



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2005)1689 final

Brussels, 16 February 2005

MINUTES
of the 1689th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 9 February 2005
(morning)

These minutes were approved by the Commission at its 1690th meeting, held in Brussels on 16 February 2005.

They contain 32 pages.

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Single sitting: Wednesday 9 February (morning)

The sitting opened at 0910 hours 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 11
Mr KALLAS	Vice-President	
Mr FRATTINI	Vice-President	
Mr DIMAS		
Mr ALMUNIA		
Mr BORG		Items 9 to 13
Ms GRYBAUSKAITĖ		
Mr POTOČNIK		
Mr FIGEL		
Mr KYPRIANOU		Except item 13
Mr REHN		Items 9 to 13
Mr MICHEL		
Mr KOVÁCS		
Ms KROES		
Ms FISCHER BOEL		
Ms FERRERO-WALDNER		Items 9 to 13
Mr McCREEVY		
Mr ŠPIDLA		
Mr MANDELSON		
Mr PIEBALGS		

Absent:

Ms REDING

Ms HÜBNER

The following sat in to represent absent Members of the Commission

Mr CHANTERIE A member of Ms Reding's staff

Mr KORTE Chef de cabinet to Ms Hübner

The following also sat in

Mr WAINWRIGHT	Chief Adviser, Legal Service	
Mr ITALIANER	Deputy Chef de cabinet to the President	
Mr DE OLIVEIRA E SOUSA	Director-General, Press and Communication	
Ms LE BAIL	Commission Spokeswoman	
Mr LE BRET	Chef de cabinet to Mr Barrot	Item 10
Ms KONTOU	Chef de cabinet to Mr Dimas	Item 10
Ms CYGAN	Deputy Chef de cabinet to Ms Hübner	
Mr TABONE	Chef de cabinet to Mr Borg	
Ms SPANOU	A member of Mr Kyprianou's staff	Item 13
Mr PESONEN	Chef de cabinet to Mr Rehn	
Mr SCHWAIGER	Deputy Chef de cabinet to Ms Ferrero-Waldner	
Ms SCHREIBER	Chef de cabinet to Mr Špidla	Item 9
Mr CARVOUNIS	Press and Communication DG	Item 9
Ms QUINTIN	Director-General, Employment, social affairs and equal opportunities	Item 9
Mr BISARRE	Secretariat-General	Item 8
Ms DALBY	Secretariat-General	Item 8

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

1. AGENDAS

(OJ(2005)1689/3; SEC(2005)162/2)

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(2005)1689)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 7 February.

3. MINUTES OF 1688th MEETING (2 February)

(PV(2005)1688 and /2)

The Commission approved the minutes of its 1688th meeting.

4. WRITTEN PROCEDURES AND EMPOWERMENT

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2005)163 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 31 January and 4 February.

4.2. SENSITIVE WRITTEN PROCEDURES
(SEC(2005)164/2)

The Commission took note of written procedures initiated between 31 January and 4 February for the adoption of decisions with political implications.

The Commission noted that the following three dossiers, originally placed on the agenda for this meeting, were tabled for approval by written procedure (deadline: Thursday 10 February at 1100 hours) following agreement on them at the weekly meeting of Chefs de cabinet:

- Amended proposal for a Council Regulation applying a scheme of generalised tariff preferences
(E/203/2005); COM(2005)43/3)

Communication from Mr MANDELSON.

- Proposal for a Council Regulation amending Regulation (EC) No 2792/1999 as regards a specific action for transfers of vessels to countries hit by the tsunami in 2004
(E/204/2005; COM(2005)36/3)

Communication from Mr BORG.

- Commission decision instituting a specific measure aiming to allow provisional technical expertise and technical assistance in the areas of fisheries and aquaculture to the third countries affected by the tidal waves that occurred in the Indian Ocean on 26 December 2004
(E/210/2005; C(2005)317/2)

Communication from Mr BORG.

4.3. EMPOWERMENT

(SEC(2005)165 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 31 January and 4 February.

**4.4. EMPOWERMENT CONCERNING THE EXERCISE OF CERTAIN
POWERS WITH REGARD TO THE AGREEMENT TO AGENCIES
BEFORE THEY ADOPT IMPLEMENTING RULES PURSUANT TO
THE STAFF REGULATIONS**

(SEC(2005)199/2)

The Commission granted empowerment to the Commissioner responsible for personnel and administration as defined in SEC(2005)199/2.

