

**NOTE**

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from :            Presidency  
dated :           24 October 2003  
to :                Delegations

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Subject :        **IGC 2003**  
                    *– Council Presidency and Council formations*

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Delegations will find attached a revised version of the proposals on the Council formations and the Council Presidency (Annexes I and II). These take into account the comments made by delegations.

The Presidency is aware that the "Team Presidency" option is not the only possible solution. A small number of delegations have expressed a preference for other options, or at least wish alternatives to be examined in more detail (election, maintaining the current rotating system). However the Presidency maintains the approach of a "Team Presidency" on the basis that it has the support of a very large number of delegations.

Any proposals on the Council Presidency will, together with all other issues within the IGC, be submitted to delegations as part of a final overall package. The preparation of a proposal at this stage is designed to make progress on this important issue without in any way attempting to pre-judge the final position of each delegation.

<p style="text-align: center;"><b>THE FORMATIONS OF THE COUNCIL OF MINISTERS AND THE PRESIDENCY</b></p>
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**(Article I-23)**

1. The Council shall meet in different formations.
2. The General Affairs Council shall ensure consistency in the work of the different Council formations. It shall prepare and ensure the follow-up to meetings of the European Council, in liaison with the President of the European Council and the Commission.
3. The Foreign Affairs Council shall flesh out the Union's external action on the basis of strategic guidelines laid down by the European Council and ensure that its action is consistent.

The Foreign Affairs Council shall be chaired by the Union Minister for Foreign Affairs.

4. The European Council shall adopt by a qualified majority a decision establishing the list of other Council formations.
5. The Council shall meet in public when it deliberates and votes on a draft legislative act. To this end, each Council meeting shall be divided into two parts, dealing respectively with deliberations on Union legislative acts and non-legislative activities.
6. The Presidency of Council formations, other than that of Foreign Affairs, shall be held by Member State representatives in the Council on the basis of equal rotation, in accordance with the conditions set out in the Protocol on the exercise of the Council Presidency.

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**Draft Protocol on the exercise of the Presidency of the Council of Ministers**

Article 1

The Presidency of Council formations, other than those of General Affairs and Foreign Affairs, shall be held collectively by pre-established groups of [3][4] Member States for a continuous period of [12][18][24] months. The groups shall be made up on a basis of equal rotation among the Member States, taking into account geographical balance in the Union and the diversity of Member States.

The Member States comprising any given group shall share the Presidency of Council formations and the chairmanship of their preparatory bodies equally amongst themselves throughout the period referred to in the first paragraph.

Article 2

The Presidency of the General Affairs Council and the chair of the Permanent Representatives Committee shall be held for six months by each of the members of the group in turn. [The chair of the Political and Security Committee shall be held by a representative of the Union Minister for Foreign Affairs.]

Article 3

The General Affairs Council shall ensure consistency in the work of the different Council formations in the framework of multiannual programmes. The Member States holding the Presidency shall take all necessary measures for the organisation and smooth operation of the Council's work, with the assistance of the General Secretariat of the Council.

Article 4 \*

The European Council shall adopt unanimously a decision establishing the measures for the implementation of this Protocol.

Article 5

This Protocol shall enter into force on the date set by the European Council and in any event no later than 24 months after the entry into force of the Treaty establishing a Constitution for Europe.

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\* Declaration by the Conference that the European Council will begin to prepare this decision as soon as the Constitutional Treaty has been signed.