



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2005)1685 final

Brussels, 19 January 2005

MINUTES

of the 1685th meeting of the Commission

held in Strasbourg

(Winston Churchill Building)

on Tuesday 11 January 2005

(afternoon)

These minutes were approved by the Commission at its 1686th meeting, held in Brussels on 19 January 2005.

They contain 17 pages.

CONTENTS

Attendance list	4-5
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1. AGENDAS AND QUARTERLY ROLLING PROGRAMME (OJ(2005)1685/3; SEC(2005)1/2; SEC(2005)27).....	6
2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2005)1685 AND /2)	6
3. MINUTES OF 1684TH MEETING (22 DECEMBER) (PV(2004)1684 AND /2).....	6
4. MONITORING THE APPLICATION OF COMMUNITY LAW	7
<i>INFRINGEMENTS - CASES DEFERRED BECAUSE OF NON-AVAILABILITY OF DOCUMENTS - REGULARISATION (SEC(2005)7).....</i>	<i>7</i>
5. WRITTEN PROCEDURES AND EMPOWERMENT	7
5.1. WRITTEN PROCEDURES APPROVED (SEC(2005)2 et seq.).....	7
5.2. SENSITIVE WRITTEN PROCEDURES (SEC(2005)3/2)	7
5.3. EMPOWERMENT (SEC(2005)4 et seq.)	7
5.4. EMPOWERMENT FOR DEALING WITH NOTIFICATIONS UNDER DIRECTIVE 98/34/EC ON FISCAL INCENTIVES FOR MOTOR VEHICLES (SEC(2005)22 and /2)	8
5.5. DELEGATION AND SUBDELEGATION OF POWERS	8
6. COMMISSION RECOMMENDATIONS FOR COUNCIL OPINIONS IN ACCORDANCE WITH ARTICLES 5(3) AND 9(3) OF COUNCIL REGULATION (EC) NO 1466/97 ON THE UPDATED STABILITY OR CONVERGENCE PROGRAMMES OF THE NETHERLANDS, LUXEMBOURG, AUSTRIA, SWEDEN AND THE CZECH REPUBLIC (SEC(2005)11 AND /2; SEC(2005)13 TO /3; SEC(2005)16 TO /3; SEC(2005)14 TO /3; SEC(2005)17 TO /3; SEC(2005)20).....	8

7.	MONTHLY REPORT ON THE IMPLEMENTATION OF COMMUNICATION SEC(2004)638/6 <i>MATCHING SUPPLY AND DEMAND FOR TRANSLATION</i> - DECEMBER 2004 (SEC(2004)1715 AND /2).....	9
8.	OTHER BUSINESS.....	9
8.1.	MAASTRICHT COMMUNIQUÉ ON VOCATIONAL EDUCATION AND TRAINING: A MAJOR CONTRIBUTION TO THE LISBON OBJECTIVES (SEC(2005)15).....	9
8.2.	AIRBUS/BOEING.....	9
9.	ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2005)5/2).....	10
10.	GREEN PAPER ON AN EU APPROACH TO MANAGING ECONOMIC MIGRATION (COM(2004)811 TO /5; SEC(2004)1585).....	11
11.	INTERINSTITUTIONAL RELATIONS (SEC(2005)23; SI(2005)2).....	12
	<i>RELATIONS WITH PARLIAMENT</i>	13
12.	RELATIONS WITH NON-MEMBER COUNTRIES.....	13
12.1.	TSUNAMI IN SOUTH-EAST ASIA: SITUATION, ACTIONS UNDERTAKEN AND PLANNED BY THE COMMISSION (SEC(2005)38 and /2; SEC(2005)24; SEC(2005)29).....	13
12.2.	VISIT BY Mr MICHEL TO TOGO (SEC(2005)9).....	16

Single sitting: Tuesday 11 January (afternoon)

The sitting opened at 1305 hours with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President
Ms WALLSTRÖM	Vice-President
Mr VERHEUGEN	Vice-President
Mr BARROT	Vice-President
Mr FRATTINI	Vice-President
Ms REDING	
Mr DIMAS	
Mr ALMUNIA	
Ms HÜBNER	
Mr BORG	
Ms GRYBAUSKAITĖ	
Mr POTOČNIK	
Mr FIGEL	
Mr REHN	
Mr KOVÁCS	
Ms KROES	
Ms FISCHER BOEL	
Ms FERRERO-WALDNER	
Mr McCREEVY	
Mr ŠPIDLA	
Mr MANDELSON	
Mr PIEBALGS	