4.5. DELEGATION AND SUBDELEGATION OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 31 January and 4 February, as archived on the "Greffé 2000" (Registry) website.

**5. SUSTAINABLE DEVELOPMENT INDICATORS TO MONITOR THE
IMPLEMENTATION OF THE EU SUSTAINABLE DEVELOPMENT
STRATEGY**

(SEC(2005)161 to /4; SEC(2005)198)

The Commission adopted the list of sustainable development indicators for monitoring the implementation of the EU Sustainable Development Strategy, as set out in SEC(2005)161/4. These indicators would be available on the Eurostat website.

6. ADJUSTMENT OF IMPLEMENTING PROVISIONS FOLLOWING THE REFORM OF THE STAFF REGULATIONS OF OFFICIALS AND THE CONDITIONS OF EMPLOYMENT OF OTHER SERVANTS OF THE EUROPEAN COMMUNITIES

(SEC(2005)195 to /9; SEC(2005)197 to /5; SEC(2005)201)

6.1. SECOND PACKAGE OF PRIORITY P2 IMPLEMENTING PROVISIONS

(SEC(2005)195 to /9)

The Commission approved the documents listed below at first reading and authorised the Commissioner responsible for personnel and administration to undertake the necessary consultations, particularly at interinstitutional level:

- draft Commission decision on the general implementing provisions for Article 45a of the Staff Regulations (SEC(2005)195/8);
- draft Commission decision on the general implementing provisions on insurance against the risk of accident for the spouse, children and other dependants of an official or a member of the temporary or contract staff of the European Communities serving in a third country (SEC(2005)195/9);
- draft Conclusion of the Heads of Administration on changing the place of origin and survivor's pensions (SEC(2005)195/5);
- draft Conclusion of the Heads of Administration on changing the place of origin after retirement within a Member State of the European Union (Article 20(3) of Annex XIII to the Staff Regulations) (SEC(2005)195/6).

The Commission empowered the Commission Member responsible for personnel and administration to make any necessary minor amendments following the consultations and to adopt definitively, on behalf of the Commission and in agreement with the PRESIDENT, each of the four documents; if there were significant amendments, they would be raised at second reading with the full Commission.

6.2. *SINGLE PROCEDURE - REPEALING ACTS*

(SEC(2005)197 to /5)

The Commission approved at first reading the documents indicated below and authorised the Commission Member responsible for personnel and administration to hold the necessary consultations at interinstitutional level:

- draft proposal for a Council Regulation repealing Regulations Nos 6/66/Euratom, 121/66/EEC, 7/66/Euratom, 122/66/EEC, 174/65/EEC and 14/65/Euratom (SEC(2005)197);
- draft common rules repealing the rules for reimbursing mission expenses while travelling on mission under particularly tiring conditions (SEC(2005)197/2);
- draft Commission decision repealing some general implementing provisions of the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the European Communities (SEC(2005)197/3);
- draft Conclusion of the Heads of Administration on the repeal of conclusions of the Heads of Administration rendered obsolete by the reform of the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (SEC(2005)197/4);

- draft Commission decision repealing certain provisions implementing the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (SEC(2005)197/5).

The Commission empowered the Commission Member responsible for personnel and administration to make any necessary minor amendments following the consultations and to adopt definitively, on behalf of the Commission and in agreement with the PRESIDENT, each of these five documents; if there were significant amendments, they would be raised at second reading with the full Commission.

7. INTERINSTITUTIONAL RELATIONS

(SEC(2005)181)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on 4 February (SEC(2005)181).

It paid particular attention to the following:

7.1. *LEGISLATIVE MATTERS*

- i) **Preparations for February part-session**
(point 1.2 of the record)

The Commission, in accordance with the rules in force, authorised the Commission Members responsible, in agreement with the PRESIDENT, Ms WALLSTRÖM and any other Members associated, to take a position on Parliament's amendments to its proposals.

It paid particular attention to the following:

2nd reading

- PRETS report: European Capital of Culture (2005 to 2019),
COM(2003)700 - 03/0274 (COD)

The Commission noted that at this stage no amendments had been tabled to the Council common position, and adopted the line set out in SP(2005)535.

