



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 June 2013

11053/13

**JUR 306
INST 312**

“I” ITEM NOTE

from: General Secretariat
to: Permanent Representatives Committee (Part 2)
Subject: COUNCIL DECISION amending the Council's Rules of Procedure
- Use of the written procedure*

1. Article 1 of Annex III to the Council's Rules of Procedure sets out the figures for the total population of each Member State for the purposes of implementing Article 16(5) of the TEU and Article 3(3) and (4) of the Protocol on transitional provisions, concerning qualified majority voting in the Council. As required by Article 2(2) of that Annex those figures are amended with effect from 1 January each year, in accordance with the data available to the Statistical Office of the European Union on 30 September of the preceding year¹.

* Item on which a procedural decision may be taken by Coreper, in accordance with Article 19(7)(e) of the Council's Rules of Procedure.

¹ The Council's Rules of Procedure were last amended by Council Decision 2013/37/EU (OJ L 16, 19.1.2013, p. 16) to insert the relevant population figures for the period from 1 January 2013 to 31 December 2013.

2. With the accession of the Republic of Croatia to the European Union, Annex III of the Council's Rules of Procedure should be amended so as to include in its Article 1 the figure for the total population of Croatia. Furthermore, the 62 % threshold as well as the total sum of the populations of all Member States should be adapted accordingly.
3. On 6 May 2013 the Commission transmitted the figure for the total population of Croatia as collected by the Statistical Office of the European Union¹.
4. The Decision amending the Council's Rules of Procedure is not included in the measures referred to in Article 3(4) of the Treaty of Accession² that may be adopted prior to the accession. In order to ensure that the necessary amendments to Annex III of those Rules of Procedure can take effect from the date of accession and since there is no Council meeting foreseen on 1 July 2013, the abovementioned Decision needs to be adopted by written procedure to be completed on **1 July 2013**.
5. Coreper is accordingly requested to:
 - (a) recommend that the Council adopt the Decision amending the Council's Rules of Procedure, as set out in document 10392/13 JUR 281 INST 271 (as finalised by the legal/linguistic experts);
 - (b) decide, in accordance with Article 19(7)(e) of the Council's Rules of Procedure, to use the written procedure referred to in Article 12(1) thereof to adopt the Decision referred to in (a).

¹ Cf. document 9855/13 (FR).

² OJ L 112, 24.4.2012, p. 14.