Absent:

Mr KALLAS Vice-President

Mr KYPRIANOU

Mr MICHEL

The following sat in to represent absent Members of the Commission

Mr GIORDANI A member of Mr Kyprianou's staff

Mr DOENS Deputy Chef de Cabinet to Mr Michel

The following also sat in

Mr PETITE Director-General, Legal Service

Mr VALE DE ALMEIDA Chef de cabinet to the President

Ms LE BAIL Commission Spokeswoman

Mr CABRAL Adviser *hors classe* in the President's Office

Ms CARPARELLI Deputy Chef de cabinet to Ms Wallström

Mr SCHWAIGER Deputy Chef de cabinet to Ms Ferrero-Waldner

Mr LIDDLE A member of Mr Mandelson's staff

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

**1. AGENDAS AND QUARTERLY ROLLING PROGRAMME
(OJ(2005)1685/3; SEC(2005)1/2; SEC(2005)27)**

The Commission took note of that day's agenda, the tentative agendas for future meetings, and the quarterly rolling programme of items to be entered on the agenda from 19 January to 30 March.

**2. WEEKLY MEETING OF CHEFS DE CABINET
(SEC(2005)1685 and /2)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Friday 7 January.

**3. MINUTES OF 1684th MEETING (22 December)
(PV(2004)1684 and /2)**

The Commission approved the minutes of its 1684th meeting.

4. MONITORING THE APPLICATION OF COMMUNITY LAW

***INFRINGEMENTS - CASES DEFERRED BECAUSE OF
NON-AVAILABILITY OF DOCUMENTS - REGULARISATION
(SEC(2005)7)***

The Commission adopted the decisions in SEC(2005)7.

5. WRITTEN PROCEDURES AND EMPOWERMENT

**5.1. *WRITTEN PROCEDURES APPROVED
(SEC(2005)2 et seq.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 December and 7 January.

**5.2. *SENSITIVE WRITTEN PROCEDURES
(SEC(2005)3/2)***

The Commission took note of the following written procedures initiated between 20 December and 7 January for the adoption of decisions with political implications.

**5.3. *EMPOWERMENT
(SEC(2005)4 et seq.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 December and 7 January.

**5.4. EMPOWERMENT FOR DEALING WITH NOTIFICATIONS UNDER
DIRECTIVE 98/34/EC ON FISCAL INCENTIVES FOR MOTOR VEHICLES
(SEC(2005)22 and /2)**

The Commission took note of information note SEC(2005)22/2 distributed by Mr VERHEUGEN.

5.5. DELEGATION AND SUBDELEGATION OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 20 December and 7 January, as archived on the "Greffé 2000" (Registry) website.

**6. COMMISSION RECOMMENDATIONS FOR COUNCIL OPINIONS IN
ACCORDANCE WITH ARTICLES 5(3) AND 9(3) OF COUNCIL
REGULATION (EC) No 1466/97 ON THE UPDATED STABILITY OR
CONVERGENCE PROGRAMMES OF THE NETHERLANDS,
LUXEMBOURG, AUSTRIA, SWEDEN AND THE CZECH REPUBLIC
(SEC(2005)11 and /2; SEC(2005)13 to /3; SEC(2005)16 to /3; SEC(2005)14
to /3; SEC(2005)17 to /3; SEC(2005)20)**

The Commission adopted the recommendations for Council opinions in SEC(2005)11, SEC(2005)13/3, SEC(2005)16/3, SEC(2005)14/3 and SEC(2005)17/3, for transmission to the Council for consideration by the Economic and Financial Committee.

**7. MONTHLY REPORT ON THE IMPLEMENTATION OF
COMMUNICATION SEC(2004)638/6 *MATCHING SUPPLY AND
DEMAND FOR TRANSLATION - DECEMBER 2004*
(SEC(2004)1715 and /2)**

The Commission took note of Mr FIGEL's information note (SEC(2004)1715) and asked departments to continue to implement the arrangements introduced in 2004.

8. OTHER BUSINESS

**8.1. MAASTRICHT COMMUNIQUÉ ON VOCATIONAL EDUCATION AND
TRAINING: A MAJOR CONTRIBUTION TO THE LISBON OBJECTIVES
(SEC(2005)15)**

The Commission took note of information note SEC(2005)15 distributed by Mr FIGEL.