- DE ROSSA report: Application of social security schemes to employed persons and to members of their families moving within the Community,
COM(2003)468 - 03/0184 (COD)

The Commission noted that at this stage no amendments had been tabled to the Council common position, and adopted the line set out in SP(2005)521.

- BRESSO report: Unfair commercial practices,
COM(2003)356 - 03/0134 (COD)

The Commission adopted the line set out in SP(2005)584/2 and authorised Mr KYPRIANOU to maintain contacts with Parliament and the Council to help reach an agreement at second reading.

- WORTMANN-KOOL report: Safety at sea, prevention of ship-source pollution: criminal sanctions for pollution offences,
COM(2003)92 - 03/0037 (COD)

The Commission took note of SP(2005)623 on this item and noted that an updated fiche would be presented at the next meeting of the Interinstitutional Relations Group, scheduled for Wednesday 16 February.

1st reading

- STARKEVICIUTE report: Community framework for short-term statistics,
COM(2003)823 - 03/0325 (COD)

The Commission adopted the line set out in SP(2005)528/2.

- DEL TURCO report: Statistics relating to vocational training in enterprises,
COM(2004)95 - 04/0041 (COD)

The Commission adopted the line set out in SP(2005)527/2.

- GROSCH report: Driving licences,
COM(2003)252 - 03/0252 (COD)

The Commission adopted the line set out in SP(2005)549 and /2.

- SOMMER report: River traffic information services,
COM(2004)392 - 04/0123 COD

The Commission adopted the line set out in SP(2005)552 and /2 and authorised Mr BARROT to maintain contacts with Parliament and the Council with a view to securing agreement at first reading.

- EVANS report: Seafarers' certificates,
COM(2004)311 - 04/0098 (COD)

The Commission adopted the line set out in SP(2005)531 and /2 and authorised Mr BARROT to maintain contacts with Parliament and the Council with a view to securing agreement at first reading.

Simple consultation

- ATTWOOLL report: Community Fisheries Control Agency,
COM(2004)289 - 04/0108 (CNS)

The Commission adopted the line set out in SP(2005)545/4.

ii) **Empowerment**

Under Article 13 of its Rules of Procedure the Commission empowered the Members concerned, in agreement with the PRESIDENT, Ms WALLSTRÖM and any other Members associated, to adopt its opinion on the amendments, together with any amended proposals, on the basis of the line set out in the documents concerned, once Parliament had given its opinion, and transmit them to the Council in accordance with Article 251(2)(c) of the Treaty, for the following:

- PRETS report: European Capital of Culture (2005 to 2019)
(SP(2005)535)
- DE ROSSA report: Social security for workers and their families
moving within the Community
(SP(2005)521)
- BRESSO report: Unfair commercial practices
(SP(2005)584/2).

7.2. RELATIONS WITH THE COUNCIL

(SI(2005)83)

iii) **Proposal for a Parliament and Council Directive on the patentability of computer-implemented inventions**

(point 3.3.1 of the record; SI(2005)68)

The Commission took note of information note SI(2005)68 on the institutional aspects of this matter.

iv) **Draft joint Council/Commission declaration on the system of generalised tariff preferences and rules of origin**

(point 3.3.2 of the record)

The Commission instructed its departments to present to the Council the revised draft joint Council/Commission declaration as set out in Annex C to the record.

v) **EU-US relations**

(point 3.4 of the record)

The PRESIDENT touched briefly on the visit to the Commission on Wednesday afternoon of the US Secretary of State, Dr Condoleezza RICE. Given the overlapping of timetables, he reported that he had invited Dr RICE to meet the External Relations group of Commission Members at the end of its meeting. With a view to President BUSH's visit, this meeting should in particular be the occasion for an exchange of views on the main questions regarding transatlantic relations and the ways in which the Union and the United States could work together to strengthen democracy.

The Commission took note of this information.

7.3. *RELATIONS WITH NATIONAL PARLIAMENTS*

(point 5 of the record; SP(2005)611)

Further to the note SP(2005)611, Ms WALLSTRÖM outlined the objectives to be pursued by the Commission in its aim of strengthening relations with national parliaments. After highlighting the short- and long-term prospects for this process, she indicated that she intended to visit all the national parliaments and in particular to take part in the meeting of Presidents of the European Affairs Committees of the national parliaments (COSAC). She invited colleagues to take an active part in this effort at enhanced cooperation.

