

Committee on the European Union

Statutes

Article 1

Committee on the European Union

The Committee on the European Union is a working body of the Government determining and coordinating the Czech Republic's positions in the EU. The Committee on the European Union shall meet at the level of its members ('V-EU') or at working level ('V-EU at working level').

Article 2

Members and Associate Members of the V-EU

- 1) The members of the V-EU shall comprise members of the Government and the Director of the Office of the Government. A member of the V-EU may be represented at a meeting of the V-EU by a deputy minister.
- 2) The associate members of the V-EU shall be the Director of the Office of the President of the Republic, the Governor of the Czech National Bank or his designated vice-governor, the Director of the Permanent Representation of the Czech Republic to the European Union, and the President of the Czech Statistical Office, who shall be entitled to attend meetings of the V-EU in an advisory capacity.

Article 3

Members and Associate Members of the V-EU at Working Level

- 1) The members of the V-EU at working level shall be high representatives of state administration (deputy ministers) appointed by a member of the Government. A member of the Government shall appoint an alternate member of the V-EU at working level. A member of the V-EU at working level or an alternate member of the V-EU at working level shall be entitled to delegate another representative of his department to attend a meeting of the V-EU at working level.
- 2) A member of the Government shall notify the Chair of the V-EU at working level in writing of any changes relating to members of the V-EU at working level and their alternate members. Changes shall be registered and archived by the Executive Secretariat of the V-EU, which shall notify the V-EU at working level of any changes in writing on an ongoing basis.
- 3) Associate members of the V-EU at working level shall comprise a representative of the Office of the President of the Republic, a representative of the Senate of the Parliament of the Czech Republic, a representative of the Chamber of Deputies of the Parliament of the Czech Republic, a representative of the Permanent Representation of the Czech Republic to the European Union, a representative of the Czech National Bank, a representative of the Supreme Audit Office, a representative of the Department of Compatibility of the Office of the Government, the Government Commissioner for the Representation of the Czech

Republic before the European Court of Justice and Court of First Instance¹, representatives of bodies of state administration and other public authorities referred to in Annex No 1 to these Statutes, and a representative of the Association of Provinces of the Czech Republic and the Union of Towns and Municipalities of the Czech Republic. Associate members shall be entitled to attend meetings of the V-EU at working level in an advisory capacity.

4) A representative of a body of state administration or another public authority referred to in Annex No 1 to these Statutes shall attend a meeting of the V-EU at working level if the item discussed falls within his competence or if he is asked to attend by a member of the V-EU at working level.

Article 4

Chairman of the V-EU

- 1) The Chairman of the V-EU shall be the Prime Minister.
- 2) The First Deputy Chairman of the V-EU shall be the Deputy Prime Minister for European Affairs ('DPMEA') and the Second Deputy Chairman of the V-EU shall be the Minister for Foreign Affairs ('MFA').
- 3) The Chairman of the V-EU shall set the agenda of the meeting of the V-EU, convene the meeting, and manage the meeting.
- 4) The Chairman of the V-EU may delegate the First Deputy Chairman of the V-EU to exercise his functions in full.

Article 5

Chairman of the V-EU at Working Level

- 1) The Chairman of the V-EU at working level shall be the DPMEA and the Deputy Chairman of the V-EU at working level shall be the MFA.
- 2) The Chairman of the V-EU at working level shall delegate an executive deputy to manage meetings of the V-EU at working level ('Chair of the V-EU at working level').
- 3) The Chair of the V-EU at working level shall set the agenda of the meeting, convene the meeting, and manage the meeting of the V-EU at working level.

Article 6

Object of Activity of the V-EU

- 1) The V-EU shall contribute to the formulation of strategic interests in relation to the Czech Republic's membership in the EU.
- 2) The V-EU shall contribute to the definition of the Czech Republic's position on fundamental issues discussed within EU bodies and shall scrutinize other issues of fundamental importance relating to the Czech Republic's membership in the EU.

¹ see Government Resolution No 113 of 4 February 2004

- 3) The V-EU shall approve materials submitted for discussion by members of the V-EU. All bodies of state administration shall be governed by materials approved by the V-EU in the performance of their activities.
- 4) The V-EU shall approve mandates for discussion within the European Council.
- 5) The V-EU shall hear disputes which the V-EU at working level has been unable to resolve.

