



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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MINUTES
of the 1843rd meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 17 September 2008
(morning)

PV(2008)1843 final

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Single sitting: Wednesday 17 September 2008 (morning)

The sitting opened at 9.07 with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Ms WALLSTRÖM	Vice-President	
Mr VERHEUGEN	Vice-President	
Mr BARROT	Vice-President	Items 1 to 13 (in part)
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	Items 1 to 13 (in part)
Ms REDING		
Mr DIMAS		
Mr ALMUNIA		
Ms HÜBNER		
Mr BORG		
Ms GRYBAUSKAITĖ		
Mr POTOČNIK		
Mr FIGEL'		
Mr REHN		
Mr MICHEL		Items 1 to 13 (in part)
Mr KOVÁCS		
Ms FISCHER BOEL		Items 1 to 13 (in part)
Ms FERRERO-WALDNER		Items 1 to 9
Mr McCREEVY		Items 1 to 9
Mr ŠPIDLA		
Mr MANDELSON		Items 1 to 13 (in part)
Mr PIEBALGS		Items 1 to 13 (in part)
Ms KUNEVA		
Mr ORBAN		
Ms VASSILIOU		

Absent:

Ms KROES

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

Mr WHELAN	Chef de cabinet to Ms KROES	Items 9 to 13
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The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Ms DURAND	Acting Director-General, Legal Service	
Mr CARVOUNIS	Deputy Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	Items 1 to 13 (in part)
Mr GASPAR	Acting Director-General, Bureau of European Policy Advisers	Items 1 to 9 and 13 (in part)
Mr THEBAULT	Chef de cabinet to the PRESIDENT	Items 9 (in part) and 10
Mr CABRAL	Adviser <i>hors classe</i> in the PRESIDENT's office	Item 9 (in part)
Mr THOMAS	Chef de cabinet to Mr ALMUNIA	Item 9 (in part)
Ms KIRCHNER	A member of Mr BORG's staff	Item 13
Mr FRIIS	A member of Ms FISCHER BOEL's staff	Items 1 to 10
Mr CHILD	Chef de cabinet to Ms FERRERO-WALDNER	Items 10 to 13
Ms BUGNOT	Chef de cabinet to Mr ORBAN	Item 11
Mr DEGNBOL	DG Maritime Affairs and Fisheries	Item 13

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

1. AGENDAS

(OJ(2008)1843/3; SEC(2008)2428/2)

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(2008)1843)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 15 September.

3. MINUTES OF 1842ND MEETING (10 SEPTEMBER)

(PV(2008)1842 AND /2)

The Commission approved the minutes of its 1842nd meeting.

4. MONITORING THE APPLICATION OF COMMUNITY LAW

STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST

(SEC(2008)2448; SEC(2008)2447)

The Commission adopted the decisions in the recapitulative list in SEC(2008)2448.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED
(SEC(2008)2430 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 8 and 12 September.

5.2. EMPOWERMENT
(SEC(2008)2431 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 8 and 12 September.

5.3. DELEGATION AND SUBDELEGATION OF POWERS
(SEC(2008)2432 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 8 and 12 September, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2008)2433 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 15 and 19 September and of the "finalisation" written procedures initiated following the weekly meeting of Chefs de cabinet on 15 September.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2008)2429)

ADMINISTRATIVE MATTERS
(PERS(2008)112)

6.1. OFFICE FOR INFRASTRUCTURE AND LOGISTICS – LUXEMBOURG
– TERMINATION OF INTERNAL SELECTION PROCEDURES FOR
THE APPOINTMENT OF AN AD14/15 DIRECTOR
(PERS(2008)2 TO /4)

The Commission took note of the procedure followed, as set out in point 1 of PERS(2008)112, and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT, decided to terminate – without making any appointment – selection procedures COM/2008/195 and COM/2008/522 for the post of Director of the Office for Infrastructure and Logistics in Luxembourg.

These decisions would take effect immediately.

6.2. OFFICE FOR INFRASTRUCTURE AND LOGISTICS – LUXEMBOURG
– APPOINTMENT OF AD15 DIRECTOR

On a proposal from M. KALLAS, in agreement with the PRESIDENT, the Commission decided, under Article 7 of the Staff Regulations, to fill the post of Director of the Office for Infrastructure and Logistics in Luxembourg by transferring in the interest of the service Ms Marian O’LEARY, AD15 official and currently Director, Resources, in the Directorate-General for Translation.

