



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2004)1669 final**

Strasbourg, 14 September 2004

**MINUTES**  
**of the 1669th meeting of the Commission**  
**held in Brussels**  
**(Breydel)**  
**on Wednesday 8 September 2004**  
**(morning)**

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These minutes were approved by the Commission at its 1670<sup>th</sup> meeting, held in Strasbourg on 14 September 2004.

They contain 18 pages.

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**Single sitting: Wednesday 8 September (morning)**

The sitting opened at 0920 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 BYRNE        |                |
| Ms REDING       |                |
| Ms SCHREYER     |                |
| Ms WALLSTRÖM    |                |
| Mr VITORINO     |                |
| Mr DIMAS        |                |
| Mr BARROT       |                |
| Mr ALMUNIA      |                |
| Mr BALÁZS       |                |
| Ms HÜBNER       |                |
| Mr KALLAS       |                |
| Mr BORG         |                |
| Ms KALNIETE     |                |
| Ms GRYBAUSKAITE |                |
| Mr POTOČNIK     |                |
| Mr KYPRIANOU    |                |
| Mr TELIČKA      |                |
| Mr REHN         |                |

Absent:

Mr NIELSON

Mr VERHEUGEN

Mr PATTEN

Mr LAMY

Mr FIGEL

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

|              |                                  |
|--------------|----------------------------------|
| Mr HAMBURGER | Chef de cabinet to Mr Nielson    |
| Ms SCHREIBER | A member of Mr Verheugen's staff |
| Mr BANNER    | A member of Mr Patten's staff    |
| Mr THERY     | Chef de cabinet to Mr LAMY       |
| Mr BIERVERT  | A member of Mr Figel's staff     |

**The following also sat in**

|                        |                                           |                 |
|------------------------|-------------------------------------------|-----------------|
| Mr PETITE              | Director-General, Legal Service           |                 |
| Mr MANSERVISI          | Chef de cabinet to the President          |                 |
| Mr DE OLIVEIRA E SOUSA | Director-General, Press and Communication |                 |
| Mr KEMPPINEN           | Commission Spokesman                      |                 |
| Ms GMINDER             | Spokeswoman                               | Items 10 and 11 |
| Mr CALLEJA             | Chef de cabinet to Ms de Palacio          | Item 13         |
| Mr ROBIN-CHAMPIGNEUL   | A member of Mr Busquin's staff            | Item 15         |
| Mr BERENDS             | A member of Mr Byrne's staff              | Items 10 and 11 |
| Mr ANNERBERG           | Chef de cabinet to Ms Wallström           | Items 1 and 2   |
| Mr CARVOUNIS           | Press and Communication DG                |                 |

Secretary: Mr O'SULLIVAN, Secretary-General, assisted by Mr KERSTING, Unit Head in the Secretariat-General.

At this last Commission meeting at which Mr BUSQUIN would be present before his resignation, the PRESIDENT, on behalf of the whole Commission, thanked Mr BUSQUIN for all his work, emphasising his remarkable achievements in the field of research and technological development, and offering him best wishes in his new position as a Member of Parliament.

Mr BUSQUIN thanked Commission Members for all their help and kindness over the past five years. He paid tribute to the exceptional degree of cooperation within the Commission and was pleased that as a Member of Parliament he would be able, along with the Commission, to continue to contribute to Europe integration.

**1. AGENDAS AND QUARTERLY ROLLING PROGRAMME**  
**(OJ(2004)1669/3; SEC(2004)1091/2; SEC(2004)1119)**

The Commission took note of that day's agenda, the tentative agendas for future meetings, and the quarterly rolling programme of items to be entered on the agenda from 14 September to 22 December.

**2. WEEKLY MEETING OF CHEFS DE CABINET**  
**(SEC(2004)1669)**

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

### **3. PARLIAMENT**

#### ***PARLIAMENTARY AFFAIRS GROUP (SP(2004)1977)***

The Commission took note of the record of the meeting of the Parliamentary Affairs Group held on 2 September (SP(2004)1977).

