



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2006)1741 final

Brussels, 26 April 2006

MINUTES
of the 1741st meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 12 April 2006
(morning)

PV(2006)1741 final

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Single sitting: Wednesday 12 April 2006 (morning)

The sitting opened at 0904 hours with Mr Barroso, President, in the chair. Items 11 (in part) and 12 were chaired by Mr VERHEUGEN.

Present:

Mr BARROSO	President	Items 1 to 11 (in part)
Mr VERHEUGEN	Vice-President	Items 10 to 12
Mr BARROT	Vice-President	
Mr KALLAS	Vice-President	
Mr FRATTINI	Vice-President	
Ms REDING		Items 1 to 10 (in part)
Mr DIMAS		
Mr ALMUNIA		
Ms HÜBNER		
Mr BORG		Items 10 to 12
Ms GRYBAUSKAITĖ		
Mr POTOČNIK		
Mr KYPRIANOU		
Mr REHN		Items 1 to 11 (in part)
Mr MICHEL		
Mr KOVÁCS		
Ms KROES		Items 1 to 11 (in part)
Ms FISCHER BOEL		
Ms FERRERO-WALDNER		Items 1 to 12 (in part)
Mr ŠPIDLA		
Mr MANDELSON		Items 1 to 11
Mr PIEBALGS		Items 1 to 12 (in part)

Absent:

Ms WALLSTRÖM	Vice-President
Mr FIGEL'	Member
Mr McCREEVY	Member

The following sat in to represent absent Members of the Commission

Mr ANNERBERG	Chef de cabinet to Ms Wallström	
Mr ADAMIŠ	Chef de cabinet to Mr FIGEL'	Items 1 to 12 (in part)
Mr POWER	Chef de cabinet to Mr McCREEVY	

The following also sat in

Mr VALE DE ALMEIDA	Chef de cabinet to the President	Items 1 to 12 (in part)
Ms DURAND	Deputy Director-General of the Legal Service	Items 10 (in part) to 12
Mr SØRENSEN	Director-General, Communication DG	Items 1 to 12 (in part)
Ms AHRENKILDE HANSEN	Communication DG	Items 1 to 11
Mr MOAVERO-MILANESI	Director-General, Bureau of European Policy Advisers (BEPA)	Items 1 to 9
Mr ITALIANER	Deputy Chef de cabinet to the President	Items 1 to 11 (in part)
Mr ELLIS	A member of the President's staff	Item 10 (in part)
Ms MARTINEZ ALBEROLA	A member of the President's staff	Item 11
Ms MANFREDI	A member of Mr Kallas's staff	Item 12
Mr CHANTERIE	A member of Ms Reding's staff	Items 10 (in part) to 12
Mr GIOTAKOS	A member of Mr Dimas's staff	Item 11
Mr SCHINAS	Chef de cabinet to Mr Kyprianou	Item 11
Mr HARTVIG	Legal Service	Item 10 (in part)
Mr MARTIN	Environment DG	Item 11

Secretary: Ms DAY, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2006)1741/3; SEC(2006)454/2)

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(2006)1741)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 10 April.

3. MINUTES OF 1740th MEETING (4 April)

(PV(2006)1740)

The Commission approved the minutes of its 1740th meeting.

4. MONITORING THE APPLICATION OF COMMUNITY LAW

***INFRINGEMENTS - Cases deferred because of non-availability of documents -
Regularisation***

(SEC(2006)213)

The Commission adopted the decisions in SEC(2006)213.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2006)455 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 3 and 7 April.

5.2. SENSITIVE WRITTEN PROCEDURES

(SEC(2006)456/2)

The Commission took note of sensitive written procedures initiated between 3 and 7 April and of final written procedures initiated on 5 April.

5.3. EMPOWERMENT

(SEC(2006)457 et seq.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 3 and 7 April.

5.4. DELEGATION AND SUBDELEGATION OF POWERS

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation procedure between 3 and 7 April, as archived on the "Greffé 2000" (Registry) website.

