

I

(Communications)

COMMISSION

RAPPORT DE LA COMMISSION
sur les travaux des comités en 2003
[COM(2004) 860]

(2005/C 65 E/01)

1. OBSERVATIONS GÉNÉRALES CONCERNANT LE SYSTÈME DE COMITOLOGIE

Le présent rapport traite des activités menées par les comités «comitologie» pendant l'année 2003. Il suit la même structure de base que le rapport précédent relatif à l'année 2002. Il comporte une introduction (point 1), un aperçu horizontal des activités des comités (point 2), ainsi qu'une annexe présentant des statistiques détaillées concernant chaque comité «comitologie», organisées en fonction des différents services de la Commission ⁽¹⁾. Le rapport maintient le niveau accru de transparence des statistiques figurant dans l'annexe, en énumérant tous les comités et en commentant leurs activités.

1.1. La nature juridique et le rôle des comités «comitologie»

Les comités «comitologie» ont pour raison d'être d'assister la Commission dans l'exercice des compétences d'exécution qui lui sont conférées par le législateur, c'est-à-dire le Conseil et le Parlement européen. Ces comités ont en commun trois caractéristiques essentielles.

Premièrement, ils sont créés par le législateur (le Conseil et le Parlement européen), selon les procédures «législatives» applicables au moment de l'adoption de l'acte de base «créateur», à savoir la procédure de coopération ou de consultation et, depuis le traité de Maastricht, la procédure de codécision. Les comités «comitologie» ont ainsi une base juridique qui est établie dans un acte dit «de base».

Deuxièmement, leur structure et leurs méthodes de travail sont normalisées à plusieurs égards. Un représentant de la Commission préside chaque comité, qui se compose de représentants des États membres; ceux-ci sont les seuls «membres» du comité. Les comités interviennent dans le cadre des procédures prévues dans l'acte législatif de base, conformément à la décision «comitologie» du Conseil.

L'article 9 de la décision 1999/468/CE du Conseil ⁽²⁾ a abrogé l'ancienne décision «comitologie» 87/373/CEE (la décision «comitologie» de 1987) ⁽³⁾. Les procédures de 1987 sont restées temporairement en vigueur jusqu'à la modification des actes législatifs de base, conformément aux procédures de comitologie établies par la décision 1999/468/CE. À cette fin, il a été fait appel soit à des actes modificatifs distincts, soit à des «règlements d'alignement» (voir point 1.2).

Troisièmement, les comités rendent des avis sur les projets de mesures d'exécution que la Commission leur soumet en vertu des dispositions de l'acte législatif de base et interviennent dans le cadre de la procédure consultative, de la procédure de gestion ou de la procédure de réglementation prévue à cet effet.

En vertu de l'article 2 de la décision 1999/468/CE, la procédure de gestion devrait être réservée aux mesures de gestion telles que celles relatives à l'application de la politique agricole commune et de la politique commune de la pêche ou celles relatives à la mise en œuvre de programmes ayant des incidences budgétaires notables [article 2, point a)]. La procédure de réglementation est prévue pour les mesures de portée générale visant à mettre en application les éléments essentiels d'un acte de base, y compris les mesures concernant la protection de la santé ou de la sécurité des personnes, des animaux ou des plantes, ainsi que la mise à jour des éléments «techniques» d'un acte de base [article 2, point b)]. La procédure consultative est appliquée dans tous les cas où elle est jugée la plus appropriée.

⁽¹⁾ L'annexe est présentée sous forme de document de travail des services de la Commission.

⁽²⁾ JO L 184 du 17.7.1999, p. 23.

⁽³⁾ JO L 197 du 18.7.1987, p. 33.

1.2. L'état de mise en œuvre de la décision 1999/468/CE

Par la déclaration n° 2 relative à la mise en œuvre de la décision 1999/468/CE du Conseil⁽¹⁾, le Conseil et la Commission ont convenu d'adapter, dans les meilleurs délais et conformément aux procédures législatives appropriées, les dispositions relatives aux comités assistant la Commission dans l'exercice de ses compétences d'exécution, prévues en application de la décision 87/373/CEE, de manière à les mettre en conformité avec les dispositions des articles 3 à 6 de la décision 1999/468/CE.

