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**CG4 (2006)16**

**SEC (2006) 443**

**8TH MEETING OF THE COMMISSIONERS' GROUP ON  
FUNDAMENTAL RIGHTS, ANTI-DISCRIMINATION AND EQUAL OPPORTUNITIES  
29 MARCH 2006**

**SUMMARY RECORD**

**Chairperson:** President M. Barroso

**In attendance:** Vice-Presidents M. Wallström, S. Kallas, F. Frattini, Commissioners O. Rehn and V. Špidla

**Reference documents:**

CG4(2006)6/2	<i>Projet d'ordre du jour</i>
CG4(2006)7/2	<i>Bilan et avenir du groupe</i> <i>Note de discussion du Secrétariat général</i>
CG4(2006)8/2	<i>Communication sur les droits de l'enfant</i> <i>Note d'information du Vice-président Frattini</i>
CG4(2006)9	<i>Adaptation des compétences de la Cour de Justice dans le titre IV du TCE</i> <i>Note d'information du Service Juridique</i>
CG4(2006)10/2	<i>Utilisation alléguée de pays européens par la CIA pour le transport et la détention illégale des prisonniers</i> <i>Note d'information du Vice-président Frattini</i>
CG4(2006)11	<i>Agence des droits fondamentaux</i> <i>Note d'information du Vice-président Frattini</i>
CG4(2006)12	<i>Institut européen pour l'égalité entre les hommes et les femmes</i> <i>Note d'information du Commissaire Špidla</i>
CG4(2006)13	<i>Travaux du Groupe interservices sur les Roms</i> <i>Note d'information du Commissaire Špidla</i>
CG4(2006)14	<i>Lettre de V. Špidla portant sur les travaux du Groupe interservices sur les Roms</i>
CG4(2006)15	<i>Lettre de V. Reding portant sur la communication sur les droits de l'enfant</i>

• **Achievements and future work of the Group**  
(Point of discussion)

- President Barroso welcomed the fact that the Group, after one year of work, was meeting for the first time to discuss its achievements and future developments, with a view to consolidating its role and enhancing its efficiency.

- VP Frattini noted the important work of the Group since it was set up in December 2004, highlighting its contribution to the communication on the compatibility of legislative proposals with the Charter of Fundamental Rights, and to data retention proposals. As regards future developments, he suggested promoting the external visibility of the Group, so as to deliver to other institutions and public in general a stronger political message on its activities and purpose: issuing press releases after meetings dealing with important questions for citizens, periodically discussing certain reports by other institutions [e.g. the European Ombudsman's annual report] or delivering political conclusions on statistics regarding Commission actions related to fundamental rights [e.g. he announced a paper on the follow-up to claims on potential violations of fundamental rights for the next meeting] are some options in this direction. VP Frattini highlighted the importance of the personal involvement of Commissioners in the Group's debates.
- VP Wallström supported the Group's current mandate, aim and membership. As regards future developments, she expressed concern about the suggestion to promote the external visibility of the Group and pointed to the need to avoid any confusion between its role and that of the College.
- The Group considered a list of indicative issues to be tackled, as proposed by the discussion note. Mr Špidla asked for three points to be considered in 2006: the European year for equal opportunities for all 2007, the United Nations Convention on the rights of disabled persons and the implementation of the 2000 Directive on non-discrimination; and two points for 2007: a feasibility study to complete the current *acquis* on non-discrimination and a report on the recommendations of the High Level Group on the social and labour market integration of ethnic minorities. Mr Rehn supported the need for discussion by the Group in 2006 on inter-cultural dialogue, in which context he will provide an update on the civil society dialogue with candidate countries, particularly Turkey and, in a second stage, the Balkans.