The Commission took note of this information.

7.4. *STATE OF RATIFICATION OF THE CONSTITUTION*

(point 6 of the record)

On the basis of the results of the latest Eurobarometer poll, which highlighted a lack of information on the part of the public on the European project, and while recognising that information operations in this matter were primarily a matter for the Member States, Ms WALLSTRÖM pointed out that the Commission as an institution also had a political role to play with a view to mobilising all possible efforts to encourage a positive outcome for the ratification process of the Constitution. To this end, she proposed that a document be produced summarising the components of a contribution that the Commission could make in support of the action carried out by the Member States, where desired by the latter.

The PRESIDENT referred to the referendum planned for 20 February in Spain, the first to take place in the ratification process. While emphasising

the good current prospects for a positive outcome and the impetus this could give to the whole process, he drew attention to the risk of a low turnout.

The Commission held a brief exchange of views, covering the following questions:

- the advisability and nature of a Commission contribution to an informed debate on the draft Constitution, taking account of the necessary caution in connection with the sensitivity of the subject;
- the advisability of making a distinction between the role of the Commission as an institution and the role of each Commission Member in terms of political responsibility;
- the need to find a balanced, proactive and credible approach, without interfering in the national debates and taking full account of national sensitivities;
- the need for the Commission's representations to have at their disposal the means actively to support the information efforts;
- the importance of highlighting information multipliers in a targeted manner, particularly young people and educational establishments as channels for the dissemination of ideas;
- the possibility of using the lessons learned from this first referendum for the future and for later referendums.

Following this debate, the Commission noted that Ms WALLSTRÖM would shortly be tabling an information note identifying the components of a structured communication and information strategy on the draft Constitution to support the ongoing ratification process, taking into account the sensitivity of the question and the need to avoid interfering in national debates. This

information note could include a basic briefing paper setting out objectively the added value of the constitution and identifying precise, targeted guidelines for use by the Commission's representations in the Member States.

**8. REVIEW OF THE EU SUSTAINABLE DEVELOPMENT STRATEGY
(COM(2005)37 to /4; SEC(2005)198; SEC(2005)225)**

The PRESIDENT introduced the communication he was tabling and thanked the Commission Members and departments concerned for their constructive contribution to the final text. After reminding the meeting that sustainable development was a basic objective of the Treaty on European Union and the draft Constitution, he pointed out that the communication constituted a first stage towards the revision proper of the sustainable development strategy adopted in 2001. Based on the progress made so far and setting out the main guidelines for the future, this paid special attention, on the one hand, to the link and coherence with the mid-term review of the Lisbon Strategy and the strategic objectives for 2005-09 and, on the other hand, to the smooth integration of the external aspects in respect of which the Union had already shown its commitment and played a dominant role. For the purposes of the sustainable development strategy it was necessary to combine the internal and external actions of the Union to deal with the persistence, or even, for some of them, the worsening, of the most serious threats to sustainable development in Europe and the world, such as climate change, the depletion of natural resources, new public health problems, social exclusion and global poverty. The PRESIDENT concluded by emphasising the importance of reformulating the sustainable development strategy in an ambitious way in accordance with Europe's role as a driving force. Besides promoting increased awareness of the problem of sustainable development, the revised strategy should be more rigorous, together

with clearer objectives and more effective implementation, and should involve all the players concerned.

Having taken note of these observations, the Commission held a brief exchange of views, in particular on:

- the very wide scope of the concept of sustainable development, which constituted a prime objective applying to a very wide range of Union policies;
- the need to continue to secure and to highlight the coherence between the revised sustainable development strategy, the strategic objectives identified by the Commission for the period 2005-09 and the mid-term review of the Lisbon Strategy;
- the complementary nature of the Lisbon strategy and the sustainable development strategy; the need to further develop the economic pillar of the sustainable development strategy while maintaining a balanced, three-dimensional approach.

Following this exchange of views, the Commission approved the communication from the PRESIDENT in COM(2005)37/4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, together with staff paper SEC(2005)225.

