



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2005)1701 final

Brussels, 18 May 2005

MINUTES
of the 1701st meeting of the Commission
held in Strasbourg
(Winston Churchill Building)
on Tuesday 10 May 2005
(afternoon)

These minutes were approved by the Commission at its 1702nd meeting, held in Brussels on 18 May 2005.

They contain 16 pages.

CONTENTS

Attendance list	5-6
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1. AGENDAS (OJ(2005)1701/3; SEC(2005)568/2).....	6
2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2005)1701)	6
3. WRITTEN PROCEDURES AND EMPOWERMENT	6
3.1. WRITTEN PROCEDURES APPROVED (SEC(2005)569 et seq.)	6
3.2. SENSITIVE WRITTEN PROCEDURES (SEC(2005)570 and /2).....	6
3.3. EMPOWERMENT (SEC(2005)571 et seq.).....	6
3.4. DELEGATION AND SUBDELEGATION OF POWERS	7
4. MINUTES OF 1700TH MEETING (3 MAY) (PV(2005)1700 AND /2).....	7
5. INTERINSTITUTIONAL RELATIONS (SEC(2005)624).....	7
5.1. RELATIONS WITH PARLIAMENT	7
5.2. RELATIONS WITH THE COUNCIL	10
6. THE HAGUE PROGRAMME: TEN PRIORITIES FOR THE NEXT FIVE YEARS. THE PARTNERSHIP FOR EUROPEAN RENEWAL IN THE FIELD OF FREEDOM, SECURITY AND JUSTICE (COM(2005)184 TO /5; SEC(2005)626).....	12
7. RELATIONS WITH NON-MEMBER COUNTRIES.....	14
7.1. VISIT BY Mr PIEBALGS TO UKRAINE (SEC(2005)640).....	14
7.2. MINISTERIAL MEETING OF THE INTERNATIONAL ENERGY AGENCY (PARIS, 2 and 3 MAY) (SEC(2005)647).....	15
7.3. VISIT BY Mr MICHEL TO THE GREAT LAKES REGION (SEC(2005)643).....	16
7.4. WTO MINISTERIAL MEETINGS ON THE DOHA AGENDA (SEC(2005)648).....	16

Single sitting: Tuesday 10 May (afternoon)

The sitting opened at 1310 hours with Ms Wallström, Vice-President, in the chair.

Present:

Ms WALLSTRÖM Vice-President

Mr BARROT Vice-President

Mr FRATTINI Vice-President

Ms REDING

Mr DIMAS

Mr ALMUNIA

Ms HÜBNER

Mr BORG

Ms GRYBAUSKAITĖ

Mr FIGEL'

Mr KYPRIANOU

Mr MICHEL

Mr KOVÁCS

Ms KROES

Mr McCREEVY

Mr ŠPIDLA

Mr PIEBALGS

Absent:

Mr BARROSO President

Mr VERHEUGEN Vice-President

Mr KALLAS Vice-President

Mr POTOČNIK

Mr REHN

Ms FISCHER BOEL

Ms FERRERO-WALDNER

Mr MANDELSON

The following sat in to represent absent Members of the Commission

Mr ITALIANER	Deputy Chef de cabinet to the President
Ms PROUT	A member of Mr Potočník's staff
Mr HEDBERG	A member of Mr Rehn's staff
Mr ELLERMANN-KINGOMBE	A member of Ms Fischer Boel's staff
Mr GAMBS	A member of Ms Ferrero-Waldner's staff
Mr POWER	A member of Mr Mandelson's staff

The following also sat in

Mr PETITE	Director-General, Legal Service
Mr ANNERBERG	Chef de cabinet to Ms Wallström
Mr DOWGIELEWICZ	Spokesman
Mr SCHELLEKENS	Deputy Chef de cabinet to Mr Dimas
Ms LAMELA	Chef de cabinet to Mr Almunia
Ms GAGO FILORI	A member of Mr Kovács' staff

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

1. AGENDAS

(OJ(2005)1701/3; SEC(2005)568/2)

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)1701)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Wednesday 4 May.

