



GENERAL SECRETARIAT OF THE COUNCIL OF THE EU **~ INFORMATION SHEET ~**

Openness and transparency of Council proceedings

Brussels, December 2005
TRA/00

For several years now, the Council's activities have been more open and more visible. Since the Council is the Union's main decision-making institution, and shares power of co-decision with the European Parliament for a number of the Union's legislative acts, its procedures are already open to a very large extent. Some of its deliberations are public and most of its official documents are accessible to the public.

The provisions in force on openness and transparency in Council proceedings are described below. Based in particular on the Seville European Council conclusions (2002) and laid down in the Council's Rules of Procedure ¹, they also include a series of specific measures which the Council decided to take in December 2005, in the context of the Treaties and rules in force, in order to improve the openness and transparency of its formal meetings and to reach the widest public possible.

¹ The version currently in force dates from March 2004 (Official Journal L 106, 15.4.2004, p. 23).

Public deliberations and debates

➤ *Co-decision procedure*

When the Council acts under the co-decision procedure – i.e. when it is co-legislator with the European Parliament – its deliberations are open to the public with regard to:

- the presentation by the Commission of all legislative proposals which, in view of their importance, are presented orally in a Council meeting, and the ensuing debate on them;
- all of the Council's final deliberations, i.e. all discussions at Council level which take place once the other institutions or bodies have delivered their opinions ¹;
- the vote, the result of which is displayed on the screen which relays the vote to the public.

➤ *Other legislative proposals*

The Council also holds public debates on other major new legislative proposals (items other than those which come under the co-decision procedure). In December 2005 the Council decided to hold more public debates on such proposals.

¹ Other Council deliberations on items which come under the co-decision procedure (at intermediate stages) may also, where appropriate, be open to the public.

➤ ***Non-legislative work***

As far as the Council's non-legislative work is concerned, in addition to the policy debates on the Council's operational programme and the Commission's annual work programme, on which public debates are held, the Presidency may, when drawing up the provisional agenda for each Council meeting, allow the Council to decide to hold its deliberations on non-legislative items in public if they concern important issues which affect the interests of the Union and its citizens.

The general public and the media are informed in advance ¹ of any public debates to be held at forthcoming Council meetings.

Debates and deliberations which are open to the public are relayed by audiovisual means within the Council press centre. So that the general public can have the widest possible access, all public debates and deliberations, as well as public votes on items which come under the co-decision procedure, will be broadcast in all languages by video streaming on the Council Internet site (<http://ue.eu.int>) from summer 2006 onwards.

During 2006, in the light of an evaluation of the measures in force, the Council will examine possible solutions for further improving openness and transparency, including the possibility of amending the Council's Rules of Procedure.

Making votes, explanations of votes and minutes public

Each time the Council acts as legislator, the results of votes, the explanations of votes by Council members and the statements entered in the minutes are made public.

¹ Notably by announcements on the Council Internet site and by publication of the agendas for Council meetings in the Council's public register.

This information is also contained in the monthly summary of Council acts, which may be found on the Council Internet site (<http://ue.eu.int>, under Transparency/Summary of Council Acts).

Press

Note: Major press briefings are held before, during and after each Council meeting.

Access to Council documents

All citizens can access Council documents under the conditions laid down by the texts in force ¹. A public register of Council documents is available on the Council Internet site (<http://register.consilium.eu.int>).

Reference documents:

- Council Decision of 22 March 2004 adopting the Council's Rules of Procedure – Official Journal L 106, 15.4.2004, p. 22.
- Presidency conclusions, Seville European Council, 21 to 22 June 2002, Annex II, point E.
- Council conclusions of 21 December 2005, "Improving openness and transparency in the Council" (15834/05).
- Council Information Guide (May 2004, ISBN 92-824-3036-7) provides a complete overview of the transparency instruments.
- A media guide will also be available at the beginning of 2006.

¹ Regulation No 1049/2001 on public access to documents, and the Council's Rules of Procedure.

Useful contacts and addresses:

- Council Internet site: *<http://ue.eu.int>*
 - Access to documents: *access@consilium.eu.int*
 - Public register of Council documents: *<http://public.register@consilium.eu.int>*
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