### **4. PERMANENT REPRESENTATIVES COMMITTEE**

The Commission took note of the information communicated to it relating to the work of Coreper.

It paid particular attention to the following:

#### **Proposal for a Council Regulation on the European Monitoring Centre for Drugs and Drug Addiction (Proposal for recasting of Regulation - COM(2003)808 final)**

The Commission agreed to the change of legal basis requested by the Council (Article 152 of the Treaty (codecision procedure) instead of Article 308 of the Treaty (consultation procedure)).

### **5. MONITORING THE APPLICATION OF COMMUNITY LAW**

#### **5.1. STATE AID (SEC(2004)1055 and /2)**

The Commission adopted the decisions in SEC(2004)1055/2, subject to the following clarification:

**C 73/2003 (ex N 167/2003)                      *Belgium***  
***Investment aid in favour of Stora Enso Langerbrugge***

Reference: C(2004)3351/3 **and** /5

Decision: (*unchanged*)

**5.2. INFRINGEMENTS - REGULARISATION OF CASES POSTPONED  
BECAUSE OF UNAVAILABILITY OF DOCUMENTS  
(SEC(2004)1098)**

The Commission adopted the decision in SEC(2004)1098.

**6. WRITTEN PROCEDURES AND EMPOWERMENT**

**6.1. WRITTEN PROCEDURES APPROVED  
(SEC(2004)1092 et seq.)**

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

**6.2. SENSITIVE WRITTEN PROCEDURES  
(SEC(2004)1093)**

The Commission took note of written procedures initiated between 30 August and 3 September for the adoption of decisions with political implications:

**6.3. EMPOWERMENT  
(SEC(2004)1094 et seq.)**

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

**6.4. DELEGATION AND SUBDELEGATION OF POWERS**

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

**7. ADMINISTRATIVE AND BUDGETARY MATTERS**  
**(SEC(2004)1095/2)**

**ADMINISTRATIVE MATTERS**  
**(PERS(2004)156)**

**7.1. DG ADMIN - APPLICATION OF THE ARTICLE 50 PROCEDURE**  
**(SECOND STAGE) WITH RESPECT TO AN A\*15 OFFICIAL**  
**(PERS(2004)159)**

The Commission continued its discussions on this matter, begun on 30 June (PV(2004)1664).

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT, adopted the decision in PERS(2004)159 to apply the second stage of the procedure laid down in Article 50 of the Staff Regulations with respect to Ms Irma Margareta PETTERSSON, an A\*15 official, currently Chief Adviser in the Personnel and Administration DG.

This decision would take effect on 1 April 2005.

**7.2. DG BUDG - APPLICATION OF THE ARTICLE 50 PROCEDURE**  
**(SECOND STAGE) WITH RESPECT TO AN A\*15 OFFICIAL**  
**(PERS(2004)160)**

The Commission continued its discussions on this matter, begun on 19 and 20 July (PV(2004)1667).

The Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT, adopted the decision in PERS(2004)160 to apply the second stage of the procedure laid down in Article 50 of the Staff Regulations with respect to Mr Marc OOSTENS, an A\*15 official, currently Director, Directorate C (Budget execution) in the Budget DG.

This decision would take effect on 1 May 2005.

**7.3. APPLICATION OF ARTICLE 50 OF THE STAFF REGULATIONS  
(INITIAL STAGE) WITH RESPECT TO AN A\*15 OFFICIAL**

The Commission decided to initiate the procedure laid down in Article 50 of the Staff Regulations with respect to an A\*15 official.

**7.4. JRC - POST OF DIRECTOR-GENERAL: CLOSURE OF SELECTION  
PROCEDURE AND RE-PUBLICATION  
(PERS(2004)113 to /4; PERS(2004)158)**

On a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Mr BUSQUIN, the Commission decided:

- to terminate the selection procedure COM/069/04 (PERS(2004)113 to /4);
- to authorise re-publication of the vacancy notice in PERS(2004)158 under Article 29(2) of the Staff Regulations;
- to make use of the services of a recruitment consultant (“headhunter”) from the outset of the procedure so as to be able to have available as wide a range of suitable applications as possible.

