



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2008)1826 final

Brussels, 30 April 2008

MINUTES

of the 1826th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 16 April 2008

(morning)

PV(2008)1826 final

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Single sitting: Wednesday 16 April 2008 (morning)

The sitting opened at 10.17 hours with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President
Ms WALLSTRÖM	Vice-President
Mr BARROT	Vice-President
Mr KALLAS	Vice-President
Ms REDING	
Mr DIMAS	
Mr ALMUNIA	
Ms HÜBNER	
Mr BORG	
Ms GRYBAUSKAITĖ	
Mr POTOČNIK	
Mr FIGEL'	
Mr REHN	
Mr MICHEL	
Ms FISCHER BOEL	
Mr ŠPIDLA	
M. MANDELSON	
Mr PIEBALGS	
Ms KUNEVA	
Mr ORBAN	
Ms VASSILIOU	

Absent:

Mr VERHEUGEN

Vice-President

Mr FRATTINI

Vice-President

Mr KOVÁCS

Ms KROES

Ms FERRERO-WALDNER

Mr McCREEVY

(16 April 2008)

The following sat in to represent absent Members of the Commission:

Ms ERLER	Chef de cabinet to Mr VERHEUGEN	Items 8 (in part) to 10
Mr BILL	A member of Mr KOVÁCS's staff	
Mr WHELAN	Chef de cabinet to Ms KROES	
Mr KARNITSCHNIG	Member of Ms FERRERO-WALDNER's staff	
Ms DE BASALDUA	Deputy Chef de cabinet to Mr MCCREEVY	

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Ms DURAND	Acting Director-General, Legal Service	
Mr SØRENSEN	Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	
Ms MARTINHO	Chief adviser in the PRESIDENT's Office	Items 1 to 8
Mr PESONEN	Chef de cabinet to Mr REHN	Item 8

Secretary: Ms DAY, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

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The PRESIDENT paid tribute to Dr Patrick HILLERY, former Vice-President of the Commission, who had died on 12 April 2008.

The PRESIDENT praised the dedication of an exceptional man who had exercised high political office with talent. As Irish Foreign Minister from 1969 to 1973, Dr HILLERY had negotiated his country's accession to the European Community, before becoming Vice-President of the European Commission with responsibility for social affairs from 1973 to 1976. In that post he had striven to promote equal rights, in particular between men and women. He had then served two successive terms as President of Ireland from 1976 to 1990.

The PRESIDENT offered his sincere condolences to Dr HILLERY's family and friends. He was joined in this by all the Members of the Commission.

The PRESIDENT explained that Mr McCREEVY was representing the Commission at Dr HILLERY's state funeral that day.

* * *

1. AGENDAS

(OJ(2008)1826/3; SEC(2008)454/2; SEC(2008)469; SEC(2008)471)

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(2008)1826)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 14 April.

3. MINUTES OF 1825TH MEETING (9 APRIL 2008)
(PV(2008)1825)

The Commission approved the minutes of its 1825th meeting.

4. INTERINSTITUTIONAL RELATIONS
(SEC(2008)461)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 11 April (SEC(2008)461).

It paid particular attention to the following:

4.1. LEGISLATIVE MATTERS

i) Action to be taken on Parliament's legislative opinions
(SP(2008)1991)

The Commission decided to empower the Commission Members responsible for the sectors in question, in agreement with the PRESIDENT and Ms WALLSTRÖM and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2008)1991, drawn up following the April I part-session of Parliament, the contents of which were noted.

ii) Preparation of agreement at first reading
(point 1.2.1 of the IRG record)

- Selection and authorisation of systems supplying mobile satellite services (MSS) (Decision) – HALL report – 2007/0174 (COD)

The Commission approved the line set out in SP(2008)30 and authorised Ms REDING to continue contacts with Parliament and the Council with a view to securing agreement at first reading.

iii) Preparation for the April II part-session of Parliament

(point 1.3 of the IRG record)

In accordance with the rules in force, the Commission authorised the Commission Members responsible, in agreement with the PRESIDENT and 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:

Codecision – 1st reading

- Implementation of the deployment and commercial operating phases of the European satellite radionavigation programme (Regulation) – GALILEO Programme – BARSÍ-PATÁKY report – 2004/0156 (COD)

The Commission approved the line set out in SP(2008)2170.