3. WRITTEN PROCEDURES AND EMPOWERMENT

3.1. WRITTEN PROCEDURES APPROVED

(SEC(2005)569 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 2 and 4 May.

3.2. SENSITIVE WRITTEN PROCEDURES

(SEC(2005)570 and /2)

The Commission took note of written procedures initiated between 2 and 4 May for the adoption of decisions with political implications.

3.3. EMPOWERMENT

(SEC(2005)571 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted on 27 April and between 2 and 4 May.

3.4. DELEGATION AND SUBDELEGATION OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 2 and 4 May, as archived on the "Greffé 2000" (Registry) website.

4. MINUTES OF 1700th MEETING (3 May) **(PV(2005)1700 and /2)**

The Commission approved the minutes of its 1700th meeting.

5. INTERINSTITUTIONAL RELATIONS **(SEC(2005)624)**

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on 3 May (SEC(2005)624).

It paid particular attention to the following:

5.1. RELATIONS WITH PARLIAMENT

i) Preparations for May I part-session - legislation (point 1.2.1 of the record)

In accordance with the rules in force, the Commission 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:

Codecision procedure - 2nd reading

- ZAPPALÀ report - Recognition of professional qualifications - COM(2002)119 final - 02/0061 (COD)

The Commission adopted the line set out in SP(2005)1909 and SP(2005)1909/3 and authorised Mr McCreevy to continue contacts with Parliament and the Council with a view to securing agreement at second reading.

Other dossiers

- BUSK report – Exceptional market support measures - COM(2004)712 - 04/254 (CNC)

The Commission adopted the line set out in SP(2005)1902.

Empowerment

Under Article 13 of its Rules of Procedure, the Commission empowered the Member 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 SP(2005)1909 and SP(2005)1909/3, once Parliament had given its opinion, and transmit it to the Council in accordance with Article 251(2)(c) of the EC Treaty, for the following:

- ZAPPALÀ report, Recognition of professional qualifications,

ii) *Preparations for May I part-session - non-legislative dossiers* (point 3.1 of the record)

- Oral question O-45/2005 - Situation in Sudan

The Commission took note of SP(2005)1849.

- Oral question O-35/2005 - Application of WTO rules by China

The Commission took note of SP(2005)1960.

iii) ***Participation of members of Parliament in international conferences:***

***2nd meeting of the parties to the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters - Almaty (Kazakhstan),
25-27 May 2005***

(point 3.8 of the record)

The Commission decided to respond positively to the request from President BORRELL to President BARROSO concerning the participation of three members of Parliament in the conference and approved the draft letter to be signed by the President.

iv) ***Handling of dossiers by Commission Members at the plenary session and in the parliamentary committees***

(point 3.2 of the record)

Ms WALLSTRÖM mentioned the particular problems that had affected the Commission Members' timetable that week and had made it difficult for them to take charge of certain dossiers. She thanked Commission Members for their cooperativeness and flexibility, which had made it possible to find appropriate solutions.

More generally, Ms WALLSTRÖM announced that she intended to impress upon Parliament and the Council the need to coordinate their work schedules in order to enable Commission Members to reconcile their commitments to the two institutions.

v) ***Structured dialogue on the work programme***

Referring to the letter she had sent to Commission Members on this subject, Ms WALLSTRÖM asked them to contact their respective

parliamentary committees in order to organise the meetings provided for under the structured dialogue.