6. COMMUNICATION TO THE COMMISSION ON TARGETS FOR THE RECRUITMENT AND APPOINTMENT OF WOMEN TO MANAGEMENT AND OTHER A*/AD-LEVEL POSTS IN THE COMMISSION IN 2006

(SEC(2006)469 to /3; SEC(2006)478)

The Commission adopted the communication in SEC(2006)469/3, in particular the targets for the recruitment and appointment of women for 2006 and the recommendations in section 4 of the above-mentioned document.

7. PRELIMINARY DRAFT AMENDING BUDGET No 2 TO THE GENERAL BUDGET OF THE EUROPEAN COMMUNITIES 2006 – GENERAL STATEMENT OF REVENUE

(SEC(2006)490 and /2)

The Commission adopted preliminary draft amending budget No 2 to the general budget of the European Communities 2006 contained in SEC(2006)490, for transmission to Parliament and to the Council.

8. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 81 OF THE EC TREATY (CASE COMP/B-1//38.348 –REPSOL CPP, S.A.)

(C(2006)1548 to /5)

The Commission shall:

- took note of the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions of 27 March in C(2006)1548/3;
- took note of the final report of the Hearing Officer of 27 March in C(2006)1548/4;

(12 April 2006)

- adopted, in the authentic language (Spanish), the decision in C(2006)1548, making the commitments annexed to the decision obligatory for the company in question;
- decided that the decision in C(2006)1548 would be notified to the company concerned, together with the final report of the Hearing Officer;
- empowered the Commission Member responsible for Competition to decide on the appointment and terms of reference of the proposed representative;
- decided that the most important parts of the decision, together with the opinion of the Advisory Committee and the final report of the Hearing Officer, would be published in the official languages in the Official Journal (with all business secrets removed);
- decided to publish the decision (with business secrets removed) on the Internet.

9. RELATIONS WITH NON-MEMBER COUNTRIES

9.1. VISIT TO LATIN AMERICA (CHILE, ARGENTINA AND BRAZIL, 27-31 MARCH) (SEC(2006)504)

The Commission took note of the information note from Mr MANDELSON in SEC(2006)504.

9.2. MINISTERIAL MEETING ON THE LAUNCHING OF NEGOTIATIONS ON THE ENLARGEMENT AND AMENDMENT OF THE CENTRAL EUROPEAN FREE TRADE AGREEMENT (BUCHAREST, 6 APRIL) (SEC(2006)509)

The Commission took note of the information note from Mr REHN and Mr MANDELSON in SEC(2006)509.

9.3. VISIT TO INDIA (NEW DELHI, 5-7 APRIL)
(SEC(2006)510)

The Commission took note of the information note from Mr PIEBALGS in SEC(2006)510.

10. INTERINSTITUTIONAL RELATIONS

10.1. LEGISLATIVE MATTERS

i) Action to be taken on Parliament's opinions

(SP(2006)1467)

The Commission decided to empower the Commission Members responsible for the areas concerned, in agreement with the PRESIDENT and Ms WALLSTRÖM and any other Commission Members concerned, to adopt the amended proposals, as well as the opinions at second reading under the codecision procedure, for transmission to Parliament and the Council (SP(2006)1467).

ii) Interinstitutional agreement – Financial perspective 2007-13

The PRESIDENT welcomed the result of the triologue meeting of the European Parliament, the Council and the Commission on Tuesday 4 April, and pointed to the vital importance of the agreement reached on the financial perspective 2007-13. He felt that this agreement contained almost all the proposals that the Commission had made the previous autumn in order to facilitate the negotiations and help to bring them to a successful conclusion.

Ms GRYBAUSKAITĖ briefly summarised the negotiations at the last triologue meeting and described the outcome of these negotiations as very positive. She pointed to the constructive climate that had prevailed and the decisive role played by the Commission in resolving the last matters that

remained pending. She was hopeful that the agreement would be validated by Parliament's Committee on Budgets at its meeting on 24 and 25 April.

