



Brussels, 23 October 2023
(OR. en)

14431/23

LIMITE

PE-QE 102

REPLY TO PARLIAMENTARY QUESTION

From: General Secretariat of the Council
To: Permanent Representations of the Member States
Subject: PRELIMINARY DRAFT REPLY TO QUESTION FOR WRITTEN ANSWER
E-002632/2023 - Engin Eroglu (Renew)
'Number of Commissioners'

1. Delegations will find attached:
 - the text of the above question for written answer;
 - a preliminary draft reply prepared by the General Secretariat.

2. If no comments have been received from delegations by 8 November 2023 (17:00), this preliminary draft reply will be submitted to the Permanent Representatives Committee (Part 1) and to the Council for approval.

Any comments received will be examined by the Working Party on General Affairs.

**Question for written answer E-002632/2023
to the Council**
Rule 138
Engin Eroglu (Renew)

Subject: Number of Commissioners

The first sentence of Article 17(5) TEU provides that, as from 1 November 2014, the Commission shall consist of a number of members, including its President and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, corresponding to two thirds of the number of Member States.

1. How is the decision taken in 2019 to revert to the old system, under which each country provides one Commissioner, justified?
2. Particularly given that the unanimous decision of the Council to change this number should be an exception rather than the rule, is it likely that the College of Commissioners will be reduced in number in 2024?
3. To what extent are preparations being made for an equal rotation between Member States under Article 244 TFEU for the next political term?

Submitted: 13.9.2023

Article 17(5) TEU provides that as from 1 November 2014, the Commission shall consist of a number of members, including its President and the High Representative, corresponding to two thirds of the number of Member States, unless the European Council, acting unanimously, decides to alter this number.

Following the Irish referendum on the Treaty of Lisbon, the European Council undertook to maintain one Commissioner per Member State and adopted on 22 May 2013 the Decision concerning the number of members of the European Commission¹. Recital (1) of that Decision explains the reasons for its adoption as follows: *“At its meetings of 11-12 December 2008 and 18-19 June 2009, the European Council noted the concerns of the Irish people with respect to the Treaty of Lisbon and therefore agreed that, provided the Treaty of Lisbon entered into force, a decision would be taken, in accordance with the necessary legal procedures, to the effect that the Commission continue to include one national of each Member State.”*

It is to be noted that Article 2 of that Decision provided that the European Council had to review it, in view of its effect on the functioning of the Commission, in sufficient time in advance of either the appointment of the first Commission following the date of accession of the 30th Member State or the appointment of the Commission succeeding that due to take up its duties on 1 November 2014, whichever was earlier. The European Council reviewed on 20 June 2019 the Decision in view of its effects on the functioning of the Commission and decided to keep it unchanged.

As a consequence, no preparations are currently foreseen to change the number of members of the Commission in 2024.

¹ OJ L 165, 18.6.2013, p. 98.