This decision would take effect on 1 November 2008.

7. COMMISSION DECISION REJECTING 22 OF THE REQUESTS MADE BY IRELAND TO INCREASE THE MAGP IV OBJECTIVES TO TAKE INTO ACCOUNT IMPROVEMENTS IN SAFETY FOR SOME VESSELS (SEC(2008)2464 TO /4)

The Commission:

- decided in principle to reject 22 of the requests submitted by Ireland on 20 December 2001, as listed in the Annex to SEC(2008)2464;
- empowered Mr BORG, Member of the Commission responsible for Maritime Affairs and Fisheries, to adopt formally the 22 individual decisions and send them to the Irish authorities, taking into account the specific technical reasoning to be included in each individual decision, according to the terms set out in SEC(2008)2464.

8. RELATIONS WITH NON-MEMBER COUNTRIES

INTERNATIONAL CONFERENCE - COMMON CONCERN FOR THE ARCTIC (ILULISSAT, 9-11 SEPTEMBER)
(SEC(2008)2478)

The Commission took note of the information note from Mr BORG distributed as (SEC(2008)2478).

9. INTERINSTITUTIONAL RELATIONS
(SEC(2008)2421)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 12 September (SEC(2008)2421).

It paid particular attention to the following:

9.1. LEGISLATIVE MATTERS

i) Preparation for the September II 2008 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 considered the following in particular:

Codecision – 1st reading

- European Year of Creativity and Innovation (2009) (Decision) – BATZELI report – 2008/0064 (COD)

The Commission approved the line set out in SP(2008)5312.

- Community statistics relating to external trade with non-member countries (Regulation) – MARKOV report – 2007/0233 (COD)

The Commission approved the line set out in SP(2008)5313 and /3.

- Amendment of Regulation (EC) 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission (Regulation) – HEGYI report – 2008/0030 (COD)

The Commission approved the line set out in SP(2008)5314 and /2.

- Amendment of Regulation (EC) 2150/2002 on waste statistics, as regards the implementing powers conferred on the Commission (Regulation) – BLOKLAND report – 2007/0271 (COD)

The Commission approved the line set out in SP(2008)5315.

- Exploitation and marketing of natural mineral waters (recasting – Directive) – SZÁJER report – 2007/0292 (COD)

The Commission approved the line set out in SP(2008)5316.

- Foodstuffs intended for particular nutritional uses (recasting – Directive) – SZÁJER report – 2008/0003 (COD)

The Commission approved the line set out in SP(2008)5317.

Consultation

- Amendment of Framework Decision 2002/475/JHA on combating terrorism (Framework Decision) – LEFRANÇOIS report – 2007/0236 (CNS)

The Commission approved the line set out in SP(2008)5321.

- Protection of personal data processed in the context of police and judicial cooperation in criminal matters (Framework Decision) – ROURE report – 2005/0202 (CNS)

The Commission approved the line set out in SP(2008)5322.

- ii) Amendment of Regulation (EC) 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting (Council Regulation) – DIAZ DE MERA report – 2007/0192 (CNS)**
(point 1.4 of the IRG record)

The Commission decided, in accordance with the Presidency compromise, to insert an additional legal basis (Article 308 of the Treaty) in order to allow the parallel revision of Regulation (EC) 1339/2001, following the line set out in SI(2008)1292.

9.2. RELATIONS WITH THE COUNCIL

iii) Programming of Council business

(SI(2008)1293)

The Commission took note of the information in SI(2008)1293 on the Council meetings between 11 and 24 September.

iv) Results of the informal meeting of the Eurogroup and the Ministers for Economic and Financial Affairs (Nice, 12 and 13 September) (SEC(2008)2479).

Mr ALMUNIA reported on the informal meetings of the Eurogroup and the Ministers for Economic and Financial Affairs held in Nice on 12 and 13 September.

