

AMENDMENT FORM

Suggestion for amendment of Article 16a

By : TIMOTHY KIRKHOPE MEP

Status : MEMBER

PRAESIDIUM	TIMOTHY KIRKHOPE MEP
<p>Article 16a : The European Council Chair</p> <p>1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.</p> <p>On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.</p> <p>2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.</p> <p>3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.</p> <p>4. The President of the European Council may not</p>	<p>Article 16a : The European Council Chair</p> <p>1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. <u><i>In cases of serious malpractice, if a qualified majority of members of the European Council agree to suspend the President, a new President shall be elected according to the same procedure.</i></u></p> <p><i>DELETE</i></p> <p>2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.</p> <p>3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.</p> <p>4. The President of the European Council may not</p>

be a member of another European institution or hold a national mandate.

be a member of another European institution or hold a national mandate.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 16 bis, Titre IV à la Partie I de la Constitution.

Déposée par ~~Madame ou~~ Monsieur Oğuz DEMIRALP

Qualité : ~~-Membre~~ - Suppléant

Article 16 bis : Le Président du Conseil européen :

- Supprimer l'alinéa 1° du paragraphe 1 et le remplacer par :

~~1. — Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de deux ans et demi, renouvelable une fois. Pour être élu, il doit être membre du Conseil européen, ou y avoir siégé au moins pendant deux ans. En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.~~

La présidence du Conseil européen est assurée par les Etats membres sur la base d'un système de rotation semestrielle.

- Supprimer « pour les matières relevant de la politique étrangère et de sécurité commune » dans l'alinéa 2 du paragraphe 1 :

~~Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union, pour les matières relevant de la politique étrangère et de sécurité commune.~~

- Supprimer les paragraphes 3 et 4 et ajouter un nouveau paragraphe 3 :

~~3. — Le Conseil européen peut décider par consensus de créer en son sein un bureau composé de trois membres choisis selon un système de rotation équitable.~~

~~4. — Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer un mandat national.~~

3. Le Conseil Affaires Générales prépare les réunions du Conseil européen.

Explication éventuelle :

La proposition d'établissement d'un Président du Conseil européen semble avoir été motivé par le soucis de continuité dans les travaux du Conseil européen. Cependant, il convient de nous demander si cette proposition, une fois acceptée, saura résoudre le problème du fonctionnement du Conseil.

Si les travaux préparatoires se font dans un Conseil Affaires Générales réformé, le Conseil européen n'a besoin que d'un Président de séance. La rotation des Présidences ne présenterait dès lors pas de problème de nature pratique.

Le renforcement de la continuité des travaux du Conseil est une nécessité. Toutefois, l'exercice de la Présidence du Conseil permet la mobilisation de l'administration nationale et la valorisation de l'engagement européen de chaque pays membre. C'est la raison pour laquelle la rotation semestrielle pour la Présidence du Conseil européen comme pour le Conseil des Ministres doit être maintenue.

AMENDMENT FORM

Suggestion for amendment of Article 16a

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives, and Mr Sören Lekberg and Mr Kenneth Kvist, national parliament representatives.

Status : - Member: Hjelm-Wallén and Lekberg
 - Alternate: Petersson and Kvist

Article 16a : The European Council Chair

1. The European Council shall elect its ~~President~~ **Chair**¹, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his/**her**² mandate according to the same procedure.

On issues concerning its common foreign and security policy he/**she** shall ensure that the Union at his/**her** level is effectively represented in the wider world.

2. The ~~President~~ **Chair** of the European Council shall ~~chair it and~~ **provide necessary impetus for drive forward** its work, ensuring proper preparation and continuity. He/**she** shall endeavour to facilitate cohesion and consensus within the European Council. He/**she** shall present a report to the European Parliament after each of its meetings.
3. The **Chair of the** European Council ~~may~~ **shall cooperate with the team Presidency of the Council of Ministers** ~~decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~³
4. The ~~President~~ **Chair** of the European Council may not be a member of another European institution or hold a national mandate.

¹ Corresponds to the Title of the present Article.

² The Constitution must be gender neutral.

³ We support a team Presidency chairing the Council of Ministers. The team Presidency should informally co-ordinate their work at the Council level.

AMENDMENT FORM

Suggestion for amendment of Article : 16a

By: Mr Tunne Kelam
Mr Rein Lang
Mr Urmas Reinsalu
Mrs Liina Tõnisson

Article 16a : The European Council Chair

1. ~~The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

2. ~~The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

3. ~~The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

4. ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation

The European Council should be chaired by the Head of State or Government of the Member State holding the Presidency of the Council. This should be included in Article 15, concerning the European Council.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 16bis

Proposition d'amendement au protocole:

Déposée par Madame ou Monsieur : Gianfranco FINI – Francesco SPERONI

Qualité : - Membre - Suppléant

Articolo 16 bis: Il Presidente del Consiglio europeo

1. Il Presidente del Consiglio europeo è eletto dal Consiglio europeo a maggioranza qualificata per un periodo di due anni e mezzo. Il suo mandato è rinnovabile una volta. Per essere eletto egli deve essere membro del Consiglio europeo o averne fatto parte per almeno due anni. In caso di impedimenti gravi, il Consiglio europeo può porre fine al suo mandato secondo la medesima procedura.

Il Presidente del Consiglio europeo assicura al suo livello la rappresentanza esterna dell'Unione per le materie relative alla politica estera e di sicurezza comune.

2. Il Presidente del Consiglio europeo presiede e anima i lavori del Consiglio europeo e ne assicura la preparazione e la continuità. Egli si adopera per facilitare la coesione ed il consenso in seno al Consiglio europeo. Egli presenta al Parlamento europeo una relazione dopo ciascuna delle sue riunioni **del Consiglio europeo.**

3. Il Consiglio europeo può decidere per consenso di creare al suo interno un Ufficio di presidenza composto da tre membri scelti secondo un sistema equo di rotazione.

4. Il Presidente del Consiglio europeo non può essere membro di un'altra istituzione europea o esercitare un mandato nazionale.

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article: 16a, Part I – Title IV

By Mr: Henning Christophersen, Poul Schlüter, Henrik Dam Kristensen and Niels Helveg Petersen.

Status: Members and alternate members.

Article 16a: The European Council Chair

1. The European Council shall elect its President, by ~~a qualified~~ majority of two-thirds of its members for a term of two and a half years, renewable once, based on the principle of equality between Member States. ~~The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, t~~The European Council can end his mandate according to the same procedure.

On issues concerning its common foreign and security policy he ~~shall~~ can ensure that the Union at his level is effectively represented in the wider world under due consideration to the powers of the Foreign Minister.

2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall execute his functions without prejudice to the powers of the Commission and the Commission President. He shall present a report to the European Parliament after each of its meetings.

- ~~3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

4. The President of the European Council may not be a member of another European institution or hold a national mandate.

5. The President of the European Council shall be assisted by the Council Secretariat.
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Explanation:

With regard to the Presidency function, we have the view that the present scheme with six-monthly rotating Presidencies must be adjusted and improved if it is to function in an EU of 25 Member States. We are therefore prepared to continue with the rotating, half-yearly Presidencies in a modernised form. But we are also ready to favourably consider other constructions.

We can see a number of arguments in favour of an elected President of the European Council. This, however, is conditional on a number of considerations.

Firstly, the draft at hand does not sufficiently respect the balance between large and small Member States. Each Member State should have one vote when electing the President and the election should be based on the principle of equality between Member States, possibly in the form of an equal rotation of Member States. We will also be open towards other proposals that will ensure that the balance between large and small Member States is upheld.

Secondly, we must make sure that there is a sensible division of labour between the President of the European Council, the Foreign Minister and the Commission and its President. The wording of Article 16a, par. 1 about the role of the President of the European Council with regard to the CFSP could undermine the powers of the Foreign Minister. The main rule should be that it is the Foreign Minister that handles the external representation of the EU in the field of the CFSP. The suggested new wording provides for this. It will, however, be necessary with a more detailed outline of such a division of labour.

Thirdly, we are against creating new bureaucracies. We can therefore not support the proposal of creating a board within the European Council consisting of three members. Therefore, it is also suggested that the President of the European Council is assisted by the existing structures in the Council Secretariat. Furthermore, the role of the Board vis-à-vis the President and the rest of the European Council seems unclear.

If the present Presidency rotation system is upheld possible reforms could be:

- letting the Council Secretariat chair meetings below the level of Coreper,
- re-installing the office of a Secretary General of the Council without other responsibilities than the day to day work of the Council,
- further enhanced co-operation among consecutive Presidencies to ensure coherence and

continuity.

