

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

Brussels, 3 September 2007

CIG 11/07

COVER NOTE

from: Presidency of the IGC
to: Delegations

Subject: **IGC 2007**
Letter from the European Court of Auditors, dated 10 August 2007

Attached will be found the letter from the European Court of Auditors, received on 16 August 2007.



Hubert WEBER
PRESIDENT
EUROPEAN
COURT OF AUDITORS

SECRETARIAT DU CONSEIL
DE L'UNION EUROPEENNE
SGE77 8322
REQU LE: 16. 08. 2007
DEST. PRINC.:
DEST. SERVICE JURIDIQUE
M. BROUHNS
M. GILBERS

Luxembourg, 10^e AOUT 2007
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Mr José Sócrates,
President of the Council of the EU
Justus Lipsius Building,
175 Rue de la Loi
B-1048 BRUXELLES

Dear President,

Further to my letter of 16 July last, the Court has now seen the Draft Reform Treaty circulated by the Presidency of the Intergovernmental Conference (IGC) on 23 July. We note with satisfaction that in the Draft Treaty, the amended Article 9 TEU, headed "The Union's institutions", the Court of Auditors is included in the list of those institutions. This drafting fully allays the concerns of the Court concerning its institutional status expressed in my aforementioned letter.

I was therefore surprised to receive a copy of the letter dated 2 August 2007 from Mr. Jean-Claude Trichet, President of the European Central Bank (ECB), to Mr Lobo Antunes, Secretary of State Assistant to the Minister and for European Affairs. That letter includes a revised draft of Article 9 TEU prepared by the ECB in which the Court of Auditors is mentioned in square brackets both in paragraph 1 and in paragraph 3. The Bank did not consult the Court regarding that proposal.

I do not seek to comment upon, or in any way to prejudice, the ECB's request to relating to its own institutional position. However, in order to avoid any ambiguity as to the institutional position of the Court of Auditors, I would like to reaffirm strongly our view, expressed in my letter to you of 16 July 2007, that the Court should remain an "institution" as it has been since the Treaty of Maastricht came into force, a position confirmed by the present drafting of the Reform Treaty.

*Yours sincerely,
Hubert Weber*

12, rue Alcide De Gasperi
L-1615 Luxembourg

Phone number (352) 4398-45951
Fax number (352) 4398-46957
E-mail: hubert.weber@eca.eu.int