Depuis l'entrée en vigueur de la décision 1999/468/CE, les procédures de comitologie de plusieurs instruments de base ont été adaptées cas par cas. Pour compléter la mise à jour, la Commission a présenté à la fin de 2001 un ensemble de quatre propositions (les «règlements d'alignement»)⁽²⁾ qui portent sur plus de 300 actes de base fixant des procédures d'exécution. Le Conseil et le Parlement ont adopté les «règlements d'alignement» dans le courant de l'année 2003⁽³⁾ conformément aux procédures législatives applicables (avis conforme, codécision, consultation à la majorité qualifiée et à l'unanimité). Il est à noter que les actes d'alignement n'ont aucune incidence sur les dispositions de fond des actes législatifs, ni sur les procédures de sauvegarde ou sur l'identité des comités prévus par les actes législatifs de base.

Un nouvel élément important, l'article 7 de la décision 1999/468/CE, associé aux déclarations du Conseil et de la Commission qui le concernent (notamment les déclarations n° 4 et n° 5), a mis en place des mesures destinées à *améliorer la transparence* du fonctionnement des comités de comitologie.

À cet égard, la publication du présent *rapport annuel sur les travaux des comités*, tel qu'il est prévu à l'article 7, paragraphe 4, contribue en soi de façon sensible à mettre en lumière les activités de la Commission dans l'exercice de ses compétences d'exécution.

Par ailleurs, conformément à ce même article 7, paragraphe 4, la Commission a publié *une liste de tous les comités* qui l'assistent dans l'exercice de ses compétences d'exécution⁽⁴⁾. Un inventaire, actualisé en permanence, des comités existants peut être consulté dans le registre (voir plus loin) et dans les rapports annuels.

⁽¹⁾ JO C 203 du 17.7.1999, p. 1.

⁽²⁾ COM(2001) 789 final, adopté le 27 décembre 2001.

⁽³⁾ Règlements (CE) n° 806/2003 (JO L 122 du 16.5.2003, p. 1) et (CE) n° 807/2003 (JO L 122 du 16.5.2003, p. 36) du Conseil du 14 avril 2003 portant adaptation à la décision 1999/468/CE des dispositions relatives aux comités assistant la Commission dans l'exercice de ses compétences d'exécution prévues dans des actes du Conseil adoptés selon la procédure de consultation (majorité qualifiée/unanimité), règlement (CE) n° 1105/2003 du Conseil (JO L 158 du 27.6.2003, p. 3) du 26 mai 2003 modifiant le règlement (CE) n° 1260/1999 portant dispositions générales sur les Fonds structurels (avis conforme) et règlement (CE) n° 1882/2003 du Parlement européen et du Conseil (JO L 284 du 31.10.2003, p. 1) du 29 septembre 2003 portant adaptation à la décision 1999/468/CE du Conseil des dispositions relatives aux comités assistant la Commission dans l'exercice de ses compétences d'exécution prévues dans des actes soumis à la procédure visée à l'article 251 du traité CE (codécision).

⁽⁴⁾ JO C 225 du 8.8.2000, p. 2.

Le 31 janvier 2001, conformément à l'article 7, paragraphe 1, la Commission a adopté le *règlement intérieur type*⁽⁵⁾ sur la base duquel les comités existants ou nouvellement créés arrêtent leur règlement intérieur. La Commission prévoit d'adopter une version mise à jour du règlement intérieur type, essentiellement dans le but de l'harmoniser avec les nouvelles règles d'accès aux documents (voir plus loin). À la fin de l'année 2003, 94 comités, sur un total de 263, avaient adopté un règlement intérieur fondé sur le texte type en vigueur.

Enfin, l'article 7, paragraphe 5, de la décision 1999/468/CE prévoit que la Commission établit un registre contenant les *références de tous les documents transmis au Parlement européen au titre des procédures de comitologie*. Ce registre est en fonctionnement depuis décembre 2003⁽⁶⁾. Conformément à sa déclaration n° 5 concernant la décision 1999/468/CE du Conseil, la Commission a ajouté au registre, à titre de mesure complémentaire de transparence, un *dépôt d'archives* donnant au public un accès direct à de nombreux documents transmis au Parlement européen, en application du règlement (CE) n° 1049/2001 du Parlement européen et du Conseil relatif à l'accès du public aux documents des institutions⁽⁷⁾, entré en vigueur le 3 décembre 2001. Le dépôt d'archives contient des ordres du jour, comptes rendus et résultats de vote en rapport avec les réunions et travaux des comités; les projets de mesures d'exécution ne sont provisoirement pas publiés.