**7.5. EXTERNAL RELATIONS DG/SEU - POST OF HEAD OF  
DELEGATION, WASHINGTON**

Having noted the procedure followed for filling the post in question (PERS(2004)156), the Commission, on a proposal from Mr KINNOCK, in agreement with the PRESIDENT and Mr PATTEN and subject to the approval of the host country, decided:

- to appoint Mr John BRUTON as Head of Delegation in Washington (United States) under the auspices of the External Relations DG;

- to grant him a temporary staff contract at grade A\*15 for a period of four years under Article 2(b) of the Conditions of Employment of Other Servants of the European Communities.

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

#### **7.6. RECRUITMENT OF SENIOR OFFICIALS IN THE NEW MEMBER STATES**

Mr KINNOCK summarised the situation relating to the recruitment of 26 senior officials from among the nationals of the ten new Member States. He asked the Directors-General concerned to speed up as far as possible their consideration of the applications received, so as to be able to fill the posts in question as soon as possible.

#### **8. PROPOSAL FOR A COUNCIL DECISION CONCERNING THE PLACING ON THE MARKET, IN ACCORDANCE WITH PARLIAMENT AND COUNCIL DIRECTIVE 2001/18/EC, OF AN OILSEED RAPE PRODUCT (*BRASSICA NAPUS L.*, LINE GT73) GENETICALLY MODIFIED FOR TOLERANCE TO THE HERBICIDE GLYPHOSATE (FORMER WRITTEN PROCEDURE) (COM(2004)572 to /4)**

The Commission adopted the decision in COM(2004)572/4 for transmission to the Council.

#### **9. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1668th MEETING (3 September) (PV(2004)1668 and /2; PV(2004)1668, Part II and /2)**

The Commission approved the minutes of its 1668th meeting.

**10. GENERAL EMPOWERMENT RELATING TO THE COMMON  
CATALOGUE OF VARIETIES OF AGRICULTURAL PLANT AND  
VEGETABLE SPECIES  
(SEC(2004)1118 and /2; SEC(2004)1121)**

The Commission adopted the general empowerment decision set out in SEC(2004)1118/2.

**11. ENTRY IN COMMON CATALOGUE OF 17 GM MAIZE VARIETIES  
DERIVED FROM MON 810  
(SEC(2004)1115 and /2; SEC(2004)1121)**

On a proposal from Mr BYRNE and as set out in SEC(2004)1115/2, the Commission decided to enter in the common catalogue of varieties of agricultural plant species 17 varieties of genetically modified maize, derived from the genetically modified organism MON 810. The Commission noted that, in future, the entry in the common catalogue of varieties, either conventional or genetically modified, would be approved under the revised empowerment procedure (item 10 of these minutes).

**12. DRAFT COMMISSION DECISION ESTABLISHING, IN ACCORDANCE WITH PARLIAMENT AND COUNCIL DIRECTIVE 2001/18/EC, OF THRESHOLDS FOR ADVENTITIOUS OR TECHNICALLY UNAVOIDABLE TRACES OF GENETICALLY MODIFIED SEEDS IN OTHER PRODUCTS  
(SEC(2004)1116 and /2; SEC(2004)1121)**

Following a brief exchange of views (concerning particularly the need to study in greater detail the analysis of certain economic aspects of the dossier), the Commission, on a proposal from the PRESIDENT, agreed to hold this item over to a later meeting. It pointed to the importance of completing the preparatory work for the Commission decision as soon as possible.