Ms GRYBAUSKAITĖ stated that the additional appropriations for research to be released by the European Investment Bank were subject to provision of a corresponding amount by the Commission.

Following the information given by Ms GRYBAUSKAITĖ, particularly on the gentleman's agreement entered into by the institutions on the allocation of these additional amounts, the PRESIDENT pointed out that adequate margins would have to be left when implementing programmes, for example for the future European Institute of Technology.

The PRESIDENT concluded by warmly thanking Ms GRYBAUSKAITĖ and her departments, on behalf of the Commission, for the excellent work carried out in this matter of strategic importance.

10.2. RELATIONS WITH THE COUNCIL

(SI(2006) 289)

iii) Informal meeting of Ministers of Economic and Financial Affairs and seventh meeting of ASEM Finance Ministers (Vienna, 6 to 9 April) (SEC(2006)505)

Enlargement of the euro area

Mr ALMUNIA reported on the discussions held at the informal meeting of the Ministers of Economic and Financial Affairs from 6 to 9 April, particularly as regards the conditions for admission of new members to the euro area in the future.

He pointed out that requests from Lithuania and Slovenia had already been received by the Commission and the European Central Bank, and that it would be desirable to discuss beforehand a general approach to the enlargement of the euro area. He reminded the meeting that the next two-yearly convergence report was planned for October and that in May 2006

the *ad hoc* reports on the applications of the above-mentioned Member States would be submitted. This would enable decisions concerning them to be taken in July, following the European Council.

Further to the discussions held at the informal meeting, he noted that there was considerable support from the Eurogroup ministers to the approach advocated by the Commission for assessing applications for membership. This approach combined sound economic analysis with strict application of the convergence criteria, while ensuring that all the countries concerned were treated equally.

In the context more particularly of the convergence criteria, Mr ALMUNIA emphasised the importance of compliance with all the criteria (stability of exchange rates, public debt and deficits, long-term interest rates and price stability). He drew attention in particular to the reference value as regards price stability, which would be calculated in strict compliance with the Treaty on the basis of the data for the three best-performing Member States out of the 25. He noted that the Ministers of the Eurogroup expressed broad support for this interpretation, and for the provision to the effect that the inflation rates of the accession countries must not exceed the reference value.

He said that the Ministers of the Eurogroup had highlighted, in this connection, the importance of taking into account sustainable price stability when assessing convergence.

Following the presentation by Mr ALMUNIA, the Commission held a brief exchange of views, during which the following points in particular were dealt with:

- the importance of considering the individual applications for accession in depth based on strict application of the specified criteria, taking into account the wider political and economic aspects;

- the importance of the first *ad hoc* reports in setting a precedent in order to highlight the strict interpretation and application of the criteria and the reasons for this choice;
- recognition of the effect of the reform of their social security systems on the public deficits of several Member States;
- the need to maintain incentives for reform after accession;
- the margin of discretion which the Commission would have under the Treaty and the importance of giving a political judgment.

The PRESIDENT concluded by thanking Mr ALMUNIA for his presentation. In view of the positive relations between the Commission and the Member States in the last year, particularly as a result of the renewed stability and growth pact, it was more important than ever to ensure that the criteria were rigorously applied and all the Member States were treated equally.

Mr ALMUNIA also mentioned the informal meeting held, on the fringe of the ASEM meeting, between the Chinese Minister for Finance and the President of the Eurogroup, the President of the European Central Bank and himself. He emphasised the importance for the Chinese financial authorities of bilateral relations with the European Union and pointed out that this first bilateral exchange of opinions on exchange rates was a new departure.

Mr ALMUNIA reminded the meeting of the problems relating to the external representation of the euro in bodies such as the G7 or the International Monetary Fund, particularly when these bodies examined the question of exchange rates, and wondered how the situation could be improved.

