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SECRETARIAT-GENERAL

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MINUTES
of the 1774th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 31 January 2007
(morning)

PV(2007)1774 final

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Single sitting: Wednesday 31 January 2007 (morning)

The sitting opened at 11.44 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Ms WALLSTRÖM	Vice-President	
Mr VERHEUGEN	Vice-President	
Mr BARROT	Vice-President	
Mr KALLAS	Vice-President	
Mr FRATTINI	Vice-President	Items 1 to 13 (in part)
Ms REDING		
Mr DIMAS		
Mr ALMUNIA		
Ms HÜBNER		
Ms GRYBAUSKAITĖ		
Mr POTOČNIK		
Mr FIGEL'		
Mr KYPRIANOU		Items 1 to 12 (in part)
Mr KOVÁCS		
Ms KROES		Items 1 to 12 (in part)
Ms FISCHER BOEL		
Ms FERRERO-WALDNER		Items 1 to 12
Mr McCREEVY		
Mr ŠPIDLA		
Mr MANDELSON		
Ms KUNEVA		
Mr ORBAN		

Absent:

Mr BORG

Mr REHN

Mr MICHEL

Mr PIEBALGS

(31 January 2007)

The following sat in to represent absent Members of the Commission

Ms DARMANIN	A member of Mr BORG's staff
Mr PESONEN	Chef de cabinet to Mr REHN
Ms WEYAND	Chef de cabinet to Mr MICHEL
Mr KOBIA	A member of Mr PIEBALG's staff

The following also sat in

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Ms DURAND	Deputy Director-General, Legal Service	
Mr SØRENSEN	Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	Items 1 to 11
Mr GASPAR	Acting Director-General, Bureau of European Policy Advisers (BEPA)	
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT	Items 12 and 13
Mr ELLIS	Adviser in the PRESIDENT 's Office	
Ms MARTÍNEZ ALBEROLA	A member of the PRESIDENT 's staff	Item 12 (in part)
Ms CANEVARI	A member of Mr DIMAS's staff	Item 11
Mr BRUNET	Deputy Chef de cabinet to Mr KYPRIANOU	Items 12 (in part) and 13

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

1. AGENDAS

(OJ(2007)1174/3; SEC(2007)101/2)

The Commission took note of that day's agenda, to which item 11 of these minutes was added at the beginning of the meeting, and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2007)1774)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 29 January.

3. MINUTES AND SPECIAL MINUTES OF 1773rd MEETING (24 January)

(PV(2007)1773; PV(2007)1773, Part II)

The Commission approved the minutes of its 1773rd meeting.

4. INTERINSTITUTIONAL RELATIONS

(SEC(2007)109)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 26 January (SEC(2006)109).

It paid particular attention to the following:

4.1. RELATIONS WITH THE COUNCIL

(SI(2007) 53)

The Commission took note of the information supplied in SI(2007)53 relating to Council meetings held from 25 January to 7 February.

4.2. RELATIONS WITH PARLIAMENT

i) Action taken on Parliament's opinions and resolutions

(point 3.4.2 of the record of the IRG)

The Commission approved SP(2007)303 on the action taken on Parliament's opinions and resolutions adopted at its meeting in December 2006, for transmission to Parliament.

ii) Action taken on the Resolution concerning the White Paper on a European communication policy

(point 3.4.3 of the record of the IRG)

The Commission approved SP(2007)79/2 on the action taken on Parliament's resolution concerning the White Paper on a European communication policy adopted at its November I 2006 part-session, for transmission to Parliament.

5. MONITORING THE APPLICATION OF COMMUNITY LAW

5.1. INFRINGEMENTS – CASES POSTPONED BECAUSE OF NON-AVAILABILITY OF DOCUMENTS – REGULARISATION (SEC(2007)110)

The Commission adopted the decisions in SEC(2007)110.

5.2. *INFRINGEMENTS - URGENT CASE*

(SEC(2007)125; SEC(2007)124)

The Commission adopted the decision in SEC(2007)125.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. *WRITTEN PROCEDURES APPROVED*

(SEC(2007)102 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 and 26 January.

6.2. *SENSITIVE WRITTEN PROCEDURES*

(SEC(2007)103)

The Commission took note of the sensitive written procedures for which the time limit expired between 29 January and 2 February.

6.3. *EMPOWERMENT*

(SEC(2007)104 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 and 26 January.

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 22 and 26 January, as archived on the "Greffé 2000" (Registry) website.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2007)105)

ADMINISTRATIVE MATTERS

(PERS(2007)13)

7.1. DG EMPL – APPOINTMENT OF AN AD15 DIRECTOR

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr ŠPIDLA, the Commission decided, under Article 7 of the Staff Regulations, to fill the post of Director, Directorate B (ESF, Monitoring of Corresponding National Policies III) in the Employment, Social Affairs and Equal Opportunities DG, transferring in the interest of the service Ms Denise SORASIO, an AD15 official, currently Director, Directorate D (Internal Security and Criminal Justice) in the Justice, Freedom and Security DG.