8.2. AIRBUS/BOEING

Mr MANDELSON reported that agreement had been reached with his American counterpart to launch negotiations on subsidies in civil aviation. After reminding the meeting of the nature of dispute between the EU and the USA in this matter, he outlined the main terms of the negotiations, which would take three months, with the objective of putting an end to the various types of subsidies in this area and establishing the conditions for fair competition between Airbus and Boeing. Without underestimating the difficulty of the negotiations to come, Mr MANDELSON pointed to the importance of this agreement, which indicated the desire of both parties to find a negotiated solution rather than pursuing the dispute in the WTO bodies. He felt this agreement, based on dialogue and

cooperation, would contribute to the creation of a positive climate for strengthening the economic partnership between the EU and the United States and could usefully be highlighted during President BUSH's forthcoming visit to Europe.

The Commission took note of this information and held a brief exchange of views on the scope of the agreement and the points to be covered in the negotiations, particularly subsidies for military research and their repercussions on civil aviation.

The PRESIDENT concluded by expressing the Commission's support for Mr MANDELSON's approach. The economic partnership with the United States was important, and he asked all Commission Members to make their contributions to the discussions in progress with a view to increasing its dynamic.

9. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2005)5/2)

OTHER MATTERS

MODERNISATION OF THE ACCOUNTING SYSTEM

Ms GRYBAUSKAITĖ reported that the Commission's new accounting system had now come into use. This had gone without a hitch despite its extremely complex and delicate nature. A more detailed report would be made at the end of January, but she was cautiously optimistic in the light of these very positive first results. Having reminded the meeting of the importance of the reform undertaken by the Commission, which was the result of two years' work,

Ms GRYBAUSKAITĖ thanked Commission Members and departments for the

work done and the quality of the data supplied, which had contributed to the success of the operation.

10. GREEN PAPER ON AN EU APPROACH TO MANAGING ECONOMIC MIGRATION

(COM(2004)811 to /5; SEC(2004)1585)

Mr FRATTINI introduced the draft Green Paper on an EU approach to managing economic migration, which he was tabling in agreement with Mr ŠPIDLA. He reminded the meeting of the background to this dossier and, particularly, the invitation to the Commission by the Hague European Council (4 and 5 November 2004) to present before the end of 2005 "a policy plan on legal migration including admission procedures capable of responding promptly to fluctuating demands for migrant labour in the labour market". The objective of the Green Paper was to launch an open, in-depth debate on the need to develop an overall Community strategy for the management of migration due to economic factors. The debate would involve the Union institutions, the Member States and civil society in order to gather updated information enabling the Commission to prepare the proposals that the Council had asked for. A public hearing would be held in July 2005. Mr FRATTINI concluded by emphasising the importance of the admission of economic migrants as the keystone of any immigration policy and more generally as a means of eradicating extremism. The dossier had been prepared in full liaison with Mr ŠPIDLA, and he intended to continue this cooperation.

Mr ŠPIDLA pointed to the employment dimension of the Green Paper in that it referred to the admission of foreign workers for employment purposes, and confirmed his willingness to cooperate closely with Mr FRATTINI.

Having taken note of this information, the Commission held an exchange of views, particularly on:

- the planned work schedule and, given the sensitivity of these questions, the risks of possible interference with the referendums for the ratification of the constitutional Treaty;
- the importance of an approach on legal immigration as the remedy to illegal immigration and trafficking in women.

The PRESIDENT concluded by expressing satisfaction at the presentation of the Green Paper. This subject covered two separate spheres, security and employment, and it was important for Mr FRATTINI and Mr ŠPIDLA to continue their collaboration.

After its discussions, the Commission approved the Green Paper in COM(2004)811/5 for transmission, for opinions, to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

11. INTERINSTITUTIONAL RELATIONS

(SEC(2005)23; SI(2005)2)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on 6 January (SEC(2005)23).

It paid particular attention to the following:

RELATIONS WITH PARLIAMENT

Presence of Commission Members at plenary sessions

Further to the commitments made to Parliament, Ms WALLSTRÖM stressed the importance of Commission Members' presence in plenary and the need for them to organise their activities to that end.

The PRESIDENT endorsed Ms WALLSTRÖM's comments and reminded the meeting that, in the event of any Commission Member being unable to attend, it was up to him or her to find a replacement to take charge of the dossiers concerned.