1.3. Le «droit de regard» du Parlement européen

La Commission a l'obligation d'informer le Parlement européen sur les travaux des comités et de lui transmettre tous les projets de mesures d'exécution relevant d'un acte de base adopté selon la procédure visée à l'article 251 du traité (codécision), afin que le Parlement européen puisse exercer le «droit de regard» qui lui est conféré par l'article 8 de la décision 1999/468/CE.

En février 2000, le Parlement européen et la Commission ont conclu un *accord relatif aux modalités d'application de la décision 1999/468/CE du Conseil*, qui vise spécifiquement à régler les modalités d'exécution des obligations imposées à la Commission⁽⁸⁾.

⁽⁵⁾ JO C 38 du 6.2.2001, p. 3. Le règlement intérieur type fera l'objet de plusieurs modifications que la Commission doit approuver et d'une révision linguistique avant d'être à nouveau publié au *Journal officiel*.

⁽⁶⁾ Voir la page Internet: http://europa.eu.int/comm/secretariat_general/regcomito/registre.cfm?CL=fr. Le registre porte sur les documents transmis à partir du début de l'année 2003.

⁽⁷⁾ JO L 145 du 31.5.2001, p. 43.

⁽⁸⁾ JO L 256 du 10.10.2000, p. 19. L'accord remplace certains accords précédents: l'accord Plumb/Delors de 1988, l'accord Samland/Williamson de 1996 et le «modus vivendi» de 1994.

L'accord prévoit la transmission des documents par des moyens électroniques, tâche qui a été mise en œuvre progressivement en 2001. Les documents des différents services de la Commission sont d'abord transmis au secrétariat général de la Commission, qui les envoie sans délai à un service central au Parlement européen. Désormais, pratiquement tous les envois de documents se font par voie électronique.

Hormis les cas d'urgence, l'accord prévoit un délai d'un mois, à partir de la réception d'un projet «définitif» de mesure d'exécution⁽¹⁾ relevant d'un acte législatif adopté en codécision, pour permettre au Parlement européen, le cas échéant, d'adopter une résolution (en session plénière) en vertu de l'article 8 de la décision 1999/468/CE s'il considère que le projet de mesure excède les compétences d'exécution prévues dans l'acte de base⁽²⁾.

L'accord bilatéral de février 2000 a été mis en œuvre par un autre *accord administratif*, du 14 décembre 2001, entre les secrétariats généraux du Parlement européen et de la Commission. Cet accord administratif doit assurer une approche harmonisée au niveau des services de la Commission, de manière à ce que celle-ci remplisse comme il convient toutes ses obligations au titre de l'accord bilatéral de février 2000. En particulier, il prévoit des normes minimales concernant les types de documents et leur structure. Il est à noter que, en 2003, il n'y a pas eu de cas non plus dans lesquels le Parlement européen a jugé nécessaire d'adopter une résolution sur la base de l'article 8 de la décision 1999/468/CE du Conseil.

1.4. Saisines du Conseil

Aucun cas de saisines du Conseil n'a été enregistré en 2003. Conformément à la décision 1999/468/CE, la saisine du Conseil est prévue lorsque la Commission n'a pas réuni la majorité requise au titre de la procédure de réglementation, ou si elle se heurte à une opposition à la majorité qualifiée dans le cadre de la procédure de gestion. L'absence de saisines (et dans les années précédentes le faible pourcentage de moins de 1 % par rapport au total des actes adoptés par la Commission dans le cadre de la procédure de gestion ou de réglementation) montre que les travaux des comités dans le système actuel aboutissent à un niveau élevé de consensus et que les propositions des représentants de la Commission recueillent normalement l'accord des comités.

1.5. Évolution plus globale

En décembre 2002, la Commission européenne a présenté une proposition de nouvelle procédure de réglementation⁽³⁾

⁽¹⁾ Le projet est envoyé d'abord avant la réunion du comité et, s'il est modifié de manière substantielle pendant cette réunion, il est à nouveau envoyé ensuite.

⁽²⁾ Cet acte de base doit, lui, avoir été adopté en procédure de codécision (article 251 du traité) entre le Conseil et le Parlement européen.