This decision would take effect on 1 July 2007.

7.2. DG DEV – INTERIM APPOINTMENT OF DIRECTOR

The Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr MICHEL, decided to grant Mr Philippe DARMUZEY, an AD14 official and Head of Unit DGA.C.2 (Panafrican issues and institutions, governance and migration) an interim appointment under Article 7(2) of the Staff Regulations to the post of Director, Directorate DGA.C (ACP I – General affairs) in Development and Relations with African, Caribbean and Pacific States DG, with effect from 15 July 2006 until a final appointment was made to the post, without exceeding the maximum duration laid down in the Staff Regulations.

This decision would take effect immediately.

**8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – EXTENSION OF THE MAJOR TRANS-EUROPEAN TRANSPORT AXES TO THE NEIGHBOURING COUNTRIES – GUIDELINES FOR TRANSPORT IN EUROPE AND NEIGHBOURING REGIONS
(COM(2007)32 TO /3; SEC(2007)98 AND /2; SEC(2007)99 AND /2; SEC(2007)120)**

The Commission adopted the communication in COM(2007)32/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and to the national parliaments, together with the impact assessment and the related executive summary in staff papers SEC(2007)98/2 and SEC(2007)99/2, respectively, the contents of which were noted.

**9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – SECTOR INQUIRY UNDER ARTICLE 17 OF COUNCIL REGULATION (EC) No 1/2003 ON RETAIL BANKING – FINAL REPORT
(COM(2007)33 TO /3; SEC(2007)106; SEC(2007)121)**

The Commission approved the communication in COM(2007)33/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and to the national parliaments, together with the impact assessment in the staff paper SEC(2007)106, the contents of which were noted.

**10. PRELIMINARY ANALYSIS ON A PROCEDURE UNDER ARTICLE 21 OF COUNCIL REGULATION (EC) No 139/2004 ON THE CONTROL OF CONCENTRATIONS BETWEEN UNDERTAKINGS (CASE COMP/M.4388 - ALBERTIS / AUTOSTRADA)
(SEC(2007)127 TO /5; SEC(2007)128)**

The Commission adopted in principle, in the authentic language (Italian), the decision in SEC(2007)127/5, and empowered Ms KROES to formally adopt the text by making the drafting amendments decided on during the meeting, with a view to notifying it to the Italian authorities.

**11. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 98/70/EC AS REGARDS THE SPECIFICATION OF PETROL, DIESEL AND GAS-OIL, INTRODUCING A MECHANISM TO MONITOR AND REDUCE GREENHOUSE GAS EMISSIONS FROM THE USE OF ROAD TRANSPORT FUELS, AMENDING COUNCIL DIRECTIVE 1999/32/EC AS REGARDS THE SPECIFICATION OF FUEL USED BY INLAND WATERWAY VESSELS AND REPEALING DIRECTIVE 93/12/EC
(COM(2007)18 TO /4; SEC(2007)55 TO /3; SEC(2007)56 AND /2; SEC(2007)80)**

The PRESIDENT introduced the proposal for a directive which Mr DIMAS was tabling, emphasising its contribution to achieving the twofold objective of combating climate change and improving air quality in line with the thematic strategy approved by the Commission and pointing out that these objectives also underpinned other initiatives which would soon be put before the Commission.

The Commission held a brief exchange of views during which the following matters were discussed:

- the extent to which the stakeholders would be involved in drawing up the impact assessment accompanying the proposal for a directive;

- the role to be played in this initiative by methanol, in view of the qualities and potential of this product and the investments already made;
- the importance of issues such as vapour pressure which were to be addressed by the proposed committee procedure, and the need to minimise uncertainty for the industrial sectors concerned;
- the experimentation methods applied to the new technologies in this area.

Following this brief exchange of views, the Commission adopted the proposal for a directive in COM(2007)18/4 for transmission to the European Parliament, the Council, the Economic and Social Committee, the Committee of the Regions and to the national parliaments, together with the impact assessment and the related executive summary contained in staff papers SEC(2007)55/3 and SEC(2007)56/2, respectively, the contents of which were noted.

12. RELATIONS WITH THIRD COUNTRIES

12.1. DOHA DEVELOPMENT AGENDA – WORLD ECONOMIC FORUM (DAVOS, 24 TO 28 JANUARY)

Mr MANDELSON reported on the informal meeting with WTO ministers at the sidelines of the World Economic Forum in Davos, which had backed the resumption of the Doha Development Agenda negotiation process.

He attributed this positive outcome to the growing recognition by the parties involved, since the breakdown of talks in July, of the importance of a multilateral trade agreement, and to the political efforts made at the highest level by the PRESIDENT, the Council President, Angela MERKEL, and the US President George W. Bush.

