



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2002)1574 final**

Brussels, 10 July 2002

**MINUTES**  
**of the 1574th meeting of the Commission**  
**held in Strasbourg**  
**(Winston Churchill Building)**  
**on Tuesday 2 July 2002**  
**(afternoon)**

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These minutes were approved by the Commission at its 1575<sup>th</sup> meeting, held in Brussels on 10<sup>th</sup> July 2002.

They contain 24 pages.

## TABLE OF CONTENTS

|                                                                                                                                                                                                        |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>Attendance list</b>                                                                                                                                                                                 | <b>5-6</b> |
| 1. AGENDAS AND QUARTERLY ROLLING PROGRAMME<br>(OJ(2002)1574/3; SEC(2002)738/2; SEC(2002)763).....                                                                                                      | 7          |
| 2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2002)1574) .....                                                                                                                                            | 7          |
| 3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1573RD<br>MEETING (26 JUNE) (PV(2002)1573; PV(2002)1573, PART II) .....                                                                                  | 7          |
| 4. PARLIAMENT .....                                                                                                                                                                                    | 8          |
| <i>PARLIAMENTARY AFFAIRS GROUP (SP(2002)2198)</i> .....                                                                                                                                                | 8          |
| 5. PERMANENT REPRESENTATIVES COMMITTEE .....                                                                                                                                                           | 9          |
| <i>COUNCIL AFFAIRS GROUP (CAG) (SI(2002)797 and /2)</i> .....                                                                                                                                          | 9          |
| 6. MONITORING THE APPLICATION OF COMMUNITY LAW: STATE<br>AID AND INFRINGEMENTS (SEC(2002)708; COM(2002)320 TO /4;<br>SEC(2002)752; SEC(2002)755) .....                                                 | 10         |
| 6.1. <i>STATE AID (SEC(2002)708)</i> .....                                                                                                                                                             | 10         |
| 6.2. <i>STATE AID - COMMISSION COMMUNICATION ON INSURANCE IN THE AIR<br/>TRANSPORT SECTOR FOLLOWING THE TERRORIST ATTACKS OF 11<br/>SEPTEMBER 2001 IN THE UNITED STATES (COM(2002)320 to /4)</i> ..... | 10         |
| 6.3. <i>INFRINGEMENTS (SEC(2002)752; SEC(2002)755)</i> .....                                                                                                                                           | 10         |
| 7. WRITTEN PROCEDURES AND EMPOWERMENT .....                                                                                                                                                            | 11         |
| 7.1. <i>WRITTEN PROCEDURES APPROVED (SEC(2002)739 to /5)</i> .....                                                                                                                                     | 11         |
| 7.2. <i>SENSITIVE WRITTEN PROCEDURES (SEC(2002)740)</i> .....                                                                                                                                          | 11         |
| 7.3. <i>EMPOWERMENT (SEC(2002)741 to /5)</i> .....                                                                                                                                                     | 13         |
| 7.4. <i>DELEGATION AND SUBDELEGATION OF POWERS</i> .....                                                                                                                                               | 13         |

|                                                                                                                                                                     |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 8. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2002)742/2).....                                                                                                       | 13 |
| ADMINISTRATIVE MATTERS (PERS(2002)106) .....                                                                                                                        | 13 |
| 8.1. DG COMP.D - A2 POST OF DIRECTOR .....                                                                                                                          | 13 |
| 8.2. DG RELEX.B - TEMPORARY OCCUPATION OF AN A2-LEVEL POST.....                                                                                                     | 14 |
| 9. PROPOSAL FOR A REGULATION ON COMMUNITY<br>COOPERATION WITH ASIAN AND LATIN AMERICAN<br>COUNTRIES (COM(2002)340 TO /4; SEC(2002)761).....                         | 14 |
| 10. CORPORATE SOCIAL RESPONSIBILITY: A BUSINESS<br>CONTRIBUTION TO SUSTAINABLE DEVELOPMENT<br>(COM(2002)347 TO /5; SEC(2002)750).....                               | 14 |
| 11. COMMISSION DECISION ON APPLICATION OF ARTICLE 81 OF<br>THE EC TREATY AND ARTICLE 53 OF THE EEA TREATY<br>(CASE C.37.519 - METHIONINE) (C(2002)2276 TO /4) ..... | 15 |
| 12. PROTECTION OF THE FINANCIAL INTERESTS OF THE<br>COMMUNITIES AND FIGHT AGAINST FRAUD - ANNUAL REPORT<br>2001 (COM(2002)348 TO /4) .....                          | 16 |
| 13. OTHER BUSINESS.....                                                                                                                                             | 16 |
| JUDGMENT OF COURT OF FIRST INSTANCE - APPEAL TO COURT OF JUSTICE -<br>JEGO-QUERE CASE T-177/01 (C(2002)2433/3).....                                                 | 16 |
| 14. PARLIAMENT (CONTINUED FROM ITEM 4) .....                                                                                                                        | 17 |
| PARLIAMENTARY AFFAIRS GROUP (SP(2002)2198).....                                                                                                                     | 17 |
| 15. WORK OF THE CONVENTION (SEC(2002)773) .....                                                                                                                     | 18 |
| 16. ADMINISTRATIVE REFORM OF THE EXTERNAL SERVICE<br>(SEC(2002)745 TO /4; SEC(2002)761).....                                                                        | 19 |