AMENDMENT FORM

Suggestion for amendment of Article 16a

By Ms Maria BERGER

Status: Alternate

~~Article 16a : The European Council Chair~~

~~1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

~~2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

~~3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4. The President of the European Council may not be a member of another European institution or hold a national mandate.~~

AMENDMENT FORM

Suggestion for amendment of Article: 16a
By Mr: Erwin Teufel
Status: Member

Text of the Praesidium

Article 16a: The European Council Chair

- (1) The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.

On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.

- (3) The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.

Proposed Amendment

Article 16a: The President of the European Council

- (1) The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.

On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world, **without prejudice to the competences of the Commission and its President as well as those of the Foreign Minister.**

- ~~(3) The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

Explanation:

Title

Both the English and German versions should refer to the President of the European Council, like the French version does.

Paragraph 1

It is necessary to have a precise delimitation of the tasks of the President of the European Council as opposed to the remit of the Commission, its President, and the Foreign Minister.

Paragraph 3

There is no need for a praesidium like this in order to fulfil the tasks of the Council or those of the President of the European Council.

FICHE AMENDEMENT

Proposition d'amendement à l'Article:	16^{bis}
Déposée par Monsieur:	Erwin Teufel
Qualité:	Membre

Texte du Praesidium

Artikel 16a: Der Vorsitz des Europäischen Rates

- (1) Der Präsident des Europäischen Rates wird vom Europäischen Rat mit qualifizierter Mehrheit für einen Zeitraum von zweieinhalb Jahren gewählt; er kann einmal wieder gewählt werden. Er muss Mitglied des Europäischen Rates sein oder ihm mindestens zwei Jahre lang angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.

Der Präsident des Europäischen Rates nimmt auf seiner Ebene die Außenvertretung der Union in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wahr.

- (3) Der Europäische Rat kann durch Konsens beschließen, aus seinen Reihen ein Präsidium zu bestimmen, das aus drei nach ei-

Amendement proposé

Artikel 16a: Der Präsident des Europäischen Rates

- (1) Der Präsident des Europäischen Rates wird vom Europäischen Rat mit qualifizierter Mehrheit für einen Zeitraum von zweieinhalb Jahren gewählt; er kann einmal wieder gewählt werden. Er muss Mitglied des Europäischen Rates sein oder ihm mindestens zwei Jahre lang angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.

Der Präsident des Europäischen Rates nimmt auf seiner Ebene die Außenvertretung der Union in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wahr, **unbeschadet der Zuständigkeiten der Kommission und ihres Präsidenten sowie der des Ministers für auswärtige Angelegenheiten.**

- ~~(3) Der Europäische Rat kann durch Konsens beschließen, aus seinen Reihen ein Präsidium zu bestimmen, das aus drei nach ei-~~

nem ausgewogenen turnusgemäßen Wechsel ausgewählten Mitgliedern besteht.

~~nem ausgewogenen turnusgemäßen Wechsel ausgewählten Mitgliedern besteht.~~

Begründung:

Überschrift

In der deutschen und in der englischen Fassung sollte wie schon in der französischen Fassung in der Überschrift vom „Präsidenten“ des Europäischen Rates gesprochen werden.

Abs. 1

Eine genaue Abgrenzung der Aufgaben des Präsidenten des Europäischen Rates von den Zuständigkeiten der Kommission, ihres Präsidenten und des Außenministers ist erforderlich.

Abs. 3

Es ist nicht ersichtlich, dass ein solches Präsidium zur Erfüllung der Aufgaben des Rates / des Ratspräsidenten erforderlich ist.

AMENDMENT FORM

Title IV

Suggestion for amendment of Article : 16a

By Members: Voggenhuber, Lichtenberger, MacCormick, Wagener, Nagy

Status : Members and alternate members.

Rewrite Article 16a as follows:

16a: The European Council Chair

1. The Chair of the European Council shall be held by the President of the European Commission. He shall present a report to the European Parliament after each of its meetings.
 2. On issues concerning its common foreign and security policy he shall represent the Union internationally at the level of Heads of States and governments.
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Explanation:

AMENDMENT FORM

Suggestion for amendment of Article 16a

By Ms / Mr : Ms Helle THORNING-SCHMIDT

Status : - Alternate

Article 16a : The European Council Chair

1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. *[Deletion of 19 words] The President shall be final approved by the European Parliament.* In cases of serious malpractice, the European Council can end his mandate according to the same procedure.

2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.

3. Deletion

4. Deletion

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article 16bis

Déposée par MM. Alexandru ATHANASIU et Hubert HAENEL

Qualité : Membres

Article 16 bis : Le Président du Conseil européen

1. Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de deux ans et demi, renouvelable une fois. Pour être élu, il doit ~~être membre du Conseil européen, ou y~~ avoir siégé au moins pendant deux ans **au sein du Conseil européen**. En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.

Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union pour les matières relevant de la politique étrangère et de sécurité commune.

2. Le Président du Conseil européen préside ~~et anime~~ les travaux du Conseil européen, en assure la préparation et la continuité. Il œuvre pour faciliter la cohésion et le consensus au sein du Conseil européen. Il présente au Parlement européen un rapport à la suite de chacune de ses réunions.

3. Le Conseil européen peut décider par consensus de créer en son sein un bureau, **pour assister le Président**, composé de trois membres choisis selon un système de rotation équitable.

4. Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer **tout** mandat ~~national~~ **ou toute fonction gouvernementale**.

Explication éventuelle :

1. Le Président du Conseil européen doit avoir siégé au moins deux ans au Conseil, qu'il/elle en soit encore membre ou non.

3. Il convient de préciser la fonction du bureau du Conseil européen.

4. Il convient de préciser que le Président du Conseil européen doit cesser d'exercer tout mandat ou fonction gouvernementale (certaines fonctions gouvernementales n'étant pas des mandats, comme celle de premier ministre en France).

FICHE AMENDEMENT

Proposition d'amendement à l'Article 16 bis- Partie I - Architecture constitutionnelle Titre IV Des institutions de l'Union

Déposée par Monsieur William ABITBOL

Qualité : - Suppléant

Article 16bis : le Président de l'Union européenne

Conv 691/03

1. le Président de l'Union européenne est investi pour cinq ans par le Congrès des Parlements européens, sur proposition du Conseil européen, statuant à la majorité qualifiée.
2. le Président de l'Union européenne préside et anime les réunions du Conseil européen aux fins de rechercher sa cohésion et d'assurer la continuité de ses travaux. Il en prépare l'ordre du jour. Il présente au Parlement européen un rapport à la suite de chacune de ces réunions. Chaque année, il fait rapport sur l'état de l'Union au Congrès des Parlements d'Europe.
3. Le Conseil européen peut décider à l'unanimité de créer en son sein un bureau de trois membres, suivant le principe de la rotation semestrielle.
4. Le Président de l'Union européenne représente l'Union dans toutes les instances internationales dont celle-ci fait partie. Il ne peut être membre d'une autre institution européenne ou internationale, ni exercer un autre mandat électif.

FICHE D'AMENDEMENT

Proposition d'amendement à l'article: 16 bis, Partie I, Titre IV du projet de Traité constitutionnel (CONV 691/03)

Déposée par: Monsieur le Professeur Jürgen Meyer, délégué du Bundestag allemand

Qualité: - Membre -

Objectif: Définition des missions du Président, intégration contraignante dans le texte constitutionnel du collège composé selon un système de rotation, soutien administratif par le Secrétariat général du Conseil

Article 16 bis : Le Président du Conseil européen

1. Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de deux ans et demi, renouvelable une fois. Pour être élu, il doit être membre du Conseil européen, ou y avoir siégé au moins pendant deux ans. En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.

~~Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union pour les matières relevant de la politique étrangère et de sécurité commune.~~

2. ~~Le Président du Conseil européen préside et anime les travaux du Conseil européen et en assure la préparation et la continuité. Il œuvre pour faciliter la cohésion et le consensus au sein du Conseil européen. Il présente au Parlement européen un rapport à la suite de chacune de ses réunions.~~

3. ~~Le Conseil européen peut décider par consensus de créer en son sein un bureau~~ **créé en son sein, par consensus, un collège** composé de trois membres choisis selon un système de rotation équitable. **Le collège assiste le Président dans l'exercice de ses fonctions.**

4. ~~Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer un mandat national.~~

Le Conseil européen et son président sont assistés par le Secrétariat général du Conseil.