Starting with the Eurogroup, he noted a strong consensus among euro zone Member States on how to respond to the present economic situation. He outlined the various subjects discussed, in particular the possibility of using reduced tax rates, the danger of inflationary pressure in connection with wages, and the determination to abide by the stability and growth pact in spite of the difficult situation in certain Member States. Although some growth and inflation figures were worse than expected, there was firm agreement among the Eurogroup Ministers to adhere to the rules governing budget policy, to maintain the independence of the European Central Bank, to pursue the reforms under the Lisbon Strategy for growth and employment and, lastly, to avoid repeating the errors committed in the past.

A very broad consensus had also emerged at the informal meeting of all the Economic and Finance Ministers, with the 27 Member States agreeing on the need for a concerted response in economic, budgetary and structural policy. They were also united in their support for a more intensive programme by the European Investment Bank (EIB) for small and medium-sized enterprises.

As regards the situation in the financial markets, Mr ALMUNIA reported on the discussions between Ministers, governors of the central banks and representatives of the private sector, which had highlighted the need to press ahead with implementation of the measures adopted in 2007 to improve the security of the financial markets, and the importance of continuing to step up the coordination of supervision systems. He personally was convinced of the need to move speedily towards a consensus on better coordination of supervision within the Union in order to have preventive mechanisms in place for dealing *inter alia* with any problems posed by cross-border financial institutions.

In conclusion Mr ALMUNIA noted that, as a result of these discussions, documents would be prepared for the Economic and Financial Affairs Council covering, on the one hand, the coordination of the Member States' economic, budgetary and structural policies and, on the other, financial stability and coordination of supervision at European level. These documents, to be prepared jointly by the Council Presidency and the Commission, would serve as a basis for the Economic and Financial Affairs Council on 7 October, the conclusions of which would be laid before the European Council in October.

Mr McCREEVY then mentioned the situation in the financial markets, confirming the view he had put forward at the Commission meeting on 16 July that the present crisis was very serious.

He was particularly concerned by the state of the supervision system, which was based too much on national lines. In the present circumstances he believed there was a need for practical solutions such as the establishment of colleges of supervisors. The current Council Presidency supported this approach, but it would be a difficult task. He also noted the procyclical nature of the current rules and informed the Commission that a working party was to be set up to study this phenomenon and produce a report by the end of the year.

Referring to the difficulties of certain American financial institutions, Mr McCREEVY remarked on the enormous complexity of the financial markets, which fuelled the uncertainty that could cause extremely nervous reactions and excessive risk-aversion. He concluded that the current situation was very worrying, as the European economy would be faced with an inevitable contraction in credit availability, while it was impossible to predict at this stage how long the crisis would last and how serious it would be.

Mr KOVÁCS mentioned the discussions at the informal meeting of the 27 Ministers on applying reduced rates of VAT for specific policy purposes. He noted that there were different viewpoints among the Member States, but pointed to two main principles: first, the condition that any measure to reduce VAT must have no impact on the operation of the internal market and, second, that all Member States should be equally free to apply such measures. The Council Presidency had asked the Commission to present a summary of the various arguments, the economic implications and data on tax at the October meeting of the Economic and Financial Affairs Council.

The Commission then held an in-depth discussion, during which the following aspects were mentioned:

- the need to prepare for the long-term effects of the present crisis by setting out a concerted and constructive approach based on firm principles, in particular flexicurity, the independence of the European Central Bank, an evaluation of the scope for direct and indirect action by the Commission, and the social dimension;
- the urgent need to highlight the policies already implemented by the Commission to ensure Europe's economic stability and the measures planned for the future, particularly in the context of interinstitutional relations and the debate on the regulation of financial markets to be held in Parliament;

- the benefits to be gained from the proposals to step up EIB support for small and medium-sized enterprises, which already formed part of the Commission's Small Business Act proposals approved in June; also, the need to draw attention to Commission initiatives on micro-financing;
- the importance of proposing appropriate labour market measures in order to avoid the errors committed in the 1970s and 1980s, while taking account of the specific situation in certain new Member States and the high expectations regarding a social Europe;
- the concern of industrial players regarding developments in the labour market and the importance of investing in research and innovation;
- more generally, the question of sharing out not only the fruits of growth but also the consequences of the present crisis in order to avoid creating a social divide.

Replying to some of these observations, Mr McCREEVY and Mr ALMUNIA clarified certain points regarding the planned measures on the security of financial markets and the ongoing interinstitutional debate on that subject.