⁽³⁾ Proposition de décision du Conseil modifiant la décision 1999/468/CE fixant les modalités de l'exercice des compétences d'exécution conférées à la Commission [COM(2002) 719 final, adopté le 11 décembre 2002].

prévoyant des mesures destinées à mettre largement en œuvre les aspects essentiels, ou à adapter certains autres aspects, des actes de base adoptés selon la procédure de codécision (article 251 du traité). La nouvelle procédure proposée place le Parlement européen et le Conseil sur un pied d'égalité pour ce qui est de contrôler la manière dont la Commission exerce ses compétences d'exécution. Le 2 septembre 2003, le Parlement européen a avalisé dans ses grandes lignes la proposition de la Commission⁽⁴⁾, tout en suggérant un nombre très limité de modifications techniques. Le 22 avril 2004, la Commission a présenté une proposition modifiée⁽⁵⁾ afin de tenir compte de l'essentiel des amendements du Parlement européen et de clarifier la nouvelle procédure. La proposition modifiée est actuellement à l'étude au Conseil.

Dans son projet de traité constitutionnel, la *Convention sur l'avenir de l'Europe* a proposé à la conférence intergouvernementale (CIG) de réorganiser les pouvoirs d'exécution de la Commission⁽⁶⁾. Le projet de traité de la Convention introduit un nouvel acte, le «règlement délégué», à adopter par la Commission pour compléter ou modifier certains éléments «non essentiels» des lois européennes sous le contrôle du Parlement et du Conseil, qui peuvent révoquer la délégation elle-même ou s'opposer à un projet de règlement spécifique; il faut distinguer ces règlements délégués des actes de simple exécution qui seront adoptés essentiellement par la Commission, avec un contrôle limité des États membres. Le texte est resté inchangé dans la version finale adoptée par la conférence intergouvernementale lors de la réunion du Conseil européen des 17 et 18 juin 2004⁽⁷⁾.

L'élargissement de l'Union européenne a eu lieu le 1^{er} mai 2004. À la suite des conclusions du sommet de Copenhague de décembre 2002, la Commission a adopté, le 25 février 2003, des mesures⁽⁸⁾ accordant le *statut d'observateur actif* aux dix États en voie d'adhésion, qui sont entrées en application le jour suivant la signature du traité d'adhésion, le 16 avril 2003⁽⁹⁾. En vertu de ces dispositions, les représentants des États adhérents ont été invités à la plupart des comités «comitologie»; ils ont eu la possibilité d'exprimer leurs points de vue sur les questions examinées aux réunions, mais sans pouvoir prendre part au vote sur les projets de mesures d'exécution. En ce qui concerne les trois pays candidats restants (Bulgarie, Roumanie et Turquie), leur participation continue à être organisée sur la base de la «communication de la Commission au Conseil — Participation des pays candidats aux programmes, agences et comités communautaires»⁽¹⁰⁾. Au cours de l'année de référence, les dix États adhérents ont été représentés dans quelque 186 des 256 comités existants.

⁽⁴⁾ Résolution adoptée le 2 septembre 2003 [P5-TA(2003) 0352], sur la base du rapport de R. Corbett.

⁽⁵⁾ COM(2004) 324 final du 22 avril 2004.

⁽⁶⁾ Projet de traité établissant une constitution pour l'Europe, présenté à la réunion du Conseil européen de Thessalonique le 20 juin 2003, articles I-35 et I-36.

⁽⁷⁾ Voir la version consolidée provisoire du projet de traité établissant une constitution pour l'Europe, document CIG 86/04 du 25 juin 2004.

⁽⁸⁾ Document C(2003) 341/3 de la Commission.

⁽⁹⁾ Vers l'Union élargie — Document de stratégie et rapport de la Commission européenne sur les progrès réalisés par chacun des pays candidats sur la voie de l'adhésion (9.10.2002), COM(2002) 700 final, point 3.3, p. 25.

⁽¹⁰⁾ COM(1999) 710 final, adopté le 20 décembre 1999.

2. APERÇU HORIZONTAL DES ACTIVITÉS

2.1. Nombre de comités et types de procédures

Il est important d'établir une distinction entre les comités «comitologie», d'une part, et d'autres entités, en particulier les «groupes d'experts» créés par la Commission elle-même, d'autre part. Ces derniers s'occupent de la préparation et de la mise en

œuvre des politiques, alors que les comités «comitologie» interviennent dans le contexte de l'application des actes législatifs. Le présent rapport porte exclusivement sur les comités «comitologie». Le *tableau I* ci-dessous présente le nombre de comités «comitologie» par secteur d'activité au 31 décembre 2003. Les chiffres de l'année précédente (situation au 31 décembre 2002) sont indiqués à des fins de comparaison.