Explication:

Seule la dénomination de "collège" au lieu de "bureau" doit être choisie dans le texte de l'article, en cohérence avec le titre.

La phrase 4 de l'article 1 doit être supprimée ; la représentation de l'Union à l'extérieur en matière de politique extérieure et de sécurité commune est assurée par le ministre des Affaires étrangères (article 19, Partie 1, Titre IV ; article 5, Partie II, Titre B).

Dans le paragraphe 3, il ne faut pas se limiter à prévoir un bureau ou un collège, il faut l'inscrire de manière contraignante dans le texte constitutionnel. L'on évite ainsi une trop grande concentration du pouvoir dans les mains du Président du Conseil européen. La rotation doit être conçue de manière telle que les petits et moyens États membres soient régulièrement représentés. Il convient en outre de définir les missions du collègue.

Dans sa forme présente, le paragraphe 4 doit être supprimé, étant donné que des restrictions dans le choix d'un candidat à la présidence du Conseil européen, allant plus loin que les conditions posées par le paragraphe 1, ne sont pas souhaitables.

Dans le nouveau paragraphe 4, il convient de préciser que le Conseil européen et son Président reçoivent l'appui du Secrétariat général du Conseil. La mise en place d'une sous-structure administrative propre, à côté de celle du Secrétariat du Conseil, n'est ni souhaitable, ni nécessaire, et ce, afin d'éviter les doubles structures et la présence d'un contre-pouvoir administratif par rapport à la Commission.

AMENDMENT FORM

Suggestion for amendment of: Article 16 a, Part I, Title IV of the draft Constitution (CONV 691/03)

By: Professor Jürgen Meyer, delegate of the German Bundestag

Status : - Member -

Aim: To define the tasks of the Chair, to establish the rotating College on a binding basis and describe its terms of reference, and provide for administrative support from the Council's General Secretariat.

Article 16a : The European Council Chair

1. The European Council shall elect its ~~President~~, **Chair**, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

2. ~~The President of the European Council shall chair it and~~ **The Chair** shall drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.

3. The European Council ~~may decide by consensus to create a board~~ **shall create by common agreement a College from amongst its ranks** consisting of three of its members chosen according to a system of equitable rotation. **The College shall support the Chair in the performance of his/her responsibilities.**

4. ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

The European Council and its Chair shall receive support from the Council's General Secretariat.

Explanation :

In the text of the Article, the terms "Chair" instead of "President" and "College" instead of "Board" must be used consistently to agree with the heading.

Paragraph 1, fourth sentence must be deleted; the Union's external representation on issues concerning the common foreign and security policy will be undertaken by the Foreign Minister (Article 19, Part One, Title IV; Article 5, Part Two, Title B).

In paragraph 3, the election of a Board or College must not be envisaged merely as an option, but must be established as binding. This will avoid any excessive concentration of power in the hands of the European Council Chair. The rotation must be organised in a way which ensures that the small and medium-sized Member States, in particular, are represented on a regular basis. The College's terms of reference must also be defined.

The current paragraph 4 must be deleted, as restrictions on the election of a candidate for the European Council Chair beyond those contained in paragraph 1 are not desirable.

It must be made clear, in the new paragraph 4, that the European Council and its Chair will receive support from the Council's General Secretariat. Establishing a separate administrative structure alongside the General Secretariat is neither desirable nor necessary, in the interests of avoiding any duplication of structures or an administrative counterforce to the Commission.

AMENDMENT FORM

Vorschlag für die Änderung von: Artikel 16 a, Teil I, Titel IV des Verfassungsentwurfs (CONV 691/03)

von Herrn: Prof. Dr. Jürgen Meyer, Delegierter des Deutschen Bundestages

Status: - Mitglied -

Ziel: Festlegung der Aufgaben des Vorsitzenden, verbindliche Verankerung und Aufgabenbeschreibung des turnusmäßig wechselnden Kollegiums, administrative Unterstützung durch das Generalsekretariat des Rates

Artikel 16a: Der Vorsitz des Europäischen Rates

(1) Der ~~Präsident~~ **Vorsitzende** des Europäischen Rates wird vom Europäischen Rat mit qualifizierter Mehrheit für einen Zeitraum von zweieinhalb Jahren gewählt; er kann einmal wieder gewählt werden. Er muss Mitglied des Europäischen Rates sein oder ihm mindestens zwei Jahre lang angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.

~~Der Präsident des Europäischen Rates nimmt auf seiner Ebene die Außenvertretung der Union in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wahr.~~

(2) ~~Der Präsident des Europäischen Rates führt den Vorsitz und~~ **Der Vorsitzende** leitet die Beratungen des Europäischen Rates, für deren Vorbereitung und Kontinuität er sorgt. Er wirkt darauf hin, dass Zusammenhalt und Konsens im Europäischen Rat gefördert werden. Er legt dem Europäischen Parlament im Anschluss an jede Tagung des Europäischen Rates einen Bericht vor.

(3) Der Europäische Rat ~~kann durch Konsens beschließen, aus seinen Reihen ein Präsidium zu bestimmen~~ **bestimmt einvernehmlich aus seinen Reihen ein Kollegium**, das aus drei nach einem ausgewogenen turnusgemäßen Wechsel ausgewählten Mitgliedern besteht. **Das Kollegium unterstützt den Vorsitzenden bei der Wahrnehmung seiner Aufgaben.**

(4) ~~Der Präsident des Europäischen Rates darf nicht einem anderen europäischen Organ angehören oder ein einzelstaatliches Amt innehaben.~~

Der Europäische Rat und sein Vorsitzender werden vom Generalsekretariat des Rates unterstützt.

Begründung:

Im Text des Artikels muss in Übereinstimmung mit der Überschrift einheitlich die Bezeichnung „Vorsitz“ anstelle von „Präsident“ sowie „Kollegium“ anstelle von „Präsidium“ gewählt werden.

Absatz 1 Satz 4 ist zu streichen; die Außenvertretung der Union in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wird vom Minister für auswärtige Angelegenheiten (Artikel 19 Teil I, Titel IV, Artikel 5, Teil II, Titel B) wahrgenommen.

In Absatz 3 ist nicht nur die Option eines Präsidiums bzw. Kollegiums vorzusehen, sondern dieses ist verbindlich zu verankern. Hierdurch wird eine zu große Machtkonzentration beim Vorsitzenden des Europäischen Rates vermieden. Die Rotation muss so gestaltet sein, dass gerade auch die kleinen und mittleren Mitgliedstaaten regelmäßig repräsentiert sind. Außerdem ist eine Aufgabenbestimmung des Kollegiums vorzunehmen.

Der bisherige Absatz 4 ist zu streichen, da über Absatz 1 hinausgehende Einschränkungen bei der Wahl eines Kandidaten für den Vorsitz des Europäischen Rates nicht wünschenswert sind.

Im neuen Absatz 4 ist klarzustellen, dass der Europäische Rat und sein Vorsitzender vom Generalsekretariat des Rates unterstützt werden. Der Aufbau eines eigenen administrativen Unterbaus neben dem Generalsekretariat ist zur Vermeidung von Doppelstrukturen und einer administrativen Gegenmacht zur Kommission nicht wünschenswert und nicht erforderlich.

AMENDMENT FORM

Suggestion for amendment of Article : Article 16a (Title IV)

Suggestion for protocol :

By Ms / Mr : David Heathcoat-Amory

Status : X - Member - Alternate

Article 16a : The European Council Chair

1. The European Council shall **be chaired on a rotating basis**. *[elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.]*

On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.]

2. The *[President]* **Chairman** of the European Council shall *[chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall]* present a **written** report to the European Parliament **and to national parliaments** after each of its meetings.

3. The European Council may decide by *[consensus]* **unanimity** to create a **temporary** board consisting of three of its members chosen according to a system of equitable rotation.

[4. The President of the European Council may not be a member of another European institution or hold a national mandate.]

Explanation (if any) : The Council should continue to be chaired by national representatives, from all countries, on a rotating basis.

AMENDMENT FORM

Suggestion for amendment of Article : 16a

Suggestion for Part I

By Mr : Vytenis Povilas Andriukaitis, Algirdas Gričius, Gintautas Šivickas

Status : Member, member, alternate

Article ~~16a~~ 16b: The Secretary General of the European Council ~~Chair~~

1. The European Council shall ~~elect~~ **appoint** its ~~President~~ **Secretary General**, by qualified majority, for a term of two and a half years, renewable once. ~~The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice,~~ The European Council can end his **or her** mandate according to the same procedure.