**13. AMENDED PROPOSAL FOR A COUNCIL DIRECTIVE (EURATOM) LAYING DOWN BASIC OBLIGATIONS AND GENERAL PRINCIPLES ON THE SAFETY OF NUCLEAR INSTALLATIONS  
AMENDED PROPOSAL FOR A COUNCIL DIRECTIVE (EURATOM) ON THE SAFE MANAGEMENT OF SPENT NUCLEAR FUEL AND RADIOACTIVE WASTE  
(FORMER WRITTEN PROCEDURE)  
(COM(2004)526 to /8)**

Introducing the dossier, Ms de PALACIO drew attention to the amendments made to the proposals approved by the Commission in January 2003 (PV(2003)1598, item 13) taking due account of Parliament's essential amendments and of the reality of the positions expressed in the Council. She was confident that, without watering down the initial proposals, these amendments should facilitate the adoption of the Directives by the Council. She also reminded the meeting that the Court of Justice had confirmed that the Community had legislative powers as regards nuclear safety as well as the need for equal treatment between Member States in this area.

As regards the question of the availability of financial resources for the dismantling of nuclear installations, Ms de PALACIO stated that she reserved to the Commission the possibility of presenting an appropriate alternative initiative speedily, without ruling out the EC Treaty.

Having taken note of this information, the Commission adopted the amended proposals for a Directive in COM (2004)526/8 for transmission to the Council and, for information, to Parliament and the Economic and Social Committee.

## **14. COUNCIL MEETINGS**

**(SI (2004)696)**

### ***14.1. INFORMAL MEETING OF FOREIGN MINISTERS (GYMNICH)***

***(MAASTRICHT, 3 and 4 SEPTEMBER)***

***(SEC(2004)1133)***

The Commission took note of the information note distributed by Mr PATTEN in SEC(2004)1133.

### ***14.2. PREPARATIONS FOR INFORMAL MEETING OF MINISTERS FOR ECONOMIC AND FINANCIAL AFFAIRS***

***(SCHEVENINGEN, 10 and 11 SEPTEMBER)***

Mr ALMUNIA reported on the main points that the Dutch Presidency intended to enter on the agenda for the informal meeting of Economic and Finance Ministers as well as the Eurogroup: opening of a general debate on the Commission communication on strengthening economic governance, approved on 3 September; exchange of views on the proposals to be put to the International Monetary Fund at its next general assembly in Washington; presentation of discussions held by the Commission following the Court of Justice judgment concerning the excessive deficit in France and Germany. On the latter point, it was not a question of taking formal decisions at this stage; these would be put before the Commission by the end of the year on the basis

of an in-depth legal and economic analysis. Mr Wim KOK would be informing the enlarged Eurogroup on the state of play of the high-level group he was chairing on the implementation of the Lisbon Strategy.

Ms SCHREYER mentioned the method planned by the Dutch Presidency for the future debate on the financial perspective 2007-13. This would be based on a “building blocks” approach, enabling both political and operational discussion on this very large dossier. The discussion should secure for the new Luxembourg Presidency in January 2005 a fairly precise summary of the positions of the Member States.

The Commission took note of this information and held a brief exchange of views on the important challenges of the debate to be held in the Council on the financial perspective for 2007-13.

## **15. OTHER BUSINESS**

### ***15.1. INTERNATIONAL THERMONUCLEAR EXPERIMENTAL REACTOR (ITER)***

Mr BUSQUIN reported on the negotiations on the proposed ITER magnetic fusion project. He emphasised the importance of continuing all possible efforts for the ITER project to be built on the European site proposed, given the technical and scientific advantages of this site and the quality of its environment. Mr BUSQUIN pointed to the need for the widest possible international cooperation on the ITER project. It was necessary to analyse the financial consequences of the various scenarios for implementing the project. He intended to write to the Member States on this subject, with a view to the Council meeting (Competitiveness) on 24 September.

The Commission took note of this information.

### **15.2. HOSTAGE-TAKING IN IRAQ**

The PRESIDENT expressed concern about the two Italians taken hostage in Iraq. They were both working for a non-governmental organisation supported by the Commission.

### **15.3. RECOMMENDATION CONCERNING THE POSSIBLE OPENING OF ACCESSION NEGOTIATIONS WITH TURKEY**

The PRESIDENT, reminding the meeting that this matter would be put before the Commission on 6 October, asked Commission Members to avoid getting involved in public debate on this issue before that date.

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

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The meeting closed at 1030 hours.