



COUNCIL OF  
THE EUROPEAN UNION

Brussels, 10 May 1999 (11.05)  
(OR. f)

**SEMDOC**

Statewatch European Documentation &  
Monitoring Centre on justice and home  
affairs in the European Union

PO Box 1516, London N16 0EW, UK  
tel: 0181 802 1882 (00 44 181 802 1882)  
fax: 0181 880 1727 (00 44 181 880 1727)

8153/99

LIMITE

JUR 173

**"I"/"A" ITEM NOTE**

---

from : Legal Service

to : Coreper (Part 2)/Council

---

Subject : Adoption of the Council Decision replacing the Council's Rules of Procedure of 6 December 1993 (93/662/EC), as amended on 6 December 1995 and 7 December 1998 , by new Rules (prev. doc. 8049/99 JUR 166)

---

1. At its meeting on 29 April 1999 Coreper (Part 2) reached agreement on the last remaining points outstanding following the agreement in the Antici Group on the amendments to be made to the Council 's Rules of Procedure because of the entry into force of the Amsterdam Treaty.
2. The text finalised by the Working Party of Legal/Linguistic Experts in accordance with the normal procedure is in 8137/99 JUR 169.
3. The Permanent Representatives Committee could therefore invite the Council, under the "A" items on the agenda for one of its forthcoming meetings, to:
  - adopt the above Decision as it stands in 8137/99 JUR 169;
  - enter in its minutes the statements in the Annexe to this note <sup>1</sup> and order their publication.

---

<sup>1</sup> In the brochure to be published by the General Secretariat containing the Council's Rules of Procedure, statements for the minutes relating to the various Articles in the Rules will appear in footnotes. Similarly, where provisions of the Rules of Procedure reproduce a provision from the Treaty, this will be indicated in a footnote.

Statements for the Council minutes<sup>2</sup>

(a) **Re Article 2(1) and (2)**

"The President will endeavour to ensure that, in principle, the provisional agenda for each meeting of the Council dealing with implementation of Title IV of Part Three of the EC Treaty and Title VI of the Treaty on European Union and any documents relating to the items involved reach members of the Council at least twenty-one days before the beginning of the meeting."

(b) **Re Articles 1 and 2**

"Without prejudice to Article 22(2) of the Treaty on European Union, which specifies that an extraordinary Council meeting may be convened at very short notice in cases requiring a rapid decision, the Council is aware of the need for matters relating to the common foreign and security policy to be dealt with swiftly and efficiently. The arrangements in Article 2 shall not prevent this need from being met."

(c) **Re Article 4(2)**

"Policy debates on the six-monthly work programme submitted by the Presidency and, if appropriate, the Commission's work programme will be conducted by the General Affairs and the Economic and Financial Affairs Councils. It will be up to the Presidency to decide the timetable."

(d) **Re Article 8**

"Pending adoption by the European Parliament and the Council of the general Treaty principles and limits referred to in Article 255(2) of the EC Treaty, Council Decision 93/731/EC of 20 December 1993 remains in force."

(e) **Re Article 10**

"The Council agrees to consider the advisability of including in the Rules of Procedure the option of using a simplified written procedure when the Council is acting pursuant to Title VI of the Treaty on European Union."

---

<sup>2</sup> These statements will be published.

(f) **Re Article 10(4)**

"The Council would point out that the COREU network must be used in accordance with the Council conclusions of 12 June 1995 concerning the Council's working methods."

(g) **Re Article 10(5)**

"In accordance with the Council's regular practice, the time limit fixed will normally be one week."

(h) **Re Article 14 and Annex I**

"The Council agrees that the provisions of Article 14 and Annex I apply to acts for the adoption of which some members of the Council are, under the Treaties, not entitled to vote. However, application of Article 7 of the Treaty on European Union is not covered by those provisions.

In the first application of Articles 43 and 44 of the Treaty on European Union, the Council will, in the light of experience acquired in other fields, consider any adaptations necessary to Article 14 of and Annex I to these Rules of Procedure."

(i) **Re Article 17(4)**

"If a member of the Council considers that a draft procedural decision submitted to Coreper for adoption in accordance with Article 17(4) raises a question of substance, the draft decision will be submitted to the Council."

(j) **Re Article 18**

"Reports from Working Parties and any other documents used as a basis for Coreper's discussions should be sent to delegations in time to allow for their examination."

(k) **Re Article 19**

"The Council Legal Service has also been instructed to provide assistance to a Member State responsible for an initiative within the meaning of Article 67(1) of the EC Treaty or Article 34(2) of the Treaty on European Union for the purpose inter alia of checking the quality of drafting of such initiatives if that assistance is requested by the Member State concerned."

(l) **Re Annex I, 1(h)**

"The Council confirms that present practice whereby the texts serving as a basis for its deliberations are drawn up in all the languages will continue to apply."

(m) **Re Annex II.A, 4(a)**

"The Council would point out that, in the cases provided for in the Treaties where an act is not applicable to or in all Member States, it is necessary to make clear its territorial application in the reasons given for and content of the act concerned."

---