



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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FOR OFFICIAL USE ONLY

DRAFT MINUTES
of the 1493rd meeting of the Commission
held in Brussels
(Breydel)
on Wednesday 27 September 2000
(morning)

PV(2000)1493

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Single sitting: Wednesday 27 September (morning)

The sitting opened at 0930 hours with Mr Prodi, President, in the chair.

Present:

Mr PRODI	President
Mr KINNOCK	Vice-President
Ms de PALACIO	Vice-President
Mr MONTI	
Mr FISCHLER	
Mr BOLKESTEIN	
Mr BUSQUIN	
Mr SOLBES	
Mr NIELSON	
Mr VERHEUGEN	
Mr PATTEN	
Mr BYRNE	
Mr BARNIER	
Ms REDING	
Ms SCHREYER	
Ms WALLSTRÖM	
Mr VITORINO	(item 12)
Ms DIAMANTOPOULOU	

Absent:

Mr LIIKANEN	
Mr LAMY	
Mr VITORINO	(except for item 12)

The following sat in to represent absent Members of the Commission

Mr REHN	Chef de cabinet to Mr Liikanen
Ms WEYAND	A member of Mr Lamy's staff
Mr FONSECA MORILLO	Deputy Chef de cabinet to Mr Vitorino
Mr ROZA OLIVEIRA	A member of Mr Vitorino's staff

The following also sat in

Mr DEWOST	Director-General of the Legal Service	
Mr PETITE	Chef de cabinet to the President	
Mr FAULL	Commission Spokesman	
Mr CARVOUNIS	Spokesman	
Mr ESTEVA MOSSO	A member of Mr Monti's staff	
Mr SMULDERS	A member of the President's staff	(item 13)
Mr LUYCKX	Secretariat-General	(item 14)
Ms KEPPENS	Secretariat-General	(item 14)

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

1. AGENDAS

(OJ(2000)1493/3; SEC(2000)1458/2)

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

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2000)1493)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 25 September.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1492nd MEETING (20 September)

(PV(2000)1492 to /3; PV(2000)1492, Part II)

3.1. ORDINARY MINUTES

1. The Commission approved the corrigenda in PV(2000)1492/2 and /3, viz.:

Under item 5: **PERMANENT REPRESENTATIVES COMMITTEE**
(SI(2000)793)

***Proposal for a Council Regulation concerning transit
rights for heavy goods vehicles through Austria
(Ecopoints)***

(SI(2000)793; SEC(2000)1541 and /2; SEC(2000)1555)

On page 13, the second indent was amended to read as follows:

- "to proceed immediately to the distribution of the remainder of the third instalment of Ecopoints after the adoption of the Regulation **by the Council or** by the Commission, **as the case may be.**

Mr FISCHLER stated that in his view the reduction of 100,000 transits provided for in the Commission proposal for 2000 should not in any case be affected, whatever the total number of ecopoints finally decided upon."

Under item 17: **PROPOSAL FOR A REGULATION APPLYING A
MULTIANNUAL SCHEME OF GENERALISED TARIFF
PREFERENCES (JULY 1999-DECEMBER 2001) SO AS
TO EXTEND DUTY-FREE ACCESS WITHOUT ANY
QUANTITATIVE RESTRICTIONS TO PRODUCTS
ORIGINATING IN THE LEAST DEVELOPED
COUNTRIES
(COM(2000)561 to /6; SEC(2000)1441)**

On page 33, the following text was added to the second
paragraph:

"Mr FISCHLER and Ms de PALACIO argued that this proposal posed problems of consistency with the CAP guidelines **and with certain recent reform proposals and**, furthermore, that there had been no assessment of the risks of this liberalisation (**legal and illegal** deflection of trade, acquisition of an LDC origin by means of minimal processing **to the almost exclusive benefit of multinational companies**, risks of substantial growth in exports by LDCs, including by substituting low-priced imports for national production for the requirements of domestic consumption). **Mr FISCHLER and Ms de PALACIO feared a** substantial increase in imports **with serious consequences for the operation of certain market organisations, for employment in the agri-food sector and for the budget. In this respect, if the measures in favour of LDCs were to entail additional expenditure by the EAGGF Guarantee Section (heading I of the financial perspective), neutrality in budget terms would have to be ensured, if necessary, by**

financing such additional expenditure by a corresponding reduction in the appropriations for headings other than heading 1.