Mr ALMUNIA also confirmed the importance of taking action in the long term, in particular reforms under the Lisbon strategy for growth and employment, budgetary stability, and the energy and climate change package. He provided further information on the EIB programme for small and medium-sized enterprises and stressed the importance of labour market reforms in the context of slower growth. Finally, he said he was convinced of the need to come up with medium and long-term responses and to put across a consistent and steady message for the years ahead.

The PRESIDENT agreed on the need to take a proactive approach in publicising the short and long-term measures taken by the Commission to help bolster financial stability, particularly under the roadmap on the financial markets adopted in October 2007. He also mentioned the need to pursue a

sound budget policy and to uphold the reforms provided for under the Lisbon strategy for growth and employment, and the importance of encouraging flexicurity in labour markets. In the main the policy responses adopted should be geared to the long term and it was important to reaffirm the role of the European Central Bank. He pointed out that all these measures had been drawn up in cooperation with the Council and with the support of Parliament. He had received a letter from Mr Nicolas Sarkozy asking the Commission to present proposals in this field. Finally, he reaffirmed the need to convey an objective message along these lines to the press and the general public.

The Commission took note of the information note from Mr ALMUNIA, Mr KOVÁCS and Mr McCREEVY in SEC(2008)2479.

v) General Affairs and External Relations Council (Brussels, 15 and 16 September)
(SEC(2008)2482)

The Commission took note of the information note from Ms FERRERO-WALDNER in SEC(2008)2482.

v) Adoption by the Commission of non-binding instruments at international level
(point 2.3 of the IRG record)

– Cooperation with the Alliance of Civilisations

The Commission authorised Ms FERRERO-WALDNER to sign on its behalf, jointly with Mr Javier Solana, Secretary-General of the Council and High Representative for the Common Foreign and Security Policy, the letter for the establishment of cooperation between the European Union and the Alliance of Civilisations, as set out in note SI(2008)1290, and following the line set out in that note.

9.3. RELATIONS WITH THE EUROPEAN PARLIAMENT

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

(point 3.4.2 of the IRG record)

The Commission approved documents SP(2008)5307 to /4 on the action taken on Parliament's non-legislative resolutions adopted at its July part-session, for transmission to Parliament.

10. PROPOSAL FOR A COUNCIL REGULATION AMENDING REGULATION (EC) 1290/2005 ON THE FINANCING OF THE COMMON AGRICULTURAL POLICY, AND REGULATION (EC) 1234/2007 ESTABLISHING A COMMON ORGANISATION OF AGRICULTURAL MARKETS AND ON SPECIFIC PROVISIONS FOR CERTAIN AGRICULTURAL PRODUCTS (SINGLE CMO REGULATION) AS REGARDS FOOD DISTRIBUTION TO THE MOST DEPRIVED PERSONS IN THE COMMUNITY (COM(2008)563 TO /3; SEC(2008)2436 AND /2; SEC(2008)2437; SEC(2008)2438; SEC(2008)2439)

The PRESIDENT introduced the item by putting the proposal for a Council Regulation aimed at developing and strengthening the food distribution programme for the most deprived in a wider context. He stated that the initiative formed part of the strategy set up to cope with rising food prices, an issue which had recently been the subject of a communication from the Commission and might be further examined by the European Council at its meeting in October.

The PRESIDENT fully supported the initiative, which would make it possible to provide effective food aid to the most deprived persons in the European Union while taking into consideration the reduction in intervention stock levels which were now too low to ensure continuity of supply, and the need, therefore, to authorise market purchases on a permanent basis in order to supply the programme

with food. He stressed the importance of the current food distribution scheme, which benefited over 13 million people throughout the EU and in which 19 Member States took part, and also the priority given by the European Parliament to the continuation of the programme.

The PRESIDENT explained that the Commission wished to strengthen the food aid programme by increasing annual spending to EUR 500 million from 2009. He pointed out that there was currently no shortage of foodstuffs in Europe but that the surge in the price of both food and energy, combined with the deterioration in the economic situation, was making the predicament of the most deprived citizens even worse.

He considered that the initiative was an example of a swift and practical measure taken by the EU and an expression of solidarity between European citizens. He also stressed that the initiative was entirely in keeping with the social agenda since, in addition to giving the most deprived persons access to healthy and balanced food, it also contributed to fighting poverty and social exclusion. It was appropriate for the initiative to be accompanied by a communication strategy which would present it as a measure aimed at mitigating the effects of rising food prices, and to supplement the aid of EUR 1 billion granted by the EU to developing countries.