Article 7

Object of Activity of the V-EU at Working Level

- 1) The V-EU at working level shall prepare meetings of the V-EU and shall develop tasks set by the V-EU.
- 2) The V-EU at working level shall approve instructions for meetings within COREPER I/II and mandates for meetings within the EU Council.
- 3) The V-EU at working level shall approve framework positions for meetings of the working bodies of the EU Council and other materials or draft materials assigned to it by a Ministerial Coordination Group ('MCG').
- 4) The V-EU at working level shall be presented with reports from meetings of the EU Council and the European Council for purposes of information. The coordinators of the individual formations of the EU Council who have attended the meetings shall submit those reports within ten working days of the meeting of the EU Council and European Council. The reports shall include information about how the opinion of the Parliament of the Czech Republic has been taken into account, if the Parliament of the Czech Republic assumed an opinion on the issue in question.
- 5) A consultation by the V-EU at working level may, in keeping with the Rules of Procedure of the Government and the Government Directive on the Negotiation of International Treaties within the EU and on the National Discussion Thereof², be replaced by interministerial comment procedure.
- 6) In its activities, the V-EU at working level shall take into account the results of consultations by the competent bodies of the Parliament of the Czech Republic, including any reservations of the parliamentary review.
- 7) The V-EU at working level shall approve changes in the coordinators of working bodies and formations of the EU Council.
- 8) The V-EU at working level shall hear disputes on the assignment of coordination in respect of draft EC/EU acts if the dispute has not been possible to resolve by means of the set procedure.³

² Approved by Government Resolution No 6 of 9 January 2008

³ Article 4(3) of the Government Directive on the procedure for the dispatch of draft legislative acts of the EC/EU and materials of the European Commission to the Chamber of Deputies of the Parliament of the Czech Republic and to the Senate of the Czech Republic.

9) The V-EU at working level shall be regularly informed by the Czech National Bank of developments in relations with the European System of Central Banks (ESCB) and the European Central Bank (ECB).

10) The V-EU at working level shall monitor the activities of the MCG, coordinate the performance of national tasks connected with the Czech Republic's membership in the EU at national level and the implementation of measures taken in connection with the implementation of a policy of the Czech Republic in the EU.

11) The V-EU at working level shall assume opinions on documents which set out the points of departure and objectives of ministries and other central bodies of state administration ('ministry') in matters relating to the Czech Republic's operations in the EU, in particular in those areas which are subsequently horizontally reflected in the Czech Republic's other policies vis-à-vis the EU or vis-à-vis Member States of the EU.

12) The V-EU at working level shall supervise the continuity and consistency of sub-documents laying down the Czech Republic's position on individual policies of the EU and designating the procedure at meetings of the working bodies of the EU Council.

13) The V-EU at working level shall work on the basis of a high level plan of activities.

Article 8

Meetings

1) Members of the V-EU and members of the V-EU at working level shall attend meetings of the V-EU or V-EU at working level, as appropriate, in person.

2) Members of the V-EU may propose materials for discussion by the V-EU to the Chairman of the V-EU.

3) Members of the V-EU at working level may propose materials for discussion by the V-EU at working level to the Chair of the V-EU at working level.

4) The DPMEA, in cooperation with the MFA, shall submit mandates to the V-EU for meetings of the European Council.

5) The V-EU at working level shall carry out preliminary scrutiny of underlying materials for the V-EU, including a draft mandate for meetings of the European Council. Preliminary scrutiny may be waived only if such scrutiny is rendered impossible by the timetable of meetings of EU institutions or for other compelling reasons.

6) Members of the V-EU at working level shall submit draft instructions to the V-EU at working level regarding meetings within COREPER I/II, framework positions, mandates and opinions, information about any disputes between the coordinator and other ministries and ministerial comments in respect of the Czech Republic's draft policies and their analysis.

7) Members of the V-EU at working level shall ensure the performance of tasks arising from meetings of the V-EU and the V-EU at working level.

8) Meetings of the V-EU and the V-EU at working level shall be in camera. The Chairman of the V-EU or the Chair of the V-EU at working level may grant an exception at the request of any of the members while respecting the obligations under separate legal regulations⁴.

9) Members of the V-EU of the V-EU at working level shall be entitled, where necessary, to be accompanied to Committee meetings by their colleagues and other selected experts. A member of the V-EU or a member of the V-EU at working level shall notify the Chairman of the V-EU or the Chair of the V-EU at working level, as appropriate, by means of the Executive Secretariat of the V-EU that such experts have been invited.

10) The principal means of communication of the V-EU at working level shall be the V-EU database.

Article 9

Working Bodies

1) The working bodies of the V-EU at working level shall be the MCG, which shall be headed by the MCG Director appointed by the relevant Minister.

2) Each ministry shall establish one MCG. The MCG shall establish other bodies where necessary. MCG working sub-groups may be subordinate to be MCG.

