



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2002)1561 final

Brussels, 9 April 2002

MINUTES
of the 1561st meeting of the Commission
held in Brussels
(Breydel)
on Wednesday 3 April 2002
(morning)

These minutes were approved by the Commission at its 1562nd meeting, held in Strasbourg on 9th April 2002.

They contain 16 pages.

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Single sitting: Wednesday 3 April (morning)

The sitting opened at 0920 hours with Mr Prodi, President, in the chair.

Present:

Mr PRODI	President
Mr KINNOCK	Vice-President
Ms de PALACIO	Vice-President
Mr MONTI	
Mr FISCHLER	
Mr LIIKANEN	
Mr BOLKESTEIN	
Mr SOLBES	
Mr VERHEUGEN	
Mr LAMY	
Mr BYRNE	
Mr BARNIER	
Ms REDING	
Ms SCHREYER	
Ms WALLSTRÖM	
Mr VITORINO	

Absent:

Mr BUSQUIN
Mr NIELSON
Mr PATTEN
Ms DIAMANTOPOULOU

The following sat in to represent absent Members of the Commission

Ms RUSSO	A member of Mr Busquin's staff
Mr MØRCH	A member of Mr Nielson's staff
Mr CARY	Chef de cabinet to Mr Patten
Mr GLYNOS	Chef de cabinet to Ms Diamantopoulou

The following also sat in

Mr MANSERVISI	Chef de cabinet to the President	
Mr WAINWRIGHT	Principal Legal Adviser	
Mr CARVOUNIS	Director, DG PRESS	
Mr KEMPPINEN	Spokesman	
Mr MAMER	Spokesman	Item 9
Ms AHRENKILDE	Spokesman	
Mr VARRICCHIO	Adviser in the President's Office	
Ms ROGER	Chef de cabinet to Mr Barnier	
Mr BROCHART	Unit Head, Secretariat-General	
Ms TYNELL	Principal administrator, Secretariat-General	

Secretary: Mr O'SULLIVAN, Secretary-General, assisted by Mr BISARRE, Director in the Secretariat-General.

1. AGENDAS AND QUARTERLY ROLLING PROGRAMME

(OJ(2002)1561/3; SEC (2002)303/2; SEC(2002)366)

The Commission took note of its agenda, the tentative agendas for future meetings, and the rolling programme of items to be entered on the Commission's agenda.

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2002)1561)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Tuesday 2 April.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1560th MEETING

(20 March)

(PV(2002)1560; PV(2002)1560, Part II)

The Commission approved the minutes of its 1560th meeting.

4. PARLIAMENT

4.1. MARCH SPECIAL SESSION

(SP(2002)945)

The Commission took note of the information supplied relating to Parliament's special part-session of 20 March.

4.2. PARLIAMENTARY AFFAIRS GROUP

(SP(2002)985; SP(2002)1055)

The Commission took note of the record of the meetings of the Parliamentary Affairs Group held on 21 and 27 March.

It paid particular attention to the following:

a) Preparations for April I part-session

(point 2 of the record)

The Commission, in accordance with the rules in force, authorised the Commission Members responsible, in agreement with the PRESIDENT, Ms de PALACIO and any other Members associated, to take a position on Parliament's amendments to its proposals.

It paid particular attention to the following:

2nd reading

- SCHMITT report, European Aviation Safety Agency,
COM(2000)595 - 00/246 (COD)

The Commission adopted the line set out in SP(2002)1016.

- McKENNA report, Integrated coastal zone management in Europe,
COM(2000)545 - 00/0027 (COD)

The Commission adopted the line set out in SP(2002)1018, involving the rejection of some amendments.

Empowerment

Under Article 13 of its Rules of Procedure, the Commission empowered Ms de PALACIO, Mr LIIKANEN and Ms WALLSTRÖM, in agreement with the PRESIDENT, the Member responsible for relations with Parliament and any other Members associated, to adopt its opinion on the amendments, together with any amended proposals, on the basis of the line set out in SP(2002)1016, 1015 and 1018, once Parliament had given its opinion, and transmit them to the Council in accordance with Article 251(2)(c) of the Treaty for the following:

- SCHMITT report, European Aviation Safety Agency,
COM(2000)595 - 00/0246 (COD)
- STERCKX report, Control and information system for maritime traffic,
COM(2000)802 - 00/0325 (COD)
- McKENNA report, Integrated coastal zone management in Europe,
COM(2000)545 - 00/0027 (COD)

