

HIGH COUNCIL DECISION N. 10/2020
of 15 December 2020
Rules of Procedure of the High Council

THE HIGH COUNCIL,

Having regard to the Convention setting up the European University Institute as revised by the 1992 amending Convention (hereinafter the ‘EUI’), and in particular Articles 6 (6)(f) thereof which stipulates that the High Council shall, acting by a qualified majority, adopt its Rules of Procedures;

Having regard to the ‘Provisional Rules of Procedure’ of the High Council of 20 March 1975 (CONS.S.1);

Having regard to the requirement to amend the Provisional Rules of Procedures of the High Council;

Having regard to the responsibilities of the High Council as stipulated in Article 6 (4) of the Convention and Article 23 of the Convention;

Having regard to the High Council Decision No. 11/2008 of 6 June 2008 amending the list of the ‘Standing Committees’ established by the High Council;

Having regard to the High Council Troika Report June 2014-2015, doc. IUE 254/15 (CS5)

Having regard to the High Council Decision No.3/2018 of 7 December 2018 establishing the Strategic Standing Committee;

In order for the High Council to ensure that the EUI carries out its mission and performs the duties assigned to it under the Convention;

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

CHAPTER I Composition and Tasks

Article 1 – Composition

(1) In accordance with Article 6 (1) and Article 6 (3) of the Convention, the High Council shall be composed of the following:

a) Members:

The High Council shall be composed of representatives of the Governments of the Contracting States. Each Government shall have one vote in the High Council. Each Government shall delegate two representatives in the High Council.

b) Participants:

The Principal of the Institute, the Secretary General, a representative of the European Parliament, a representative of the European Commission and a representative of the Council of the European Union shall take part in meetings of the High Council but shall not have the right to vote.

- (2) Additionally, observers, advisors, experts and EUI staff members may be associated to the meetings of the High Council. They shall not have the right to vote.

a) Observers:

The President of the High Council may decide to admit observers and invite experts.

b) Advisors:

Members and Participants may each be accompanied at meetings of the High Council by one advisor. The President of the High Council and the Principal may be assisted by other EUI staff as considered appropriate for the purposes of the High Council meeting.

Article 2 – Tasks and Competences

- (1) As stipulated in Article 6 (4) of the Convention, the High Council shall be responsible for the main guidance of the EUI; it shall direct its activities and supervise its development. It shall further facilitate on the one hand relations between the Governments on matters concerning the EUI, and on the other hand relations between Governments and the EUI.
- (2) The High Council shall take the decisions necessary for the performance of the tasks thus entrusted to it in accordance with Article 6 paragraphs 5 and 6 and Article 23 of the Convention.
- (3) The High Council may decide to assign preparatory and advisory tasks to the Strategic Standing Committee, to working groups, to the President of the High Council, to the Troika or to the Principal.
- (4) If action on the part of one of the authorities of the Institute should appear necessary to attain one of the objectives set out in the Convention and this Convention has not provided the necessary powers, the High Council shall, in accordance with Article 34 of the Convention, take the appropriate measures.

Article 3 – The Presidency of the High Council

- (1) The Presidency of the High Council shall be held for one year by a representative of each of the Contracting States in turn in alphabetical order. The President of the High Council may be assisted for specific tasks by the previous Presidency and by the subsequent Presidency (“Troika”).

The Secretary General shall be responsible for providing the secretariat of the High Council.

- (2) The Presidency of the High Council chairs the meetings of the High Council and other relevant bodies (Budget Committee, Strategic Standing Committee).

- (3) If the Presidency is unable to provide a chairperson, due to exceptional circumstances, for a particular meeting of the High Council or other relevant bodies, a delegate of the previous two Presidencies will act as a chairperson.

CHAPTER II Voting

Article 4 Quorum

- (1) A quorum is constituted at every duly convened meeting of the High Council provided that the conditions required for a vote by qualified majority are fulfilled. These are defined in Article 6 (7) of the Convention, as amended by relevant Decisions of the High Council following the accession or the withdrawal of Member States.

If a meeting is held incorporeally, the Members of the High Council who participate shall be deemed to be present for the purposes of the quorum.

In case a Delegation cannot attend a meeting, it can express by e-mail addressed to the President of the High Council its votes on the agenda items.

- (2) In the absence of a quorum, the President of the High Council shall close the meeting and convene another meeting as soon as possible.

Article 5 Voting – General principles

- (1) The High Council shall take its decisions in accordance with the voting rules specified in the Convention.
- (2) Decisions of the High Council shall be adopted either unanimously for the tasks stipulated in Articles 6 (5) and 34 of the Convention or by qualified majority for the tasks stipulated in Article 6 (6) of the Convention. Procedural decisions shall be taken by simple majority.
- (3) For each decision adopted by the High Council, the result with the numbers of votes cast shall be recorded.

