

## **RULES OF PROCEDURE OF THE COUNCIL**

*version 15 December 2019*



*These are the Rules of procedure for the Council of Ministers meetings, hereafter referred to as the Council, adopted for the purpose of EuroSim. The rules are set out to mirror reality as closely as possible while allowing a degree of flexibility to do justice to the special circumstances of the Simulation.*

*Article 1.*

### **The Chair**

1. The Presidency shall chair the proceedings of the Council meeting. The Presidency is responsible for the compliance with these rules of procedure and the proper conduct of the negotiations. S/he is supported by the Secretariat of the Council. In case of the Foreign Affairs Council the meetings will be chaired by the High Representative or his/her deputy.

Chairing the meeting involves the following tasks as laid down in the respective Articles.

- a) Drafting and enacting of the Agenda (Article 5.)
- b) Seating Order (Article 6.)
- c) Speaking rights, speaking time and speakers lists (Article 8.)
- d) Conducting Votes (Articles 9. §1-3 and Articles 10.)
- e) Dealing with motions from the floor and deciding on the format of the debate (Article 7. § 1-4)
- f) Overseeing courtesy respectfulness and smooth running of the meetings (Articles 7. §5 and Articles 11)

*Article 2.*

**The General Secretariat and the Secretary**

1. The Council shall be assisted by a General Secretariat, under the responsibility of a Secretary-General. In accordance with the Chair, the Secretary shall assist the Chair in performing his/her tasks as summarized in Articles 1, points a.-f. in order to ensure the coherence of the work and the smooth running of the sittings.
2. The primary task of the Secretary is to write the minutes of the Council meetings.

*Article 3.*

**Members of the Council and Right to Access**

1. The Council is composed of the 28 delegations from the member states of the European Union and the Secretariat attached to the respective Council formation.
2. The Commission shall be invited to take part in meetings of the Council.
3. The Presidency can grant the right to speak, but they are neither entitled to vote nor to submit requests concerning the agenda, the timetable or the conduct of the meetings. The same applies to the European Central Bank in cases where it exercises its right of initiative or to representatives of the European Parliament.

4. The Council may, however, decide to deliberate without the presence of the Commission or others. Admission to meetings of the Council shall be subject to the production of a pass delivered by the General Secretariat.
5. Whereas the right to access may be denied to individual actors under special circumstances, faculty observers may never be denied the right to access the meetings.

*Article 4.*

**Quorum**

1. Quorum denotes the minimum number of delegates needed to be present in order to open debate. When at least three-quarter of the members of the Council (as declared at the beginning of the first session) are present, quorum is met, and the Chair declares a Council meeting open to proceed with debate. A quorum will be assumed to be present unless specifically challenged and shown to be absent.
2. Members of the Council who are not present can be represented by another member. A delegation can only represent one other delegation at a time during the debate.

*Article 5*

**Agenda**

1. The Presidency shall, in agreement with the representatives of the member states set the agenda and the timetable of the meetings. The timetable shall include the order in which items are to be taken and determine the duration of discussions on them.
2. The Chair has the power to change the time table of the meeting s/he is chairing, in order to improve the discussions and working of the deliberations, by making an announcement at the beginning of the meetings. Such changes may take the form of adding extra breaks or extending official breaks and the like. However, these changes may not affect the time table of the general meetings such as the plenary session, lunch break or other collective meetings
3. When the ordinary legislative procedure applies, the provisional agenda shall be divided into two parts, dealing respectively with deliberations on legislative acts and non-legislative activities. The first part shall be entitled 'Legislative deliberations' and the second 'Non-legislative activities'.
4. The items appearing in each part of the provisional agenda shall be divided into A items and B items. Items for which approval by the Council is possible without discussion shall be entered as A items, but this does not exclude the possibility of any member of the Council or

of the Commission expressing an opinion at the time of the approval of these items and having statements included in the minutes. B items represent those remaining ones which are in need of further discussions before being subject to a vote.

*Article 6.*

**Seating Order**

1. Together with its Secretary the Chair shall ensure the correct seating order of the Council meetings.
2. The order of seating follows the order of the upcoming Presidencies as far as it has already been decided. When this list is exhausted the seating order continues with those member states which Presidency dates back the longest.
3. The Commission sits opposite the chair.