9. COMMUNICATION ON A NEW SOCIAL AGENDA (COM(2005)33 to /4; SEC(2005)177; SEC(2005)178)

Mr ŠPIDLA introduced the communication he was tabling. Having noted that the new Social Agenda supplemented and supported the mid-term review of the Lisbon Strategy and was also in line with the strategic objectives of prosperity and

solidarity approved by the Commission for 2005-09, he emphasised the contribution that the new Agenda should make to the creation of new and better quality jobs and a policy of equal opportunities and social inclusion. The Agenda would fulfil an essential function in promoting the social dimension of economic growth and was intended to preserve the European social model while facilitating the modernisation of national systems in a context of economic and social change. After reviewing the key actions identified in the new agenda, Mr ŠPIDLA concluded by stressing the importance of a partnership approach for its implementation.

The Commission took note of this information and held an in-depth exchange of views. After emphasising the need to highlight the supplementary and mutually reinforcing nature of the renewed Lisbon strategy and the new Social Agenda, it paid special attention to the advisability of launching a second stage of consultation of the social partners on the question of restructuring, and noted that Mr ŠPIDLA was not envisaging legislation in this matter.

In the light of its discussions, the Commission agreed the following amendments to COM(2005)33/4:

- in the second paragraph of item 1.3.1.1, the text to read: *“That is why it is necessary to analyse the future challenges in relations between the generations and in the position of the family”*;
- on page 11 (English version of text), the second paragraph to read: *“The June 2004 European Council called for the establishment of a European Gender Institute. The Commission will shortly bring forward a proposal on this issue. It would provide a clearing-house for information and exchanges of good practices. (...)”*. Without calling into question the title of the Institute in line with the conclusions of the European Council, the Commission noted that the word “gender” was ambiguous, referring in this specific case to equality between women and men.

Subject to these clarifications and amendments and any technical drafting amendments, the Commission approved the communication in COM(2005)33/4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. It took note of the in-depth impact assessment in SEC(2005)177, to be transmitted to the same institutions as a staff paper.

**10. WINNING THE BATTLE AGAINST GLOBAL CLIMATE CHANGE
(COM(2005)35 to /4; SEC(2005)180/3; SEC(2005)202)**

Mr DIMAS presented the communication he was tabling, which fulfilled the mandate given to the Commission by the European Council to draw up a cost/benefit report on possible medium- and long-term strategies for reducing the scale and effects of climate change. The widest possible concerted international action was imperative, and the Union must continue and consolidate its pioneer role in this area. After noting the scale of the challenge faced, Mr DIMAS outlined the various lines of action recommended to this end, viz.: to stimulate wider international participation in the effort to reduce greenhouse gas emissions; to widen the scope of climate change strategies to include other policy sectors; to promote innovation in the Union; to continue to make use of flexible commercial instruments based on the market; to develop policies for adaptation in the Union and at world level. In conclusion, Mr DIMAS pointed to the importance for the Union of showing its determination to combat climate change and the need to take part in dialogue with its international partners with a view to exploring the options for a post-2012 strategy.

The Commission held an exchange of views, covering in particular:

- the historic moment represented by entry into force of the Kyoto protocol on 16 February;

- the growing attention paid to the problem of climate change and the positive development of recent contacts between the Union and some of its main partners; the importance in this connection of the position of the United States;
- the importance of affirming the Union's intention to continue to play an active and catalyst role on the international scene as a promoter of climate change strategies, while seeking to share the burden and keeping in mind the objective of competitiveness laid down in the renewed Lisbon strategy;
- the importance of climate change strategies to the economic pillar of sustainable development;
- the need to adopt a differentiated approach in relation to different international partners, in the light of their development and growth profiles;
- the pertinence of the emissions trading system and the success achieved by the European Union in this matter;
- possible ways of encouraging more frequent use of rail and sea transport;
- the need to encourage investment in research and technological innovation and the contribution that a revision of the Community rules on state aid could make in this connection.

Following this exchange of views, the Commission approved the communication from Mr DIMAS in COM (2005)35/4, subject to the following amendment:

- on page 10, paragraph 7 (4), the second sentence to read: "*These include emissions trading, as introduced by the European Union, on the basis of emissions limitations and ...*".

The communication as thus amended would be transmitted to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, together with staff paper SEC(2005)180/3.

11. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2005)166/2)

ADMINISTRATIVE MATTERS

(PERS(2005)18/2)

11.1. INITIAL COMMUNICATION UNDER ARTICLE 50 OF THE STAFF REGULATIONS

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

11.2. DG RELEX- - A*15/A*16 FUNCTION OF DEPUTY DIRECTOR-GENERAL (PERS(2004)124 to /6)

The Commission had before it applications under Article 29(2) of the Staff Regulations (former nomenclature) for the function of Deputy Director-General, External Relations (PERS(2004)124/5), a post reserved for a national of one of the new Member States (PERS(2004)124 to/3).

The Commission took note of the opinions of the Consultative Committee on Appointments of 19 November and 7 December 2004 (PERS(2004)124/4 and /6).

The Commission proceeded to compare the applicants' qualifications for the post. It took note of Mr KALLAS's assessment concerning Mr KOVANDA,

who had experience both as a diplomat and within an international organisation.

In the light of this opinion, the Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, decided to appoint Mr Karel KOVANDA to the post.

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

Notwithstanding this decision, the Commission also noted the qualifications of Mr TRUSZCZYNSKI.

In this connection, the Commission held a brief exchange of views on the situation concerning the recruitment of nationals of the new Member States to Director-General and Deputy Director-General functions. Recalling the recruitment objective laid down for the period up to 2010 and emphasising that merit would form the basis of recruitment, it confirmed the importance of securing a both geographical balance and a balance between men and women.

11.3. DG RELEX - TEMPORARY APPOINTMENT OF HEAD OF DELEGATION IN NORWAY

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, decided under Article 7(2) of the Staff Regulations that Mr Tuomo TALVELA, an A*10 official, currently administrator in the Delegation in Norway, should be deemed temporarily to have occupied the function of Head of the Commission Delegation in Norway from 16 January until 2 May 2004.

This decision would take effect immediately.

**11.4. DG RELEX - TEMPORARY APPOINTMENT OF HEAD OF
DELEGATION IN BRAZIL**

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, decided under Article 7(2) of the Staff Regulations that Mr João Gabriel FERREIRA, an A*12 official, currently administrator in the Delegation in Brazil, should temporarily occupy the function of Head of the Commission Delegation in Brazil with effect from 16 May 2004 until the post was definitively filled, subject to a maximum of twelve months.

This decision would take effect immediately.

11.5. SCIC/C - TEMPORARY APPOINTMENT OF DIRECTOR

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr FIGEL, decided under Article 7(2) of the Staff Regulations that Mr Jupp HAMACHER, at the time an A*14 official in the Interpretation DG, should be deemed temporarily to have occupied the function of Director, Directorate C (Provision of interpretation) in the Interpretation DG from 16 October 2003 to 15 October 2004.

This decision would take effect immediately.

11.6. DG AIDCO/A - TEMPORARY APPOINTMENT OF DIRECTOR

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr MICHEL, decided under Article 7(2) of the Staff Regulations that Ms Dominique DELLICOUR, an A*14 official, currently Head of Unit AIDCO/C/4, should temporarily occupy the function of Director, Directorate C (Africa, Caribbean, Pacific) in the EuropeAid

Cooperation Office, with effect from 1 April 2004 until the post was definitively filled, subject to a maximum of twelve months.

This decision would take effect immediately.

11.7. DG EAC - TEMPORARY APPOINTMENT OF DIRECTOR

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr FIGEL, decided under Article 7(2) of the Staff Regulations that Mr Pierre MAIRESSE, an A*14 official, currently Head of Unit EAC/D/2, should temporarily occupy the post of Director, Directorate D (Youth, civil society, communication) in the Education and Culture DG from 2 August 2004 until the post was definitively filled, subject to a maximum of twelve months.

This decision would take effect immediately.

11.8. DG ADMIN - SECONDMENT OF A CHIEF ADVISER IN THE INTEREST OF THE SERVICE

On a proposal from Mr KALLAS, in agreement with the PRESIDENT, the Commission decided to approve the secondment in the interest of the service of Mr Photius NANOPOULOS, an A*15 official, currently Chief Adviser in the Personnel and Administration DG, to the Greek Economic Ministry for a period of six months.

This decision would take effect immediately.