1st reading and simple consultation

- OOMEN-RUIJTEN report, Protection of the environment through criminal law,
COM(2001)139 - 01/0076 (COD)
- DI LELLO FINUOLI report, Combating environmental crime,
00/0801 (CNS)

The Commission adopted the line set out in SP(2002)1020 and SP(2002)1021 respectively. It considered the interinstitutional aspects

of these dossiers and noted that it could decide, at the appropriate time, to bring an action in the Court of Justice if the Council should approve the draft framework decision relating to the protection of the environment through criminal law, following an initiative by Denmark.

b) Action taken on Parliament's opinions and resolutions

(point 5 of the record)

The Commission adopted the replies to own-initiative resolutions adopted by Parliament to which the Commission had undertaken to reply (SP(2002)884 and /2), for transmission to Parliament.

5. WORK OF THE CONVENTION

SECOND PLENARY SESSION

(21 AND 22 MARCH)

(SEC(2002)352)

The Commission took note of the record of the second meeting of the Convention, as set out in SEC(2002)352.

6. MONITORING THE APPLICATION OF COMMUNITY LAW

(SEC(2002)309; SEC(2002)336; SEC(2002)353)

6.1. STATE AID

(SEC(2002)309)

The Commission adopted the decisions in SEC(2002)309.

It decided to hold over the following two items:

N 843/2001

GERMANY

(C(2002)1204 to /3)

Meyer Werft Papenburg

Extension of three years delivery limit for vessels

N 560/2001 and NN 17/2002

UNITED KINGDOM

(C(2002)942 to /3)

Brighton West Pier

6.2. INFRINGEMENTS

- 6.2.1. Cases deferred because of non-availability of documents -
regularisation
(SEC(2002)336)

The Commission adopted the decisions in SEC(2002)336.

- 6.2.2. Case held over from 1560th meeting
(SEC(2002)353 and /2)

2000/2008 - FRANCE - Scientific inventory of the Museum of Natural History

The Commission adopted a decision to send a reasoned opinion
together with authorisation of contacts (see SEC(2002)353/2).

In this connection, the Commission noted that Ms WALLSTRÖM
would be putting before it a report on the monitoring of all aspects
of the implementation of "Natura 2000".

7. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

7.1. WRITTEN PROCEDURES APPROVED

(SEC(2002)312 to /8)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted by written procedure between 18 and 25 March.

7.2. SENSITIVE WRITTEN PROCEDURES

(SEC(2002)313)

The Commission took note of written procedures initiated between 18 and 25 March for the adoption of decisions with political implications.

7.3. EMPOWERMENT

(SEC(2002)314 to /8)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the empowerment procedure between 18 and 25 March.

7.4. DELEGATIONS AND SUBDELEGATIONS OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 18 and 25 March, as archived on the "Grefte 2000" (Registry) website.

8. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2002)315/3; SEC(2002)347; SEC(2002)346 to /3)

ADMINISTRATIVE MATTERS

(PERS(2002)47)

8.1. APPOINTMENTS

JRC - A1 post of Deputy Director-General

The Commission held this item over for two weeks.

**8.2. AUTHORISATION FOR Ms SCHREYER TO LAUNCH THE
PROCEDURE FOR APPOINTING THE SUCCESSORS TO THE
CURRENT MEMBERS OF THE SUPERVISORY COMMITTEE OF THE
EUROPEAN ANTI-FRAUD OFFICE
(SEC(2002)347)**

The Commission authorised Ms SCHREYER:

- to convene, on its behalf, an *ad hoc* group made up of representatives of Parliament, the Council and the Commission to appoint the persons to replace, or to reappoint, the members of the supervisory committee of the Anti-Fraud Office, whose term of office would expire on 31 July;
- to conduct the negotiations on behalf of the Commission on a common proposal for candidates.

8.3. APPROVAL BY THE COMMISSION OF THE 2002 BUDGET FOR THE CONVENTION ON THE FUTURE OF THE EUROPEAN UNION AND EMPOWERMENT

(SEC(2002)346 to /3)

The Commission approved the draft budget proposed by the Convention for financial year 2002 and decided to empower Ms SCHREYER, in agreement with the PRESIDENT, Mr BARNIER and Mr VITORINO, to exercise various powers on behalf of the Commission in connection with the approval, implementation and discharge of the budget of the Convention, as set out in SEC(2002)346 and /3.