Lastly, the PRESIDENT explained that the initiative, the purpose of which was to make the distribution system more efficient, did not entail any diminished commitment to European agriculture; he believed that the introduction of co-financing would help to step up considerably the distribution of food to the most deprived while complying with the subsidiarity principle.

Ms FISCHER BOEL followed up the presentation by setting out the main elements of the proposal for a Regulation which she was placing before the Commission for adoption. She considered that the initiative was timely, enabling the Commission to demonstrate its solidarity with the poorest sections of the population, both inside and outside the EU, as well as its determination to provide the most effective support.

She referred to the issue of co-financing and underlined that the contribution of the Member States to the food distribution programmes would gradually increase. She felt that this would allow the Member States to take responsibility for the co-financed measures and recalled that the Member States already awarded substantial grants to the existing distribution programmes.

She also mentioned the reasons which led the Commission to maintain the food distribution programme within the framework of the Common Agricultural Policy (CAP), irrespective of its links with other Community policies, since the programme was meant to contribute to the key objectives of the CAP such as security of supply and market stability. She concluded by thanking the Members of the Commission and the departments under their responsibility for the excellent cooperation which had marked the preparation of the proposal.

The ensuing brief exchange of views highlighted the advantages of shared management of the programmes and of co-financing, the latter enabling more funds to be mobilised and management to be improved.

Following this exchange of views, the Commission adopted the proposal for a Council Regulation in COM(2008)563/3, for transmission to Parliament and the Council, and to the national parliaments, accompanied by the impact assessment and the summary thereof in the staff papers distributed as SEC(2008)2436/2 and SEC(2008)2437, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Council Regulation, as set out in SEC(2008)2438.

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS - MULTILINGUALISM: AN ASSET FOR EUROPE AND A SHARED COMMITMENT

(COM(2008)566 TO /3; SEC(2008)2443; SEC(2008)2444; SEC(2008)2445; SEC(2008)2446; SEC(2008)2449)

Mr ORBAN gave a brief outline of the communication on multilingualism which was due to be adopted by a finalisation written procedure ending on Thursday 18 September 2008 (E/2008/5349). The communication and all the actions it contained arose from the conclusions of the policy debate on the subject held last June. Many different departments had contributed to the dossier. Mr ORBAN thanked the PRESIDENT and his office for their support, and the Members of the Commission, and Mr FIGEL' in particular, for their cooperation.

Mr ORBAN stressed that the content of the communication was in line with the social and economic objectives of the renewed social agenda and, more generally, with the Lisbon strategy. It sought to meet the challenges of an enlarged Europe and globalisation, using an inclusive approach that presented multilingualism as a strength rather than an obstacle and mainstreamed it in all Community policies.

He then set out the two main objectives of the communication: 1) to raise awareness of the value of linguistic diversity, and in particular its ability to build bridges between cultures, and 2) to give people the means to manage this diversity and remove the barriers it might entail. The communication stressed the need to encourage children to learn two foreign languages at school, but also the idea of lifelong language teaching for all, in the interests of social cohesion and economic prosperity. Multilingualism should also be promoted as a dimension of the EU's external relations.

He concluded his presentation by saying that the current Council Presidency had already announced its intention of supporting these messages. This was particularly welcome, given the importance of the Member States' role in securing practical

progress in this area. The adoption of this communication was an answer to the needs of Europe's citizens and opened the way to better mutual understanding and greater prosperity for the future. As a final point, he mentioned the potential contribution of the conference on translation and culture, planned for next spring.

The Commission then held a brief discussion during which the following points were made:

- Mr ORBAN was congratulated for doing a difficult job and successfully bringing together many different aspects of a sensitive topic;
- this marked a turning point in the Community's approach to the language question;
- languages made an important and complex contribution to social cohesion;
- languages were the vector of cultural diversity, but also played a part in promoting European identity;
- the relevance of the objective of learning two foreign languages in addition to the mother tongue;
- the institutional side of multilingualism would prove a challenge for the future.

The PRESIDENT wound up the debate by personally congratulating Mr ORBAN and noting that multilingualism was a perfect example of the European model of "unity in diversity".