|                                                                                                                                                                                                                                                         |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 17. COMMISSION DECISION ON THE REQUEST MADE BY GREECE<br>TO BE ALLOWED TO AUTHORISE THE USE OF HEAVY FUELS<br>WITH A MAXIMUM SULPHUR CONTENT OF 3% IN MASS ON<br>PART OF ITS TERRITORY (C(2002)2475 AND /2; SEC(2002)766;<br>SEC(2002)779).....         | 21 |
| 18. AN INFORMATION AND COMMUNICATION STRATEGY FOR THE<br>EUROPEAN UNION; THE CONSEQUENCES FOR THE<br>COMMISSION OF THE INFORMATION AND COMMUNICATION<br>STRATEGY FOR THE EUROPEAN UNION (COM(2002)350 TO /4;<br>SEC(2002)744 TO /3; SEC(2002)759) ..... | 21 |
| 19. RELATIONS WITH NON-MEMBER COUNTRIES.....                                                                                                                                                                                                            | 24 |
| 19.1. <i>G8 SUMMIT (KANANASKIS, CANADA, 26 AND 27 JUNE)</i> .....                                                                                                                                                                                       | 24 |
| 19.2. <i>EU-AFRICA DIALOGUE; PEER REVIEW OF COMMUNITY DEVELOPMENT<br/>COOPERATION POLICIES AND PROGRAMMES (SEC(2002)774;<br/>SEC(2002)775)</i> .....                                                                                                    | 24 |

**Single sitting: Tuesday 2 July (afternoon)**

The sitting opened at 1330 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 LIIKANEN       |                |
| Mr BOLKESTEIN     |                |
| Mr BUSQUIN        |                |
| Mr SOLBES         |                |
| Mr NIELSON        |                |
| Mr VERHEUGEN      |                |
| Mr PATTEN         |                |
| Mr LAMY           |                |
| Mr BYRNE          |                |
| Mr BARNIER        |                |
| Ms REDING         |                |
| Ms SCHREYER       |                |
| Ms WALLSTRÖM      |                |
| Mr VITORINO       |                |
| Ms DIAMANTOPOULOU |                |

**The following also sat in**

|                   |                                             |                 |
|-------------------|---------------------------------------------|-----------------|
| Mr MARENCO        | Deputy Director-General, Legal Service      |                 |
| Mr MANSERVISI     | Chef de cabinet to the President            |                 |
| Mr FAULL          | Commission Spokesman                        |                 |
| Mr MAMER          | Spokesman                                   |                 |
| Mr CARVOUNIS      | Director in the Press and Communication DG  |                 |
| Mr WORINGER       | Press and Communication DG                  |                 |
| Ms ROYALL         | Press and Communication DG                  |                 |
| Mr DOMENECH       | A member of Mr Kinnock's staff              |                 |
| Mr CALLEJA CRESPO | Chef de cabinet to Ms de Palacio            |                 |
| Mr SCHINAS        | Deputy Chef de cabinet to Ms de Palacio     | Item 4          |
| Mr VERDEAUX       | A member of Mr Barnier's staff              |                 |
| Mr ARP            | A member of Ms Wallström's staff            |                 |
| Ms CABRAL         | A member of Mr Vitorino's staff             | Item 18         |
| Ms TACHMINTZIS    | Deputy Chef de cabinet to Ms Diamantopoulou | Items 10 and 17 |

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

**1. AGENDAS AND QUARTERLY ROLLING PROGRAMME  
(OJ(2002)1574/3; SEC(2002)738/2; SEC(2002)763)**

The Commission took note of that day's agenda, the tentative agendas for future meetings, and the rolling programme of items to be entered on the agenda from 10 July to 30 October.