In conclusion, Mr FISCHLER and Ms de PALACIO feared that the concessions offered to the LDCs involved substantial problems and costs for the Community without a proportionate advantage for the LDCs.

In any case, Mr FISCHLER and Mr LAMY agreed to launch studies on the potential commercial and budgetary effects on the above-mentioned sensitive products of this opening-up of the Community market."

Under item 16:

PROPOSAL FOR A DIRECTIVE ON MINIMUM STANDARDS ON PROCEDURES IN MEMBER STATES FOR GRANTING AND WITHDRAWING REFUGEE STATUS

(COM(2000)578 to /5; SEC(2000)1544)

On page 31, the following text was added to the second paragraph:

" He pointed out that the German Basic Law contained detailed provisions on the right of asylum, the amendment of which was not possible; this could make it impossible to transpose Articles 22 and 33 of the proposal for a Directive into national German law.

He therefore welcomed the amendments already made by Mr VITORINO to Article 33."

2. The Commission approved the ordinary minutes of its 1492nd meeting, as amended at 1 above.

3.2. *SPECIAL MINUTES*

The Commission approved the special minutes of its 1492nd meeting.

4. PARLIAMENT

4.1. *SEPTEMBER II PART-SESSION* *(SEC(2000)3415/2)*

The Commission took note of the record of Parliament's part-session from 20 to 21 September.

4.2. *ACTION TO BE TAKEN ON PARLIAMENT'S OPINIONS* *(SP(2000)3443)*

The Commission approved the delegation of powers decisions in SP(2000)3443.

4.3. *PARLIAMENTARY AFFAIRS GROUP* *(SP(2000)3425 and /2)*

The Commission took note of the record of the meeting of the Parliamentary Affairs Group of 21 September (SP(2000)3425).

The Commission's attention was drawn to the following points:

- **Interinstitutional relations** (point 1 of the record)

Council bodies

If the possibility of a compromise emerged in the Council on the Directive on money-laundering, 99/0152 (COD), (responsible: Mr BOLKESTEIN), the Commission **decided to empower** Mr BOLKESTEIN to negotiate, at the Council meeting (Economic and Financial Affairs) on 29 September, a political agreement in line with the objectives of the original Commission proposal and with the commitments made to Parliament at first reading.

- **Informing Parliament about the Commission's weekly meeting**

- a) Commission communication on decisions taken at its 1493rd meeting
(27 September - no plenary session)

If an open Conference of Presidents should be held, the Commission decided that this communication would be made by Mr BUSQUIN on the European space strategy (*Space Agency*) (item 12 of this agenda).

- b) Commission communication on decisions taken at its 1494th meeting
(4 October - plenary session)

At this stage, the Commission decided that this communication would be made either by Mr BUSQUIN on the completion of the European research area: guidelines 2002-06, or by Mr BOLKESTEIN on the proposal for a Directive on institutions for occupational retirement provision.

- **Preparations for October I part-session**
(point 2 of the record)

The Commission, in accordance with the rules in force, authorised the Commission Members responsible, in agreement with the PRESIDENT

and Ms de PALACIO and any other Members concerned, to take a position on Parliament's amendments to its proposals.

It paid particular attention to the following legislation:

2nd reading

- PALACIO VALLELERSUNDI report, Community customs code, COM(1998)226 - 98/0134 (COD)

The Commission noted that at this stage no amendments to the common position had been tabled, and adopted the line set out in SP(2000)3354/2.

- KNÖRR BORRAS report, Tax and social contributions, COM(1999)488 - 99/0200 (COD)

The Commission noted that an amendment on the transitional period for application of the Directive might be tabled for the plenary session. The Commission adopted the line set out in SP(2000)3353/2 involving the acceptance of this amendment in principle only.

- PIECYK report, Seaports and inland ports, COM(1997)681 - 97/0358 (COD)

The Commission adopted the line set out in SP(2000)3355 and /2, involving the rejection of certain amendments.