4.2. RELATIONS WITH THE COUNCIL

iv) Programming of Council business

(SI(2008)210)

The Commission took note of the information in SI(2008)210 on the Council meetings between 10 April and 23 April.

**v) Preparation for Council meeting (Justice and Home Affairs)
(Brussels, 18 April)**

(point 2.4 of the IRG record)

- American Visa Waiver Program

The Commission authorised Mr BARROT to support the Presidency compromise on negotiating directives at the Council meeting (Justice and Home Affairs) on 18 April, following the line set out in SI(2008)217/2.

4.3. RELATIONS WITH PARLIAMENT

vi) Results of the April I part-session of Parliament

(SP(2008)2143)

The Commission took note of the information on Parliament's part-session held on 9 and 10 April in Brussels, set out in SP(2008)2143.

vii) Action taken on Parliament's non-legislative resolutions

(point 3.3.1 of the IRG record)

The Commission approved document SP(2007)1857/7 on the action taken on the non-legislative resolutions adopted by Parliament at its February part-session, for transmission to Parliament.

viii) Action taken on Parliament's legislative opinions and non-legislative resolutions

(point 3.3.2 of the IRG record)

The Commission approved SP(2008)2060 on the action taken on Parliament's opinions and resolutions adopted at its March part-session, for transmission to Parliament.

5. MONITORING THE APPLICATION OF COMMUNITY LAW

STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST

(SEC(2008)476 AND /2)

The Commission adopted the decisions in the recapitulative list (SEC(2008)476/2).

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2008)455 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 7 and 11 April.

6.2. SENSITIVE WRITTEN PROCEDURES

(SEC(2008)456 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 14 and 18 April and of the "finalisation" written procedures initiated following the weekly meeting of Chefs de cabinet on 14 April.

6.3. EMPOWERMENT

(SEC(2008)457 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 7 and 11 April.

6.4. DELEGATION AND SUBDELEGATION OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 7 and 11 April, as archived in "Grefte 2000" (Registry).

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2008)458/2)

ADMINISTRATIVE MATTERS

(PERS(2008)69/2)

7.1. PERSONNEL AND ADMINISTRATION DG – IMPLEMENTATION OF RULES ON MIDDLE MANAGEMENT AND ADVISER FUNCTIONS RESERVED FOR EU-12 NATIONALS

The Commission took note of the information set out in point 1 of PERS(2008)69/2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT, decided to extend *mutatis mutandis* the rules already applied to the recruitment of EU-12 nationals to middle management functions in grades AD9 and AD12 to cover adviser functions and middle management functions entrusted to temporary staff.

This decision would take effect immediately and remain in force until the end of the transitional periods for the recruitment of EU-10 and EU-2 nationals, as described in Council Regulations 401/2004 and 1760/2006.

7.2. PERSONNEL AND ADMINISTRATION DG – COMPENSATORY PAYMENT TO OFFICIALS HAVING CHANGED CATEGORY BEFORE 1 MAY 2004

(SEC(2008)478)

Having taken note of the information set out in point 2 of PERS(2008)69/2, the Commission:

- adopted in principle the proposal concerning the introduction of a compensatory payment to officials having changed category before 1 May 2004, as set out in SEC(2008)478;
- authorised M. KALLAS to consult the Central Staff Committee on this draft decision;

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- empowered Mr KALLAS, in agreement with the PRESIDENT, to make minor amendments following this consultation and to definitively adopt the decision on behalf of the Commission.

These decisions would take effect immediately.