**2. WEEKLY MEETING OF CHEFS DE CABINET  
(SEC(2002)1574)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Friday 28 June.

**3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1573rd  
MEETING (26 June)  
(PV(2002)1573; PV(2002)1573, Part II)**

The Commission approved the ordinary minutes of its 1573rd meeting.

It held over approval of the special minutes for its next meeting.

#### **4. PARLIAMENT**

##### ***PARLIAMENTARY AFFAIRS GROUP***

***(SP(2002)2198)***

The Commission took note of the record of the meeting of the Parliamentary Affairs Group held on Thursday 27 June.

It paid particular attention to the following:

**a) Preparations for July 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, Ms de PALACIO and any other Members associated, to take a position on Parliament's amendments to its proposals.

It paid particular attention to the following:

**Information sheets:**

- FÄRM report, Conciliation procedure (2003 budget)
- PODESTÁ report, 2002 budget
- PODESTÁ-BUITENWEG report, Supplementary and amending budget  
No 3/2002

The Commission took note that a debate on the 2003 budget might be held in the presence of Ms SCHREYER and several other Commission Members at the September II part-session.

b) **Action taken on Parliament's opinions and resolutions**

(point 5 of the record)

The Commission adopted the replies to own-initiative resolutions adopted by Parliament to which the Commission had undertaken to reply (SP(2002)2133), for transmission to Parliament.

5. **PERMANENT REPRESENTATIVES COMMITTEE**

***COUNCIL AFFAIRS GROUP (CAG)***

***(SI(2002)797 and /2)***

The Commission took note of the record of the meeting of the Council Affairs Group held on Thursday 27 June.

It paid particular attention to the following:

**Commission priorities for the Danish Presidency in the light of the decisions of the Seville European Council**

The Commission took note of the summary table annexed to SI(2002)797 and /2.

**6. MONITORING THE APPLICATION OF COMMUNITY LAW: STATE AID  
AND INFRINGEMENTS**

(SEC(2002)708; COM(2002)320 to /4; SEC(2002)752; SEC(2002)755)

**6.1. STATE AID**

(SEC(2002)708)

The Commission adopted the decisions in SEC(2002)708, except for the following case:

**C 44/2001 (ex NN 147/1998)      GERMANY**

***Aid for Technische Glaswerke Ilmenau GmbH, Thuringia***

(C(2002)2147 to /3)

Decision:      Held over

**6.2. STATE AID - COMMISSION COMMUNICATION ON INSURANCE IN  
THE AIR TRANSPORT SECTOR FOLLOWING THE TERRORIST  
ATTACKS OF 11 SEPTEMBER 2001 IN THE UNITED STATES  
(COM(2002)320 to /4)**

The Commission approved the communication in COM(2002)320/4 for transmission to Parliament and the Council.

**6.3. INFRINGEMENTS**

(SEC(2002)752; SEC(2002)755)

**2001/4905      FRANCE**

***BSE - obstacles to trade in beef and veal***

Decision: held over

**2001/2077          ITALY**

***Autostrada del Brennero SpA - Extension of motor vehicle concession***

Decision: held over

## **7. WRITTEN PROCEDURES AND EMPOWERMENT**

### **7.1. WRITTEN PROCEDURES APPROVED**

***(SEC(2002)739 to /5)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted by written procedure between 24 and 28 June.

### **7.2. SENSITIVE WRITTEN PROCEDURES**

***(SEC(2002)740)***

The Commission took note of the following written procedures initiated between 24 and 28 June for the adoption of decisions with political implications:

**Time limit: 28.06.2002 - 1300 hours - EMERGENCY PROCEDURE**

**E/2002/1220 - C(2002)2532          DG TRADE**

Salmon agreement with Norway - extension of duration

**Time limit: 01.07.2002**

**E/2002/1140 - C(2002)2367      DG ENV**

Commission decision on the adoption of the model outline decision to be sent to Member States (Annex I) and the model individual decision to be sent to beneficiaries responsible for the implementation of projects (Annex II); Commission decision granting financial support as provided for by Parliament and Council Regulation (EC) No 1655/2000 of 17 July 2000 concerning the financial instrument for the environment (LIFE), for actions concerning the protection of nature (Annex III).

**E/2002/1156 - COM(2002)345      DG ECFIN**

Commission report - Growth and Employment Initiative - Measures on financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) as at 31 December 2001.

**E/2002/1172 - COM(2002)344      DG TREN**

Annual Commission report on trans-European networks (2000).