*Articles 7.*

**Rules governing the working method during the Debates**

*Articles 7. §1*

**Procedure**

1. The meetings begin with a "tour de table" in which each member of the Council has the opportunity to make a short statement to explain the position of their own country, which it intends to represent during the session.
2. A "tour de table" can be repeated at any moment of the meeting either by request of the Presidency or by at least five member states to clarify the position of all member states (for example before a vote) or when a new item is brought up in the negotiations.

*Articles 7. §2*

**Temporal adjournment of the Meetings**

1. At his own request or at the request of at least five member states the Presidency may adjourn the meetings (for example to permit informal talks), therefore a vote is not necessary.

*Articles 7. §3*

### **Un-moderated<sup>1</sup> Caucus<sup>2</sup>**

1. A delegate may motion for an un-moderated caucus at any time when the floor is open, prior to closure of debate.
2. The delegate making the motion must specify a time limit and a topic of discussion for the caucus, not to exceed twenty minutes. The motion will immediately be put to a vote and will pass given a simple majority.
3. In the case of multiple un-moderated caucuses, the Chair will rank the motions in descending order of length, and the Council members will vote accordingly.

#### *Articles 7. §4*

### **Moderated Caucus<sup>3</sup>**

1. The purpose of a moderated caucus is to facilitate substantive debate at critical junctures in the discussion. In a moderated caucus, the Chair will temporarily depart from the Speakers List and call on delegates to speak at his/her discretion. A motion for a moderated caucus is in order at any time when the floor is open, prior to closure of debate.
2. The delegate making the motion must briefly explain its purpose and specify a time limit for the caucus, not to exceed twenty minutes, and a time limit for the individual speeches. Once raised, the motion will be voted on immediately, with a simple majority of members required for passage.
3. In the case of multiple moderated caucuses, the Chair will rank the motions in descending order of length, and the Council members will vote accordingly. The Chair may rule a motion dilatory, and his/her decision is not subject to appeal.
4. No motions are in order between speeches during a moderated caucus. A delegate can and will be ruled out of order if the delegate's speech does not address the topic of the moderated caucus. If no delegate wishes to speak during a moderated caucus, the caucus shall immediately end.

#### *Articles 7. §5*

### **Courtesy**

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<sup>1</sup> Definition Un-moderated Caucus: A type of caucus in which delegates leave their seats to mingle and speak freely. Enables the free sharing of ideas to an extent not possible in formal debate or even a moderated caucus. Frequently used to sort actors into blocs and to write working papers and draft resolutions.

<sup>2</sup> Definition Caucus: A break in formal debate in which actors can more easily and informally discuss a topic, by temporarily (for the time of the caucus) departing from the formal negotiation rules.

<sup>3</sup> Definition moderated Caucus: A type of caucus in which delegates remain seated and the Chair calls on them one at a time to speak for a short period of time, enabling a freer exchange of opinions than would be possible in formal debate.

1. Every delegate will be courteous and respectful to the Committee staff and to other delegates. The Chair will immediately call to order any delegate who does not abide by this rule. Any delegate who feels that he or she is not being treated respectfully is encouraged to speak to the Chair, who will then take the appropriate action

*Article 8.*

**Rules governing the Rights to Speak in the Council meetings**

1. The Presidency issues the right to speak. The names of members who ask to speak shall be entered in the list of speakers in the order in which their requests are received. If a member of the Council wants to take the floor in the debate s/he has to raise the name plate. Speakers may speak generally on the Topic Area being considered and may address any draft resolution currently on the floor. Once a draft resolution has been introduced, it remains on the floor and may be debated until it fails, the Council postpones debate on it, or the Council moves to the next Topic Area.
2. No member may speak unless called upon to do so by the Chair. Members shall speak from their places.
3. The Chair may limit the time allotted to each speaker. The implementation of this limit is monitored by the Presidency. When a delegate exceeds his/her allotted time, the Chair may call the speaker to order without delay. However, the Chair has the discretion to be flexible (within reason) about the time limit to allow a delegate to finish his or her thought in order to account for the varying fluency of English among conference attendees.
4. If a speaker departs from the subject, the Chair shall call him or her to order. If a speaker has already been called to order twice in the same debate, the Chair may, on the third occasion, forbid him or her to speak for the remainder of the debate on the same subject.
5. A speaker may not be interrupted except by the Chair. S/He may, however, by leave of the Chair, give way during his or her speech to allow another member to put a question to him or her on a particular point in his or her speech.