Following a brief exchange of views on this last aspect, the PRESIDENT concluded that it would be useful to consider the possibilities of improving the visibility and representation of the euro area and indeed of the European Union in international financial organisations. He asked Mr ALMUNIA to submit a proposal on this matter to the Commission if necessary.

Proposed common consolidated corporate tax base

Mr KOVÁCS reported on the first discussion held, during the same informal meeting of the Ministers for Economic and Financial Affairs, on the common consolidated corporate tax base. He pointed out the importance of the common tax base for growth, employment and competitiveness, and noted that a substantial majority of ministers had supported the Commission's proposals.

He also mentioned that several ministers, while not wishing to halt the work being carried out, had expressed their concern concerning a possible loss of fiscal sovereignty and flexibility as a result of this harmonisation initiative.

Lastly, he told the meeting that he had announced the Commission's intention of reporting regularly during each Presidency on the state of play of the discussions of the Ministers for Economic and Financial Affairs.

The Commission took note of all this information concerning the meetings held in Vienna from 6 to 9 April, as well as of the note from Mr ALMUNIA, in agreement with Mr KOVÁCS and Mr McCREEVY, distributed as SEC(2006)505.

iv) General affairs and external relations (Luxembourg, 10 and 11 April)Financing of the Palestinian National Authority

Ms FERRERO-WALDNER reported on the results of the Council meeting on 10 and 11 April, particularly as regards the financing of the Palestinian National Authority and relations with Belarus, Iran and Ukraine.

On the question of the financing of the Palestinian National Authority, Ms FERRERO-WALDNER had informed the Council of the Commission's intention to suspend - temporarily and as a preventive measure - direct financing and technical assistance to the new Palestinian executive until the latter adhered to the principles formulated by the Quartet. This approach had secured unanimous support from the Member States.

She explained that this decision affected only the Palestinian National Authority and did not call into question direct aid to the people of Palestine or indirect aid through NGOs or UNWRA, particularly for health and education.

The Council had also taken a unanimous stance concerning contacts with Palestinian leaders. All direct contact with members of the executive of the Palestinian National authority or with representatives of Hamas, which supported it, had been ruled out for the time being. The only exceptions were technical contacts between officials, where these were essential for implementing an EU-approved objective, a mission or an aid programme for the general population, for protecting consular interests, or for organising international meetings or meetings held under the Euro-Mediterranean partnership. Contacts with the Palestinian President were being maintained.

Ms FERRERO-WALDNER welcomed the Council's unanimous support for the Commission's initiatives and highlighted the importance of adhering strictly to the common approach as regards contacts with the executive of the Palestinian National Authority.

Turning to relations with Belarus, Ms FERRERO-WALDNER reported on the Council decision to prohibit visas for the President of Belarus and thirty other persons held responsible for violations of human rights and international election standards and for acts of repression against civil society and the opposition.

Ms FERRERO-WALDNER also mentioned the Council's exchange of views on relations with Iran, in particular as regards its nuclear activities. The Council had expressed its support for the conclusions of the International Atomic Energy Agency and reaffirmed the need to find a diplomatic solution.

As regards Ukraine, the Council had noted that the parliamentary elections of 26 March had run smoothly.

The following issues were raised during a brief exchange of views:

- the need to examine thoroughly the options regarding technical or administrative contacts with the Palestinian National Authority;
- the case for stepping up humanitarian aid for the Palestinian people and the need to maintain support for health services in particular;
- the viability of relations between the European Union and the Palestinian National Authority under the Euro-Mediterranean partnership, particularly as regards the liberalisation of trade and the definition of terrorism;
- the importance of ensuring the security of staff of European institutions and NGOs on the spot;
- on Belarus, the need to support the democratic opposition and to reconsider the policy of visas for Belarus students expelled from their universities.

The PRESIDENT thanked Ms FERRERO-WALDNER for her presentation. He emphasised the importance of the EU's long-standing aid to the Palestinian people and the great responsibility this entailed. He reminded the meeting that a distinction should be made between the executive of the Palestinian National Authority and the Palestinian people, particularly as regards financial support. He felt that the European Union's approach would help establish a coordinated and coherent international approach.