3) The appointment of an MCG Director and contact details of the MCG Director shall be notified by the competent ministry or other body ('MCG founder') in writing to the Executive Secretariat of the V-EU. Likewise, the Executive Secretariat of the V-EU shall be notified of any change in the information referred to in the first sentence.

4) An MCG shall address issues which

- a) fall within the competence of the MCG founder,
- b) fall within the competence of a central body of state administration which is not headed by a member of the Government and for which the MCG founder plays a coordinating and informative role, and which has not established an MCG,
- c) are closely connected with the competence of the MCG founder or the central body of state administration under b).

5) The MCG shall scrutinize and approve

- a) instructions for meetings of European Commission committees
- b) framework positions and opinions for the Parliament of the Czech Republic⁵ and opinions for the Parliament of the Czech Republic regarding international treaties negotiated within the EU, unless approved by the V-EU or the V-EU at working level,
- c) instructions for meetings of the working bodies of the EU Council, unless approved by the V-EU or V-EU at working level,

⁴ Act No 412/2005 on the protection of classified information and on security clearance, as amended; Decree of the National Security Office No 523/2005 on the security of information and communication systems and other electronic devices handling classified information and on the certification of screening chambers; Decree of the National Security Office No 529/2005 on administrative security and on registers of classified information; established administrative practices, security rules common in the context of international organizations/the EU and state administration of the Czech Republic (limited circulation, special designation of addressee)

⁵ Specimens are provided in Annex No 1 to Government Directive on the procedure for the dispatch of draft legislative acts of the EC/EU and materials of the European Commission to the Chamber of Deputies of the Parliament of the Czech Republic and to the Senate of the Czech Republic.

d) draft instructions for COREPER I/II, mandates for meetings of the Council of Ministers, framework positions and other materials approved by the V-EU or V-EU at working level.

6) Materials or draft materials scrutinized by the MCG shall be approved if a member of the MCG opposes them. Where no consensus is reached between the coordinator or co-coordinator or another member of the given MCG regarding a position, and the dispute cannot be resolved even with the cooperation of the Service of the Deputy Prime Minister for European Affairs ('SDPMEA'), the MCG Director shall pass the matter on to the V-RU at working level for a decision.

7) By a decision of the MCG or at the request of a representative of the SDPMEA, the MCG Director shall pass on any framework position to the V-EU at working level for final approval.

8) Members of the MCG shall comprise

- a) a representative or representatives of the MCG founder,
- b) a representative or representatives of the ministry or other body in whose competence the issue scrutinized by the MCG falls entirely or predominantly ('coordinator'), unless the same as the MCG founder,
- c) a representative or representatives of the ministry or other body in whose competence the issue scrutinized by the MCG falls partially ('co-coordinator'),
- d) a representative or representatives of the ministry or other body to whose competence the relevant issue relates, or which shall contribute to the implementation of the issues concerned ('participating body'),
- g) a representative or representatives of the SDPMEA,
- f) a representative or representatives of the Department of Compatibility of the Office of the Government.

9) Representatives of the competent social partners, representatives of local government and nongovernmental organizations may be invited to cooperate in the context of an MCG.

10) The method for meetings of the MCG and further details concerning its functioning shall be designated by the MCG founder in the MCG statutes.

11) If a ministry opposes the coordination regarding a given set of issues, it shall commence conciliation in respect of the problem via the SDPMEA and with the cooperation of the Office of the Government (Department of Compatibility).

Article 10

Executive Secretariat

1) The Executive Secretariat of the V-EU shall be responsible for the organization and administration of the activities of the V-EU and the V-EU at working level, in particular it shall supervise the timely and correct distribution of materials for meetings of the V-EU and the V-EU at working level via the V-EU database to all members and associate members of the V-EU and the V-EU at working level. It shall arrange for the assignment of coordination regarding individual items of meetings of the COREPER I/II and the Council and shall take minutes of meetings of the V-EU and of meetings of the V-EU at working level. The Executive Secretariat of the V-EU shall keep a list of working bodies and formations of the

EU Council and committees and working parties of the Commission, including coordination issues.

2) The Executive Secretariat of the V-EU shall monitor the activities of the MCG and the performance of their tasks connected with the functioning of the Czech Republic in the EU, shall assist with the coordination of the performance of tasks connected with the functioning of the Czech Republic in the EU, and shall perform other tasks imposed by the V-EU or the V-EU at working level.

3) The Executive Secretariat of the V-EU shall maintain, in the V-EU database, records of tasks arising in connection with the activities of the V-EU and the V-EU at working level and shall conduct regular evaluations of their fulfilment.