Tableau I
Nombre total de comités

Direction générale	2002	2003
Entreprises (ENTR)	31	33
Emploi et affaires sociales (EMPL)	8	8
Agriculture (AGRI)	29	30
Transports/Énergie/Réseaux transeuropéens (TREN)	39	45
Environnement (ENV)	35	35
Recherche (RTD)	8	2
Société de l'information (INFSO)	13	13
Pêche (FISH)	3	3
Marché intérieur (MARKT)	11	12
Politique régionale (REGIO)	2	2
Fiscalité et union douanière (TAXUD)	9	9
Éducation et culture (EAC)	6	7
Santé et protection des consommateurs (SANCO)	22	13 (*)
Justice et affaires intérieures (JAI)	7	7
Relations extérieures (RELEX)	2	3
Commerce (TRADE)	12	13
Élargissement (ELARG)	2	2
EuropeAid — Office de coopération (AIDCO)	8	8
Aide humanitaire (ECHO)	1	1
Statistiques (ESTAT)	6	7
Budget (BUDG)	1	2
Lutte antifraude (OLAF)	1	1
Total	256	256

(*) Contrairement à l'année précédente, le comité permanent de la chaîne alimentaire et de la santé animale, avec ses neuf sections et sous-sections, est compté comme un seul comité, à la suite de l'entrée en vigueur du règlement (CE) n° 178/2002 (JO L 31 du 1.2.2002, p. 1).

Les chiffres indiquent l'importance relative de la comitologie dans les activités des différents secteurs. Les comités sont les plus nombreux dans les domaines des transports et de l'énergie (45), de l'environnement (35), des entreprises (33) et de l'agriculture (30). Avec 143 des 256 comités, ces domaines d'action comptent à eux seuls plus de la moitié des comités. La Commission poursuit ses efforts en vue de limiter autant que possible l'augmentation du nombre de comités. Ainsi, ce nombre est resté stable en 2003 par rapport à 2002. Si le législateur a créé de nouveaux comités dans certains domaines connaissant un accroissement d'activité (notamment dans celui des transports et de l'énergie), d'autres secteurs ont vu leur nombre de comités diminuer par suite de la restructuration du cadre législatif (voir, par exemple, la santé et la protection des consommateurs ou la recherche).

Les comités «comitologie» peuvent être classés selon le type de procédure qui régit leur activité (procédure de consultation, procédure de gestion, procédure de réglementation et procédure de sauvegarde — voir *tableau II*). Les procédures de comi-

tologie de 1987 sont restées applicables pendant une partie de l'année 2003, jusqu'à l'entrée en vigueur des «règlements d'alignement» (voir le point 1.2 visé ci-dessus). Les différentes variantes des procédures de comitologie de 1987 [II a) et II b), III a) et III b)] sont comptabilisées en même temps que les nouveaux types de procédures correspondants prévus par la déclaration n° 2 relative à la mise en œuvre de la décision 1999/468/CE ⁽¹⁾.

Certains comités, parce qu'ils appliquent des procédures multiples (allant de la procédure de consultation à la procédure de réglementation, auxquelles s'ajoute la procédure de sauvegarde), ont été séparés des comités agissant selon une procédure unique.

⁽¹⁾ JO C 203 du 17.7.1999, p. 1. C'est-à-dire: la variante I avec la procédure de consultation, les variantes II a) et II b) avec la procédure de gestion et les variantes III a) et III b) avec la procédure de réglementation.

Tableau II

Nombre de comités par type de procédure (2003)

	Type de procédure				Comités fonctionnant selon plusieurs procédures
	Consultation (*)	Gestion (*)	Réglementation (*)	Sauvegarde	
ENTR	9	4	18	—	2
EMPL	1	—	3	—	4
AGRI	—	23	4	—	3
TREN	7	12	21	1	4
ENV	3	6	26	—	—
RTD	—	1	—	—	1
INFSO	1	3	3	—	6
FISH	—	1	—	—	2
MARKT	2	4	6	—	—
REGIO	—	1	—	—	1
TAXUD	1	4	4	—	—
EAC	1	—	—	—	6
SANCO	1	—	7	—	5
JAI	1	—	1	—	5
RELEX	1	1	—	—	1
TRADE	2	3	2	—	6

	Type de procédure				Comités fonctionnant selon plusieurs procédures
	Consultation (*)	Gestion (*)	Réglementation (*)	Sauvegarde	
ELARG	—	1	—	1	—
AIDCO (y compris DEV)	—	6	2	—	—
ECHO	—	—	—	—	1
ESTAT	—	4	1	—	2
BUDG	1	—	1	—	—
OLAF	—	—	1	—	—
Total	31	74	100	2	49

(*) Y compris, respectivement, les procédures I, II et III conformément à la décision 87/373/CEE.