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

2. The ~~President~~ **Secretary General** of the European Council shall ~~chair it and~~ drive forward its work, ensuring proper preparation and continuity. He **or she** shall endeavour to facilitate cohesion and consensus within the European Council. He **or she** shall present a report to the European Parliament after each of its meetings **and send the report to the parliaments of the Member States.**
4. 3. The ~~President~~ **Secretary General** of the European Council may not be a member of another European institution or hold a national mandate.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article : 16a

By Mr : Josef ZIELENIEC

Status : - Member

Article 16a : The European Council Chair

~~1.— The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

~~2.— The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

~~3.— The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4.— The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation:

- see explanation – amendment art. 16.

AMENDMENT FORM

Title IV

Suggestion for amendment of Article 16a

By **Mr. Adrian Severin**

Status : **Alternate Member**

Delete the second indent of the paragraph 1

Para. 2 should be modified as follows:

2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council **as well as between the EU's institutions (on one side), the member states and the European peoples (one the other side)**. He shall present a report to the European Parliament after each of its meetings.

The President of the European Council is entitled to make public the strategic orientations of the Union (as established by the Council) and supports the European Foreign Minister in the performance of his duties related to the common foreign and security policy. (The President will represent at his level the Union within its external relations only together and in the presence of the European Foreign Minister).

NB. The texts in the brackets are meant to create alternative versions. They could be added to the rest of the text if in this way a compromise could be facilitated.

Para. 3 should be replaced with the following one:

3. **The President of the Council will be assisted by and will work under the oversight of a Presidential Board elected by the Council among its members by qualified majority. The Board will be formed by three members representing the group of the big, medium, and small countries, respectively, in accordance with a proper geographic representation and with the observation of an appropriate rotation system.**

Explanation:

1. The competences of European Council's Chair are the object of the actual art. 16.2 bis. Consequently the Chairperson's role in the field of the foreign representation should be included there.

2. The words inserted and added in the paragraph 2 would emphasize that the European Council is a real institution of the Union, working for the Union and not a mere Assembly of the member states' representatives, each of them bringing there its own problems. The general opinion of the Convention was that the European Council's President should be more a chairman than a political leader (proper president). It is also clear that such a Chairman should not hinder the Foreign Minister who must have the plenitude of the representation powers in respect of the Union's external action. Finally it is natural that the President of the Council could not speak but for the Council's opinions and decisions, while it is also obvious that the Council does not cover the whole Union. On the contrary, the Foreign Minister could speak for the whole Union since he will enjoy a double legitimacy – that given by the member states (he will be elected by the Council) and that given by the European community of peoples (he will be accepted by the President of the Commission who is elected by the European Parliament). As in the case of many national Presidents without a major political role, the President of the European Council should not be able to act in the field of foreign representation but together and under the oversight of the foreign minister.

3. This could be the only compromise which will give a reasonable guaranty to the small and medium countries that they are going to have an equal opportunity to accede to the leadership of the Union and to assure a fair balance between the interests of all member states.

AMENDMENT FORM

Suggestion for amendment of Article 16a: The European Council Chair

By : Mr Dick Roche, Member ; Mr Pat Carey and Mr Bobby McDonagh, Alternates

Article 16a : The European Council Chair

1. — ~~The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

2. — ~~The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

3. — ~~The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

4. — ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any) :

The European Council should be chaired by the Head of State or Government of the Member State holding the Presidency of the Council of Ministers. This should be included in Article 16 proper.

As noted in relation to Article 17, some have argued that the current system, under which the Presidency is rotated on the basis of equality, will not be efficient in a Union of 25 or more Member States. We do not believe that the case has yet been made in a compelling way. If, however, difficulties arise in ensuring the effectiveness and coherence of the Council's work, and the European Council believes that these difficulties can be remedied by putting alternative arrangements for the Presidency in place – including, possibly, team presidencies - it should be possible for it to do so by unanimous agreement.

AMENDMENT FORM

Suggestion for amendment of Article 16a

By Mr : Józef Oleksy

Status : Member

Article 16a:

Para.3 delete

Explanation (if any) :

Creation of any additional intergovernmental board (bureau) may adversely influence the existing, delicate institutional balance within the EU and provoke arguments about duplicating bureaucracies.

AMENDMENT FORM

Suggestion for amendment of Article : IV 16b

Suggestion for protocol :

By: Mr Caspar EINEM

Status : Member

Artikel 16b: Der Generalsekretär/Koordinator des Europäischen Rates

- (1) Der Generalsekretär/Koordinator des Europäischen Rates wird vom Europäische Rat mit qualifizierter Mehrheit für die Dauer von fünf Jahren gewählt. Er muss Mitglied des Europäischen Rates oder eines Ministerrates/Rates sein bzw. muss ihm zumindest durch zwei Jahre angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.**
- (2) Der Generalsekretär/Koordinator unterstützt und koordiniert die Arbeit des Europäischen Rates und seines Präsidiums.**
- (3) Der Generalsekretär/Koordinator beantwortet die Fragen des Europäischen Parlaments oder seiner Mitglieder im Auftrag und im Namen des Europäischen Rats.**

Explanation (if any) :

Statt eines hauptamtlichen Präsidenten wird ein hauptamtlicher Generalsekretär/Koordinator vorgeschlagen. Auch er soll Erfahrung im Umgang mit den Ratsformationen haben, muss jedoch nicht unbedingt dem Europäischen Rat angehört haben.

Im Sinne des Konzepts, dass nur nichtstaatliche Funktionsträger europäischer Funktionen nach außen auftreten sollen, wird vorgeschlagen, den Generalsekretär/Koordinator mit der Beantwortung von Fragen aus dem EP zu betrauen.

AMENDMENT FORM

Suggestion for amendment of Article : IV 16a

Suggestion for protocol :

By: **Mr Caspar EINEM**

Status : **Member**

Artikel 16a: Der Vorsitz *und die Koordination* des Europäischen Rates

~~(1) Der Präsident des Europäischen Rates wird vom Europäischen Rat mit qualifizierter Mehrheit für einen Zeitraum von zweieinhalb Jahren gewählt; er kann einmal wieder gewählt werden. Er muss Mitglied des Europäischen Rates sein oder ihm mindestens zwei Jahre lang angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.~~

~~Der Präsident des Europäischen Rates nimmt auf seiner Ebene die Außenvertretung der Union in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wahr.~~

(1) Die Arbeit des Europäischen Rates wird durch ein Präsidium und den Generalsekretär/Koordinator des Europäischen Rates koordiniert. Sie wirken darauf hin, dass Zusammenhalt und Konsens im Europäischen Rat gefördert werden. Sie legen dem Europäischen Parlament im Anschluss an jede Tagung des Europäischen Rates einen Bericht vor.

(2) Das Präsidium des Europäischen Rates besteht aus fünf seiner Mitglieder, die jeweils für dreißig Monate dem Präsidium angehören, wobei alle sechs Monate das längstdienende Mitglied ausscheidet und ein neues einzieht. Die Reihenfolge wird durch die alphabetische Reihenfolge der Mitgliedstaaten bestimmt.

(3) Der Vorsitz im Europäischen Rat und im Präsidium wechselt monatlich.

(4) Die Arbeit des Europäischen Rates und des Präsidiums wird durch einen Generalsekretär vorbereitet.

~~(2) Der Präsident des Europäischen Rates führt den Vorsitz und leitet die Beratungen des Europäischen Rates, für deren Vorbereitung und Kontinuität er sorgt. Er wirkt darauf hin, dass Zusammenhalt und Konsens im Europäischen Rat gefördert werden. Er legt dem Europäischen Parlament im Anschluss an jede Tagung des Europäischen Rates einen Bericht vor.~~

~~(3) Der Europäische Rat kann durch Konsens beschließen, aus seinen Reihen ein Präsidium zu bestimmen, das aus drei nach einem ausgewogenen turnusgemäßen Wechsel ausgewählten Mitgliedern besteht.~~

- (5) Der ~~Präsident und der Vizepräsident~~ **Generalsekretär/Koordinator** des Europäischen Rates ~~darf dürfen nicht~~ keinem anderen europäischen Organ angehören oder ein einzelstaatliches Amt innehaben.

