Procedure will be adopted before 31 July 2002. The implementation of this set of provisions will be evaluated by the European Council in December 2003.

[...]

Annex II

Measures concerning the structure and functioning of the Council

1. With a view to improving the functioning of the Council in the run-up to enlargement, the European Council has adopted the following conclusions, which will be reflected to the extent necessary by the

relevant amendments to the Council's Rules of Procedure, to be made by 31 July 2002.

A. Creation of a new General Affairs and External Relations Council

2. The current General Affairs Council configuration shall from now on be called the "General Affairs and External Relations Council". In order best to organise proceedings with regard to the two main areas of activity covered by this configuration, it will hold separate meetings (with separate agendas and possibly on different dates and) dealing, respectively, with:

(a) preparation for and follow-up to the European Council (including the coordinating activities necessary to that end), institutional and administrative questions, horizontal dossiers which affect several of the Union's policies and any dossier entrusted to it by the European Council, having regard to EMU operating rules;

(b) the whole of the Union's external action, namely common foreign and security policy, European security and defence policy, foreign trade, development cooperation and humanitarian aid.

B. List of Council configurations ¹

3. The following list of Council configurations shall be included in the Annex to the Council's Rules of Procedure:

1. General Affairs and External Relations ²;
2. Economic and Financial Affairs ³;
3. Justice and Home Affairs ⁴;
4. Employment, Social Policy, Health and Consumer Affairs;
5. Competitiveness (Internal Market, Industry and Research) ⁵;
6. Transport, Telecommunications and Energy;
7. Agriculture and Fisheries;
8. Environment;
9. Education, Youth and Culture ⁶.

It is agreed that several Ministers may participate as full members of the same Council configuration, the agenda and the organisation of proceedings being adjusted accordingly.

In the case of the General Affairs and External Relations Council, each government shall be represented at the different meetings of this new configuration by the Minister or State Secretary of its choice.

C. Programming of Council activities

4. In keeping with the role conferred upon it by the Treaty of defining the general political guidelines of the Union, the European Council shall, on the basis of a joint proposal drawn up by the Presidencies concerned in consultation with the Commission and acting on a recommendation by the General Affairs and External Relations Council, adopt a **multiannual strategic programme** for the three years to come. The first such strategic programme will be adopted in December 2003.

5. In the light of the multiannual strategic programme referred to above, an **annual operating programme of Council activities** shall be submitted to the General Affairs and External Relations Council in December each year. This programme shall be proposed jointly by the next two Presidencies in line and shall have regard, inter alia, to relevant points arising from the dialogue on the political priorities for the year, conducted at the Commission's initiative. The final version of the annual programme shall be drawn up on the basis of the General Affairs and External Relations Council's discussions.

With a view to the earliest possible implementation of these arrangements and by way of derogation from the first subparagraph, the first annual operating programme of Council activities shall be drawn up in December 2002.

6. This programme shall be accompanied by a list of indicative agendas for the various Council configurations for the first six months of the year. The list of indicative agendas for the last six months shall be submitted by the Presidency concerned before 1 July, following the appropriate consultations, in particular with the following Presidency.

D. Measures relating to the Presidency

Cooperation between Presidencies

7. Where it is clear that a dossier will essentially be dealt with during the following six-month period, the representative of the Member State holding the Presidency during that six-month period may, during the current six-month period, chair meetings of committees (other than Coreper) and working parties at which the dossier is discussed. The practical implementation of this provision shall be the subject of an agreement between the two Presidencies concerned.

Thus, in the specific case of the examination of the budget for a given financial year, meetings of Council preparatory bodies other than Coreper shall be chaired by a representative of the Member State holding the Presidency during the second six-month period of the year prior to the financial year in question. The same arrangement shall apply, with the agreement of the other Presidency, to the chairing of Council meetings at the time when the items in question are discussed.

8. For the preparation of meetings of Council configurations meeting once every six months, where such meetings are held during the first half of the six-month period, meetings of committees other than Coreper and working party meetings taking place during the previous six-month period shall be chaired by a delegate of the Member State which will chair the Council meetings in question.

Chairing of certain working parties by the General Secretariat of the Council

9. In addition to cases where the General Secretariat of the Council already acts as chairman, the following working parties shall be chaired by a member of the General Secretariat of the Council:

- Working Party on Electronic Communications;
- Working Party on Legal Data Processing;
- Working Party on the Codification of Legislation;
- Working Party on Information;
- Working Party on New Buildings.

E. Opening Council meetings to the public when the Council is acting in accordance with the procedure for codecision with the European Parliament

10. Council debates on acts adopted in accordance with the procedure for codecision with the European Parliament shall be open to the public under the following circumstances:

- during the initial stage of the procedure: opening to the public of the presentation by the Commission of its main codecision legislative proposals and the ensuing debate. The list of proposals concerned shall be drawn up by the Council at the beginning of each six-month period;
- during the final stage of the procedure: opening to the public of votes and explanations of votes.

11. The debates shall be made public by providing the public with a room to which the deliberations of the Council will be transmitted live, including the indication by visual means of the outcome of votes. The public will be informed in advance by the appropriate means (for example, on the Council's Internet site) of the days and times at which such transmissions will take place.

F. Conducting meetings

12. The Presidency shall ensure that meetings proceed smoothly. It shall be the Presidency's responsibility to take any measure required to achieve the best possible use of the time available during meetings, including:

- limiting the time for which contributors may speak;
- determining the order in which contributors speak;
- asking delegations to present their proposals for amendment of the text under discussion in writing before a given date, together with a brief explanation if appropriate;
- asking delegations which have identical or close positions on any particular item to choose one of their number to express their joint position at the meeting or before the meeting in writing.

[...]

¹ The new arrangements regarding Council configurations will be applied by the Danish Presidency having regard to the constraints which may arise from the timetable of meetings already established.

² Including the ESDP and development cooperation.

³ Including the budget.

⁴ Including civil protection.

⁵ Including tourism.

⁶ Including audiovisual affairs.