Ces chiffres indiquent que près de la moitié des comités (100 sur 256) travaillent exclusivement dans le cadre de la procédure de réglementation, tandis qu'un nombre nettement moins important applique uniquement la procédure de gestion (74). La ventilation par secteur d'activité montre que le recours aux trois types de procédures varie d'un secteur à l'autre. Toutefois, une nette prédominance de l'une des procédures peut être observée dans certains secteurs: de nombreux comités fonctionnent selon la procédure de réglementation dans les transports/l'énergie et l'environnement, tandis que dans l'agriculture, c'est la procédure de gestion qui régit les activités d'un grand nombre de comités.

2.2. Nombre de réunions

Le nombre de comités n'est pas le seul indicateur de l'ampleur de l'activité au niveau de la comitologie. *Le nombre de réunions* tenues en 2003 reflète l'intensité du travail en général, à l'échelle des secteurs d'activité et au sein des différents comités (tableau III).

Tableau III

Nombre de réunions

	2002	2003
ENTR	44	59
EMPL	17	17
AGRI	352	322
TREN	23	44
ENV	49	54
RTD	46	50
INFSO	36	31

	2002	2003
FISH	25	25
MARKT	25	38
REGIO	12	12
TAXUD	106	113
EAC	19	23
SANCO	109	101
JAI	28	21
RELEX	1	5
TRADE	37	32
ELARG	7	8
AIDCO	40	35
ECHO	10	10
ESTAT	15	17
BUDG	5	6
OLAF	1	1

Comme en 2002, les chiffres les plus élevés concernent l'agriculture (322 réunions), la gestion des différents marchés agricoles nécessitant des réunions fréquentes. Viennent ensuite la fiscalité et l'union douanière (113 réunions), puis la santé et protection des consommateurs (101 réunions), dont relève notamment la sécurité alimentaire, et un groupe d'autres secteurs, comme les entreprises, l'environnement et la recherche, où le nombre de réunions se situe dans une fourchette de 50 à 70.

2.3. Nombre d'avis et d'actes

Conformément à l'usage instauré par le rapport précédent, ce rapport présente des chiffres globaux concernant *les avis* formels rendus par les comités ⁽¹⁾ ainsi que *les actes* (c'est-à-dire les mesures d'exécution, soit les actes juridiques, les décisions administratives) adoptés ultérieurement par la Commission. Ces chiffres décrivent les résultats concrets «produits» par les comités (tableau IV). Le nombre total d'*avis* rendus par les comités en 2003 se monte à 2 981 (contre 3 610 en 2002), et le nombre d'*actes* adoptés par la Commission à 2 768 (contre 3 077 en 2002). Les deux indicateurs montrent que la «production» de l'année de référence a été légèrement inférieure en termes qualitatifs à celle de la période précédente.

Tableau IV

Nombre d'avis et d'actes (2003)

	Avis	Instruments
ENTR	395	352
EMPL	16	0
AGRI	1.413	1.413
TREN	30	24
ENV	39	31
RTD	74	60
INFSO	34	21

	Avis	Instruments
FISH	15	1
MARKT	10	8
REGIO	29	7
TAXUD	34	34
EAC	97	47
SANCO	392	392
JA I	13	7
RELEX	4	4
TRADE	66	55
ELARG	83	90
AIDCO	164	153
ECHO	42	42
ESTAT	26	18
BUDG	1	1
OLAF	0	0

Le grand nombre d'*actes* adoptés dans certains domaines d'action — agriculture (1 413), santé et protection des consommateurs (392) et entreprises (352) — reflète une fois encore l'intensité des travaux délégués à la Commission dans ces domaines au travers des procédures de comitologie ⁽²⁾.

⁽¹⁾ Y compris les avis favorables et défavorables et les absences d'avis, qui résultent d'un vote formel dans le cas des procédures de réglementation et de gestion.

