

Operation of the Council of the European Union

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Operation of the Council of the European Union

Since the establishment of the European Communities, it has been the responsibility of the Presidency to convene and plan the sessions of the Council. Pursuant to Article 204 of the EC Treaty (formerly Article 147 of the EEC Treaty), 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. In practice, almost all the Council meetings are convened on the initiative of the Presidency in accordance with a schedule that, since 1979, has been presented seven months before the date on which the new Presidency takes up office and that, since 2006, has been based on an 18-month programme of activities.

The frequency of Council meetings varies, depending on the configuration. The General Affairs and External Relations, Economic and Financial Affairs and Agriculture and Fisheries Councils meet once a month, whereas the others meet two to four times a year.

The Council meets in Brussels, where it has its seat. In April, June and October, however, it holds its meetings in Luxembourg.

The President establishes the provisional agenda for each session, which he forwards to the other members of the Council and to the Commission at least 14 days before the opening of the meeting. The provisional agenda is divided into two parts: Part A covers the items that the Council may adopt without debate, and Part B sets out the items that are to be discussed by the Council. The agenda is adopted by the Council by a simple majority at the start of each session.

There are two exceptions to this procedure. An item may be included in the agenda after the mandatory period of 14 days' notice has elapsed if the Council so decides unanimously, something that happens frequently as a result of the topicality of issues. In addition, a term of 48 hours, or even less in the event of absolute necessity, is allowed by Article 22 of the EU Treaty for questions relating to the common foreign and security policy, where a rapid decision is called for.

Moreover, items relating to the adoption of an act in implementation of Title VI of the EU Treaty, on police and judicial cooperation in criminal matters, are included in the provisional agenda only if a period of six weeks has elapsed between the date on which the Commission proposal is notified to the European Parliament and to the Council and the date on which the proposal is entered on the Council's agenda with a view to a decision being taken. The rule, which originated in the Protocol on the role of the national parliaments in the European Union, annexed to the 1997 Treaty of Amsterdam, is included in the Council Rules of Procedure.

Historically, in order to ensure the effectiveness of the Council's work, its meetings have not been held in public, and its deliberations are covered by professional secrecy. From 1992, however, the need to establish a Union close to its citizens paved the way for the adoption of a raft of measures to promote openness and transparency. In particular, the Council's deliberations are open to the public when it discusses legislative acts subject to the procedure for codecision with the European Parliament (see below, *Transparency*).