

**CONFERENCE
OF THE REPRESENTATIVES
OF THE GOVERNMENTS
OF THE MEMBER STATES**

Brussels, 19 May 2004

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NOTE

from: Presidency

dated: 19 May 2004

to: Delegations

*Subject: IGC 2003
– Discussion at Ministerial meeting, Brussels 24 May 2004*

1. It is intended that Ministers will have a general political discussion on the overall state of the negotiations. This will offer Ministers an opportunity to comment, among other issues, on some of the most sensitive institutional questions on which there has not recently been a collective discussion.
2. Such questions include the system of voting in the Council of Ministers and seats in the European Parliament.
3. The Presidency is not making a proposal at this time. It is also aware that these matters will be solved only in the context of an overall settlement of the institutional issues. It is continuing to consult delegations bilaterally and will continue to take very careful note of the views expressed.
4. However, it believes that a collective discussion would also be useful at this time and would help it to inform its thinking. To facilitate this discussion, the Presidency would offer the following comments.

Voting in the Council of Ministers

5. In its report to the European Council in March, the Presidency stated its belief that a solution, if it is to command consensus, *“must be based on the principle of double majority, must allow for greater efficiency in decision-making than the provisions of the current Treaties, and must have due regard to balance among all Member States and to their specific concerns”*.
6. It is also clear that, while many delegations support or accept it, consensus will not be found on the Convention proposal as it stands.
7. In addressing his colleagues in March, the President of the European Council, suggested that it should be possible to reach an outcome which meets the concerns of all through making some adjustments to the Convention proposal, including to the population and Member State thresholds.
8. From its consultations, the Presidency believes that consensus will not be secured without raising the population threshold.
9. It notes the preference expressed by some delegations for parity between the population and Member State thresholds or for the smallest possible gap between them. It therefore believes that if the population threshold is raised, an increase should be made to the Member State threshold so as to ensure, at minimum, that the gap between the two is not increased over that proposed by the Convention.
10. The Presidency notes that there are also other possible refinements which might be considered without endangering the overall drive towards increased efficiency.
11. At present, under Article 205 TEC, a decision by a Member State to abstain in a vote does not alter the level of support which must be achieved for a measure to be adopted. This means that, in practice, abstentions have an effect similar to that of a negative vote. One possibility which has been raised is whether this arrangement could be changed so that abstentions are counted as neither a positive nor negative vote. This, it is argued, could assist in ensuring enhanced efficiency in decision-making. There have also been interesting suggestions in respect, inter alia, of the definition and operation of a blocking minority; and of reflecting the political importance of consensus building in the Council. The Presidency would value hearing the views of delegations in respect of such an approach.

European Parliament

12. In its report to the European Council in March, the Presidency expressed its view that “*it will be possible to reach consensus on a modest increase in the minimum threshold for four seats per Member State in the European Parliament*”. It would welcome delegations’ views on how this might be achieved.
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