Explanation (if any) :

Es soll kein Präsident des Europäischen Rates geschaffen werden, weil das Risiko, dass er/sie die Funktion in Richtung einer konkurrierenden Präsidentschaft zum Präsidenten der EK ausbaut, zu groß ist. Demgegenüber wird ein fünfköpfiges Präsidium vorgeschlagen, das durch einen Generalsekretär/Koordinator unterstützt wird und das sich die Vorsitzführung monatlich abwechselnd teilt. Dadurch soll der Eindruck vermieden werden, es gehe um einen Präsidenten. Es geht lediglich um eine notwendige Funktion, die am besten in kurzer Rotation ausgeübt werden kann, weil ihr sonst auch keine Aufgabe, als die, den Vorsitz zu führen, zukommt.

FICHE AMENDAMENT

Proposition d'amendement à l'Article 16 bis

Déposé par Monsieur Eckstein-Kovács Péter

Qualité: membre suppléant

Article 16 bis - Para 4 effacé

FICHE AMENDAMENT

Proposition d'amendement à l'Article 16 bis

Déposé par Monsieur Eckstein-Kovács Péter

Qualité: membre suppléant

Article 16 bis - Para 2 modifier comme suit:

Le Président du Conseil européen préside et anime les travaux du Conseil européen et en assure la préparation et la continuité **sur la base d'un programme pluriannuelle, proposé par la Commission et adopté par le Conseil.** Il oeuvre pour faciliter la cohésion et le consensus au sein du Conseil Européen. Il présente au parlement européen un rapport à la suite de chacun de ses réunions.

FICHE AMENDAMENT

Proposition d'amendement à l'Article 16 bis

Déposé par Monsieur Eckstein-Kovács Péter

Qualité: membre suppléant

Article 16 bis - Para 1 remplacé par:

La présidence du Conseil Européen est exercée à tour de rôle par chaque Etat membre pour une durée de 6 mois selon un ordre fixé par le Conseil.

AMENDMENT FORM

**Suggestion for amendment of: PART I, Title IV : The Union's Institutions, Article 16a:
The European Council Chair**

By: Mr Paraskevas AVGERINOS and Ms. Marietta GIANNAKOU

Status: Members

Delete 16a

Explanation:

AMENDMENT FORM

Suggestion for amendment of Article :16a

By Mr :

Status : - Member

Art 16aattalides.doc

Delete the whole of Article 16a

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 16bis

Déposée par : Pervenche Berès

Qualité : - Membres et Suppléants

Article 16 bis : Le Président du Conseil européen

supprimé

Explication

Amendement en relation avec l'amendement déposé à l'article 16.2, disposant le rétablissement de la présidence rotative.

AMENDMENT FORM

Suggestion for amendment of Article 16 a

By Mr Barnier, Mr Vitorino, Mr O'Sullivan and Mr Ponzano:

Status : Members and Alternates

Article 16a : The European Council Chair

At this stage of the discussions, the institutional architecture, as it appears in the text presented by the Praesidium, is still incomplete and not sufficiently clear, in particular in respect to the organisation of the executive power in the Union and the institutional balance. The proposals on the President of the European Council do not convincingly achieve the objectives of the Laeken Declaration, which requested more clarity, simplicity, efficiency, democracy and responsibility in the institutional system of the Union.

The creation of a full-time President of the European Council, an additional figure in the institutional architecture, next to the President of the Commission and the Foreign Minister, will make this architecture even less transparent than today. It will be difficult to avoid overlapping competences with the President of the Commission and the Foreign Minister.

It is therefore proposed to delete Article 16a. However, we would be ready to continue the discussion on any proposal which would not present the above mentioned inconveniences.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 16 bis

Déposée par M. Barnier, M. Vitorino, M. O'Sullivan et M. Ponzano

Qualité : Membres et Suppléants

Article 16 bis : Le Président du Conseil européen

L'architecture institutionnelle telle qu'elle résulte du texte présenté par le Praesidium est à ce stade des discussions encore incomplète et pas suffisamment claire, notamment pour ce qui concerne l'organisation du pouvoir exécutif dans l'Union et l'équilibre institutionnel. Les propositions sur le Président du Conseil européen n'apportent pas de réponses convaincantes aux objectifs de la déclaration de Laeken, qui demandait plus de clarté, de simplicité, d'efficacité, de démocratie et de responsabilité dans le système institutionnel de l'Union.

La création d'un Président du Conseil européen à temps plein, une figure additionnelle à l'architecture institutionnelle qui comporte déjà le Président de la Commission et le Ministre des Affaires étrangères, rendra cette architecture encore moins lisible qu'aujourd'hui. Il sera difficile d'éviter des chevauchements de compétences avec le Président de la Commission ou le Ministre des Affaires étrangères.

Il est dès lors proposé de supprimer l'article 16bis. Toutefois, nous serions prêts à poursuivre la discussion sur toute proposition qui ne comporterait pas les inconvénients mentionnés précédemment.

AMENDMENT FORM

Suggestion for amendment of Article : 16a

By Mr : Joschka Fischer

Status : - Member

Artikel 16a: Der Vorsitz des Europäischen Rates

(1) Der ~~Präsident~~Vorsitzende des Europäischen Rates wird vom Europäischen Rat mit qualifizierter Mehrheit für einen Zeitraum von zweieinhalb Jahren gewählt; er kann einmal wieder gewählt werden. Er muss Mitglied des Europäischen Rates sein oder ihm mindestens zwei Jahre lang angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.

Der ~~Präsident~~Vorsitzende des Europäischen Rates nimmt auf seiner Ebene die Außenvertretung der Union ~~in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wahr, unbeschadet der Kompetenzen der Kommission und ihres Präsidenten sowie der des Europäischen Außenministers.~~

(2) ~~Der Präsident des Europäischen Rates~~Der Vorsitzende führt den ~~Vorsitz~~ und leitet die Beratungen des Europäischen Rates, für deren Vorbereitung und Kontinuität er sorgt. Er wirkt darauf hin, dass Zusammenhalt und Konsens im Europäischen Rat gefördert werden. Er legt dem Europäischen Parlament im Anschluss an jede Tagung des Europäischen Rates einen Bericht vor.

~~(3) Der Europäische Rat kann durch Konsens beschließen, aus seinen Reihen ein Präsidium zu bestimmen, das aus drei nach einem ausgewogenen turnusgemäßen Wechsel ausgewählten Mitgliedern besteht.~~

~~(34)~~ Der Präsident und der Vizepräsident des Europäischen Rates dürfen nicht einem anderen europäischen Organ angehören oder ein einzelstaatliches Amt innehaben.

Explanation:

Absatz 1 Satz 2: Eine genaue Abgrenzung der Aufgaben des ER-Vorsitzenden zu den Zuständigkeiten des Kommissionspräsidenten und des Europäischen Außenministers ist notwendig.

Absatz 3: Der gewählte Vorsitzende des Europäischen Rats soll die Aufgaben des bisher turnusmäßig wechselnden Vorsitzenden übernehmen. Hierfür ist kein zusätzlicher Unterbau in Form eines Präsidiums erforderlich.

FICHE AMENDEMENT

Proposition d'amendement à l'article 16 bis

Déposée par Anne Van Lancker

1. Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de deux ans et demi, renouvelable une fois. ~~Pour être élu, il doit être membre du Conseil européen, ou y avoir siégé au moins pendant deux ans.~~ En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.

~~Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union pour les matières relevant de la politique étrangère et de sécurité commune.~~

2. Le Président du Conseil européen préside et anime les travaux du Conseil européen ~~et en assure la préparation et la continuité.~~ Il œuvre pour faciliter la cohésion et le consensus au sein du Conseil européen. Il *informe le Parlement européen avant et après* ~~présente au Parlement européen un rapport à la suite de~~ chacune de ses réunions.

~~3. Le Conseil européen peut décider par consensus de créer en son sein un bureau composé de trois membres choisis selon un système de rotation équitable.~~

~~4. Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer un mandat national.~~

Justification:

Il ne faut pas confondre les fonctions du Président du Conseil Européen et celles du ministre des affaires étrangères ou de la Commission. Il revient au ministre des affaires étrangères d'assurer la représentation extérieures et au Conseil affaires générales, sous présidence du Président de la Commission d'assurer la préparation du Conseil européen. Dès lors il faut supprimer les dispositions que le Président du Conseil européen assure la représentation extérieure de l'Union et la préparation et la continuité de Conseil européen.

Le Président du Conseil Européen informe le Parlement non seulement après, mais également avant les réunions du Conseil européen, afin de pouvoir recueillir les opinion de la représentation élue des peuples européen.