**7.3. CCN – 2007 ACTIVITY REPORT OF THE CONSULTATIVE COMMITTEE ON APPOINTMENTS
(SEC(2008)479 AND /2)**

The Commission took note of the 2007 activity report of the Consultative Committee on Appointments distributed as SEC(2008)479/2.

8. RELATIONS WITH THIRD COUNTRIES

8.1. VISIT TO TURKEY (ANKARA AND ISTANBUL, 10-12 APRIL 2008)

M. REHN reported on the official visit to Turkey by the PRESIDENT and himself from 10 to 12 April. He began by stressing the immense importance of this visit, which was the third by a Commission President in the history of the Commission's relations with Turkey and the first since the opening of accession negotiations. The visit had received and was still receiving an enormous amount of coverage by the Turkish media.

Recalling the particular domestic circumstances in which the visit had taken place, he noted that, in fact, it was all the more important in this context for the PRESIDENT to go to Turkey to promote reforms with a view to its accession to the EU, to support democratic secularism and to encourage dialogue and a spirit of compromise. M. REHN felt that the PRESIDENT had been able to convey some important messages which might help overcome the current political crisis.

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As regards the organisation of the visit, meetings had been held with the Turkish President, Mr Abdullah Gül, the Prime Minister, Mr Recep Tayyip Erdogan, the Foreign Minister, Mr Ali Babacan, with leaders of the opposition and representatives of civil society, the business world and the media, and with the Ecumenical Patriarch. The PRESIDENT had also addressed the Turkish parliament, giving him another opportunity to put across a number of important messages.

M. REHN said that, throughout the visit, emphasis had been placed on the close strategic, political and economic interdependence underpinning EU-Turkey relations and on encouragement for the process of legal and political reforms in connection with Turkey's accession negotiations.

An appeal had been launched in Turkey for a new drive to adhere to Community standards in a number of fields such as freedom of expression, freedom of religion, the rights of minorities and cultural rights, relations between the civil and military authorities, and the economic and social development of the south-east of the country. In this regard, certain positive steps had been taken: the adoption of the Law on Foundations and the current review of Article 301 of the Turkish Criminal Code restricting freedom of expression.

Regarding recent events on the Turkish political scene, he and the PRESIDENT had given assurances that they did not wish to interfere in the domestic political debate, while at the same time making it clear that the Union could not remain indifferent to developments that affected the ability of a candidate country to progress towards Community standards.

On the Cyprus question, Turkey had been encouraged to work towards a comprehensive settlement under the auspices of the United Nations and had also been called on to meet its obligations under the Ankara Protocol.

As regards the outcome of the court proceedings, Mr REHN said that a ban on the ruling Justice and Development Party (AKP) by the Constitutional Court

could not be ruled out, but he also highlighted the crucial role which civil society and the media could play in resolving the crisis.

In conclusion he reported that the Turkish President and Prime Minister had reaffirmed Turkey's aim of becoming a full member of the EU and restated their commitment to continuing democratic reforms; as regards Cyprus, they had also confirmed their support for a comprehensive settlement under the auspices of the United Nations.

The Commission then held a brief exchange of views, during which the following points were raised:

- the question of the tangible prospects for settlement of the Cyprus question;
- the possible outcome of the case against the AKP;
- the scope that the current leaders had for taking political decisions, pending the outcome of the court proceedings;
- the efforts to be deployed by the EU to improve dialogue with Turkish civil society;
- the importance of Turkey's bilateral relations with Bulgaria;
- the need to maintain Turkey's motivation vis-à-vis the accession process and to keep public opinion in the Member States and in the candidate country better informed on this subject;
- in this context, the question of the relationship between the prospect of accession and the Union for the Mediterranean, and the importance of making it clear that the Union for the Mediterranean was not a substitute for accession for Turkey.

M. REHN replied to the questions raised by the other Members of the Commission.

As regards the Cyprus question, Mr REHN said the Government had reaffirmed its continued support for a comprehensive settlement. He also noted that, in general, the Turkish side had been more well-disposed on this subject than in the past.

