

# SEMDOC

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## NON PAPER

for the General Affairs Council

Subject: *How and when to tackle the institutional issues not resolved at Amsterdam*  
- *Questionnaire*

Delegations will find attached a Presidency non-paper in order to focus discussion by Foreign Ministers of this topic over lunch on 17 May as part of the preparation of the Cologne European Council.

**How and when to tackle the institutional issues not resolved at Amsterdam  
(List of Questions)**

The European Council agreed in Vienna on 11 and 12 December 1998 that it would decide at its meeting in Cologne "how and when to tackle the institutional issues not resolved by [the Treaty of Amsterdam], which have to be resolved before enlargement".

Insofar as Treaty amendments are necessary to resolve these issues, they must, according to Article 48(2) TEU, be agreed at a conference of representatives of the governments of the Member States.

**A. Which topics should be dealt with at the Intergovernmental Conference?**

Should the topics for discussion be limited, in line with Article 1 of the Protocol on the institutions with the prospect of enlargement of the European Union and the Declarations made thereto, to include no more than the size and composition of the European Commission, the weighting of votes in the Council and the issue of increased use of qualified majority voting in the Council?

Should certain further Treaty amendments be discussed beyond this, insofar as these concern the European institutions in relation to the above-mentioned issues and arise during the process of implementing the Treaty of Amsterdam?

Should a comprehensive review of the provisions of the Treaties on the compositions and functioning of the institutions in line with Article 2 of the Amsterdam Protocol, be carried out at this Intergovernmental Conference rather than later?

**B. What preparation could be made for such an Intergovernmental Conference?**

Could the Council Secretariat be tasked with drawing up a list of proposed solutions made during the last intergovernmental conference?

Preparation of the Intergovernmental Conference by independent "wise persons" could be useful, in particular as regards a comprehensive review of the provisions of the Treaties on the composition and functioning of the institutions. Could the preparation be done by several people (e.g. three people)?

The aim could be for a report to be made by these persons to the Helsinki European Council, which could serve as a basis for negotiation at the Intergovernmental Conference, notwithstanding further proposed solutions, which could also be discussed during the Conference.

**C. What sort of timetable are we looking at for this Intergovernmental Conference?**

Would the following timetable be realistic (given that the institutional issues left open in the Amsterdam Treaty must be resolved in good time before the first accession negotiations are concluded)?

- Until the end of 1999: preparation; working on possible solutions; report to the Helsinki European Council as a basis for the IGC negotiations;
- First half of 2000: convening of the IGC;
- Second half of 2000: conclusion of the conference and agreement on the necessary Treaty amendments.