#### **Conclusions:**

- ✓ *The Group agreed on the important work undertaken since its creation, preparing Commission proposals and providing political input in its areas of competence, which contributes to the balanced implementation of the strategic objectives of the Commission.*
- ✓ *As regards its functioning, the option of increasing the visibility of the work of the Group should be explored, while preserving and avoiding confusion with the role of the College.*
- ✓ *As regards its planning, the Group expects to meet on two further occasions in 2006: 28 June and 8 November. The list of issues suggested by the discussion note and the suggestions made by Mr Špidla and Mr Rehn will serve as the basis for setting the agendas of future meetings.*

- **Objectives for the recruitment and appointment of women to management posts and other A\*/AD posts in the Commission in 2006**

*(Point of information)*

- VP Kallas informed the Group of the main content of the proposal, planned for adoption on 12 April 2006. In particular, he underlined the fact that the Commission fixes annual targets for the recruitment of women and the ambitious approach set for 2006. He noted the importance of promoting women in middle management, which opens the path to senior level posts, for which the target of women representation in 2006 is of 25%, compared to 20% in 2005.
- President Barroso highlighted the importance of regular scrutiny of the extent to which targets in this area were being met in view of the Commission's commitment to the principle of equal opportunities.

- **Communication on the rights of the child**

*(Point of discussion)*

- President Barroso underlined the significance of the proposal and confirmed his attachment to an ambitious political strategy covering the internal and the external dimension of the rights of the child. To this end, he noted the importance of enhanced inter-service work based on the political guidance of the Group.
- VP Frattini agreed on the significance of the proposal and confirmed that it will cover the internal and the external dimension of European action on the rights of the child. He proposed to present it in agreement with all the members of the Group and any other interested Commissioners. VP Frattini noted the intensive and open preparatory work done, involving all interested parties from an early stage, which had allowed the proposal to receive support from key external actors (i.e. the Council of Europe, the UN). He confirmed the organisation of an inter-service group in order to further discuss the draft proposal, planned for adoption on 13 June 2006.
- While firmly supporting the initiative, VP Wallström raised a series of issues as regards the current draft text. In particular, she noted the need for balance between the methodological and formal aspects of the proposal and its political objectives, which should be clearly put forward. In this sense, she proposed to follow a selective and realistic approach, focusing on concrete measures and areas where action should be enhanced, within a comprehensible timetable. In particular, she expressed concern as regards the creation of a European Forum on the rights of the child, with which the European Parliament might disagree, and suggested exploring the use of existing structures.
- Mr Špidla gave his support to the proposal and, as regards its social dimension, he pointed to the use of the open method of coordination.

**Conclusions:**

- √ *The Group confirmed its support for the proposal, which should be an ambitious and solid text presenting, in a balanced way, on the one hand, a political and strategic vision of the internal and the external dimension of action as regards the rights of the child and, on the other hand, a series of co-operation and methodological mechanisms to ensure delivery. The Group made a number of suggestions to improve the current proposal, which will be considered in the revised version of the text.*
- √ *The proposal will be presented as a common initiative, involving the members of the Group and any other Commissioners concerned.*
- √ *June was confirmed as the date for the adoption of the proposal. To this end, DG JLS will lead the final stage of the preparatory work and convene an inter-service meeting at the appropriate level, to allow the services concerned to contribute substantially to the proposal before launching the formal inter-service consultation.*

- **Adaptation of the competences of the Court of Justice under Title IV of the EC Treaty** *(Point of information)*

- Mr Petite (SJ) informed the Group of the main thrust of the planned communication aimed at adjusting the competences of the Court of Justice in the areas covered by Title IV of the EC Treaty and therefore at increasing the judicial protection of citizens. He underlined the fact that the proposal should not be considered as anticipating the Constitutional Treaty, because it aims at implementing a clear legal obligation existing under the Amsterdam Treaty since expiry of the five year transitory period.
- VP Frattini expressed his support for the SJ and noted the high political significance of the initiative, which could be part of a broader approach involving measures aimed at developing the area of freedom, security and justice, as requested by the Hague programme.
- VP Wallström also welcomed the initiative. However, she recommended careful presentation and timing, to avoid any interference with the European Council in June and the debate on the future of the Constitutional Treaty.