The Commission took note of these points.

12. TRENDS IN THE MEMBER STATES
(SEC(2008)2461)

Ms WALLSTRÖM briefly presented the September edition of her monthly report on trends in the Member States, focusing on the four topical issues discussed in the document: the deterioration in the world economic situation, the crisis in Georgia and its knock-on effects, the issue of climate change and the growing calls for a common energy policy, and finally the perception of China by the rest of the world following the Olympic Games.

She also mentioned the latest Eurobarometer poll on Europeans' attitude to climate change, the results of which showed what Europeans expected the European Union to do about the issue on the international stage.

The Commission noted this information and the note from Ms WALLSTRÖM distributed as SEC(2008)2461.

13. POLICY DEBATE ON THE FUTURE OF THE COMMON FISHERIES
POLICY
(SEC(2008)2393)

Mr BORG introduced the policy debate on the future of the common fisheries policy (CFP) by pointing out that the reform of the CFP in 2002 had had several positive effects, including long-term management plans for certain fish stocks that have gradually reduced the pressure on these stocks, for instance North Sea hake, which had been threatened with collapse and was now in a better state, and closer involvement of the sector by means of the seven Regional Advisory Committees (the last one set up concerned the Mediterranean). Mr BORG also noted other positive developments in the CFP since 2002, such as the introduction of a new policy on discards, the current reform of the fisheries control policy and the creation of suitable instruments to restructure the fleet. Thus while the CFP had to be

pursued in order to manage common fishery resources, the management arrangements would have to be improved given the many persisting problems.

The main problem was the overfishing of many fish stocks – 80% of stocks were being overfished, and 30% of these stocks were outside safe biological levels – and the predominance of young fish among those caught: 93% of the cod caught in the North Sea was immature. The statistics clearly showed that the size of the catch had fallen in ten years because of overfishing and hence the reduction of stocks, with economic consequences for Community fishing vessels, for industries downstream and for food safety.

The Community fleet still had considerable excess fishing capacity, two to three times greater than the sustainable level, and reductions in the fleet had not compensated for increased efficiency due to technological development, which represented approximately 2% to 4% per year.

Overcapacity had not been reduced because a vicious circle had been created: technological development and subsidies were leading to a reduction in fish stocks and lower production, which in turn was leading to reduced economic profitability, thus resulting in strong political pressure for additional subsidies and quotas. Mr BORG mentioned the institutional reasons for this chain of events which had induced Member States to adopt a short-term outlook when taking decisions, which meant that the strategic objectives of the CFP had not been taken into account. This was due to the fact that Member States were mainly concerned about their share of the resources (the catch quotas); management tended to have a top-down approach; there was a tendency to centralise decisions and apply micro-management, while at the same time the resources for implementing the CFP were insufficient.

Mr BORG also underlined the fact that the CFP did not provide good incentives and that it could even result in irresponsible fishing practices as the industry did not have long-term rights over the resources and was not assuming sufficient responsibility. The burden of proof as regards the sustainability of stocks unfortunately lay with the Commission and not with the fishing industry, and there was a tendency to conceal statistics.

In order to move forward, Mr BORG proposed making better use of existing instruments in the short and medium term with respect to the current reform of the control policy, combating illegal, unreported and unregulated fishing, implementing fully the rules on discards and introducing management plans to ensure more stocks. In the longer term, the objectives should be prioritised. The Council of Ministers should focus on strategic principles and issues, leaving implementation to the technical bodies, and some matters could be delegated to regional-level management in Member States, subject to Community standards and controls. In addition, the fishing industry must be made more responsible and accountable, and the access rights it was given must be in return for results-based management and a reversal of the burden of proof. Help must be given to the market to develop certification and traceability of products.

As for the envisaged reform, Mr BORG said that this might be presented initially at the meeting of the Council of Agriculture and Fisheries Ministers on 29 and 30 September. The Commission would then launch a public debate on the reform of the CFP in 2009, while in 2010 a summary would be produced of the public contributions and an impact assessment prepared. This would form the basis for producing the proposal for reform in 2011 and revising the CFP in 2012.

The PRESIDENT thanked Mr BORG for his presentation and briefing note. He suggested structuring the debate around two main issues: the advisability of launching a new reform of the Community fisheries policy at this point in time and, where appropriate, the procedures for creating suitable political conditions to ensure the success of this reform.