**9. RELATIONS WITH NON-MEMBER COUNTRIES
COMMON FOREIGN AND SECURITY POLICY**

9.1. DEVELOPMENT OF THE SITUATION IN THE MIDDLE EAST

With a view to his participation in the special Council meeting (General Affairs) to be held that evening, the PRESIDENT firstly noted the worrying escalation of the Israeli-Palestinian conflict. He described the close contacts he had maintained in recent days with the High Representative, Mr SOLANA, the EU special envoy in the region, Mr MORATINOS, the President of the Palestinian Authority, Mr ARAFAT, and the Israeli Prime Minister and Foreign Minister, Mr SHARON and Mr PERES.

The Commission held a wide-ranging exchange of views, after which it confirmed that there could be no satisfactory solution to the crisis through the use of arms. A solution could be found only if all interested parties - the European Union, the United States, Russia, the Arab League, Israel and the

Palestinian Authority - got together round the negotiating table to define a comprehensive peace plan for the Middle East.

The Commission reaffirmed the importance it attached to compliance with UN Security Council Resolution No 1402 calling for the immediate and effective cessation of all acts of violence, and agreed that the two sides must commit themselves without delay to an effective ceasefire.

There was growing tension within most of the countries of the Middle East, and it was important to avoid an escalation that could have serious and unpredictable consequences both in political terms and for the economy, where an oil crisis could jeopardise the prospects for recovery.

In view of developments in the position of the United States and the failure of the ZINNI mission, increasingly urgent calls were being made for genuine involvement of the European Union in the search for a solution to the conflict. The Commission should consider the various ways and means by which it could encourage the restoration of peace. In this connection, the continuation of financial assistance to the Palestinian Authority should provide a clear signal of the Commission's commitment to a negotiated solution.

In the meantime, internally, the European Union and its Member States must do everything possible to prevent hostile acts against Jewish or Muslim communities, which would be indefensible and unjustified.

**9.2 RESULTS OF THE UN CONFERENCE ON FINANCING FOR
DEVELOPMENT
(MONTERREY, MEXICO, 14-22 MARCH)
(SEC(2002)378)**

The Commission took note of the information in SEC(2002)378.

10. COUNCIL MEETINGS**(SI(2002)323; SI(2002)356)*****TRANSPORT AND TELECOMMUNICATIONS******(BRUSSELS, 25 AND 26 MARCH)***

Ms de PALACIO reported on a particularly positive Council meeting, which had released the EUR 450 million needed for the development of GALILEO, the European satellite positioning and navigation system, and adopted the Regulation establishing the joint undertaking to be responsible for its management. This decision followed the unanimous conclusions of the Barcelona European Council. The GALILEO project would enable users to determine their position in time and space very precisely at any moment: its applications in daily life were many, including radio navigation in private cars, transport safety, the knock-on effects on various commercial activities and in terms of job creation.

On air transport, the Council had reached agreement on the maintenance - following the events of 11 September - of the possibility of a third-party indemnity insurance guarantee by the Member States up to May, corresponding to the extension granted to American airlines, which should enable the air transport industry to reflect on the possible establishment of a mutual guarantee fund for the greater part of the insurance cover.

The Council had also adopted a Directive introducing noise-related restrictions on aircraft use at Community airports, which constituted an important advance in combating aircraft noise, while complying with the new international framework based on the definition of a new international standard and the resolutions of the last General Assembly of the International Civil Aviation Organisation (ICAO). Once transposed, the Directive would repeal the "hushkits" Regulation, bringing to an end

the long-standing dispute with the United States on this matter. On the other hand, problems connected with aircraft noise were causing difficulties with the Russian authorities, and Ms de PALACIO felt that the importance of the issues at stake would justify the question being placed on the agenda for the next summit meeting between the EU and Russia.

Finally, as regards road transport, Ms de PALACIO mentioned her recent contacts with the French authorities concerning the reopening of the Mont Blanc road tunnel. She drew attention to the close link between the development of the transport and mobility policy and the effective establishment of the internal market.

The PRESIDENT thanked Ms de PALACIO and her departments in the Energy and Transport DG for their contribution to the success achieved on the GALILEO dossier.

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The meeting closed at 1030 hours.