1st reading and simple consultation

- GRAEFE zu BARINGDORF report, Marketing of compound feedingstuffs, COM(1999)744 - 00/0015 (COD)

The Commission adopted the line set out in SP(2000)3356/2.

- PAULSEN report, Undesirable substances and products in animal nutrition,
COM(1999)654 - 99/0259 (COD)

The Commission adopted the line set out in SP(2000)3358.

- PAULSEN report, Organisation of official inspections in the field of animal nutrition,
COM(2000)162 - 00/0068 (COD)

The Commission adopted the line set out in SP(2000)3358 and noted that the text of the amendments would be distributed later.

Delegation of powers

Under Article 13 of its Rules of Procedure, the Commission empowered Mr BOLKESTEIN, Mr SOLBES and Ms de PALACIO, in agreement with the PRESIDENT, the Member responsible for relations with Parliament and any other Members concerned, to adopt and transmit to the Council, in accordance with Article 251(2)(c) of the Treaty, once Parliament had given its view, its opinion on the amendments, together with any amended proposals, on the basis of the line set out in SP(2000)3354/2, SP(2000)3353/2 and SP(2000)3355 and /2 for the following:

- PALACIO VALLELERSUNDI report, Community customs code,
COM(1998)226 - 98/134 (COD)
- KNÖRR BORRAS report, Tax and social contributions,
COM(1999)488 - 99/0200 (COD)
- PIECYK report, Seaports and inland ports,
COM(1997)681 - 97/0358 (COD)

5. PERMANENT REPRESENTATIVES COMMITTEE

(SI(2000)817; SI(2000)842, SI(2000)843; SI(2000)846; SI(2000)850)

The Commission took note of the Secretariat-General's reports on recent meetings of the Permanent Representatives Committee.

It paid particular attention to the following:-

**1. Preparations for Council meeting (Transport) (2 October)
(SI(2000)817)**

Proposal for a directive on State port control

The Commission noted that the draft text finalised in Coreper would have the effect of significantly reducing the number of expanded inspections for the oldest vessels and would consequently reduce the level of safety.

Although this wording had secured the agreement of a majority of Member States, the Commission decided to maintain its position and to make its agreement conditional on a toughening of the text.

Proposal for a Regulation on double-hull oil tankers

In its communication on safety at sea for oil tankers, the Commission had proposed speeding up the introduction of double-hull oil tankers and, consequently, the gradual elimination of single-hull vessels.

Given the imminence of an IMO meeting on speeding up the ban on single-hull vessels (London, 2-6 October), the Presidency had prepared a draft common approach to be defended by the Member States and the Commission at the IMO meeting. The Commission noted that this common approach would be generally acceptable since it broadly

maintained the dates contained in its proposal and attempted to find solutions to the problem of sensitive dates (depending on the age of the ships).

It transpired, however, that certain Member States were maintaining reservations on the proposed dates and did not rule out the possibility of speaking individually within the IMO in the absence of agreement in the Council (supposedly unanimous) on the common approach.

Open debate on safety at sea

The Commission was informed that the French Presidency had drawn up a questionnaire aimed at structuring the Ministers' open debate by means of which the Council was invited to give a view on the questions on which the Commission had not yet tabled proposals (for instance, on the advisability and purpose of a European maritime safety structure or on the need for other legislative measures).

2. Oil prices (SI(2000)842)

With reference to the debates at the informal revision (Economic and Financial Affairs) in Versailles on 9/10 September and the discussions over lunch at the Council (General Affairs) on 18 September, the Commission confirmed the need to reply speedily to the requests made at these meetings.

3. Reconstruction of South-East Europe - CARDS Regulation (SI(2000)842; SI(2000)843)

The CARDS Regulation sought to unify the regulatory framework for assistance in the Western Balkans region; the draft Regulation was in the process of being amended to bring it into line with the general reform of EU external assistance.

The Commission noted in particular that, in order to achieve adoption of the Regulation by 24 November, the date of the Zagreb summit, the Presidency (recently questioned by Parliament on this subject) would like the Council (General Affairs) on 9 October to have this item on its agenda, which would mean adoption by the Commission 4 October.