Mr MANDELSON told the meeting there had been a clear shift in the US position in favour of reaching an agreement, as evidenced by the internal

measures taken by the US government. From now on, concrete progress must be made in the negotiations to consolidate this breakthrough. He and Ms FISCHER BOEL, acting strictly within their remit, had reiterated at Davos the proposals made in July, subject to similar efforts being made by the other parties.

He said that there was a growing movement in several countries, both Member States and third countries, in favour of an agreement. However, progress was slow, and it was important for the European Union to take the offensive in this matter. He considered that the bilateral contacts established on agricultural issues with the United States and other partners had made their respective offers more transparent and increased the understanding of the different positions taken. It was essential for the United States to make a gesture on the issues of subsidies and agricultural tariffs, which would allow a breakthrough on industrial tariffs and services.

In conclusion, Mr MANDELSON noted that there were signs that agreement was still politically and economically possible and might be reached around Easter.

Ms FISCHER BOEL returned briefly to the subject of the media coverage of the Davos meeting and the resulting tensions at the Council meeting (Agriculture and Fisheries) on Monday 29 January, which she had done her best to allay. The offer made at Davos did not contain anything new with respect to the guidelines received, and put the reactions of certain Member States down to the domestic political context, which was particularly sensitive. She agreed with Mr MANDELSON that there was now an opening for the discussions to be concluded before Easter, although efforts would have to be made to secure a balanced agreement and prevent new difficulties from arising in certain Member States. Transparency and openness were more important than ever in the Commission's relations with the Council in this matter.

The PRESIDENT welcomed the joint work carried out by the two Commission Members. He emphasised the importance of keeping the European proposal within the limits of the remit provided and welcomed the evolution in the US position. He referred to the constructive role played by Europe and its importance in helping to bring about a positive outcome of the negotiations, while stressing the importance too of a balanced result which would bring benefits for the EU, particularly as regards access to non-agricultural and services markets.

The Commission took note of this information.

**12.2. MINISTERIAL-LEVEL MEETING OF THE NATO COUNCIL ON THE RECONSTRUCTION OF AFGHANISTAN AND MEETING OF EUROPEAN TROIKA WITH AN AFGHAN DELEGATION (BRUSSELS, 26 JANUARY; BERLIN, 29 JANUARY)
(SEC(2007)146)**

Ms FERRERO-WALDNER reported on the main results of the NATO Council meeting on Afghanistan in Brussels on 26 January 2007, and the EU Ministerial troika meeting with an Afghan delegation in Berlin on 29 January 2007.

Ms FERRERO-WALDNER spoke first of the NATO meeting, the first one that had been attended by the external relations Commissioner. She considered that significant progress had been made in Afghan reconstruction despite the challenges remaining for the country. These challenges required a long-term commitment by the EU and the other donors together with efficient management of reconstruction and increased coordination of all the players involved, in particular the European Union, NATO and the UN.

Ms FERRERO-WALDNER reminded the meeting that the European Union and its Member States had pledged significant funds to Afghan reconstruction. The Community contribution had amounted to €1 billion over the last five years while its contribution to the proposed measures for 2007-

2010 would be nearly €600 million. From now on priority would be given to justice, without forgetting other important aspects of cooperation such as health and reconstruction in rural areas.

Ms FERRERO-WALDNER went on to report on the European troika meeting in Berlin with an Afghan delegation headed by the foreign affairs minister. It was essential to involve the countries in the region, particularly Pakistan, in the Afghan peace and reconciliation process. This issue had also been raised during the meeting with the Pakistani Prime Minister on 30 January 2007.

The Commission took note of these observations and of Ms FERRERO-WALDNER's briefing note in SEC(2007)146.

13. OTHER BUSINESS

50TH ANNIVERSARY OF THE SIGNING OF THE ROME TREATY

Ms WALLSTRÖM reported on the results of the EU-Project Day (*EU-Projekttag*) organised by the federal German Government on 22 January, in which over 450 Commission officials of German nationality had taken part. The officials had visited German schools and had held discussions with the pupils about Europe.

Ms WALLSTRÖM considered that this European Day in Germany had been highly successful and could be used as a model for future events in Member States, particularly those holding the Presidency of the Council. Ms WALLSTRÖM's words were enthusiastically endorsed by Mr VERHEUGEN.

A brief exchange of views ensued during which the following aspects were raised:

- the usefulness and effectiveness of Commission representatives meeting young people face to face on their own turf;
- the importance of organising visits to Member States by Commission Members and other Commission representatives;

- the case for repeating the experiment in the near future and thereby strengthening links with citizens and civil society.

The PRESIDENT closed this item by thanking all those Commission officials who had taken part in the European Day in Germany.

The Commission took note of this information.

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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 12.27.