Tenth European Development Fund

Mr MICHEL reported on the dispute in the Council concerning the source of financing for cooperation with the Overseas Countries and Territories (OCT) and support expenditure for implementation of the European Development Fund (EDF). However, the Council had reiterated its support for speedy conclusion of the agreement with the ACP countries with a view to the entry into force of the 10th EDF on 1 January 2008.

He explained that some Member States felt that the financing of support expenditure for implementation of the EDF, estimated at €859 million, and cooperation with the OCT, estimated at €294 million, should be charged to the EDF budget of €22 682 million granted for the period 2008-13.

To help reach a compromise, Mr MICHEL felt that support expenditure could be reduced from 4% to 2.9% of the total budget. However, the financing of cooperation with the OCT could not be met from the amount allocated to the ACP countries. If the EDF was to finance aid for the OCT, Member States' contributions would have to be increased slightly.

The PRESIDENT thanked Mr MICHEL and stressed the need to continue the negotiations in order to arrive at a solution as soon as possible.

The Commission took note of the information supplied by Mr MICHEL and by Ms FERRERO-WALDNER concerning the results of the Council meeting (General affairs and external relations) on 10 and 11 April.

10.3. RELATIONS WITH PARLIAMENT

viii) Results of the April I plenary session

(SP(2006)1493)

The Commission took note of the information supplied in SP(2006)1493 relating to Parliament's part-session held in Brussels from 3 to 6 April.

10.4. RELATIONS WITH THE COMMITTEE OF THE REGIONS

vi) Follow-up to Committee of the Regions opinions – second half-year 2005 (28th report)

(SR(2006)9)

The Commission approved the replies to be given to the opinions adopted by the Committee of the Regions during the second half of 2005, as described in SR(2006) 9, and decided to transmit this document to the Committee of the Regions.

**11. POLICY DEBATE – POSSIBLE IMPROVEMENTS TO THE
DECISION-MAKING PROCEDURE FOR AUTHORISING THE
MARKETING OF GENETICALLY MODIFIED ORGANISMS
(SEC(2006)474 to /3); SEC(2006)486)**

The PRESIDENT introduced the debate by thanking Mr DIMAS and Mr KYPRIANOU for their information note, which gave a clear picture of the current decision-making procedure for authorising the marketing of genetically modified foodstuffs and feedingstuffs and proposed pragmatic solutions.

He reminded the meeting that in some Member States there was a problem of public perception regarding genetically modified organisms (GMOs), which meant that specific measures needed to be taken both to improve operation of the system and to restore confidence.

He stressed that Member States bore much of the responsibility for the present political stalemate and highlighted the importance of preserving the rules in force and the role of the European Food Safety Authority (EFSA), so as not to undermine the credibility of the present system and the Commission's work. Under committee procedures, the Commission had an obligation to act, while recognising that legitimate objections of the Member States had to be taken into account as far as possible. In that respect, this was a balanced document, which made it possible to take those factors on board without, however, calling into question the existing decision-making procedure.

Mr KYPRIANOU and Mr DIMAS presented in turn the information note distributed as SEC(2006)474/3.

Mr KYPRIANOU pointed out that this was the first debate focusing specifically on procedural matters relating to GMOs, and cited a number of key issues:

- many requests for authorisation to place GMOs on the market were currently pending;
- at the «Environment» Council’ meetings in December and March, Member States had expressed concerns regarding the degree of transparency in EFSA’s evaluation procedures and the extent to which it took on board their suggestions, and regarding the fact that authorisation decisions were ultimately taken without the support of a majority of Member States;
- there was no precise legal definition of the concept of a «predominant position»;
- the Commission was required to act on GMO authorisations in good time.