5.2. RELATIONS WITH THE COUNCIL

vi) ***Incitement to hatred in broadcasts from countries outside the European Union***

(point 2.3 of the record)

The Commission noted that Ms REDING would inform the “Education, Youth, Culture” Council of 23 and 24 May 2005 in accordance with the line set out in SI(2005)388.

vii) ***Proposal for a European Parliament and Council Regulation amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks***

(point 2.4 of the record)

The Commission authorised Ms REDING to support the joint Council/Commission statement to the Education, Youth, Culture Council of 23 and 24 May, as set out in SI(2005)387, in order to facilitate an agreement on the proposal by qualified majority.

viii) ***Proposal for the release of the balance of the conditional amount of EUR 1 billion under the 9th European Development Fund***

(point 2.5 of the record)

The Commission authorised Mr MICHEL to support a future Presidency compromise in accordance with the line set out in SI(2005)393.

ix) ***Draft agreement concerning the participation of Norway and Iceland in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union***

(point 2.6 of the record)

The Commission authorised Mr FRATTINI to support the Presidency's proposal for a compromise in accordance with the line set out in SI(2005)392, as amended at the meeting of the Chefs de cabinet on 4 May 2005 (cf. SEC(2005)1701).

x) ***Preparations for the informal meeting of Economic and Finance Ministers on 13 and 14 May 2005***

Financing of development assistance

Mr ALMUNIA outlined the issues that the Economic and Finance Ministers would tackle in their discussion of the financing of development assistance at their informal meeting on 13 and 14 May. Given the importance and sensitivity of the dossier, he wanted to obtain the Commission's backing for the position he and Mr KOVÁCS would take on the main aspects to be discussed. As regards the increase in the level of official development aid, Mr ALMUNIA noted that the Commission had adopted a communication on 12 April containing precise objectives which should be defended. On the question of debt relief, he was in favour of a cautious and differentiated approach which took into account the specific situation of the countries concerned. Finally, the intention was to reserve the Commission's position on the possible fiscal options pending the Economic and Financial Affairs Council meeting of 7 June.

Mr MICHEL endorsed Mr ALMUNIA's analysis of the issues for discussion and expressed his support for debt cancellation on a case by case basis. He emphasised the need to concentrate on defending the Commission's proposals on increasing official development aid and not to allow this item to be held hostage to the discussions on possible new sources of financing.

Agreeing with Mr MICHEL on the question of debt relief, Mr KOVÁCS reported on how the five fiscal options discussed in the Commission staff paper presented at the Economic and Financial Affairs Council meeting

on 12 April had been received. So far, he noted that only the kerosene tax and the tax on airline tickets had received some support from Member States. He confirmed that the Commission would not present any document on this question at the informal meeting.

Having taken note of this information, the Commission held an exchange of views in which it stressed the need for a coherent approach and coordinated preparation, taking into account the various links with other dossiers being prepared or under discussion (international dimension, environmental and transport aspects, finance, etc.).

Winding up the discussion, Ms WALLSTRÖM noted that the Commission agreed to Mr ALMUNIA and Mr KOVÁCS adopting a position that focused on defending the Commission's proposals for increasing official development aid. The Commission would come back to the question of fiscal instruments to ensure coordinated preparation for the Economic and Financial Affairs Council in June.

It was agreed that at the next Commission meeting Mr ALMUNIA and Mr KOVÁCS would report back on the discussions at the informal meeting of Economic and Finance Ministers and take stock of any conclusions to be drawn from it.

6. THE HAGUE PROGRAMME: TEN PRIORITIES FOR THE NEXT FIVE YEARS. THE PARTNERSHIP FOR EUROPEAN RENEWAL IN THE FIELD OF FREEDOM, SECURITY AND JUSTICE (COM(2005)184 to /5; SEC(2005)626)

Mr FRATTINI introduced the communication he was tabling and thanked Commission Members, their Cabinets and departments for their constructive cooperation in the preparation of the dossier. This communication was a response to the European Council's request in November 2004 for an action plan to implement

the objectives and priorities of the Hague programme, a multiannual programme to enhance freedom, security and justice. The resulting action plan consisted of two parts: the first, which dealt with matters of policy, reviewed the issues at stake and some of the most important aspects of the programme. It identified ten specific priorities on which the Commission believed efforts should be concentrated over the next five years. The second part listed the measures and practical actions planned for the next five years. Mr FRATTINI stressed that the proposed action plan was both ambitious and well-balanced. It hinged on the concepts of prosperity, solidarity and security and developed a package of measures intended to enhance security in all its different forms, while at the same time trying to ensure better monitoring and promotion of respect for fundamental rights. This meant responding to the demands and concerns of the public and showing that in these areas Europe makes the difference. Mr FRATTINI concluded by insisting on the importance of effective implementation of the plan, in close collaboration with Parliament, the Council and the Member States. He noted that in order to respond to any new priorities that might emerge in the coming years a mid-term review would be carried out in November 2006.

