

Reply from Latvia to the questionnaire from the Presidency (15 October 2003)

Caption: The reply from Latvia, dated 15 October 2003, to the questionnaire on the legislative function, the formations of the Council and the Presidency of the Council of Ministers, submitted by the Presidency on 19 September.

Source: CIG 2003 / Délégation lettonne, Note de la délégation lettonne – Réponse de la Lettonie au questionnaire sur la fonction législative, les formations du Conseil et la présidence du Conseil des ministres (doc. CIG 9/03), CIG 21/03 DELEG 12, Bruxelles, 15.10.03, <http://www.consilium.europa.eu/igcpdf/fr/03/cg00/cg00021.fr03.pdf>.

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**CONFÉRENCE
DES REPRÉSENTANTS
DES GOUVERNEMENTS
DES ÉTATS MEMBRES**

**Bruxelles, le 15 octobre 2003 (21.10)
(OR. en)**

CIG 21/03

DELEG 12

NOTE

de: la délégation lettone

Objet: **CIG 2003**

- *Réponse de la Lettonie au questionnaire sur la fonction législative, les formations du Conseil et la présidence du Conseil des ministres (doc. CIG 9/03)*
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Les délégations trouveront en annexe la réponse de la délégation lettone au questionnaire sur la fonction législative, les formations du Conseil et la présidence du Conseil des ministres (voir doc. CIG 9/03).

ANNEXE**I. THE LEGISLATIVE FUNCTION**

- 1. Should exercise of the legislative function be conferred on a single Council formation or should a legislative function (public) and a part dedicated to other activities be determined for each Council formation?**

Latvia does not support creation of the Legislative Council therefore the legislative function should be determined for each Council formation.

- 2. Should the public legislative part be concerned only with laws and framework laws adopted under the normal legislative procedure (i.e. joint adoption by the European Parliament and the Council) or with all laws and framework laws?**

The public legislative part could be concerned only with laws and framework laws adopted under the normal legislative procedure.

II. THE FORMATIONS OF THE COUNCIL

- 3. Should the European Council's decision on the list of Council formations – as envisaged by the Convention – be taken unanimously as stipulated in the draft Convention? by a qualified majority? or by a simple majority? Should the list be confined to a small number of formations in line with the decision taken in Seville?**

The Convention's proposal on this issue is acceptable. The European Council's decision on the list of Council formations could be taken unanimously.

The list of formations could be in line with the decision taken in Seville.

III. THE PRESIDENCY OF THE COUNCIL OF MINISTERS

- 4. Should other Council formations apart from the Foreign Affairs Council have a fixed Presidency (i.e. not applying the rotation system provided for in Article 23(4))?
which formations?
of what duration?
using what procedure (election by the members of the Council formation concerned)?**

Latvia supports equal rotation of the Member States within the Presidency of the Council of Ministers. Different mechanisms of functioning of a Council formations' Presidency could be considered.

- 5. Should there be a Team Presidency system for the Council formations that continue to use the rotation system?**

A Team Presidency system for the Council formations could be one of the possible solutions.

- 6. If it is decided to opt for a Team Presidency system:**
- (a) how many Member States should there be in the "team"? three? four? five?**
 - (b) what should be the duration of its term? a year? 18 months? longer?**
 - (c) should the composition of the teams be fixed in advance or left open on the basis of criteria to be determined, with due regard for the principle of equal rotation (which would take into account political and geographical balance and the diversity of Member States as defined in Article 23(4) of the draft Convention)?**
 - (d) should the allocation of the different Council formations within the team be fixed in advance or left to the discretion of the Member States in the team?**

The issue of a Team Presidency requires further negotiations. While definite mechanism is not elaborated, it is difficult to assess the option for a Team Presidency.

However, possible models of a Team Presidency could be:

- a. A Team Presidency, which could consist from three states with a one-year duration of its term. The composition of the teams could be left open on the basis of criteria to be determined, with due regard for the principle of equal rotation. Allocation of the different Council formations within the team could be left to the discretion of the Member States in the team.
- b. A Team Presidency where every Council's formation is chaired by the different Member State. A coordination committee could be established to guarantee coherence in the Council's work.

7. **Given the need for increased coordination under a Team Presidency system, should a "chain of command" be maintained, at least partially, with the Member State chairing the General Affairs Council also chairing Coreper [I and II]?**

The coordination should be increased - the Member State holding the Presidency of the General Affairs Council could chair Coreper [I and II].

8. **Should committees/ working parties subordinate to a particular Council automatically be chaired by the Member State holding the Presidency of the Council in question (vertical structure)?**

Committees/ working parties subordinate to a particular Council automatically could be chaired by the Member State holding the Presidency of the Council in question.

9. **By the same token, if the Foreign Affairs Minister chaired the Foreign Affairs Council, should the PSC and other external relations working parties be chaired by a representative of the Foreign Affairs Minister?**

The PSC and other external relations working parties should be chaired by the Member States.

10. **In order to achieve greater coherence in the Council's proceedings should there be an informal structure for coordination between the representatives of the Member States holding the Presidency, in which the President of the European Council, the President of the Commission and the Minister for Foreign Affairs could participate?**

There could be an informal structure for coordination between the representatives of the Member States holding the Presidency, in which the President of the European Council, the President of the Commission and the Minister for Foreign Affairs participate.

11. **Should the detailed arrangements for the rotation of the Presidency of the Council be the subject of a decision to be taken unanimously * by the European Council? If so:**

- **should it be adopted at the same time as the Treaty establishing the Constitution?**
- **could it be adopted later if the essential elements of the future arrangements were agreed at the same time as the Treaty establishing the Constitution?**

Decision on detailed arrangements for the rotation of the Presidency of the Council could be taken unanimously. It could be adopted on a later stage. However, the essential elements of the arrangements should be agreed upon at the same time as the Treaty establishing the Constitution.

* At present, the list setting out the order in which Member States assume the Presidency is adopted by the Council unanimously.