Mr KYPRIANOU also called to mind the objective being pursued, namely to improve the transparency of the procedure and boost confidence in the authorisation system by involving Member States more closely and taking greater account of the scientific opinions expressed. The proposed measures could be applied without any change to the regulatory framework. Mr KYPRIANOU insisted that the proposed amendments should in no way lead to excessive waiting periods but, on the contrary, should facilitate the conclusion of authorisation procedures.

Mr KYPRIANOU pointed out that EFSA played an important role in all areas relating to food safety and there was a need to preserve confidence in the evaluations it produced. At the same time, if EFSA were to respond better to the doubts expressed by Member States during evaluations, this could help avoid a number of abstentions when it came to voting on authorisation decisions. The proposed measures might therefore allow a qualified majority to be reached more often.

Mr DIMAS reminded the meeting that the purpose of that day’s debate was not to discuss GMOs in general but to concentrate solely on possible improvements to the procedure for authorising the marketing of GMOs. The measures proposed required

no amendment of the legislation, but were designed chiefly to enable Member States to adopt positions with more serenity and confidence when it came to taking decisions on whether or not to authorise new GMOs. Although some positions would remain unchanged, other Member States might be favourably influenced by an improvement in evaluation and decision-making procedures; it was worth exploring that potential. He also stressed that it was important that the planned measures did not lead to unjustified waiting periods, particularly in relation to the World Trade Organisation.

Following this presentation, the Commission held a discussion which brought out the following points:

- the very positive nature of the planned approach, which did not call into question the existing regulatory framework;
- the need to avoid situations where the concept of «predominant position» might be invoked and the relevance of the tools proposed to that end in the information note, but also the case for producing a clarification in future to put the value of the 1999 declaration into perspective, so as to return to the strict application of legislation requiring a qualified majority;
- the case for stepping up cooperation with the Member States;
- the need for sound arguments and, at the same time, the highly political and not just scientific nature of the positions adopted by the Member States and the difficulty of achieving any movement in these positions;
- the advantages of handling authorisation decisions under the Commission's oral procedure rather than adopting them by written procedure;
- the importance of exercising great caution in commenting on EFSA's work, in line with the aim of the suggested improvements, which was to boost confidence;

- the attention to be paid to waiting times under the procedure, which must in no way be lengthened by the proposed measures;
- the Commission's legal obligation to take decisions on the basis of reliable scientific evidence;
- the particular problem of the abstention of certain Member States, which then took refuge behind the Commission decision, and the significance of the pragmatic measures proposed, which would allow Member States to express a view in full knowledge of the facts and provide the public with a better understanding of the decisions taken;
- the need for realism in relation to risk assessment, as the scientific questions involved were particularly complex and research was still in progress.

In conclusion, Mr VERHEUGEN emphasised that the Commission had little room for manoeuvre, as it had to do what was in its power to improve the procedure in question without, however, amending the legislation in force. He confirmed the Commission's support for the approach advocated at point 5 of the information note distributed as SEC(2006) 474/3, of which the Commission took note, and asked Mr DIMAS and Mr KYPRIANOU to implement this approach.

12. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2006)458/3)

ADMINISTRATIVE MATTERS

(PERS(2006)51/3)

12.1. ESTAT - POST OF DEPUTY DIRECTOR-GENERAL

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr ALMUNIA, the Commission decided, under Article 7(1) of the Staff Regulations, to fill the post of Director-General of the Statistical Office of the

(12 April 2006)

European Communities by transferring in the interests of the service Mr Hervé CARRE, an A*15 official, currently Deputy Director-General, Economic and Financial Affairs.

This decision would take effect on 1 May 2006.

12.2. *ESTAT – APPOINTMENT OF A*14/15 DIRECTOR*

(PERS(2006)17 to /3)

The Commission had before it applications for the post of Director of the Business Statistics Directorate in the Statistical Office of the European Communities, published under Article 29(1a)(i) and (iii) of the Staff Regulations (PERS(2006) 17).

