

9312/1/96  
REV 1

LIMITE

INST 25

**"A" ITEM NOTE**

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from : General Secretariat of the Council

to : ~~Council (Agriculture) on 16 and 17 September 1996~~

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No. prev. doc. : 7681/96 INST 17

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Subject: Relations with the Council of Europe

– Joint conclusions of the Council and the Commission

1. At its meeting on 5 June 1996, the Permanent Representatives Committee noted the delegations' agreement on the draft joint conclusions set out in Annex I to 7681/96, including the text of the third paragraph of point 2, between square brackets, of the draft.

At this meeting, the Committee agreed to suggest that the Council approve the draft conclusions with the proviso that the Commission include the text of the third paragraph of point 2 of the conclusions in its intended exchange of letters with the Council of Europe. The Commission representative concurred with the Permanent Representatives Committee's agreement.

2. On 9 July 1996, the Commission forwarded the text of the exchange of letters with the Council of Europe (see 9180/96 INST 24).

3. At its meeting on 24 July 1996, the Permanent Representatives Committee agreed on the following:

- (a) the Council and the Commission will be asked to approve, as an "A" item on the agenda for a forthcoming Council meeting, the joint conclusions set out in Annex I hereto;
- (b) the Council will also be asked to enter the statement in Annex II hereto in its minutes.

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**JOINT CONCLUSIONS OF THE COUNCIL AND THE COMMISSION**

**Subject: Arrangements for cooperation between the European Union and the Council of Europe**

1. The European Union intends to step up cooperation with the Council of Europe. Cooperation should above all guarantee proper mutual information on respective proceedings, in order to obtain maximum benefit from each body's initiatives. This will lend greater effectiveness to each body's action and ensure better coordination of initiatives, with the aim of avoiding any duplication of effort as far as possible.

Cooperation will cover all the areas covered by the Treaties, including Titles V and VI of the Treaty on European Union (TEU), and, as regards the Community, will seek to give full effect to Article 230 of the Treaty establishing the European Community (TEC).

Particular attention will be given to the fields of education and culture and to any other field that may from time to time be identified by common agreement, such as matters relating to racism and xenophobia.

2. In relations with the Council of Europe, the Commission will continue to play its role based on the links established under Article 229 of the TEC.

Commission participation in the proceedings of the Council of Europe will be in compliance with the relevant provisions of the Treaties and with the arrangements specific to matters coming under Titles V and VI of the TEU.

In this connection, the Council notes the new draft exchange of letters between the Commission and the Council of Europe under Article 229 of the TEC, whereby meetings and proceedings of the Committee of Ministers, the Ministers' Deputies, the Deputies' Groups of Rapporteurs, and other working groups will be open to the participation of the Commission at the invitation of the competent authorities of the Council of Europe. The Commission will not have the right to vote and will not take part in the organization's decision-making process.

3. Without prejudice to the procedures laid down in Article 228 of the TEC, the arrangements below refer to the Union's participation in the proceedings of the Council of Europe where such participation is not concerned with negotiating international instruments.

4. In accordance with suitable arrangements, the Commission will keep the Council fully briefed on current activities at the Council of Europe which fall within the EC Treaty, including any recommendations under discussion.

Such briefings must be given in time to allow Member States to put forward any comments they may wish to make.

The Commission may, in addition to the information which it passes on, state its points of view on the various questions being discussed within the Council of Europe.

On its own initiative or at the request of a Member State or the Commission the Presidency will, where appropriate, convene a coordination meeting. Coordination meetings will, as a rule, be held within the Council's specialized Working Parties or, where necessary, on the spot in Strasbourg.

As part of the report on the state of cooperation with the Council of Europe – which, in accordance with the Council's conclusions of 20 March 1989, the Commission has to draw up every year – the Commission will record the financial contributions made by the Community to the activities of the Council of Europe.

5. Bearing in mind the new circumstances which have arisen in recent years, it will be appropriate to establish closer cooperation with the Council of Europe on questions of mutual interest within the framework of Titles V and VI of the TEU.

In this context, the Presidency will regularly inform the relevant Council Working Parties of the main activities of the Council of Europe in the areas covered by Titles V and VI of the TEU.

Where appropriate, the Presidency will present its suggestions to members of the Council regarding the position that might be taken within the Council of Europe on behalf of the European Union. Coordination meetings will, as a rule, be held within the Council's specialized working parties or, where necessary, on the spot in Strasbourg.

The Commission will be fully associated with these proceedings, in accordance with Articles J.9 and K.4 of the TEU.

6. Quadripartite meetings between, on the one hand, the Presidents of the Council and the Commission and, on the other, the Chairman of the Committee of Ministers and the Secretary-General of the Council of Europe will as a rule be held every six months.

To prepare for them, the Presidency will arrange for the various questions on their agendas to be discussed by the appropriate Council bodies.

7. Within the same bodies, the Presidency may also arrange for discussions on the Council of Europe's work programme and the contribution that the European Union can make to its implementation, with the emphasis being placed on the priorities identified by common agreement.

8. The Council and the Commission agree to hold a further examination of relations with the Council of Europe in the light of the results of the current Inter-Governmental Conference.

The European Union's internal coordination arrangements as described above will be reviewed by the Council and the Commission one year after these conclusions come into effect.

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**COUNCIL STATEMENT**

"The Council of the European Union notes with satisfaction the updating of the exchange of letters between the Secretary-General of the Council of Europe and the President of the European Commission. For its part, the Council of the European Union is determined, alongside the improvement of appropriate contacts between the Commission and the Council of Europe, to give full effect to the present conclusions with a view to stepping up cooperation between the European Union and the Council of Europe.

The Council instructs its President to inform the relevant bodies of the Council of Europe of these conclusions and the above statement."