⁽²⁾ Cependant, il faut noter que le simple nombre d'actes adoptés ne montre pas, en soi, l'importance politique, économique ou financière des décisions prises.

ANNEXE

ANNEX TO THE REPORT FROM THE COMMISSION ON THE WORKING OF COMMITTEES DURING 2003

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PRESENTATION OF ACTIVITIES BY SECTORAL POLICY

This working document contains snapshots of the sectoral policies and includes the figures for all the committees in a sector. All individual committees under the responsibility of each Commission department (whether active or not) are listed, together with their relevant data. This approach provides for transparency of the sector policy activities. In addition, textual comments highlight some important aspects of the work in the reporting year ⁽¹⁾.

The following explanations are intended for the reader to better understand the statistical data:

Opinions delivered by the committees may be of various kinds: they may concern draft Commission legislative acts (directives, regulations), decisions designed to regulate a specific legal situation or to approve financial projects in the context of any of the many Community programmes, or just position statements (which explains why the total number of favourable opinions may be greater than the total number of legal instruments adopted in a specific sector).

Consequently, the *instruments* adopted by the Commission follow these categories.

In the event of a *favourable opinion*, the rule is that the Commission adopts the implementing measure (the instrument); under the *management procedure* it may also adopt an instrument in the *absence* of an opinion (shown in the row 'no opinion', although formal voting has taken place ⁽²⁾). Only if there is an *unfavourable opinion* is the decision referred to the Council as 'an appeal body', which then has the power to decide (*referrals* to the Council). Under the *regulatory procedure*, the Council is also consulted if there is 'no opinion'. In the (summary) table IV of the Report, all three categories: favourable opinions, unfavourable opinions and no opinions, appear as one total figure under 'Opinions'.

A further source of difference between the total number of *favourable opinions* delivered by committees and the number of *instruments* adopted by the Commission in a given sector occurs when opinions were delivered in 2002 but the instruments adopted only the following year (2003), or opinions were adopted at the end of 2003 and instruments adopted only in 2004.

In certain cases committees are required to deliver opinions on dossiers which will not be the subject of a draft instrument until some time later. Hence there may be considerable discrepancies between the total number of opinions and the number of instruments adopted by the Commission.

This Annex provides an overview of 'comitology' activities during 2003 with a breakdown by sector. For each sector the list of all existing committees (whether they have been active in 2003 or not) with their relevant data is reported.

⁽¹⁾ The textual comments are based on selective contributions from the Commission services responsible for the committees; they vary in length and subject, which is not necessarily an indicator for the intensity of the activities in the given policy sector. Efforts will be made to harmonise the kind of information given in the following annual reports.

⁽²⁾ This situation occurs if neither the necessary quorum for a *favourable*, nor for an *unfavourable opinion* has been reached as a result of the voting.