4. Draft Council decision on the composition and statute of the Economic Policy Committee (SI(2000)846)

The Commission was informed that a draft statute, agreed after discussions in the Economic and Financial Committee (EFC), in the Economic Policy Committee (EPC) and by the financial advisers, had been submitted for approval by the Permanent Representatives Committee with a view to its adoption as an 'A' item by the Council (Economic and Financial Affairs) on 29 September.

The Commission noted that, although the text had been supported unanimously by the delegations, its representative had wished to raise the item formally in order to emphasise that the draft decision did not take sufficient account of the opinion it had communicated to the Council on 3 July.

The Commission considered that the draft statute of the EPC went beyond the provisions of the Treaty, particularly Article 272, and that the EPC would thereby be given a status comparable to that of the EFC, which was not provided for in the Treaty (the EPC would then be able to make recommendations to the Council without respecting the Commission's right of initiative (Article 1(2) of the draft statute)).

The Commission noted that, despite certain positions - favourable to the Commission's point of view - expressed on a purely personal basis, no delegation had formally declared itself against the draft. The text would be

therefore adopted once the Danish delegation had lifted its reservation pending examination.

The Commission concluded that there was a **need for particularly careful monitoring of subsequent developments**, while reserving the right to make use of all its possibilities for action in the light of these developments.

5. **Preparations for Council meeting (Justice and Home Affairs)**
Draft Council decision setting up a provisional judicial cooperation unit (provisional Eurojust)
(SI(2000)850)

The Commission's attention was drawn to the discussion in the Permanent Representatives Committee on this matter, which affected the Commission's involvement in work on the Justice and Home Affairs subject areas of the third pillar. Coreper had considered a draft setting up, on the basis of Articles 31 and 34 of the Treaty on European Union, a unit which would foreshadow Eurojust.

One of the items under discussion concerned more particularly the **role of the Commission**, which was not mentioned in the proposed text. The Commission, under Article 36(2) of the Union Treaty, had a role to play in this structure, whose objective was to improve cooperation between the national judicial authorities and to improve the coordination of investigations and cross-border pursuit. It was therefore appropriate that it be "fully associated" in this structure, as was the case for Europol and for the legal network set up by the Joint Action of 29 June 1998 (3rd pillar).

The Commission's representative had argued that the Commission did not wish to claim a status similar to that of judges or police offices who would be seconded by national administrations. On the other hand, he had emphasised the Commission's experience in coordination, particularly on

the protection of the Community's financial interests, and the key role of the Anti-Fraud Office. He had also pointed out that the unit was not operational. Lastly, having allayed Member States' fears about confidentiality, he had warned Member States against setting a dangerous precedent for European integration. Some delegations had approved the principle of involving the Commission but without agreement on which solution to adopt. The Presidency had therefore undertaken to find a form of words enabling the Commission to be "introduced" in the proposed instrument.

The Commission decided to maintain its position on this point of principle, and, given the frequent repetition of similar cases, to seek ways of reacting as early as possible against institutional errors of this kind, including by ensuring its involvement in the substance of the dossiers in question.

6. WRITTEN PROCEDURES AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2000)1549 to /5; SEC(2000)1550)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted by written procedure between 18 and 22 September.

6.2. SENSITIVE WRITTEN PROCEDURES

(SEC(2000)1551)

The Commission took note of written procedures initiated between 18 and 22 September for the adoption of decisions with political implications.

The Commission noted that written procedure E/1761/2000 (C(2000)2890 of 26 September) in the sugar sector, which was to expire on Tuesday 3 October, would be terminated and replaced by an urgent written procedure (E/1809/2000 - C(2000)2934) expiring on 29 September.

6.3. DELEGATION OF POWERS

(SEC(2000)1552 to /5; SEC(2000)1553 to /4)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 18 and 22 September.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2000)1554/3)

ADMINISTRATIVE MATTERS

7.1. REQUEST FOR ACCESS TO A COMMISSION DOCUMENT (AUDIT REPORT)

(SEC(2000)1538)

Given the nature of the information in the audit report in question, the disclosure of which could seriously damage the Community's interests, the Commission decided to refuse access to it.

