

# MINISTERIE VAN BUITENLANDSE ZAKEN

Redacteur:

Datum:

Par.

Medeparaaf en datum:

Vastgesteld

dat.

Visie na verzending:

M. van der Stoep

MINUUT

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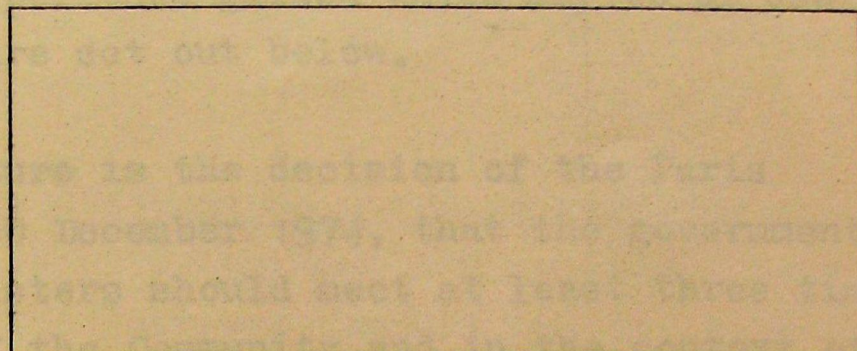
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3. The Hague, 16 December 1976

Informatiekopie aan:

*ber Monday  
20/12/76*



Rubricering:

Dienstonderdeel:

Datum:

You will remember that on Monday last

Onderwerp:

we had an informal exchange of views on how

Kenmerk:

the European Council is operating. Following

Bijlagen:

In originali:

In afschrift:

on from this, I enclose as a contribution to  
further discussion an internal memorandum con-  
taining a number of conclusions which we in  
the Netherlands have reached on the organis-  
ation of the European Council.

Aanvullingen/wijzigingen

His Excellency

I. Nørgaard,

Minister for Foreign Affairs  
of Denmark.

Gelijkkluidende tekst gezonden aan:

H.E. A. Crosland, Secretary of State  
for Foreign and Commonwealth  
Affairs of the United Kingdom

H.E. A. Forlani, Minister for  
Foreign Affairs of Italy

H.E. G. Fitzgerald, Minister for  
Foreign Affairs of Eire z.o.z.

Paraaf typiste:

Mede-afoening van agenda no.:

Rappel:

## Organization of the European Council

- (1) The Netherlands has now organized and presided over two successive sessions of the European Council and certain matters have emerged from the experience gained which may be of use for the future. These are set out below.

The point of departure is the decision of the Paris Summit Conference of 9-10 December 1974, that the government leaders and Foreign Ministers should meet at least three times a year as the Council of the Community and in the context of political co-operation. The relative frequency of meetings raises special problems as to their effect on national parliaments and public opinion. Although this external effect in itself need not be decisive, it should be taken into consideration.

- (2) In general, discussions in the European Council may be divided into general exchanges of views, which need not necessarily result in concrete agreed conclusions and discussions which do aim at reaching concrete agreement. In both cases it is necessary for the President and for the other leaders and ministers to know in good time, i.e. about 14 days in advance, which subjects will be discussed, to enable them to be prepared. A list of subjects to be discussed is already made to some extent by the Council of Foreign Ministers. As indicated below, it is at the same time important to know to which of the above categories the discussion on a subject belongs. On the other hand it is desirable to limit the total number of subjects.

- (3) A short document from e.g. the Commission would serve as an introduction for a general exchanges of views on the economic situation, for instance. A written record of conclusions agreed upon is necessary only if the European Council wishes to make its intentions known to the public or if further details have to be worked out after the session. In the first case

especially, the possibility should be considered of having a text prepared beforehand which could be modified in the light of the discussion. It is not necessary, of course, for the discussion to be restricted to what it has been thought desirable to include in the text (for example: the statement about Japan on 29/30 November 1976).

- (4) The second category, discussions aimed at reaching concrete agreement requires more preparation than has sometimes been the case until now. If the European Council has to state its view about the final unresolved matters in a Community decision-making process, the necessary preparations will of course have already been made and there will generally be a joint formulation of the problem (for example direct elections to the European Parliament). This also applies, *mutatis mutandis*, to questions concerning political co-operation. If, however, this is not the case, it would be advisable for the (Council of) Foreign Ministers to draw up in good time a short memorandum for the European Council, which sets out the problem and any possible solutions. This could shorten the discussions and contribute to a rapid formulation of the results (example: before the last meeting of the European Council the Council of Foreign Ministers had held detailed discussions, with the aid of documents, about the CIEC, but no such document on this subject was prepared for the European Council. On the other hand, such a document was prepared in the case of the discussion of the Tindemans Report).
- (5) Up till now there have been scarcely any officials present at the European Council discussions. As the presiding Member State, the Netherlands has attempted to have present at least those officials who, after the discussion, would possibly have to act as chairmen of working groups charged with formulating the conclusions concerning a particular subject. If it is intended in the future to formulate conclusions reached on certain subjects and provision cannot be made for this beforehand (see 3 and 4 above), it would be advisable for one

official from each country to be admitted to the discussions of the subjects concerned to enable them to perform their duties with more knowledge of the matters for consideration.

- (6) If it is anticipated that few concrete decisions will be taken during a session of the European Council there is all the more reason for attention to be paid beforehand to the text of any public statement which may be made by the European Council.
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