Regarding the link between this matter and the case before the Constitutional Court, he explained that the decision on the AKP might not be delivered for a number of months and that in the meantime the Government had expressed its desire to continue discussions on a comprehensive settlement of the Cyprus question.

The PRESIDENT then took the floor to stress the crucial importance of the visit and the keen attention it had attracted from the Turkish media. This interest showed Turkey's extreme sensitivity regarding the position the EU adopted towards it. He acknowledged that the internal context in which the visit had taken place had further heightened its intensity.

The PRESIDENT felt that the outcome of the two and a half day visit had been very positive; in a short time he and Mr REHN had been able to meet all political leaders, both those in government and in opposition, thereby obtaining an overall picture of the situation.

He was pleased to have had the opportunity to explain to all sides – and to the Turkish people – why the Commission was obliged to monitor closely the political developments in a candidate country, while refraining from adopting any position concerning the initiative of the Constitutional Court.

He stressed that the question of secularism in Turkish society was extremely important and acknowledged that major internal issues would still have to be resolved with an eye to accession to the EU. Nevertheless, he felt that this prospect was vital for the continuation of the reform process, which, he stressed, was also in the EU's own interest for a number of reasons.

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Finally, he agreed with Mr REHN's analysis of the situation as regards the possible outcome of the court case under way and the prospects for settlement of the Cyprus question.

Mr REHN wound up the exchange of views by asking all Commission Members to visit the country in the coming weeks to help bring about positive changes in the situation.

The Commission took note of this information.

8.2. *SPRING MEETINGS OF THE INTERNATIONAL MONETARY FUND AND THE WORLD BANK, MEETING OF G7 FINANCE MINISTERS AND CENTRAL BANK GOVERNORS AND VISIT TO UNITED NATIONS (WASHINGTON AND NEW YORK, 12-14 APRIL 2008)*
(SEC(2008)493)

The Commission took note of the information note from Mr ALMUNIA in SEC(2008)493.

8.3. *VISIT BY THE EU MINISTERIAL TROIKA TO CENTRAL ASIA (ASHKHABAD, 9 AND 10 APRIL 2008)*
(SEC(2008)494)

The Commission took note of the information note from Ms FERRERO-WALDNER in SEC(2008)494.

9. TRENDS IN THE MEMBER STATES

Regarding the Lisbon Treaty ratification process, Mr FIGEL' gave an overview of recent developments concerning the debate in Slovakia, in particular in the wake of the Slovak Parliament's favourable vote on the draft ratification law on 10 April.

The Commission took note of this information.

10. OTHER BUSINESS

10.1. MEASURES RELATING TO THE ACTIVITY OF A MEMBER OF THE COMMISSION

The PRESIDENT informed the Commission that Mr FRATTINI had notified him that he might have to resign from his position and had therefore requested unpaid leave from 16 to 28 April 2008.

The PRESIDENT informed the Commission Members that he had accepted this leave in the interest of the institution, so that the Commission could continue to function effectively in the areas of justice, freedom and security, particularly in the light of the institution's major short-term commitments.

The PRESIDENT decided that, during the period in question, Mr BARROT would continue to replace Mr FRATTINI in matters relating to justice, freedom and security.

Mr FRATTINI would therefore not take part in the Commission's activities from 16 to 28 April 2008. During that period, he would receive no salary or any other form of remuneration from the European Community.

The Commission took note of this information.

10.2. REPORT OF THE NORTHERN IRELAND TASK FORCE

Ms HÜBNER reported on her 14 April visit to Belfast and her meetings with representatives of the Northern Ireland authorities and the Irish government. During the visit she had also presented the Northern Ireland Task Force's report, which had been approved by written procedure on 7 April 2008 (E/556/2008).

With regard to the report in particular, Ms HÜBNER described the wider context in which it had been written, notably the major progress in the

Northern Ireland peace process, including the restoration, in May 2007, of decentralised administration based on power-sharing by the communities. She reminded those present that the decision to establish the Task Force, which was under her authority, had been taken in May 2007 by the PRESIDENT, with the aim of supporting the peace process and contributing to growth and job creation in the region.