**Time limit: 03.07.2002**

**E/2002/1184 - COM(2002)352      DG ECFIN**

Commission report on the implementation of macrofinancial assistance to third countries in 2001.

**Time limit: 05.07.2002**

**E/2002/1202 - COM(2002)364      DG EMPL**

Commission communication on a framework for the promotion of employee financial participation.

### **7.3. EMPOWERMENT**

**(SEC(2002)741 to /5)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the empowerment procedure between 24 and 28 June.

### **7.4. DELEGATION AND SUBDELEGATION OF POWERS**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 24 and 28 June, as archived on the "Grefte 2000" (Registry) website.

## **8. ADMINISTRATIVE AND BUDGETARY MATTERS**

**(SEC(2002)742/2)**

### **ADMINISTRATIVE MATTERS**

**(PERS(2002)106)**

#### **8.1. DG COMP.D - A2 POST OF DIRECTOR**

The Commission had before it applications under Article 29(1)(a) of the Staff Regulations for the A2 post of Director of Directorate D (Services) in the Competition DG (PERS(2002)42).

The Commission took note of the opinions of the Consultative Committee on Appointments of 16 April and 16 May (PERS(2002)42/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also examined the reports on their ability, efficiency and conduct in the service. On a proposal from Mr KINNOCK, in agreement with the

PRESIDENT and Mr MONTI, the Commission decided to appoint Ms Lowri EVANS to the post.

This decision would take effect from 16 July.

#### **8.2. *DG RELEX.B - TEMPORARY OCCUPATION OF AN A2-LEVEL POST***

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Mr PATTEN, decided under Article 7(2) of the Staff Regulations to deem Ms Daniela NAPOLI, an A3 official, currently Head of Unit B.1 (Human rights and democratisation) in the External Relations DG, to have temporarily occupied an A2-level post from 1 September 2001 to 1 July 2002.

This decision would take effect immediately.

### **9. PROPOSAL FOR A REGULATION ON COMMUNITY COOPERATION WITH ASIAN AND LATIN AMERICAN COUNTRIES (COM(2002)340 to /4; SEC(2002)761)**

The Commission approved the proposal in COM(2002)340/4 for transmission to Parliament and the Council.

### **10. CORPORATE SOCIAL RESPONSIBILITY: A BUSINESS CONTRIBUTION TO SUSTAINABLE DEVELOPMENT (COM(2002)347 to /5; SEC(2002)750)**

The Commission adopted the following amendment:

On page 6 (English version), under the title "The global dimension of CSR", the third paragraph was amended as follows:

- the first two sentences were deleted;
- the remainder of the text to read: "Both processes **of trade and financial markets liberalisation** should be matched by appropriate progress towards an effective system of global governance including its social and environmental dimensions. Globalisation has also increasingly exposed enterprises to transboundary economic criminality, requiring an international response."

Subject to this amendment, the Commission approved the communication in COM(2002)347/4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions.

**11. COMMISSION DECISION ON APPLICATION OF ARTICLE 81 OF THE EC TREATY AND ARTICLE 53 OF THE EEA TREATY (CASE C.37.519 - METHIONINE)**  
**(C(2002)2276 to /4)**

The Commission:

- took note of the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions annexed to C(2002)2276 and /4;
- took note of the final report of the Hearing Officer annexed to C(2002)2276/3;
- adopted the decision in C(2002)2276/3 and /4 in the authentic languages (English and German);

- decided to publish the full text of the decision in the Official Journal, with all business secrets removed, in all the official languages.

**12. PROTECTION OF THE FINANCIAL INTERESTS OF THE  
COMMUNITIES AND FIGHT AGAINST FRAUD - ANNUAL REPORT 2001  
(COM(2002)348 to /4)**

The Commission adopted the report in COM(2002)348/3 and /4 for transmission to Parliament, the Council, the Economic and Social Committee, the Court of Auditors and the European Central Bank.

**13. OTHER BUSINESS**

***JUDGMENT OF COURT OF FIRST INSTANCE - APPEAL TO COURT OF  
JUSTICE - JEGO-QUERE CASE T-177/01  
(C(2002)2433/3)***

The Commission approved the approach proposed in the communication from the PRESIDENT, presented in agreement with Mr FISCHLER (document C(2002)2433/3), and therefore decided to appeal to the Court of Justice against the Court of First Instance judgment in Case T-177/01 (Jego-Quere) and to authorise the Legal Service to present the appeal.