The Commission took note of the opinions of the Consultative Committee on Appointments of 16 and 31 March (PERS(2006)17/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. Having considered their ability, efficiency and conduct in the service, the Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr ALMUNIA, decided to appoint Mr Peter BEKX to the vacant post in question.

This decision would take effect on 1 June 2006.

12.3. *DG BUDG – TERMINATION OF THE EXTERNAL SELECTION PROCEDURE TO APPOINT AN A*14 DIRECTOR (EU-10)*

(PERS(2005)70 to /5)

Having noted the procedure followed, as set out at point 3 of PERS(2006) 51/3, the Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms GRYBAUSKAITĖ, decided to terminate selection procedure COM/2005/10002 without making an appointment.

This decision would take effect immediately.

**12.4. DG BUDG – TERMINATION OF THE INTERNAL SELECTION
PROCEDURE TO APPOINT AN A*14/15 DIRECTOR
(PERS(2005)131 to /4)**

Having noted the procedure followed, as set out at point 4 of PERS(2006) 51/3, the Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms GRYBAUSKAITĖ, decided to terminate selection procedure COM/2005/2252 without making an appointment.

This decision would take effect immediately.

**12.5. DG ECFIN - INTERNAL PUBLICATION OF A VACANCY NOTICE
FOR AN A*15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2006)52)**

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr ALMUNIA, the Commission authorised the publication, under Article 29(1a)(i) and (iii) of the Staff Regulations, of the vacancy notice in PERS(2006) 52, for the A*15/16 post of Deputy Director-General, Economic and Financial Affairs.

This decision would take effect immediately.

OTHER BUSINESS

**12.6. CREATION OF THE FOURTH EUROPEAN SCHOOL IN BRUSSELS
(SEC(2006)507)**

Mr KALLAS reported on the background to the decision which the Board of Governors of the European Schools would take at its meeting on 25 and 26 April concerning the choice of language sections to be established at the future fourth European School in Brussels (Laeken). He began by stressing that this issue was an extremely complex and sensitive one and explained the voting rules for decision-making in the Board of Governors. He then outlined

the two options presented by the working party that had been set up for this purpose and the various reasons why neither of these two options, in their current form, could be regarded as satisfactory.

Noting that there was no need to take a formal decision or to define a mandate for Mr KALLAS at that day's meeting, the Commission held a short exchange of views, focusing in particular on the following points:

- the Commission's role, which, particularly in view of the voting rules, should consist of facilitating as far as possible a solution that was acceptable to the largest number of interested parties and adhered to a number of basic criteria;
- the importance of being able to reach a solution in agreement with the Belgian authorities, which represented the "host country", for which language-related matters were particularly sensitive;
- the general objective of equal treatment on equal terms;
- the various problems that would inevitably arise from any transfer of an existing language section from one site to another;
- the possibility of setting up a central enrolment office for the four Brussels schools and certain detailed operating rules for such an office;
- the situation regarding enrolment of "Category III" pupils, i.e. pupils with no link to the European or international institutions who were admitted depending on the places available and subject to payment of full enrolment fees;
- the problems in conducting any planning exercise with regard to numbers and types of pupils;
- the specific situation of certain language sections;

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- the importance of ensuring that children in the same family could attend the same school;
- the need to take account of the mobility problems in the city of Brussels.

Winding up the exchange of views, Mr VERHEUGEN thanked Mr KALLAS for his management of a truly delicate matter. The Chefs de cabinet would discuss the subject at a meeting scheduled for Wednesday 19 April and, possibly, at their weekly meeting on Monday 24 April. The options currently open to the Board of Governors did not seem to be realistic and Mr KALLAS would try to negotiate a compromise solution based on criteria such as:

- the need to react to the overcrowding of the schools;
- equal treatment on equal terms;
- cost/benefit ratio;
- limits on the negative effects of any transitional measure on the families concerned;
- consideration for the language sensitivities of the "host country" and its regions and communities.

The Commission took note of the information note from Mr KALLAS in SEC(2006)507.

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The meeting closed at 12.41 hours.