AMENDMENT FORM

Suggestion for amendment of Article : 16a, Title IV, Part I

Suggestion for protocol :

By Ms / Mr : Hain

Status : - Member

1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. [The person elected must be, or have been for at least two years, a member of the European Council.] In cases of serious ~~malpractice~~misconduct, the European Council can end his mandate according to the same procedure.

On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.

2. The President of the European Council shall chair it and drive forward ~~its~~the Council's work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion, ~~and~~ consensus ~~within the European Council~~and consistency. He shall present a report to the European Parliament after each of its meetings.
 3. *See comments below.*
 4. *OK.*
-

Explanation (if any) :

Article 16a 1 A change to the detail of the article only. We strongly support the substance and believe that, in practice, the Chair is most likely to meet the criteria. But would not a Constitutional provision confining candidates to people who are or have been members of the European Council for two years too restrictive? "Malpractice" is not the correct word in English. (cf Article 216 TEC).

Article 16a 2 When it will no longer be the case that any single Member State holds the Chair of every Council formation at the same time, the Chair of the European Council will have an important role to ensure the work of the Council formations is properly coordinated and consistent with the agenda set by the European Council. Our amendment makes this explicit in the Treaty. In order to achieve this, the Chair might also chair the General Affairs Council and meetings of the Chairs of the sectoral Councils.

Article 16a 3 It is not clear what the role of this board would be. We propose instead a system of team presidencies, in which 4 or 5 countries, by rotation, would chair the sectoral councils for a set period of time (1 to 2 ½ years). Membership of the team would be governed by the principle of equality. The members could meet, under the chairmanship of the Chair of the European Council, to coordinate the work of the Council formations. This could be set out in Article 17a 6.

FICHE AMENDEMENT

Proposition d'amendement à l'Article 16bis

Déposée par MM. Hubert Haenel, membre titulaire, et Robert Badinter, membre suppléant

Article 16 bis : Le Président du Conseil européen

1. Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de ~~deux ans et demi, renouvelable une fois~~ **cinq ans, non renouvelable**. Pour être élu, il doit ~~être membre du Conseil européen, ou y~~ avoir siégé au moins pendant deux ans **au sein du Conseil européen**. En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.

Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union pour les matières relevant de la politique étrangère et de sécurité commune.

2. Le Président du Conseil européen préside ~~et anime~~ les travaux du Conseil européen, en assure la préparation et la continuité. Il œuvre pour faciliter la cohésion et le consensus au sein du Conseil européen. Il présente au Parlement européen un rapport à la suite de chacune de ses réunions.

3. Le Conseil européen peut décider par consensus de créer en son sein un bureau, **pour assister le Président**, composé de trois membres choisis selon un système de rotation équitable.

4. Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer **tout** mandat ~~national~~ **ou toute fonction gouvernementale**.

Explication éventuelle :

1. Le Président du Conseil européen doit disposer d'un mandat plus long pour assurer la continuité des travaux du Conseil européen. De plus, le Président doit avoir siégé au moins deux ans au Conseil, qu'il/elle en soit encore membre ou non.

3. Il convient de préciser la fonction du bureau du Conseil européen.

4. Il convient de préciser que le Président du Conseil européen doit cesser d'exercer tout mandat ou fonction gouvernementale (certaines fonctions gouvernementales n'étant pas des mandats, comme celle de premier ministre en France).

AMENDMENT FORM

Suggestion for amendment of Article : 16 a (4)

Suggestion for protocol :

**By Mr : René van der Linden
Wim van Eekelen**

**Status : - Member
- Alternate**

Article 16a : The European Council Chair

4. ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any) :

The President should a member of the European Council.

AMENDMENT FORM

Suggestion for amendment of Article : 16 a (3)

Suggestion for protocol :

**By Mr : René van der Linden
Frans Timmermans**

Status : - Members

Article 16a : The European Council Chair

3. The European Council may decide by consensus to ~~appoint create a board consisting of~~ three of its members chosen according to a system of equitable rotation ~~to assist to the preparatory work~~.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article : 16a (2)

By Mr. Frans Timmermans

Status : Member of the European Convention

In addition, of the preliminary, I introduce the following amendment:

The President of the European Council shall chair it and drive forward its work, ensuring [in cooperation with the General Affairs Council and the Commission](#) proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.

Explanation:

Article 17a(1) indicates that the General Affairs Council and the Commission have an important role in preparing the meetings of the European Council. Therefore, for the sake of accuracy, it should also be listed in this article as such.

AMENDMENT FORM

Suggestion for amendment of Article : 16 a (1)

Suggestion for protocol :

By Ms / Mr : Frans Timmermans

Status : - Member

The European Council shall elect its President, by qualified majority, for a term of two and a half years. ~~renewable once.~~ The person elected must be, ~~or have been for at least two years,~~ a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.

On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.

Explanation:

The President should a member of the European Council and be elected for a maximum period of two and a half years.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article: 16a, Part I

By Ms Liene Liepina, Mr Rihards Piks, Mr Arturs Krisjanis Karins, Mr Guntars Krasts.

Status: - Member: L.Liepina; R.Piks
- Alternate: A.K.Karins; G.Krasts

~~Article 16a : The European Council Chair~~

~~1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

~~2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

~~3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4. The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any):

Creation of elected full-time President of the European Council could disassemble the current institutional balance in the European Union. The elected President of the European Council may hamper the fundamental principle of equality of Member States.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : Article 16 Bis de la partie I

Déposée par Messieurs Santer, Michel, de Vries et Di Rupo

Qualité : - Membres

~~Article 16 bis : Le Président du Conseil européen~~

- ~~1. — Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de deux ans et demi, renouvelable une fois. Pour être élu, il doit être membre du Conseil européen, ou y avoir siégé au moins pendant deux ans. En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.~~
~~— Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union pour les matières relevant de la politique étrangère et de sécurité commune.~~
- ~~2. — Le Président du Conseil européen préside et anime les travaux du Conseil européen et en assure la préparation et la continuité. Il œuvre pour faciliter la cohésion et le consensus au sein du Conseil européen. Il présente au Parlement européen un rapport à la suite de chacune de ses réunions.~~
- ~~3. — Le Conseil européen peut décider par consensus de créer en son sein un bureau composé de trois membres choisis selon un système de rotation équitable.~~
- ~~4. — Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer un mandat national.~~

AMENDMENT FORM

Suggestion for amendment of Article : 16a

Suggestion for Part I

By Ms/ Mr : Georgios Papandreou and Mr Georgios Katiforis

Status : - Member Alternate

The Article 16a : The European Council ~~Chair~~ President

1. ~~The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been, for at least two years, a member of the European Council.~~ **The President of the European Council shall be elected by direct, universal suffrage in accordance with a uniform electoral procedure in all Member States.** In cases of serious malpractice, the European Council Parliament can end his mandate **acting by a three-fifths majority of its members** ~~according to the same procedure.~~ **The procedures of this paragraph shall be regulated by a European law.**

~~On issues concerning its common foreign and security policy he shall ensure that the Union at this level is effectively represented in the wider world.~~

2 The President of the European Council shall chair and drive forward the work of the European Council and ensure its preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall give a report to the European Parliament after each of its meetings.

On issues concerning its common foreign and security policy he shall ensure that the Union at this level is effectively represented in the wider world.

3. ~~The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

4. 3. ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any) :

Para 1: If the rotation system is not retained, an elected President should have sufficient democratic legitimacy. A directly elected President would strengthen the role of the European citizen, contribute to the substantial equality of the Member States and facilitate a new, stable

balance between the institutions.

Para 3: Has been deleted since the option of creating a board would inevitably complicate the functioning of the E. Council and is of questionable added value.

AMENDMENT FORM

Suggestion for amendment of Article : Art. 16a

Suggestion for protocol :

By : Ernâni Lopes, Maria Eduarda Azevedo, António Nazaré Pereira, Manuel Lobo Antunes.