12. RELATIONS WITH NON-MEMBER COUNTRIES

12.1. TSUNAMI IN SOUTH-EAST ASIA: SITUATION, ACTIONS UNDERTAKEN AND PLANNED BY THE COMMISSION (SEC(2005)38 and /2; SEC(2005)24; SEC(2005)29)

The PRESIDENT introduced the debate. He thanked the Commission Members and departments that had mobilised their efforts to deal urgently with the natural disaster in south-east Asia. Without pre-empting the lessons to be drawn from these events, particularly as regards the visibility of the Commission's intervention and the operation of the rota during the end-of-year holiday period, he was generally satisfied with the way in which the Commission had reacted. He noted particularly that the Commission had immediately intervened through the allocation of funds for humanitarian aid and the triggering of the civil protection mechanism and that, in the person of Mr MICHEL, it had been among the first to be represented on the spot. The Commission must continue to mobilise its efforts and contribute to the drawing-up of an operational action plan that the Council

would be considering on 31 January. To this end, the PRESIDENT reviewed the various initiatives to be considered in the immediate future or in the longer term, as regards additional humanitarian aid, rehabilitation and reconstruction aid, civil protection and accompanying measures (particularly: EIB financing facility; debt reduction; trade support measures; support for fishing communities; strengthening capacities for a speedy EU response to crisis situations; early warning system; initiatives in favour of orphans and as regards trafficking in human beings).

Following this introduction and after remarks by Ms FERRERO-WALDNER, Ms GRYBAUSKAITĖ and Mr DIMAS on various aspects relating to their respective portfolios, the Commission held an in-depth discussion, covering the following questions in particular:

- the volume of the financial resources that it would be possible to release in the short and longer term for the countries and populations affected by the catastrophe. In this respect: the procedure in progress with the budgetary authority to mobilise €100 million from the emergency reserve for additional humanitarian aid; the situation concerning the release in the longer term of €350 million for the rehabilitation and reconstruction phase (in this connection, the importance of an effort at clarification concerning the reprogramming of funds that were in any case already earmarked for the countries affected and other Asian countries);
- the advisability of taking this opportunity to improve the Commission's and the Union's capacities as regards the management of civilian crises; in this connection, the need not to set up new bodies but to make efforts to improve and better coordinate existing structures, both in the Member States and within the Commission;
- the importance of strengthening the visibility of the Union's presence in humanitarian and emergency interventions;

- the highlighting of collective responsibility in the face of the catastrophe and its European dimension; in this connection, the responsibility of the Member States not only towards their own citizens but also to those of other Member States;
- the action taken under the civil protection mechanism managed by the Environment DG and the margin for possible improvement to strengthen the response capacity of the Union and the Commission;
- measures being studied which could be taken in the areas of trade policy, fisheries, research and telecommunications; other areas in which the Union's expertise could make a useful contribution;
- special attention to be paid to the situation of orphaned children (sponsorship of children, creation of local orphanages, reconstruction of schools, training, etc.);
- strengthening cooperation between Member States' police teams in order to facilitate the identification of victims;
- the need to take into account, in the reconstruction of homes in the areas affected, the latest scientific research results, particularly as regards global warming;
- drawing on the expertise of the European Agency for Reconstruction in Kosovo.

The PRESIDENT concluded by emphasising the impact of this first natural catastrophe of world scale, which had touched all hearts and which highlighted the need to act in common. The Union's response had been equal to the task, without prejudice to the lessons to be drawn. To this end, on the internal front, he had asked the Secretariat-General to study what improvements could be made as

regards the organisation of the Commission's rota. As to the substance, the Commission should prepare proposals taking into account all the ideas put forward in the present debate, with a view to the Council meeting (General Affairs) on 31 January. This contribution, to which all Commission Members could add their views, would be coordinated in the first instance at the meeting of the external relations group of Commission Members on 20 January, with the participation of Mr DIMAS and to which he had invited Mr SOLANA. As regards the development of a Union capacity to respond speedily to natural disasters, the emphasis should be placed on improving coordination and existing structures rather than setting up new bodies, and the proposed measures should aim to show European added value.

12.2. VISIT BY Mr MICHEL TO TOGO
(SEC(2005)9)

The Commission took note of the information note from Mr MICHEL in SEC(2005)9.

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The meeting closed at 1530 hours.