7.2. EXTERNAL RELATIONS DG - A2 POST OF HEAD OF DELEGATION IN BEIJING

(PERS(2000)138 to /5)

The Commission had before it applications under Article 29(1)(a) of the Staff Regulations for the A2 post of Head of Delegation in Beijing from Mr Christoph BAIL, Mr Nigel EVANS, Mr Etienne REUTER,

Mr Jorge DE OLIVEIRA E SOUSA, Mr Klaus-Dieter EBERMANN and Mr Edward PEARSON (PERS(2000)138/4).

The Commission took note of the opinions of the Consultative Committee on Appointments of 8 June (PERS(2000)138/4) and 22 June (PERS(2000)138/5).

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. It then decided, subject to the agreement of the host country, to appoint Mr Klaus-Dieter EBERMANN, A2 official and Director in the Secretariat-General, to the post.

The date from which this decision would take effect, and the date of taking up duties, would be fixed later.

7.3. *EXTENSION FOR FIVE YEARS OF THE CONTRACT OF AN A2 TEMPORARY RESEARCH OFFICIAL*

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Mr BUSQUIN, and after taking note of the opinion of the Board of Governors of the Joint Research Centre, decided to renew for a period of five years, from 1/11/2000, the contract of Mr Finbarr McSWEENEY, an A2 temporary under Article 2(d) of the Conditions of Employment of Other Servants, and Director of the Institute for Health and Consumer Protection in DG JRC at Ispra.

7.4. *RETIREMENT OF TWO A2 OFFICIALS*

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Mr SOLBES, accepted the request from Mr Alain CHANTRAINE, A2 official and Chief Adviser in Eurostat, to be retired.

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Ms WALLSTRÖM, accepted the request from Ms Suzanne FRIGREN, A2 official and Director of Directorate C (Nuclear Safety and Civil Protection) in the Environment DG, to be retired.

In both cases, the decisions would take effect from 1 January 2001.

7.5. *ARTICLE 50 OF THE STAFF REGULATIONS - FIRST STAGE*

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Mr BOLKESTEIN, decided to initiate the first stage of the procedure laid down in Article 50 of the Staff Regulations in respect of Mr OYARZABAL, Director of Directorate B (Customs Policy) in the Taxation and Customs Union DG.

The President would send Mr OYARZABAL a letter notifying him of the Commission's intentions and asking for a reply by 20 October.

The Commission warmly thanked Mr OYARZABAL for the high quality of his work in the Commission departments.

7.6. *DG ADMIN - AMENDMENT OF ORGANISATION CHART*

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT, adopted the amendment to the Personnel and Administration DG's organisation chart in PERS(2000)280.

7.7. *OLAF - ORGANISATION CHART* ***(PERS(2000)271)***

The Commission took note of the new organisation chart adopted by the Anti-Fraud Office and set out in PERS(2000)271.

8. COMMISSION DECISION UNDER ARTICLE 8(2) OF COUNCIL REGULATION (EEC) NO 4064/89 OF 21 DECEMBER 1989 ON THE CONTROL OF CONCENTRATIONS BETWEEN UNDERTAKINGS (C(2000)2740 and /2)

The Commission:

- took note of the opinion of the Advisory Committee on Concentrations in C(2000)2740, delivered on 31 August, on the preliminary draft decision in Case COMP/M.1879 - BOEING/HUGHES;
- adopted, in the authentic language (English), the decision declaring the merger compatible with the common market and with the EEA agreement, as set out in C(2000)2740/2.

9. COMMISSION REPORT TO THE BIARRITZ EUROPEAN COUNCIL ON THE COMMUNITY STRATEGY FOR SAFETY AT SEA (COM(2000)603 to /3; SEC(2000)1577)

The Commission approved the report in COM(2000)603 for transmission to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions, with a view to consideration at the European Council.