4) The exercise of the functions of the Executive Secretariat of the V-EU shall be the responsibility of the SDPMEA.

Article 11

Final Provisions

1) Amendments to these Statutes shall be subject to approval by the Government of the Czech Republic.

2) The principles of meetings of the V-EU shall be defined by the Rules of Procedure of the V-EU. The Rules of Procedure of the V-EU shall be subject to approval by the V-EU and may be amended by a decision of the V-EU.

3) The principles of meetings of the V-EU at working level shall be defined by the Rules of Procedure of the V-EU at working level. The Rules of Procedure at working level shall be subject to approval by the V-EU at working level and may be amended by a decision of the V-EU at working level, in which case the Chair of the V-EU at working level shall notify the V-EU.

4) These Statutes shall enter into effect on 25 February 2008.

5) On the date that these Statutes enter into effect, the Statutes of the Committee on the EU approved by the Czech Government under Resolution No 1239 of 25 October 2006 shall be repealed.

Annex 1 to the Statutes of the V-EU

List of bodies of state administration pursuant to Article 3(3) of the Statutes of the V-EU

Czech Mining Office,
Czech Statistical Office,
Energy Regulatory Office,
National Security Office,

Administration of State Material Reserves,
State Office for Nuclear Safety,
State Institute for Drug Control,
Office for the Protection of Competition,
Office for Personal Data Protection,
Czech Office for Standards, Metrology and Testing,
Industrial Property Office.

Annex 2 to the Statutes of the V-EU

Specimens of forms of instructions for meetings of a Commission committee, a working party of the EU Council, COREPER I/II, and a mandate for meetings within the EU Council

Version number: (Write here)

Date and time of production: (Write here)

Instructions for a meeting of a European Commission committee

Name of the European Commission committee:

Legal provision establishing the European Commission committee:

Date and time of meeting:

Drawn up by: , tel.: , e-mail:

Approved by , tel.: , e-mail:

Item No (Write here)

Title of item discussed: (Write here)

Document code: (Write here)

Codes of related documents: (Write here)

Proposal for address by the Czech Republic: Yes/No/For consideration

If proposal for address – arguments (justification of address):
(Write here)

Description of the issue¹:
(Write here)

Position held by the Czech Republic to date²:
(Write here)

Positions of Member States, the Commission:
(Write here)

¹ Brief description – emphasis on latest developments – situation regarding the legislative debate.

² The Czech Republic's strategy, priorities in this area.

Version number: (Write here)

Date and time of production: (Write here)

Instructions for a meeting of a working party of the EU Council

Name of working party:

Identification number of working party:

Date and time of meeting:

Drawn up by: , **tel.:** , **e-mail:**

Approved by , tel.: , **e-mail:**

Point No X

Title of item discussed: (Write here)

Document code: (Write here)

Codes of related documents: (Write here)

Proposal for address by the Czech Republic: Yes/No/For consideration

If proposal for address – arguments (justification of address):
(Write here)

Description of the issue¹:
(Write here)

Position held by the Czech Republic to date²:
(Write here)

Positions of Member States, the Commission, Council GS (Legal Service), EP:
(Write here)

State of debate in the Czech Parliament:
(Write here)

¹ Brief description – emphasis on latest developments – situation regarding the legislative debate.

² The Czech Republic's strategy, priorities in this area.

Version number: (Write here)

Date and time of production: (Write here)

Instructions for a meeting of COREPER I/II
(on [date] , meeting number)

Sequence number and title of item on the agenda:

Document code:

Drawn up by: , tel.: , e-mail:

Approved by , tel.: , e-mail:

Proposal for address by the Czech Republic:

If proposal for address – arguments (justification of address):
(Write here)

Description of the issue¹:
(Write here)

Position held by the Czech Republic to date²:
(Write here)

Positions of Member States, the Commission, Council GS (Legal Service), EP:
(Write here)

State of debate in the Czech Parliament:

Method of debate within the V-EU at working level: discussion/no discussion

¹ Brief description – emphasis on latest developments in the Chamber of Deputies – situation regarding the legislative debate.

² The Czech Republic's strategy, priorities in this area.

Specimen form of a mandate for a meeting at the EU Council

Version number:

Date and time of production:

Mandate for the participation of a Czech delegation led by
at the meeting
of the Council for (part)
on [date] at

Agenda:

- 1.
- 2.
- ...

1) Title of item on the agenda:

Objective of discussion:

Proposal for address:

(If proposal for an address – arguments:)

The Czech Republic's position:

Brief description of the issue:

Position of Member States:

Financial and budgetary impact:

State of debate in the Czech Parliament: