



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2005)1705 final

Brussels, 15 June 2005

MINUTES
of the 1705th meeting of the Commission
held in Strasbourg
(Winston Churchill Building)
on Tuesday 7 June 2005
(afternoon)

These minutes were approved by the Commission at its 1706th meeting, held in Brussels on 15 June 2005.

They contain 17 pages.

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Single sitting: Tuesday 7 June (afternoon)

The sitting opened at 1315 hours with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Ms WALLSTRÖM	Vice-President	
Mr BARROT	Vice-President	
Mr KALLAS	Vice-President	
Mr FRATTINI	Vice-President	
Ms REDING		Item 10
Mr DIMAS		
Mr ALMUNIA		Item 10.3
Ms HÜBNER		
Mr BORG		
Mr FIGEL		
Mr KYPRIANOU		
Mr REHN		Item 10
Mr MICHEL		Items 9 and 10
Ms KROES		
Ms FISCHER BOEL		
Ms FERRERO-WALDNER		Item 10
Mr McCREEVY		
Mr ŠPIDLA		
Mr MANDELSON		
Mr PIEBALGS		

Absent:

Mr VERHEUGEN

Vice-President

Ms GRYBAUSKAITĖ

Mr POTOČNIK

Mr KOVÁCS

The following sat in to represent absent Members of the Commission

Mr GENTON	A member of Ms Grybauskaitė's staff
Ms CAREMIER	A member of Mr Potočník's staff
Mr SZÜCS	Chef de cabinet to Mr Kovács

The following also sat in

Mr WAINWRIGHT	Chief Adviser, Legal Service	
Mr VALE DE ALMEIDA	Chef de cabinet to the President	
Mr CARVOUNIS	Director-General (acting), Press and Communication	
Ms LE BAIL	Commission Spokeswoman	
Mr DOWGIELEWICZ	Spokesman	Item 10
Mr THEBAULT	Chief Adviser in the President's Office	Item 10.1
Mr CHANTERIE	A member of Ms Reding's staff	Items 1 to 9
Ms LAMELA	Chef de cabinet to Mr Almunia	Items 1 to 10.2
Ms WEYAND	Chef de cabinet to Mr Michel	Items 1 to 8
Ms BRANDTNER	A member of Ms Kroes's staff	Item 9.3
Mr LIDDLE	A member of Mr Mandelson's staff	
Mr MOAVERO MILANESI	Deputy Secretary-General	

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

1. AGENDAS

(OJ(2005)1705/3; SEC(2005)742/2)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2005)1705)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 6 June.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1704th MEETING

(1 June)

(PV(2005)1704; PV(2005)1704, Part II)

The Commission approved the minutes of its 1704th meeting.

4. WRITTEN PROCEDURES AND EMPOWERMENT

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2005)743 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 30 May and 3 June.

4.2. SENSITIVE WRITTEN PROCEDURES
(SEC(2005)744)

The Commission took note of written procedures initiated between 30 May and 3 June for the adoption of decisions with political implications.

4.3. EMPOWERMENT
(SEC(2005)745 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 30 May and 3 June.

4.4. DELEGATION AND SUBDELEGATION OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 30 May and 3 June, as archived on the "Grefe 2000" (Registry) website.

5. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2005)746/2)

ADMINISTRATIVE MATTERS
(PERS(2005)80/2)

5.1. DG SCIC/A - A*14/A*15 POST OF DIRECTOR
(PERS(2005)33 to /3)

The Commission had before it applications under Article 29(1)(a) (i) and (iii) of the Staff Regulations for the Post of Director, Directorate A (Interpreters) in the Interpretation DG (PERS(2005)33).

The Commission took note of the opinions of the Consultative Committee on Appointments of 11 and 19 May (PERS(2005)33/2 to /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also examined the reports on their ability, efficiency and conduct in the service. On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr FIGEL, it then decided to appoint Mr Brian FOX to the post.

This decision would take effect on a date to be fixed later.

**5.2. *DG RELEX – POST OF DEPUTY HEAD OF THE COMMISSION
DELEGATION IN WASHINGTON (GRADE A*14/A*15)
(PERS(2005)43 to /6)***

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Head of the Commission delegation in Washington in the External Relations DG (PERS(2005)43, /2, /5 and /6).

The Commission took note of the opinions of the Consultative Committee on Appointments of 18 and 19 May (PERS(2005)43/3 to /4).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, it then decided to appoint Mr Angelos PANGRATIS to the post.

This decision would take effect on a date to be fixed later.

**5.3. *DG RDT/C - TRANSFER OF AN A*15 OFFICIAL IN THE INTEREST
OF THE SERVICE***

On a proposal from Mr KALLAS in agreement with the PRESIDENT, Mr FIGEL and Mr POTOČNIK, the Commission decided to fill the post of Director, Directorate C (Science and Society) in the Research DG by the

transfer in the interest of the service of Mr Jean-Michel BAER, an A*15 official and currently Chief Adviser in the Education and Culture DG.

This decision would take effect on 1 July.

OTHER MATTERS

5.4. ANNUAL ACTIVITY REPORT OF THE MEDIATION SERVICE FOR 2004 (SEC(2005)763)

The Commission took note of the report in SEC(2005)763.

6. REPORT FROM THE COMMISSION ON COMPLIANCE WITH BUDGETARY DISCIPLINE IN ITALY PREPARED IN ACCORDANCE WITH ARTICLE 104(3) OF THE EC TREATY (SEC(2005)750 to /3; SEC(2005)755/2; SEC(2005)759)

The Commission approved the report prepared in accordance with Article 104(3) of the EC Treaty (SEC(2005)750/3) and took note of the technical document in support of that report (staff paper SEC(2005)755/2). It noted that both documents would be transmitted to the Economic and Financial Committee.

**7. COMMISSION DECISION CANCELLING PART OF THE EUROPEAN
REGIONAL DEVELOPMENT FUND (ERDF) ASSISTANCE TO THE
HELLENIC REPUBLIC
(C(2005)1731 to /3; SEC(2005)769)**

Having noted the information note distributed by Ms HÜBNER in agreement with Mr McCREEVY (cf. SEC(2005)769), the Commission adopted the decision in C(2005)1731/3, which would be notified to Greece.

8. OTHER BUSINESS

**8.1. *PREPARATION OF A WHITE PAPER AND INTERNAL COMMISSION
ACTION PLAN ON COMMUNICATION
(SEC(2005)766)***

The Commission took note of the information note distributed by Ms WALLSTRÖM.

**8.2. *UNESCO CONVENTION ON CULTURAL DIVERSITY
(SEC(2005)776)***

The Commission took note of the information note distributed by Mr FIGEL in agreement with Mr MANDELSON.

9. MONITORING THE APPLICATION OF COMMUNITY LAW

**9.1. *STATE AID - SPECIFIC CASES
(SEC(2005)765; SEC(2005)777/2)***

The Commission adopted the decisions in SEC(2005)777/2.

9.2. PUBLICATION OF AID TO AGRICULTURE IN THE NEW MEMBER STATES

(SEC(2005)726 to /3; SEC(2005)765)

The Commission approved:

- the publication in the Official Journal of the list of existing aid to agriculture in the new Member States, as set out in SEC(2005)726/3;
- the publication on the Commission's internet site of the full text of the state aid measures concerned.

9.3. ACTION PLAN - ROADMAP FOR THE REFORM OF STATE AID (2005-09)

(COM(2005)107 to /6; SEC(2005)765)

Ms KROES briefly introduced her communication and thanked the Commission Members, their offices and their departments for their constructive work in support of this important dossier. She outlined the fundamental principles of the proposed reform of the current rules on state aid: fewer and better-targeted aid measures, aimed at promoting growth, employment and cohesion; a more finely-honed economic approach; more rational and effective procedures, better enforcement of the rules and more predictability and transparency; a partnership between the Commission and the Member States. Ms Kroes pointed to the consultative nature of the action plan proposed and the wide-ranging consultation of the parties concerned that would be held. On the basis of the observations received by 15 September, detailed proposals for reform would then be presented.

Having taken note of this introduction and emphasised the importance of good communication on the dossier, the Commission :

- approved the action plan in COM(2005)107/6 for transmission to Parliament, the Council, the Economic and Social Committee and the

Committee of the Regions. The text would also be placed on the Commission's internet site;

- took note of the impact assessment in COM(2005)107/4 for transmission to the above-mentioned institutions as a staff working paper.

10. INTERINSTITUTIONAL RELATIONS (SEC(2005)739)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on 3 June (SEC(2005)739).

It paid particular attention to the following:

10.1. RELATIONS WITH PARLIAMENT

i) Preparations for June I part-session - legislation

(point 1.2.1 of the record)

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

It paid particular attention to the following:

- FRAGA ESTEVEZ report – Sustainable exploitation of fishery resources in the Mediterranean Sea - COM(2003)589, 03/0229 (CNS)

The Commission adopted the line set out in SP(2005)2321.

ii) Preparations for June I and II part-sessions - non-legislative dossiers
(point 3.1 of the record)

- BÖGE report - Policy Challenges and Budgetary Means of the enlarged Union 2007-13

The PRESIDENT referred to the debate to be held in Parliament on the report of the temporary committee on the future financial perspective, at which he would represent the Commission in the absence of Ms GRYBAUSKAITĖ, who would be attending the Council meeting (Economic and Financial Affairs). Taking stock of the last stages before the European Council, he pointed out that the negotiations had reached a critical stage. Given Mr JUNCKER's desire to secure an agreement and the chances that this would be achieved, the PRESIDENT considered that the Commission should support the efforts of the Luxembourg Presidency and avoid being isolated if it wished to influence the final stage of the negotiations. However, although this objective was valid, it was important at this stage for the Commission to maintain a firm line and work to improve the latest proposals presented by the Presidency. This was the line that he and Ms GRYBAUSKAITĖ proposed taking that day in Parliament and the Council, respectively, since it would be essential for Parliament itself to take a firm line and for the two institutions to work together.

The Commission took note of these observations and held an in-depth exchange of views on the situation, during which it highlighted the following:

- the new political situation created by the results of the French and Dutch referendums and the need for the Union to demonstrate its capacity to function; the importance in this connection of an agreement on the financial perspective;

- the chances of reaching agreement in June given the different positions held, and the need for all the parties involved in the negotiations to display realism and flexibility;
- the need for the Commission to cooperate with both the Council Presidency and Parliament;
- the extent to which the proposals on the table were consistent with the ambitions and objectives pursued; the importance of clearly pointing out the implications for the Union's policies and the need for the Commission to draw specific conclusions at the appropriate time; the political message that should be issued in this connection;
- how the Commission could improve the situation or ensure that it would be reviewed in due course.

Following this exchange of views, the PRESIDENT noted that there was broad consensus in the Commission on the benefits of securing agreement at the European Council on 16 and 17 June. Until then, the Commission would maintain a firm position in the search for the best possible compromise. At its next meeting, the Commission would report on the situation ahead of the European Council, in the light of the latest developments.

10.2. RELATIONS WITH THE COUNCIL

(SI(2005)522)

iii) Agriculture and Fisheries (Luxembourg, 20 and 21 June)

(point 2.5 of the record)

Proposal for a Council Regulation for a European Fisheries Fund

The Commission authorised Mr BORG, ahead of the Council meeting (Agriculture and Fisheries) on 20 and 21 June, to accept a Presidency compromise in accordance with the line set out in SI(2005)521/3. Since

the discussions in Coreper on 8 and 14 June might result in significant changes in this line, an updated version of the note would be submitted to the Commission.

iv) Compulsory licensing on medicines intended for export

(point 2.6 of the record)

The Commission adopted the line set out in SP(2005)531.

10.3. RATIFICATION OF THE CONSTITUTION

The PRESIDENT reported on the situation concerning the process of ratification of the constitutional Treaty in the light of the results of the Dutch referendum and the positions taken by the Member States and the institutions. He referred to the speech he had given at the 50th anniversary of the Messina Conference, in which he had called for European values to serve as a rallying point and for the European idea to be relaunched around a new political consensus. He intended to put forward these ideas in his speech to Parliament on Wednesday 8 June during the debate to prepare for the European Council on 16 and 17 June. He emphasised the importance of a joint approach by the Member States and the institutions to address the current situation and the need for the Commission to work towards this goal at the European Council.

Ms WALLSTRÖM endorsed the PRESIDENT's analysis. She considered that the time had come for the Commission to adopt a proactive approach, as part of a plan D for "Dialogue and Democracy", in order to restore people's confidence in the European project.

The Commission took note of these comments and held a short exchange of views.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 1450 hours.