Article 6 Methods of voting

- (1) Voting shall be by show of hands or by roll call.
- (2) If a meeting is held incorporeally, voting may be carried out by electronic means.
- (3) If the result of a vote by show of hands is disputed, the President of the High Council shall proceed to vote by roll call.

Article 7 Written procedure

- (1) Where appropriate, decisions may be taken by written procedure, on a proposal from the President of the High Council, provided that the majority of its Members approves such procedure. The proposal will be formally communicated by e-mail and published on the dedicated High Council platform. It will describe the purpose and the key issues of the decision and will indicate the date by which votes must be cast. Such a date should allow a minimum of 12 working days for Delegations to reply. Decisions concerning the accession or the withdrawal of a Member State to the EUI will not be adopted by written procedure, unless High Council Members unanimously approve the use of written procedure for this purpose.
- (2) Votes on decisions taken by written procedure shall be in written form, including e-mail. A failure to vote within the deadline set for the response shall be considered as an abstention.
- (3) The result of a written procedure shall be notified without delay to the High Council.
- (4) For each decision adopted by written procedure, the result with the number of votes cast shall be recorded.

CHAPTER III – Meetings

Article 8 Convening meetings

- (1) The High Council shall meet at least once a year at the EUI premises in Florence. Additional meetings of the High Council may be convened in accordance with Article 8 (2) at any time.
- (2) Meetings of the High Council shall be convened, with at least 30 days' notice
 - a) by the President of the High Council at his or her own initiative or
 - b) at the request of at least one third of its Members or
 - c) at the request of the Principal when he/she considers the convening of the High Council necessary for decision making.
- (3) Whenever possible, the President of the High Council will inform about the dates of future meetings during the High Council meetings. Meeting dates and venues shall be notified, as soon as practicable, by the Secretary General to the e-mail addresses notified by each Member State for that purpose.
- (4) The High Council may decide to hold meetings in any of the territory of the Contracting States deemed suitable for this purpose. Meetings may be held incorporeally.
- (5) When circumstances so require, and provided that a majority of Members does not object, the President of the High Council may change the date or place of a meeting. Notification of such change shall be provided to Members and Participants, as well as observers and advisors if applicable, no later than 15 calendar days before the original or revised date of the meeting, whichever is the earliest.
- (6) Where a meeting is requested by one third of the Members, the President of the High Council shall convene a meeting within six weeks of receipt of the request, or as soon as practicable in urgent cases.

Article 9 Agenda

- (1) The President of the High Council shall propose, upon consultation with the Troika and in collaboration with the Principal, a draft Agenda for each meeting which shall be adopted by the High Council at the beginning of the meeting.
- (2) The draft Agenda shall contain the items requested by Members of the High Council, provided that these items are communicated at least 20 working days before the meeting.
- (3) The draft Agenda, accompanied by relevant documentation, shall be forwarded to the Members, Participants as well as observers and advisors, if applicable, at least 12 working days before the meeting and made available on the dedicated digital platform accessible to all Member States.
- (4) Notwithstanding the provisions of this Article, items may, at the request of a member of the High Council, be included on the Agenda, regardless of the time limits laid down, if decided by unanimous vote of the High Council.
- (5) Members may ask to add items on the A.O.B. of the Agenda for information purposes only.

Article 10 Minutes

- (1) The Secretariat General shall prepare, on behalf of the President of the High Council, a summary of the proceedings and detailed draft minutes of each meeting of the High Council, setting out the decisions taken and the voting procedure applied.
- (2) The summary of the proceedings of the High Council will be submitted to its Members at the latest 20 working days after the meeting of the High Council. The detailed draft minutes will be submitted to the Members of the High Council at the latest 90 working days after each meeting.
- (3) The final minutes are adopted by the High Council at its next meeting.

Article 11 – Code of Conduct

Transparency

Decisions, Rules and Regulations adopted by the High Council may be disseminated within the EUI and published on the EUI website unless the High Council decides otherwise.

The provisions of the EUI Data Protection Policy shall be fully respected for any dissemination or publication of decisions of the High Council.

Confidentiality

The President of the High Council on his/her own initiative or upon request of a Member State may ask for the confidentiality of proceedings.

Conflict of interest

Members and Participants shall disclose to the High Council any actual or potential conflict of interest as soon as they become aware of it. The President of the High Council, assisted by the Principal, shall propose any appropriate measures to prevent any situation of conflict of interest in the decision making of the High Council.

CHAPTER IV – Final Provision

Article 12 – Applicability

The present rules of procedures are applicable, whenever appropriate, to the Budget Committee meetings.

This decision enters into force upon signature by the President of the High Council following its adoption by the High Council. This decision shall repeal the Provisional Rules of Procedure of the High Council.

Done at Florence on 15 December 2020

For the High Council

The President

(original signed)

Robert KERGER