*Article 9. §1*

**Voting**

1. The Council shall vote on the initiative of its Presidency. The Chair shall, furthermore, be required to open a voting procedure on the initiative of a member of the Council or of the Commission, provided that a majority of the Council's members so decides.
2. The presence of a majority of the members of the Council who are, under the Treaties, entitled to vote is required to enable the Council to vote. When the vote is taken, the Chair, assisted by the General Secretariat, shall check that there is a quorum.
3. Voting in the Council shall be by show of hands, unless a quarter of the committee's members request a vote by roll call.<sup>4</sup>
4. The final decision will be taken according to the rules and procedures set by the Treaty of Lisbon. Thereby the view of the Commission and the European Parliament should be taken into account.

*Article 9. §2*

**Disputes on voting**

5. The Chair shall declare votes open and closed.
6. Once the Presidency has declared a vote open, no one except the Chair shall be allowed to speak until the vote is declared closed.
7. Points of order concerning the validity of a vote may be raised after the Chair has declared it closed.
8. The Chair shall decide whether the result announced is valid. His or her decision shall be final.

*Articles 10.*

**Straw Polls<sup>5</sup>**

1. The Presidency has the right to carry out straw polls on individual issues. For this purpose, s/he may submit proposals which s/he considers to be the basis for a consensus.

*Articles 11.*

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<sup>4</sup> <sup>4</sup> Definition Roll call vote: In a roll call vote the Chair calls upon each individual member of the meeting to express his voting decision (agreement/abstention/rejection). Thereby each member is given the chance to show his/her position and allows sufficient time for the other members to take account of the respective positions.

<sup>5</sup> Definition Straw Poll: Straw Polls are carried out to clarify the positions of the members on a specific issue during the deliberations. Straw poll votes can be carried out by a simple show of hands. The results of this vote are non-binding and only serve the purpose to check for majority positions in the room.

### **The Presidency and the smooth conduct of discussions**

1. The Presidency shall be responsible for the application of these Rules of Procedure and for ensuring that discussions are conducted smoothly. In particular, the Presidency shall ensure that the provisions of Articles 7, 8 and 9 concerning the Council's working methods are complied with.

To ensure that discussions are conducted properly it may also, unless the Council decides otherwise, take any appropriate measure necessary to achieve the best possible use of the time available during meetings by the following means:

- a) At the start of a meeting, the Presidency shall give any further information necessary regarding the handling of the meeting and in particular indicate the length of time it intends to be devoted to each item. It shall refrain from making lengthy introductions and avoid repeating information which is already known to delegations.
- b) When discussing texts, delegations shall make concrete drafting proposals, in writing, rather than merely express their disagreement with a particular proposal. This includes to ask delegations to present in writing their proposals for amendment of a text under discussion before a given date, together with a brief explanation if appropriate;
- c) In combination with points a.) and b.) delegations which have identical or similar positions on a particular item, on a text or on part of a text shall be asked to choose one of them to express their shared position at the meeting or in writing before a given time or meeting.
- d) The Presidency shall give as much focus as possible to discussions, in particular by requesting delegations to react to compromise texts or specific proposals.
- e) Delegations shall avoid repeating points made by previous speakers. Their interventions shall be brief, substantive and to the point.
- f) Like-minded delegations shall be encouraged to hold consultations with a view to the presentation by a single spokesperson of a common position on a specific point.



- (g) Unless indicated otherwise by the Presidency, delegations shall refrain from taking the floor when in agreement with a particular proposal; in this case silence shall be taken as agreement in principle.

*Articles 12.*

**Rules of Procedure**

1. Each country may submit a general question or a request concerning the Rules of procedure and matters related to the negotiations.
2. Procedural issues are decided by simple majority of all member states present.

*Articles 16.*

**Alter egos**

1. It is not possible to switch alter egos (chair, vice chair, party group leader, rapporteur, etc.) during or before the Simulation without the special permission of the conference organizers (faculty), represented by the student directors.