The Commission then held an in-depth discussion during which the following points were raised:

- the need for a courageous and ambitious reform that focused on the long term and was linked to other relevant Community policies, regardless of the problems the Commission would face in this respect;

- the need to take account of the external dimension of the CFP, in terms of its bilateral (partnership agreements) and multilateral aspects (regional and international organisations), in order to maintain a global view of the problems facing the European fishing industry and to explain the need for reform more clearly to Member States, fishermen, the industry and public opinion;
- in terms of the method, the importance of holding broad public consultations, before or after the drafting of a green paper, and of creating a dynamic that would prepare people for the necessary reforms;
- the importance, in the context of the future reform of the CFP, of envisaging partial retraining of fishermen and conversion of the regions concerned which might, if necessary, be able to develop aquaculture;
- the concern to ensure that all problems were tackled in the context of this reform, without exception and without preconceptions, for instance in terms of the ownership of the resources, the monitoring of ships and the combating of illegal, unreported and unregulated fishing, labelling, transferable quotas and the constitution of marine reserves;
- how the reform of the CFP and possible new applications for accession by neighbouring countries could be linked;
- the value of examining ways of simplifying current rules;
- the reminder that a new financial framework would be proposed in 2011.

Following the debate, the PRESIDENT mentioned the worrying nature of the situation and the need to examine soon the arrangements for reforming the common fisheries policy, reminding the Commission in passing of the firm position adopted by the Court of Auditors in this respect.

This was one of the areas in which the Commission was able to help Member States tackle difficult issues by exercising its right of initiative and presenting proposals

without waiting for a request from the Council. It could thus act as a catalyst, launching a debate which everyone now agreed was necessary.

The PRESIDENT acknowledged the extremely sensitive nature of the sector and the difficulty for Member States to take decisions that would have serious consequences for local fishing communities, but he considered that it was for the Commission to open the debate and involve Member States in finding a more sustainable fisheries policy for the future.

As a result, it would be necessary to prepare the debate on the CFP reform carefully, using solid arguments. It would be useful to ensure that the reform took account of the external dimension of fisheries policy.

The PRESIDENT mentioned the importance of taking full advantage of the Commission's experience in alleviating the social and economic impact of restructuring in other sectors, recalling the role played by the Structural Funds in creating new jobs in, for instance, regions affected by the decline in the steel, coal and shipbuilding industries.

It would be very useful to associate others in the debate early on, for instance interest groups from various sectors, the European Parliament, the media and non-government organisations.

Lastly, one of the most important aspects of the approach would be to integrate the reform process clearly and coherently into the Community Maritime Policy as a whole.

The PRESIDENT ended by underlining the difficulty this sector would face in dealing with reform, and hoped that this discussion would prove useful when it came to preparing the document which Mr BORG intended to distribute informally among the ministers. In any case, the reform as such could not be carried out during the term of office of the current Commission.

Mr BORG then replied to the various comments, underlining the integrated nature of the CFP, in particular in terms of its social and environmental dimensions, and

the need to work with the Member States and regions concerned to develop viable and credible economic alternatives. The Commission would prepare a document in 2009 in order to launch the public debate on the reform of the CFP. An impact assessment would be conducted in 2010 based on the contributions to the public debate, and Commission proposals would probably be presented in 2011.

The external dimension of the CFP had not been forgotten in the current and future debate, but this was the subject of a parallel debate, the results of which would be taken into account at a later stage of the reform process. The question of quotas would have to be dealt with carefully since it concerned the principle of relative stability. Rules had been adopted recently on combating illegal, unreported and unregulated fishing. The development of aquaculture was a complex matter. It would be useful to simplify the current rules. If certain neighbouring countries wanted to become members of the European Union later on, it would still be possible to find constructive solutions that would preserve the achievements of the CFP and protect the interests of the new members.

Mr BORG ended by underlining the need to develop public awareness of the question of the long-term structural reform of the CFP, which went hand-in-hand with giving more responsibility to the Member States and the industry. Based on this debate, he would present a document at the Agriculture and Fisheries Council on 29 and 30 September next, and would then report back to the Commission.

The Commission took note of the results of the policy debate.

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The meeting closed at 12.19 hours.