**11.9. SG - AMENDMENT TO THE RULES GOVERNING THE
COMPOSITION OF THE MEMBERS' CABINETS AND THE
SPOKESPERSONS
(SEC(2004)1485/3)**

The Commission took note of the amendments made by the PRESIDENT to the rules he had drawn up on the composition of Members' Offices and the Spokespersons, as set out in SEC(2004)1485/3.

**12. COMMISSION RECOMMENDATION FOR A COUNCIL DECISION
UNDER ARTICLE 104(9) OF THE EC TREATY CONCERNING GREECE
(SEC(2005)194 to /4; SEC(2005)200)**

Mr ALMUNIA introduced his communication by reminding the meeting of the background to this case, viz.: the decision taken by the Council on 18 January in accordance with Article 104(8) of the Treaty, noting that the Greek authorities had not, within the deadline laid down, taken effective measures to bring an end to the excessive deficit situation, despite the recommendation addressed to them by the Council on 5 July 2004 under Article 104(7) of the Treaty. In accordance with Article 104(9) of the Treaty, Mr ALMUNIA proposed that the Commission recommend to the Council to put Greece under notice to take the necessary measures to remedy the excessive deficit situation. He reviewed the specific recommendations set out in the draft recommendation, such as the rigorous implementation of the 2005 budget approved by the Greek Parliament, and the implementation in 2006 of permanent adjustment measures leading to a reduction in the deficit of at least 0.6 % of GDP. He also recommended extending by one year, until the end of 2006, the deadline laid down in the July 2004 recommendation to bring the deficit below the 3% reference value, which should create the conditions

necessary for a balanced and sustainable correction of the Greek deficit. The Greek authorities would have until 21 March to present a report explaining the measures to be taken to comply with the new recommendations. Mr ALMUNIA drew attention to the importance and value as a precedent of a Council Decision under Article 104(9) of the Treaty, constituting the last stage before the imposition of sanctions. He concluded by stressing that the Commission would need in due course to reflect on the possibilities provided for by the rules to suspend financing from the Cohesion Fund in the event of failure by a Member State to correct an excessive deficit.

The Commission took note of these remarks and approved the recommendation for a Council decision in SEC(2005)194/4 for transmission to the Council.

13. RELATIONS WITH NON-MEMBER COUNTRIES

13.1. MS FERRERO-WALDNER'S VISIT TO THE MIDDLE EAST

Ms FERRERO-WALDNER reported on her recent visit to Egypt, Israel and the Palestinian Territories and her talks with the Egyptian and Israeli Prime Ministers and the President of the Palestinian Authority. An encouraging signal had been given by the declaration of a ceasefire between Israeli and Palestinian forces at the Sharm el-Sheikh summit, and she hoped this could relaunch the peace process and the efforts to implement the road map. Noting the essential role of the Union and the Commission in support of the next stages of the peace and democratisation process from both the financial and the political and humanitarian points of view, Ms FERRERO-WALDNER felt it would be of interest to seek supplementary and coordinated action with the United States. She also referred to the importance of implementing the Barcelona process so as to demonstrate that it could contribute to the

stabilisation of the region, and asked the Commission Members concerned and their respective departments to mobilise their efforts to this effect.

The Commission took note of this information and held a brief exchange of views, particularly concerning the strengthening of cooperation links with the United States in certain aspects of the "soft agenda" (education and vocational training).

13.2. SITUATION IN TOGO FOLLOWING THE DEATH OF THE PRESIDENT OF THE REPUBLIC

Mr MICHEL reported on the worrying situation in Togo following the unexpected death of President Eyadema and the election of his son, Faure Gnassimbe, as the new President following a military and constitutional coup. Reminding the meeting of the chronology of the facts, Mr MICHEL drew attention to the need for strict compliance with the succession procedures laid down in the Togolese Constitution. He referred to the risks of this denial of democratic principles both for the stability of the country and the internal political dialogue, particularly with a view to the general election in April, and for the prospects for improving relations with the European Union. Further to several contacts he had had with certain Togolese and African politicians, Mr MICHEL drew attention to the position unanimously shared by the United States, France, the United Nations, the African Union and the Community of West African States (CEDEAO) in favour of a succession in full compliance with the constitutional rules. The Commission must maintain a firm line in defence of the re-establishment of a democratic situation in Togo in full compliance with its constitution.

The Commission took note of this information and also held a brief exchange of views on the situation in Chechnya.

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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 1230 hours.