Status : - Members and Alternates

Article 16a : ~~The European Council Chair~~

~~1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

~~2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

~~3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4. The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article 16a

By: Danuta Hübner

Status: Member

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<p>Article 16a : The European Council Chair</p> <p>1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.</p> <p>On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.</p> <p>2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.</p> <p>3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.</p> <p>4. The President of the European Council may not be a member of another European institution or hold a national mandate.</p>	<p>Article 16a : The European Council Chair</p> <p>1. The European Council shall elect its Chairman President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.</p> <p>2. On issues concerning its common foreign and security policy the Chairman of the European Council shall ensure in co-operation with the Union's Foreign Representative that the Union at his level is effectively represented in the wider world.</p> <p>2.3. The Chairman of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.</p> <p>3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.</p> <p>4. The Chairman of the European Council may not be a member of another European institution or hold a national mandate.</p>
<p>Explanation: The Chairman of the European Council shall co-operate with the Union's Foreign Representative on issues relating to foreign and security policy.</p>	

AMENDMENT FORM

Suggestion for amendment of Article : 16a

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status : - Member -~~Alternate~~

Artikel 16a: Der Vorsitz des Europäischen Rates

~~(1) Der Präsident des Europäischen Rates wird vom Europäischen Rat mit qualifizierter Mehrheit für einen Zeitraum von zweieinhalb Jahren gewählt; er kann einmal wieder gewählt werden. Er muss Mitglied des Europäischen Rates sein oder ihm mindestens zwei Jahre lang angehört haben. Im Falle schwerwiegender Hinderungsgründe kann der Europäische Rat ihn im Wege des gleichen Verfahrens von seinem Amt entbinden.~~

~~Der Präsident des Europäischen Rates nimmt auf seiner Ebene die Außenvertretung der Union in Angelegenheiten der Gemeinsamen Außen- und Sicherheitspolitik wahr.~~

~~(2) Der Präsident des Europäischen Rates führt den Vorsitz und leitet die Beratungen des Europäischen Rates, für deren Vorbereitung und Kontinuität er sorgt. Er wirkt darauf hin, dass Zusammenhalt und Konsens im Europäischen Rat gefördert werden. Er legt dem Europäischen Parlament im Anschluss an jede Tagung des Europäischen Rates einen Bericht vor.~~

~~(3) Der Europäische Rat kann durch Konsens beschließen, aus seinen Reihen ein Präsidium zu bestimmen, das aus drei nach einem ausgewogenen turnusgemäßen Wechsel ausgewählten Mitgliedern besteht.~~

~~(4) Der Präsident des Europäischen Rates darf nicht einem anderen europäischen Organ angehören oder ein einzelstaatliches Amt innehaben.~~

Explanation (if any) :

Streichung.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 16 bis

Déposée par : **Dominique de Villepin**

Qualité : - Membre -~~Suppléant~~

Article 16 bis : Le Président du Conseil européen

1. Le Président du Conseil européen est élu par le Conseil européen à la majorité qualifiée pour une durée de deux ans et demi, renouvelable une fois. Pour être élu, il doit être membre du Conseil européen, ou y avoir siégé au moins pendant deux ans. En cas d'empêchement grave, le Conseil européen peut mettre fin à son mandat selon la même procédure.

Le Président du Conseil européen assure à son niveau la représentation extérieure de l'Union ~~pour les matières relevant de la politique étrangère et de sécurité~~, **sans préjudice des compétences de la Commission et de son Président.**

2. Le Président du Conseil européen préside et anime les travaux du Conseil européen et en assure la préparation et la continuité. Il œuvre pour faciliter la cohésion et le consensus au sein du Conseil européen. Il présente au Parlement européen un rapport à la suite de chacune de ses réunions.
 3. Le Conseil européen peut décider par consensus de créer en son sein un bureau composé de trois membres choisis selon un système de rotation équitable.
 4. Le Président du Conseil européen ne peut être membre d'une autre institution européenne ou exercer un mandat national.
-

Explication éventuelle :

FICHE AMENDEMENT

Titre IV

Proposition d'amendement à l'Article : Artigo 16.º-A
Déposée par Monsieur Luís Queiró

Qualité: Suppléant

Supprimer o Artigo 16.º-A

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article 16a: The European Council Chair

By Mr Ivan Korčok, Ján Figel' and Juraj Migaš (Slovakia)

Status: I. Korčok and J. Figel' are members, J. Migaš is an alternate.

Article 16 a: The European Council Chair

~~1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

The office of President shall be held in turn by each Member State for a term of six months in the order decided by the European Council acting unanimously. Member State holding the office of the President is at the same time a member of the team Presidency of the Council of Ministers.

On issues concerning its common foreign and security policy ~~he~~ the Presidency shall ensure that the Union ~~at his level~~ is effectively represented in the wider world.

2. The Presidency of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. ~~He~~ It shall endeavour to facilitate cohesion and consensus within the European Council. ~~He~~ It shall present a report to the European Parliament after each of its meetings.

~~3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4. The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any):

AMENDMENT FORM

Suggestion for amendment of Article : 16 bis

Suggestion for protocol :

By Mr : Valdo Spini

Status : - Alternate

Articolo 16 bis: Il Presidente del Consiglio europeo

1. Il Presidente del Consiglio europeo è eletto dal Consiglio europeo a maggioranza qualificata per un periodo di due anni e mezzo. Il suo mandato è rinnovabile una volta. Per essere eletto egli deve essere membro del Consiglio europeo o averne fatto parte per almeno due anni. In caso di impedimenti gravi, il Consiglio europeo può porre fine al suo mandato secondo la medesima procedura.

Il Presidente del Consiglio europeo assicura al suo livello la rappresentanza esterna dell'Unione per le materie relative alla politica estera e di sicurezza comune.

2. Il Presidente del Consiglio europeo presiede e anima i lavori del Consiglio europeo e ne assicura la preparazione e la continuità. Egli si adopera per facilitare la coesione ed il consenso in seno al Consiglio europeo. Egli presenta al Parlamento europeo una relazione dopo ciascuna delle sue riunioni.

3. Il Consiglio europeo può decidere per consenso di creare al suo interno un Ufficio di presidenza composto da tre membri scelti secondo un sistema equo di rotazione.

~~4. Il Presidente del Consiglio europeo non può essere membro di un'altra istituzione europea o esercitare un mandato nazionale.~~

Explanation (if any) :

Non precludere, la possibilità, almeno in futuro, di un'unica presidenza dell'Unione.

Lasciare ad un apprezzamento discrezionale la possibilità di mantenere o meno la carica nazionale.

AMENDMENT FORM

Suggestion for amendment of Article : 16 a

By Mr. Péter Balázs, Mr. Hannes Farnleitner, Ms. Sandra Kalniete, Mr. Jan Kohout, Mr. Ivan Korčok, Mr. Rytis Martikonis, Mr. Lennart Meri, Mr. Dimitrij Rupel, Ms. Teija Tiilikainen

Status : - Members

Article 16a: The European Council Chair

1. ~~The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

2. ~~The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

3. ~~The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

4. ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

AMENDMENT FORM

Suggestion for amendment of Article : 16a

Suggestion for protocol :

By Mr : Ingvar SVENSSON

Status : - Alternate

~~Article 16a : The European Council Chair~~¹

~~1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

~~2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

~~3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4. The President of the European Council may not be a member of another European institution or hold a national mandate.~~

¹ The current rotating system should be kept, probably with a longer term.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article 16a

By **Prof Peter Serracino Inglott, Member**

Mr John Inguanez, Alternate

Article 16a : The European Council Chair

1. ~~The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~The Presidency of the European Council shall be held in turn by each Member State for a term of six months in the order decided by the European Council acting unanimously.

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

2. ~~The President of the European Council shall chair it and drive forward its work, ensuring~~The Presidency shall, in conjunction with the Commission, ensure proper preparation and continuity. ~~He shall endeavour to~~in the work of the European Council, and facilitate cohesion and consensus. ~~within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

3. The European Council may decide by consensus to create a board-co-ordinating group consisting of the President-in-Office, together with his immediate predecessor and successor. ~~three of its members chosen according to a system of equitable rotation.~~

4. ~~The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any) :

The rotation of the Presidency of the European Council between all Member States on the basis of equality should be retained.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 16 bis

Déposée par: Monsieur Luís Marinho

Qualité : - Membre

et Madame Elena Paciotti

Qualité: Suppléante

supprimer l'article

Explication éventuelle : remplacé par l'article 17 quater

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 16 bis

Déposée par: Monsieur Luís Marinho

Qualité : - Membre

et Madame Elena Paciotti

Qualité: Suppléante

sopprimere l'articolo

Explication éventuelle :Sostituito dall'articolo 17 bis

AMENDMENT FORM

Title IV

Suggestion for amendment of Article : 16 a

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Lord Maclellan, Mr Adrian Severin.

Status : Members.