10. STRUCTURAL INDICATORS (COM(2000)594 to /5; SEC(2000)1578)

The Commission adopted the communication in COM(2000)594/5 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

**11. PROPOSAL FOR A COUNCIL DECISION ESTABLISHING A
COMMUNITY MECHANISM FOR THE COORDINATION OF CIVIL
PROTECTION INTERVENTIONS IN THE EVENT OF EMERGENCIES
(COM(2000)593 to /6; SEC(2000)1574)**

The Commission adopted the communication in COM(2000)593/6 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

**12. EUROPE AND SPACE: TURNING TO A NEW CHAPTER
(COM(2000)597 to /4; SEC(2000)1573)**

The Commission adopted the communication in COM(2000)597/3 and /4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

13. PARLIAMENT (continued from item 4)

Commission President's address in plenary (Strasbourg, 3 October)

The President informed the Commission that in his remarks to Parliament on Tuesday 3 October in Strasbourg he intended to concentrate on the future of the institutions, their adaptation for enlargement, and the specific role of the Commission in the interinstitutional set-up.

The Commission held an exchange of views on the points to be emphasised in the address.

14. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2000)1554/3) (continued from item 7)

ADMINISTRATIVE MATTERS

ACCESS TO COMMISSION MINUTES

(SEC(2000)1566 and /2)

The Commission considered the concrete proposals set out at point II.B of SEC(2000)1562/2, relating to the content of its ordinary minutes and special minutes.

The Commission noted that the code of conduct adopted on 8 February 1994 governing public access to Commission and Council documents, while based on the right of access, provided for an exception to the effect that an institution may refuse access to a document in order to ensure the protection of the institution's interests in the confidentiality of its proceedings.

Following an in-depth discussion focusing on the need to find the ideal balance between transparency, on the one hand, and the need to preserve the principle of collective responsibility for the adoption of decisions and the confidentiality of its discussions, on the other, it amended the proposed scheme as follows:

- The ordinary minutes would record:
 - the subjects discussed;
 - where appropriate, a brief indication of the tenor of the debate, without identifying the speakers;
 - the conclusions adopted and/or decisions taken at the end of the debate.

- The special minutes (Part II) would record some of the elements of the proceedings culminating in the adoption of conclusions or decisions, namely:
 - where appropriate, an indication of individual positions taken by Members during the debate;
 - the results of voting, any explanations of votes, and unilateral statements by Members.

Decisions as to whether or not to communicate the content of special minutes would be taken by the Commission or by the Secretary-General empowered for that purpose, after consultation, if necessary, with the Member(s) concerned.

**15. FUTURE OF STRUCTURED DIALOGUE AFTER THE EXPIRY OF THE ECSC TREATY
(COM(2000)588 and /2)**

The Commission considered the proposal to confer on the Economic and Social Committee the task of continuing the structured dialogue in the coal and steel sectors after expiry of the ECSC Treaty on 23 July 2002.

Following a brief exchange of views, the Commission approved the communication in COM(2000)588/2 for transmission to Parliament, the Council, the Economic and Social Committee, the ECSC Consultative Committee and the Committee of the Regions.

**16. COUNCIL REGULATION ON ENFORCEMENT OF THE RULES ON
COMPETITION APPLYING TO UNDERTAKINGS LAID DOWN IN
ARTICLES 81 AND 82 OF THE TREATY
(COM(2000)582 to /4; SEC(2000)1569)**

Mr MONTI introduced a communication and a proposal for a Regulation to implement and supplement the guidelines in the White Paper adopted by the Commission in April 1999 on the modernisation of the rules for applying Articles 81 (restrictions on competition) and 82 (abuse of a dominant position) of the Treaty by in-depth reform of Regulation No 17.

This reform sought to strengthen the degree of protection of competition and the effective application of Community rules, by various means:

- the abolition of prior notification of agreements between companies, and of the system of authorisation by the Commission, which would enable the Commission to concentrate on tackling the most serious infringements, and allow Member States to see that the rules are applied more effectively at national level;
- the strengthening of the Commission's powers of investigation;
- the introduction of an article intended to guarantee that agreements and practices which would affect trade between Member States would be considered on the basis of Community law alone, in order to enhance the homogeneity of competition throughout the Community;
- the introduction of specific horizontal cooperation mechanisms between the competition authorities of the Member States.