**14. PARLIAMENT (continued from item 4)**

***PARLIAMENTARY AFFAIRS GROUP***

***(SP(2002)2198)***

**Interinstitutional relations**

(point 1 of the record)

**Annual Policy Strategy, implementation and preparation of the Commission's legislative and work programmes**

Ms de PALACIO outlined the purpose of her meeting later that afternoon with Parliament's Conference of Committee Chairmen, viz.:

- the state of implementation of the Commission's legislative and work programmes for 2002; 50% of the initiatives announced by the Commission would have been adopted by the end of July;
- the conclusions to be drawn from the "structured dialogue" between the parliamentary committees and each of the Commission Members on their respective priorities for 2003; this process would seemingly have to be adjusted for the 2003 exercise in order to preserve its political character;
- the implications for the work of the Commission and Parliament of the conclusions of the Seville European Council on the adoption from December 2003, on the recommendation of the Council (General affairs), of a multiannual strategic programme, on the basis of a joint proposal by the Presidencies concerned, drawn up in consultation with the Commission.

Ms de PALACIO reported on the first exchange of views she had held on the latter two points with the President of Parliament.

The Commission held an exchange of views on the profound significance of this specific aspect of the reform of the Council. The PRESIDENT, in conclusion, noted that an in-depth discussion would be held on this subject, on the basis of an analysis prepared by the Secretariat-General in liaison with the Legal Service.

## **15. WORK OF THE CONVENTION**

### **(SEC(2002)773)**

Mr BARNIER and Mr VITORINO reported on the Convention's sixth meeting on 24 and 25 June, a hearing for civil society, and drew attention to the consequences of the creation of several working groups in whose work various Commission Members would be invited to take part.

Mr VITORINO asked Members to refer to the national reports presented to the Convention by the national delegations, which gave an update on all the actions and initiatives taken in the Member States to stimulate public dialogue on the subjects being dealt with by the Convention.

Following an exchange of views on the organisation of its work to ensure optimal participation in the debate within the Convention and its groups, the Commission decided that, on the basis of a plan to be drawn up by the Task Force on the future of the Union and institutional matters, Members would be called upon to participate in a regular and coordinated manner in the work of the working groups and to maintain close contacts with the members of the Convention, including those appointed by the applicant countries.

**16. ADMINISTRATIVE REFORM OF THE EXTERNAL SERVICE**  
**(SEC(2002)745 to /4; SEC(2002)761)**

Mr PATTEN, in agreement with Mr KINNOCK, Mr NIELSON, Mr VERHEUGEN and Mr LAMY, tabled a communication on the reform of the External Service, proposing a series of measures with three key objectives:

- to complete the unification of the External Service, by giving responsibility for the management of delegation staff to a single department and by strengthening the collegiate executive bodies responsible for its consistent and balanced management;
- to specify the principles governing the activities of Commission delegations in non-member countries, i.e. the rules applicable to the delegations' relations both with headquarters departments and with other CFSP players, the role of the Head of Delegation, and the arrangements for the evaluation, audit and control of the delegations;
- to follow up the implications of the new obligation to serve abroad and the development of the External Service for human resource management within the RELEX DGs.

On the last point, it was vital to establish the notion of a career within the RELEX DGs, prepare staff better to perform their duties in delegations, guarantee fair application of the obligation to serve abroad, make it easier to meet External Service human resource needs, make postings in delegations easier and more attractive, and attach more value to experience in a delegation in an official's career development.

Certain of the proposed measures required an adaptation of the legal foundation of the External Service - Annexes VII and X to the Staff Regulations, which contained a series of provisions specifically applicable to staff in delegations. This would go

beyond the proposals already included in the proposal for the amendment of the Staff Regulations adopted in December 2001.

The Commission held an exchange of views on all the consequences of the obligation to serve abroad - including the action to be taken when an official refuses to do so - and on the justification for granting an exceptional additional allowance when the circumstances or the specific situation of certain posts required it.

Following this presentation, the Commission:

- approved the guidelines for management of the External Service as set out in the communication from Mr PATTEN, in agreement with Mr KINNOCK, Mr NIELSON, Mr VERHEUGEN and Mr LAMY, in SEC(2002)745/4;
- approved, as a basis for discussion with the trade unions and staff associations, the draft decision on the reform of the External Service set out in the same document, including the allocation of posts to the External Service, the terms of reference of the External Service Steering Committee (CDSE) and the External Service Management Committee (CGSE), the Annex on arrangements for the application of Article 16(3) and the draft proposal for a Council Regulation to amend Articles 10 and 14 of Annex X to the Staff Regulations;
- asked Mr KINNOCK to begin consultation of the trade unions and staff associations without delay.

