
STUDENTS FORUM

The Council of the European Union

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The Council of the European Union is composed of one representative at ministerial level from each Member State, who is politically accountable to his/her national parliament. Altogether there are 22 different Councils. Which ministers attend each Council meeting varies according to the subject under discussion. Thus, prices for agricultural products are settled (or not settled) by Ministers of Agriculture; monetary and budget matters are discussed by Ministers of Finance etc.

The Council of Ministers of Foreign Affairs, which normally meets once a month, has to deal with day-to-day Council business, general policy questions as a "General Affairs Council". The various other 21 specific Councils of Ministers meet around 80 times a year to deal with matters in their respective areas of competence. The seat of the Council is in Brussels.

The Council is presided over for a period of six months by each Member State in turn. The Presidency is mainly responsible for the coordination of the work of the Council and the affiliated committees, which support the Council's activities. The order in which the office of president is held is decided unanimously by the Council. The change in Presidency takes place each year on 1st of January and 1st of July. Since this "turnover" appears to be rather rapid and may endanger the continuity of decision making in the European Union, the previous, current and future presidencies constitute a so-called "troika" to promote co-operation in important matters.

The task of the Council, in its various ministerial forms, is to examine the draft measures drawn up by the Commission, in conjunction with the European Parliament and in due course to amend, accept or reject them. Since the introduction of the co-operation procedure by Single European Act in 1987 and of the co-decision procedure by the Maastricht Treaty in 1993, the power to legislate is increasingly shared with the European Parliament. In addition to its power to legislate, the Council has to ensure the co-ordination of general economic policies of the Member States.

The Council has the task to balance the individual interests of the Member States and the overall Community interest. The representatives of the Member States have to defend the interests of their countries, but are at the same time bound to take care of the goals and needs of the entire Community. Notwithstanding its intergovernmental composition, the Council is a Community institution and not an intergovernmental conference. The ministers of the Member States must

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try to find an optimum balance between the interests of the Community and their States. The preparation for Council meetings is carried out by the Permanent Representatives Committee (COREPER), consisting of the Permanent Representatives of the Member States in Brussels, their Deputies and the General Secretariat.

COREPER prepares the basis for the Council's work and performs the tasks assigned to it by the Council. It is divided into COREPER I and COREPER II. COREPER I consists of the deputies of the Permanent Representatives and their preparatory work focuses on more technical matters that have to be clarified for the meetings of the various Councils. COREPER II consists of the Permanent Representatives themselves and it has to prepare politically important issues. In addition to COREPER I and II, there also exists a Special Committee for Agriculture (CSA) that has the same tasks as COREPER on agricultural matters.

When COREPER agrees unanimously on an uncontroversial matter it appears on the agenda as what is called an "A Point" and shall be approved by the Council without further discussion. This does not exclude the possibility of any member of the Council to express an opinion at the time of the approval of these items and to have statements included in the minutes. Other questions that remain undecided and need to be discussed further, are known as "B Points". The work of COREPER is supported by a great number of permanent sector-specific working groups within the Council and by ad hoc working groups, which have to work on a particular problem within a certain period.

The work of Council, COREPER and CSA is assisted by the General Secretariat, which is responsible for the technical aspects of the Council meetings such as providing interpretation facilities and translations as well as legal advice and administering the budget of the Council. The General Secretariat works on all eleven official languages of the European Union.

The meetings of the Council may be convened by its President either on his own initiative, or upon the request of any of its members or of the Commission member. The agenda distinguishes "A Points" and "B Points" and only the latter need to be discussed by the Council members themselves. An "A Point" may turn into a "B Point" if a member of the Council or of the Commission insists on it being discussed before adoption. Such an "A Point" has to be removed from agenda and put on the agenda of the subsequent meeting as a "B Point". Documents and drafts on which the Council should reach decisions must be available in all eleven official languages of the EU. Only in urgent matters, this rule may be validated by an unanimous vote.

Sessions of the Council used to be always held behind closed doors, a practice, which has increasingly led to the charge that EC decision-making is unacceptably secretive and not democratic enough. Concern has been growing in the nineties over the so-called "democratic deficit" or lack of democratic control over EC decision making, and there was pressure for the Council to open some of its meetings to the public, at least those at which the Presidency presents its six-monthly work program and the Commission - its annual work program. Meanwhile, a press gallery has been established at the Council's headquarters. However, ministers continue to argue that their deliberations are too sensitive to be exposed to public gaze, partly because Council debates involve a great deal of bargaining between nations as ministers try

to find a balance between national interests and the wider interests of the EU as a whole. There are three possibilities of voting in the Council: simple majority, qualified majority, and unanimity. In votes based on unanimity or a simple majority, each country has precisely one vote. However, where qualified majority is applied, votes are weighted according to the population of the Member States.

The European Council

The European Council is made up of the Heads of States or Governments of the fifteen Member States and the President of the European Commission. They are assisted by their Ministers of Foreign Affairs and by a member of the Commission.

The European Council has to deal with those complex issues on which no agreement can be reached on a lower level, or which are too important to be dealt solely by specific ministers. The European Council agrees on the policy guidelines for the progressive evolution of European integration and by issuing instructions and guidelines, it sets the goals for the decision to be taken by the Council.

The Council meets at least twice a year and always in the country which occupies the presidency of the Council at the time. Extraordinary summits are held on matters of particular importance. The European Council reports to the European Parliament after each meeting and produces a written progress report on the Union every year.