This type of initiative was infrequent at the Commission, and it was a collective enterprise, since it had brought together a large number of departments in a joint effort to support the economic and political development of the region. In her view, the initiative had received a very favourable welcome from the public, the media and the authorities and had been seen as a major contribution to the consolidation of prosperity and peace in the region.

She thanked the Members of the Commission and all the departments concerned for their excellent work and invited them to continue their efforts within the Task Force, in particular as regards the monitoring of progress achieved. She also mentioned the significance of the peace process in Northern Ireland, the major contribution made by the Community to the stabilisation of the region and the lessons to be drawn for other European and non-European regions.

The PRESIDENT fully endorsed this assessment. He was pleased with the excellent quality of the work carried out by the Task Force, for which he thanked Ms HÜBNER and the other Members of the Commission involved, as well as the departments for which they were responsible. In his view, the Task Force's work had made an essential contribution to the historic peace process in Northern Ireland and was an excellent example of how to promote peace processes and reconciliation in other parts of Europe and the rest of the world.

The Commission took note of this information.

10.3. PRODUCT SAFETY – OVERVIEW AND LATEST DEVELOPMENTS
(SEC(2008)480/2)

Ms KUNEVA presented her information note on product safety. Initially, this product safety initiative had been undertaken by the Commission in order to ensure that the European consumers enjoyed a high level of protection. The examination carried out in this regard had identified a number of priority areas for action, which were discussed in the information note.

With regard to the general legislative framework, she described the steps whereby the European Parliament and the Council would approve the Commission proposal on a new common legislative framework for the sale of products, which would step up surveillance of markets in the Member States.

Regarding toy safety in particular, she reminded those present that in January 2008 the Commission had submitted a proposal for a Directive in order to update and add to the provisions in force, to clarify their scope and to improve their implementation and application throughout the European Union. She described the measures being developed to mitigate the absence of specific safety provisions relating to magnets in toys. She also discussed the project undertaken by the Directorates-General for Health and Consumer Protection and Enterprise and Industry to evaluate safety measures relating to production lines. Their final report was expected for May 2008, and negotiations were underway with toy manufacturers to adopt a safety charter to increase European consumer confidence.

Cooperation with China was also progressing. A memorandum of understanding, meant to assist China in ensuring the safety of its pharmaceutical products and medical equipment, had been signed with the Chinese authorities responsible for food and medicine surveillance, with encouraging results. Positive change had also been observed following the implementation of measures relating to RAPEX-China, the system for rapidly exchanging information on dangerous products. Moreover, the Chinese

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authorities had significantly improved controls on production and export conditions, revoking more than 700 export licences.

Finally, Ms KUNEVA mentioned the presentation, at the Spring European Council, of the Consumer Markets Scoreboard, which included a number of indicators relating to product safety and the related efforts made by the Member States.

She concluded her presentation by reporting on the conclusions reached at the first meeting of the Transatlantic Economic Council (TEC) on 9 November 2007, including a joint statement on the strengthening of import safety cooperation. A report was currently being drawn up on this issue and would be submitted on 25 April to the high-level EU-US forum for regulatory cooperation. It would then be discussed at the next TEC meeting, in May 2008, and at a trilateral meeting with the United States and China scheduled for autumn 2008.

At the end of the presentation, the Commission took note of this information and the note from Ms KUNEVA in association with Mr VERHEUGEN, Mr KOVÁCS, Ms FERRERO-WALDNER, Mr MANDELSON and Ms VASSILIOU (SEC(2008)480/2).

**10.4. SIXTH AND FINAL MEETING OF THE COMMISSION ON GROWTH
AND DEVELOPMENT (WASHINGTON, 9 AND 10 APRIL 2008)
(SEC(2008)497)**

The Commission took note of the information note from Ms HÜBNER distributed as SEC(2008)497.

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The meeting was closed at 11.22