The Commission thanked all the Members who had help develop this reform, and particularly the working party chaired by Mr CHENE, for the high standard of the dossier put before it.

**17. COMMISSION DECISION ON THE REQUEST MADE BY GREECE TO BE ALLOWED TO AUTHORISE THE USE OF HEAVY FUELS WITH A MAXIMUM SULPHUR CONTENT OF 3% IN MASS ON PART OF ITS TERRITORY**

**(C(2002)2475 and /2; SEC(2002)766; SEC(2002)779)**

The Commission decided to hold this item over.

**18. AN INFORMATION AND COMMUNICATION STRATEGY FOR THE EUROPEAN UNION;  
THE CONSEQUENCES FOR THE COMMISSION OF THE  
INFORMATION AND COMMUNICATION STRATEGY FOR THE  
EUROPEAN UNION**

**(COM(2002)350 to /4; SEC(2002)744 to /3; SEC(2002)759)**

The PRESIDENT introduced the debate, thanking Mr VITORINO for the high standard of the communication put before the Commission and for all his efforts in developing an interinstitutional strategy on this matter. He asked all Members to give active support to its implementation.

Mr VITORINO, in agreement with the PRESIDENT, presented two communications to the Commission:

- one proposing an information and communication strategy for the European Union;
- the other on the consequences for the Commission of adopting this strategy.

He emphasised in the first place the highly political nature of the proposed approach, which consisted of redefining an image and highlighting the main lines of

European integration. This would require not only the personal commitment of each Commission Member, but also the spread of a genuine culture of communication through all Commission departments, which must systematically include a communication component in all their operations.

In response to the European Council's requests that the Commission, Parliament and the Council pool their efforts to distribute coordinated general information on the Union, the Commission had on 27 June 2001 already adopted a first communication defining a new framework for interinstitutional cooperation for communication and information actions to the general public. This first communication had been discussed in the Council and Parliament, which had broadly approved the proposed framework for action, and as a result the interinstitutional group for information (IGI) had held its first full meeting (Commission, Council, Parliament) on 12 March.

Mr VITORINO set out the key elements of the content and the proposed methodology in the new communication, viz.:

- to give the European Union a genuine capacity for developing and disseminating, from a common reference framework, messages geared to and focused on its various priority information topics;
- to establish a voluntary working partnership with the Member States to foster synergy between their structures and know-how and the activities of the European Union.

As regards the priority information topics, it was proposed to add to the topics already being dealt with through the PRINCE programme (enlargement, the future of the European Union, the area of justice and freedom, and the euro) that of Europe's role in the world.

As regards the consequences for the Commission of adopting this strategy, resources would have to be committed for press and communication activity, and in particular staff training in this area must be strengthened.

The Commission held an in-depth exchange of views on:

- the topics to be included, which must meet citizens' expectations, concentrate on the Union's core tasks, and secure the agreement of the three institutions;
- the need, in addition to the partnerships to be concluded with the Member States on a voluntary basis (memoranda of understanding), to obtain in due course the direct involvement of the Council in this process;
- the need to make better use of the results of six-monthly Eurobarometer surveys.

Following this exchange of views, the PRESIDENT, after emphasising the political importance of this matter, indicated that the Commission would hold a general debate on this subject at least twice a year, in principle on the occasion of the distribution of the results of the Eurobarometer surveys.

The Commission approved the communications in COM(2002)350/4 and SEC(2002)744/3, and decided to transmit the document defining the information and communication strategy for the European Union to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions.

## **19. RELATIONS WITH NON-MEMBER COUNTRIES**

### **19.1. G8 SUMMIT**

**(KANANASKIS, CANADA, 26 AND 27 JUNE)**

The PRESIDENT reported on the main decisions at the G8 summit in Kananaskis on 26 and 27 June, and offered his personal reflections on the meeting.

### **19.2. EU-AFRICA DIALOGUE;**

**PEER REVIEW OF COMMUNITY DEVELOPMENT COOPERATION  
POLICIES AND PROGRAMMES**

**(SEC(2002)774; SEC(2002)775)**

The Commission took note of the information supplied by Mr NIELSON in notes on EU-Africa Dialogue (SEC(2002)774) and on the conclusions and recommendations of the OECD's Development Assistance Committee (DAC), following its review of the development cooperation policies and programmes of the European Community (SEC(2002)775).

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

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The meeting closed at 1645 hours.