The Commission took note of these comments and joined Ms WALLSTRÖM in congratulating Mr FRATTINI on the quality of the communication strategy that had been prepared to accompany the document. An exchange of views was then held, which highlighted the following points:

- the importance and the ambitious nature of the action plan and the need for an active communication strategy highlighting the added value of a European approach in these fields;
- the willingness of the Commission Members concerned to continue to cooperate with Mr FRATTINI in the matters that overlap with their respective areas of responsibility (competition, consumer protection, external affairs, ...);
- the importance of ensuring that the Agency for the Management of External Borders came into operation quickly;

- the need for financial resources that were commensurate with the ambitious goals that had been set;
- in connection with the situation of the new Member States, the priority to be given to free movement within the internal borders and the abolition of checks on individuals at internal borders;
- the need to avoid the European Union being seen as a fortress;
- the importance of the implementation, follow-up and monitoring of the measures identified;
- a related matter was the current situation as regards the transfer of PNR data (*Passenger Name Records*) to the United States; Parliament's position on this and the expected judgment of the Court of Justice; more generally, relations with the United States in this context.

Following this discussion, the Commission approved the communication in COM(2005)184/4 for transmission to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions.

7. RELATIONS WITH NON-MEMBER COUNTRIES

7.1. VISIT BY Mr PIEBALGS TO UKRAINE

(SEC(2005)640)

Mr PIEBALGS reported on his recent visit to Ukraine in connection with the implementation of the action plan under the European neighbourhood policy. Emphasising the willingness shown by the Ukrainian authorities to introduce the reforms required to establish a market economy, Mr PIEBALGS spoke of the need to send a clear message about the efforts Ukraine had to make and the need for the European Union to draw conclusions from the results that would be achieved. As regards the energy sector, Mr PIEBALGS mentioned

the main areas for action identified by the action plan for Ukraine, viz. the safety of nuclear energy, including the Chernobyl site, gas and oil transit systems and the restructuring of the energy sector. He thanked the departments under the responsibility of Ms FERRERO-WALDNER for their efforts to facilitate work in Ukraine itself.

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

The Commission also took note of the information note distributed by Mr PIEBALGS.

**7.2. MINISTERIAL MEETING OF THE INTERNATIONAL ENERGY AGENCY (PARIS, 2 and 3 MAY)
(SEC(2005)647)**

Further to his information note on the dossier, Mr PIEBALGS summarised the results of the ministerial meeting of the International Energy Agency (IEA) in Paris. Stressing the new part played by the Commission in this forum and the potential for strengthening this role, Mr PIEBALGS reviewed the main messages from the Energy Ministers regarding, in particular, the continuing oil price rises, the increased reliance on a policy based on energy efficiency and new technologies and the need for closer international cooperation. Mr PIEBALGS also referred to bilateral meetings that had been held with the United States, China and Japan.

The Commission noted this information. It held a brief exchange of views focusing particularly on the transparency of Member States' policy on oil stocks and the dialogue with producer countries. Replying to the questions raised, Mr PIEBALGS outlined his views on the matter and the initiatives he planned to take in the longer term in this connection.

The Commission also took note of the information note distributed by Mr PIEBALGS.

(10 May 2005)

7.3. VISIT BY Mr MICHEL TO THE GREAT LAKES REGION
(SEC(2005)643)

The Commission took note of the information note distributed by Mr MICHEL.

7.4. WTO MINISTERIAL MEETINGS ON THE DOHA AGENDA
(SEC(2005)648)

The Commission took note of the information note distributed by Mr MANDELSON and Ms FISCHER BOEL.

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The meeting closed at 1450 hours.