

The Council of the European Union

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The Council of the European Union

The **Council of the European Union**, its official title since the entry into force of the 1992 Treaty on European Union (EU), is the institution which represents the Member States within the EU. The Council, which consists of government representatives at ministerial level, is the main EU forum in which matters are debated and decisions taken. It is part of the decision-making triangle — Commission, Parliament and Council — and its powers encompass the common policy domains covered by the Treaties establishing the European Communities. In addition, it plays a key role in the two areas of intergovernmental cooperation established by the EU Treaty, the common foreign and security policy (CFSP) and cooperation in the fields of justice and home affairs, in which the European Parliament and the Commission play only a minor part.

By tradition, the Council deliberates behind closed doors, and, in general, it takes decisions by a unanimous vote. It has often been compared with an intergovernmental body, or even a diplomatic conference, at which representatives of the individual Member States defend their national interests and seek to secure a compromise. However, Community provisions and procedures actually govern the organisation and operation of the Council. Furthermore, while interacting with the other institutions and bodies of the Union, the Council enjoys decision-making powers in its own right. In particular, it is responsible, on its own account or jointly with the European Parliament, for translating the general interest of the Community, as proposed by the Commission, into rules that are legally binding in all the Member States. Its role and operation have evolved with the reforms introduced by the constituent treaties which have entrusted it with greater responsibility and increased its effectiveness and transparency. Among the examples of this trend are the sharing of legislative and budgetary powers with the European Parliament, an increase in the number of areas in which decisions are taken by a qualified majority, the growing importance of the role of the Council in coordinating intergovernmental cooperation, public access to its deliberations and to votes on legislative acts and the definition of a policy on access to documents.

The idea of creating a Council of Ministers appeared in 1950 during the negotiations on the Treaty establishing the European Coal and Steel Community (ECSC). Certain Member States, particularly the smaller ones, wanted to counterbalance the weight of the High Authority, a supranational decision-making body, with an intergovernmental committee.

The principle underpinning the Council of Ministers was the result of a compromise. Issues relating solely to coal and steel fell exclusively within the remit of the High Authority. Decisions on issues relating to other matters could be taken only with the Council's agreement. In this way, the Council played a supervisory role and also acted as an intermediary between the Common Market and the national economies. The **Special Council of Ministers** — named thus in the ECSC Treaty — was the link between the supranational dimension of the ECSC and the economies of the various Member States.

The **Council of the European Economic Community** (EEC) and the **Council of the European Atomic Energy Community** (EAEC or Euratom) were established by the 1957 Rome Treaties. The Councils of the three Communities continued to exist as they were until the merging of the executive bodies by the Treaty establishing a **Single Council and a Single Commission of the European Communities**, which was signed on 8 April 1965 and came into force on 1 July 1967. The Council of the European Communities replaced the EEC and Euratom Councils, as well as the ECSC Special Council of Ministers, but the division of powers remained intact.

The 1992 Treaty on European Union strengthened the position of the Council. In 1993, the Council of the European Communities became the **Council of the European Union**, with powers of decision-making and coordination in the three pillars of the Union: the Community pillar and the two intergovernmental pillars.