Article 16a : The European Council Chair

1. *The President of the Commission shall chair the European Council*, ensuring proper preparation and continuity, *and seeking* cohesion and consensus. He *or she* shall present a report to the European Parliament after each of its meetings.

2. **Delete**

3. **Delete**

4. **Delete.**

Explanation:

1. *Our proposal is that the President of the Commission should chair the European Council and could be re-styled 'President of the Union'.¹*

We propose extending the logic of the double hat to the top level, so that the President of the Commission would chair the European Council. The proposal would bring greater leadership and efficiency, whilst at the same time firmly placing the more stable Council Presidency within the 'Community system'.

The solution has all of the advantages sought by many members of the Convention in seeking more continuity, leadership and coordination of the executive resources of the Union, whilst at the same time providing the guarantees required that inter-institutional struggles between the Presidents of the Commission and of the European Council will not paralyse the system.

The proposal also avoids institutionalising rivalry between the larger and smaller Member States.

¹ Such a stand-alone clause could also be added to Article 16.

The concept of the unified presidency is more fully explained in CONV 524/03.

The content of paragraph 2 is merged with paragraph 1.

Paragraph 3, creating a board or steering committee, is not a constitutional issue and could be achieved within the Rules of Procedure.

In our scenario, of course, paragraph 4 is null and void.

AMENDMENT FORM

Suggestion for amendment of Article: 16A The European Council Chair

PART 1 - Title VI

By the Earl of Stockton MEP

Status : - Alternate

Article 16a : The European Council Chair

- 1. The European Council shall elect its President, by qualified majority, for a term of three years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.**

DELETE

- 2. The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.**
 - 3. The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.**
 - 4. The President of the European Council may not be a member of another European institution or hold an elected national mandate.**
-

Explanation (if any) :

FICHE AMENDEMENT

Proposition d'amendement à l'Article: 16-A

Déposée par Messieurs:

Alberto Costa - membre

Guilherme d'Oliveira Martins – suppléant

Article 16-A

Supprimer

Explication éventuelle :

FICHA DE ALTERAÇÃO

Proposta de alteração ao Artigo : 16-A

Apresentada por :

Alberto Costa - membro

Guilherme d'Oliveira Martins - suplente

Artigo 16-A

Eliminar

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of: PART I OF THE CONSTITUTION, TITLE IV: The Union's Institutions, Article 16a : The European Council Chair

By Ms / Mr : BROK; SANTER; STYLIANIDIS; VAN DER LINDEN; AZEVEDO; BREJC; CUSHNAHAN; DEMETRIOU; DOLORES; FOGLER; FRENDO; GIANNAKOU; KARINS ; KAUPPI; KELEMEN; KORHONEN; KRASTS; KROUPA; LENNMARKER; LIEPINA; MAIJ-WEGGEN; MLADENOV; PIKS; RACK; VAN DIJK; WITTBRODT; WÜRMEILING; ZIELENIEC; ZILE

Status : - Member - Alternate

Suggestion

TITLE IV: The Union's Institutions

~~Article 16a : The European Council Chair~~

~~1.— The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.~~

~~On issues concerning its common foreign and security policy he shall ensure that the Union at his level is effectively represented in the wider world.~~

~~2.— The President of the European Council shall chair it and drive forward its work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He shall present a report to the European Parliament after each of its meetings.~~

~~3.— The European Council may decide by consensus to create a board consisting of three of its members chosen according to a system of equitable rotation.~~

~~4.— The President of the European Council may not be a member of another European institution or hold a national mandate.~~

Explanation (if any) :

Article should be deleted. The current rotating presidency of the European Council should be kept.
See Article 16.

AMENDMENT FORM

Suggestion for amendment of Article : 16a, para 1 - CONV 691/03

By Ms / Mr : František Kroupa

Status : - ~~Member~~ - Alternate

To insert the method for file of proposals of candidates for the function of the President at the beginning of the paragraph 1.

FICHE AMENDEMENT

Proposition d'amendement à l'Article I-21

Déposée par Monsieur Ben Fayot (Chambre des Députés, Luxembourg)

Qualité : - Membre

4. (to be deleted)

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article : I-21

By Mr : Hain

Status : - Member

-
1. The European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once. ~~The person elected must be, or have been for at least two years, a member of the European Council. In cases of serious malpractice,~~ the European Council can end his mandate according to the same procedure.
 2. The President of the European Council shall chair it and drive forward ~~its~~ the Council's work, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus ~~within the European Council~~ and consistency. He shall present a report to the European Parliament after each of its meetings.

The President of the European Council shall **in that capacity** ensure, at his level, **the external representation of the Union**, ~~that the Union is effectively represented in the wider world on issues concerning its common foreign and security policy.,~~ **without prejudice to the responsibilities of the President of the Commission and the Minister for Foreign Affairs.**

3. *See below.*
 4. *Okay.*
-

Explanation (if any) :

I.21.1 : The European Council's power to end the mandate of its Chair should not be restricted to cases of malpractice – it could e.g. be needed on grounds of ill health.

I.21.2 : When it will no longer be the case that any single Member State holds the Chair of every Council formation at the same time, the Chair of the European Council will have an important role to ensure the work of the other, sectoral Council formations is properly coordinated and consistent with the agenda set by the European Council. Our amendment makes this explicit.

I.21.3 : It is not clear what the role of this board would be. We propose instead a system of team presidencies, in which 4 or 5 countries, by rotation, would chair the sectoral councils for a set period of time (1 to 2 ½ years). Membership of the team would be governed by the principle of equality. The members could meet, under the chairmanship of the Chair of the European Council, to coordinate the work of the Council formations.

AMENDMENT FORM

Suggestion for amendment of : Article 16a

By: Robert Maclellan, Lone Dybkjaer.

Status : Alternate

Article 16a : The European Council Chair

- 1. The office of the European Council Chairman shall be held in turn by each Member State for a term of six months in the order decided by the Council, acting by a reinforced qualified majority.*
 - 2. The **Chairman** of the European Council shall preside over it. He shall present a report to the European Parliament after each of its meetings. He shall also serve as President of the Legislative Council.*
-

Explanation :

The functions of the European Council Chair should be divided, between the Chairman of the European Council and a new position of Secretary-General of the Union, appointed to play a central political role. The Chairman of the European Council shall preside over its meetings and be responsible for the communication of the policy-guidelines and decisions taken by the European Council to the European Parliament and the outside world.

The retention of the rotating principle for the appointment of the European Council Chairman will guarantee respect for the principle of the equality of member states and ensure that Union decision-making is refreshed on a regular basis .

The Chairman will also be responsible for acting as the President of the Legislative Council. This role will involve applying the rules of procedure, being the spokesperson of the house in relation to the Union's other institutions, to represent the house in legal, financial and administrative matters and to carry out protocol duties. In its legislative role, COREPER will continue to be chaired by the permanent representative of the government presiding over the European Council, as would Council working groups.

With the establishment of a European Foreign Minister, there will be no need for the Chairman to 'ensure that the Union at his level is effectively represented in the world'. The retention of that role by the Chairman would create unnecessary confusion in the Union's representation vis-à-vis third countries.

AMENDMENT FORM

Suggestion for amendment of : Article 16b

By: Robert Maclellan

Status : Alternate

Article 16b: The Secretary-General of the Union

- 1. The European Council shall appoint a Secretary-General of the Union, by a qualified majority, for a term of two and a half years, renewable once. He may not hold a national mandate. In cases of serious malpractice, the European Council can end his mandate according to the same procedure.*
 - 2. The Secretary-General shall drive forward the work of the European Council, ensuring proper preparation and continuity. He shall endeavour to facilitate cohesion and consensus within the European Council. He or his deputy will preside over the Executive Council formations, with the exception of the Foreign Affairs Council.*
 - 3. He shall be one of the vice-presidents of the Commission, responsible there for those personnel matters relating to the discharge of the Council's executive functions. In exercising that responsibility within the Commission and only for that responsibility shall he be bound by Commission procedures.*
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Explanation :

The centrality of the role will ensure that the Secretary-General will be of a political stature equal to that of experienced members of the European Council.

The continuing responsibility for the preparation and follow-up of the Council's work would strengthen the effectiveness of the Union's performance.

As a Vice President of the Commission with collegiate responsibility limited to personnel matters relating to the discharge of the Council's executive functions the Secretary-General could ensure closer liaison with the Commission on the Council's behalf. His limited role with respect to personnel within the Commission would help to secure adequate servicing of the two executive arms of the Union while avoiding the development of separate, self-serving and competing bureaucracies.