**Conclusions:**

- √ *The Group took note of Mr Petite's presentation, endorsed the principle of the envisaged initiative and noted its political significance. The initiative could be part of a larger package of measures related to the area of freedom, security and justice intended for the Finnish Presidency.*
- √ *Bearing in mind the context of the debate on the Constitutional treaty, a suitable timetable for the adoption of this initiative, which aims at implementing an obligation existing under the current EC Treaty, needs to be considered.*

- **Alleged CIA use of European countries to transport and hold prisoners illegally**

*(Point of information)*

- VP Frattini informed the Group of the different inquiries conducted by the European Parliament and the Council of Europe. While expressing the importance of Commission's support for the ongoing work, he highlighted the need to ensure strict respect for the principles of the rule of law. In this context, the Commission will continue to offer political and operational support, as it has already been the case so far.

**Conclusions:**

√ *The Group took note of VP Frattini's presentation and agreed on the need to support the ongoing inquiries, from a political and operational perspective, while ensuring respect for the principles of the rule of law.*

- **Agency on fundamental rights**

*(Point of information)*

- VP Frattini informed the Group of the good progress of the ongoing discussions at Council and European Parliament, which should allow political agreement to be reached by the end of the Austrian Presidency, with a view to formal adoption during the Finnish Presidency. A series of open questions regarding notably the management structure of the Agency, the decision-making procedure for the Multiannual Framework, third country remit, relations with the Council of Europe and the competence of the agency under the third pillar still need to be resolved.
- Mr Rehn highlighted the importance of avoiding overlaps with the work of the Council of Europe and offered his department's assistance with the discussion on the third country remit.

**Conclusions:**

√ *The Group took note of VP Frattini's presentation and of Mr Rehn's considerations and decided to discuss the Multiannual Framework of the Agency as necessary before its adoption by the end of the year.*

- **European Institute for Gender Equality**

*(Point of information)*

- Mr Špidla informed the Group of the good progress of the ongoing discussions at the Council and European Parliament, which should allow political agreement to be reached by June 2006. The main remaining open question is the composition of the Management Board.

- **Work of the Inter-service Group on Roma**

*(Point of information)*

- Mr Špidla informed the Group of the important work of the inter-service group, which should enable the Commission to enhance the visibility of its action in this area, and proposed to take stock of its activities in 2007.

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The Group decided that its next meeting will take place on 28 June, from 14.30 to 16.00.

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**8<sup>ème</sup> réunion du Groupe de Commissaires**  
**« Droits fondamentaux, lutte contre la discrimination et**  
**égalité des chances » 29 mars 2006**  
**Liste des participants**

**M. Le Président**

**Commissaires:**

Mme Wallström, Commissaire pour les Relations institutionnelles et stratégie de la communication  
M. Kallas, Commissaire pour l'Administration, l'audit et la lutte anti-fraude  
M. Frattini, Vice-président, Commissaire pour la Justice, la liberté et la sécurité  
M. Rehn, Commissaire pour l'Elargissement  
M. Spidla, Commissaire pour l'Emploi, les affaires sociales et l'égalité des chances

**Cabinets:**

Mme Martinez Alberola, Cabinet du Président  
Mme Martinho, Cabinet du Président  
Mme Andrade, Cabinet du Président  
Mme Sipala, Cabinet Wallström  
M Fitch, Cabinet Kallas  
Mme Hornung, Cabinet Kallas  
Mme Schmitt, Cabinet Frattini  
M. Ostoja, Cabinet Reding  
M. Biervert, Cabinet Figel  
Mme Kadlecová, Cabinet Figel  
Mme Hyvärinen, Cabinet Rehn  
M. Kuehnel, Cabinet Ferrero-Waldner  
M. Jarab, Cabinet Spidla

**Directions générales:**

Mme Day, Secrétaire générale  
M. Servoz, Directeur, SG  
Mme Lorenzi, Chef d'unité f.f. SG  
M. Petite, Directeur général SJ  
M. Ladenburger, SJ  
M. Roscam Abbing, COMM  
Mme Hubert, BEPA  
M. Lockett, EMPL  
M. Zilgalvis, Chef d'unité RTD  
Mme Vlaminc, Chef d'unité EAC  
M. Faull, Directeur général JLS  
M. Fonseca Morillo, Directeur JLS  
M. Nieto, JLS  
M. Timans, Chef d'unité RELEX  
M. Boeing, ELARG  
Mme Dellicour, Chef d'unité AIDCO

**Secrétaire de la réunion:** Mme LLano Cardenal, SG