The Commission approved the proposal in COM(2000)582/4 for transmission to the Council, Parliament and the Economic and Social Committee.

**17. PROPOSAL FOR A PARLIAMENT AND COUNCIL REGULATION
ESTABLISHING COMMON RULES IN THE FIELD OF CIVIL AVIATION
AND CREATING A EUROPEAN AVIATION SAFETY AGENCY
(COM(2000)595 to /5; SEC(2000)1603; SEC(2000)1604; SEC(2000)1577)**

Ms de PALACIO introduced a proposal for a Regulation establishing common rules in the field of civil aviation and creating a European aviation safety agency.

This proposal was in response to a specific request from the Council dated 26 June, and largely reflected the contents of the working paper approved by the Commission on 21 March.

The initiative, which involved setting up an agency, was in line with the Commission's guidelines on the externalisation of certain activities, and was a logical consequence of the failure of the intergovernmental negotiations for a draft international convention.

The main objective was to achieve a uniformly high level of safety and environmental protection in the Community, to encourage free and fair competition, and to increase the effectiveness of the certification process.

The Agency, which must be a strong body with a wide-ranging powers in all subject areas affecting civil aviation safety, would have a wide mandate (assisting the Commission in the drawing-up of rules, drafting guideline documents, carrying out technical investigations and issuing type-approval certificates, setting up a surveillance system) and would be able to establish appropriate relations with the relevant international organisations and with the aviation authorities of non-member countries.

Ms de PALACIO warmly thanked all the departments which had helped in the drafting of this proposal in record time.

The Commission adopted the communication in COM(2000)595/5 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

18. COUNCIL MEETINGS **(SI(2000)829)**

18.1. ECONOMIC AND FINANCIAL AFFAIRS ***(29 September)***

Mr SOLBES reported on the subjects on the agenda for the Council meeting, particularly combating money-laundering, and those to be raised over lunch (statement by President PRODI on oil prices, Montenegro, statement by Mr KINNOCK on the budgetary effects of the Commission's administrative reform) and in the Eurogroup (meeting of the G7 Finance Ministers and Central Bank Governors in Prague on 23 September, results of the referendum in Denmark, statistics for the euro zone).

18.2. CULTURE ***(Brussels, 26 September)***

Ms REDING reported that the Council had not reached agreement on the financing of the Media PLUS programme, because of the opposition of three Member States.

The Commission was committed to presenting a communication in 2001 on the film industry and more particularly the treatment of state aid in that industry.

19. RELATIONS WITH NON-MEMBER COUNTRIES

COMMON FOREIGN AND SECURITY POLICY

19.1. MEETING OF G7 FINANCE MINISTERS AND CENTRAL BANK GOVERNORS

(Prague, 23 September)

(SEC(2000)1616)

Mr SOLBES gave a short oral report on the meeting, about which he had distributed an information note.

19.2. POLAND

Mr FISCHLER reported on the conclusion, after 18 months of negotiations, of an agreement on the liberalisation of trade in agricultural products with Poland. The agreement covered the liberalisation (duty-free import) of three quarters of the trade in agricultural products between the Community and Poland.

He thanked all the departments involved for their active contribution to the success of the negotiations.

19.3. SERBIA

Mr PATTEN commented on the results of the elections in Serbia. He noted that the Council still had to take a decision on the lifting of sanctions.

Because of the climatic and economic conditions, there would probably be a need for short-term humanitarian aid.

20. OTHER BUSINESS

SYDNEY OLYMPIC GAMES

Ms REDING reported on the contacts she had made during her visit to Australia. Thanks to the action of the World Anti-doping Agency, set up with the Commission's active support, doping problems had been dealt with in the open and decisions on exclusion taken.

The organisation of the games by the Australian authorities had been exemplary, and it was important that the Athens Olympic Games in 2004 be similarly well organised.

More generally, in the absence of a legal basis in the form of a cooperation agreement with Australia, the European presence there was very weak, while Australia maintained close relations with the United States and Canada, and looked more towards Asia than to Europe.

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The meeting closed at 1230 hours.

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