

**NOTE**

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de: la délégation suédoise

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Objet: **CIG 2003**

- *Réponse de la Suède 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 suédoise au questionnaire sur la fonction législative, les formations du Conseil et la présidence du Conseil des ministres (voir doc. CIG 9/03).

### The Legislative Function

1. The second alternative is the only viable solution. Legislative work should continue to be the task of each Council formation within its respective area of competence. There is no need for a Legislative Council.
2. The Council of Ministers should meet in public when examining and adopting *any* legislative proposal, i.e. all laws and framework laws. Whether the European parliament is involved in the legislative process or not is a question of the overall balance of power within the Union and is, in our mind, not related to the need for openness in the Council.

### The Formations of the Council

3. The European Council's decision on the list of Council formations should be taken *unanimously*. The decision is difficult to separate from the decision concerning the rotation of the presidency of the Council of Ministers (see below). We see, at the moment, no need to change the decision taken in Seville concerning the number of Council formations.

### The Presidency of the Council of Ministers

4. All Council formations, *including the Foreign Affairs Council*, should be chaired by a representative of a Member State. The proposal to have the Foreign Minister chair the Foreign Affairs Council could undermine the institutional balance and alter the established roles of the Council and the Commission in the decision-making process.
5. Yes. A Team Presidency system would increase the efficiency, continuity and visibility of the presidency of the Council of Ministers. All Council formations should be included in a Team Presidency system.
6. We are open to various models of a Team Presidency. The details below should be seen as an attempt to be helpful rather than a set position:
  - a) Three countries.
  - b) 18 months.
  - c) A notion of "Team Presidency" could be included in the Constitutional Treaty (article 23.4). The European Council could determine the modalities of the system of rotation, based on the principle of equal rotation. This could be done either in connection to the IGC or at a later stage.
  - d) It would be easier if the allocation of Council formations were made within the group sharing the Team Presidency.

7. Given the need for increased co-ordination, a "chain of command" should be preserved. The Member State whose representative is chairing the General Affairs Council should also be chairing Coreper.
8. A representative of the Member State holding the presidency of the relevant Council formation should chair Committees and Working Parties.
9. See 4 and 8. The Member State chairing the Foreign Affairs Council should also chair PSC and other external relations working parties.
10. The General Affairs Council should maintain overall co-ordination responsibilities for the work of the Council. Within the Team Presidency, the chair of the General Affairs Council could be given coordinating tasks. In addition, there will be a need for *informal* co-ordination between the presidency of the Council of Ministers and the President of the European Council, the President of the Commission and the Minister for Foreign Affairs. The modalities of this informal co-ordination should, however, not be regulated in advance.
11. Also see 6c. As the rotation of the Presidency of the Council is a fundamental part of the balance of power between Member States it must be decided by unanimity. There are advantages both with deciding on the future rotation in connection with the IGC or at a later stage. Either alternative is acceptable to us.
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