DETAILED STATISTICS FOR ENTERPRISE POLICY

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Management Committee for the fourth multiannual programme for small and medium-sized enterprises in the European Union (2001 to 2005) (SMEs)	3	3	Management	0	0	0	0	0	0
Committee for execution of the specific programme for research, technological development and demonstration on promotion of innovation and encouragement of SME participation (1999 to 2002)	0	0	-	0	0	0	0	0	0
Specific Programme 2 Structuring the European Research Area, configuration Research and Innovation	3	3	Management	3	0	0	0	0	0
Committee on implementation of projects, actions and measures to ensure interoperability of trans-European networks for telematic data interchange between administrations (IDA II-TAC)	6	6	Management	10	0	0	2	0	0
Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers to Trade in Dangerous Substances and Preparations	0	0	Regulatory	0	0	0	0	0	0
Committee on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil uses (Explosives)	1	1	Regulatory	0	0	0	0	0	0
Committee on Drug Precursors	3	4	Regulatory	15	0	0	1	0	0
Committee for the adaptation to technical progress of legislation on the removal of technical barriers to trade in fertilisers (CATP-Fertilisers)	0	0	Regulatory	0	0	0	0	0	0
Committee for the adaptation to technical progress of legislation on the removal of technical barriers to trade in detergents (CATP-Detergents)	0	0	Regulatory	0	0	0	0	0	0
Committee on directives relating to textile names and labelling	0	0	Regulatory	0	0	0	0	0	0
Committee for harmonisation of national regulations relating to cableway installations designed to carry persons	1	1	Advisory	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the harmonisation of national legislation relating to recreational craft	1	1	Advisory	1	0	0	0	0	0
Management Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex I	10	0	Management	19	0	0	19	0	0
Standing Committee on medicinal products for human use	12	12	Regulatory	282	2	0	282	0	0
Standing Committee on veterinary medicinal products	4	4	Regulatory	39	0	0	39	0	0
Committee for the adaptation to technical progress of the directives on the removal of technical barriers to trade in colouring matters which may be added to medicinal products	0	0	Regulatory	0	0	0	0	0	0
Standing Committee on cosmetic products (COSCOM)	4	2.5	Regulatory	3	1	0	3	0	0
Committee for the adaptation to technical progress of legislation on the removal of technical barriers to trade in motor vehicles and their trailers	4	4	Regulatory	9	0	0	0	0	0
Committee for the adaptation to technical progress of legislation on the removal of technical barriers to trade in agricultural and forestry tractors	0	0	Regulatory	0	0	0	0	0	0
Advisory Committee on standardisation in the field of information technology (SOGITS)	0	0	Advisory	0	0	0	0	0	0
Advisory Committee on the approximation of the laws of the Member States relating to machinery	0	0	Advisory	0	0	0	0	0	0
Standing Committee on the approximation of the laws of the Member States relating to lifts	0	0	Advisory	0	0	0	0	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in construction plant and equipment	0	0	Advisory	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Standing Committee on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (EXAT)	2	2	Advisory	0	0	0	0	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in electric materials used in an explosive atmosphere (CATP/EXAT)	0	0	Regulatory	0	0	0	0	0	0
Telecommunications Conformity Assessment and Market Surveillance Committee (TCAM)	2	4	Several: Advisory, Regulatory	5	0	0	5	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in pressure vessels	0	0	Regulatory	0	0	0	0	0	0
Standing Committee on the approximation of the laws of the Member States concerning pressure equipment	0	0	Advisory	0	0	0	0	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in aerosol dispensers (CATP/Aerosols)	0	0	Regulatory	0	0	0	0	0	0
Advisory Committee on the approximation of the laws of the Member States relating to medical devices	1	1	Several: Advisory, Regulatory	1	0	0	1	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in electro-medical equipment used in human or veterinary medicine	0	0	Regulatory	0	0	0	0	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in measuring instruments	0	0	Regulatory	0	0	0	0	0	0
Standing Committee on approximation of the laws relating to construction products	2	4	Regulatory	5	0	0	0	0	0

The 33 committees in this policy sector have delivered a total of 392 favourable and three unfavourable opinions, giving rise to 352 instruments.

In 2003 16 committees met (five more than in 2002). Two committees (*the Committee for the execution of the specific programme for research, technological development and demonstration on promotion of innovation and encouragement of SME participation (1999 to 2002)* and *the Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in electric materials used in an explosive atmosphere (CATP/EXAT)*) have disappeared and a new *Committee for the Specific Programme Structuring the European Research Area (configuration Research and Innovation)* has been created.

There were three *unfavourable opinions delivered* in this policy sector (these cases; which are not listed above in section 1.4 because they were not referred to the Council):

- The proposal for a Directive adapting to technical progress the cosmetics Directive, which received a negative vote from the Standing Committee on Cosmetic Products on 4 November 2003. This proposal concerned a substance called ketoconazole. Considering arguments from Member States, the Commission decided to consult the Committee for Proprietary Medicinal Products (CPMP) before going to the Council.
- The two negative opinions in the Standing committee for human medicinal products concerned the *form* of the following acts: Annex I to Directive 2001/83/EC (which was finally adopted in a further meeting) and the Directive on clinical trials (which will be again discussed in 2004).

As regards individual files with institutional importance, it is worth mentioning the *Management Committee for the fourth multi-annual programme for small and medium-sized enterprises in the European Union (2001 to 2005) (EPMC)*. The principal role of the EPMC is to approve and monitor the annual programming cycle of the multi-annual programme cited. Nevertheless, during 2003 the EPMC adopted a favourable opinion on the implementation report on the 2002 work programme and on the amendments to that programme, and gave a favourable opinion on the 2004 work programme. In addition, an amendment to the recreational craft Directive (2003/44/EC) was adopted by the legislator, which provides for the regulatory procedure for the amending provisions on exhaust and noise emissions (instead of the existing advisory procedure established by Directive 94/25/EC).

DETAILED STATISTICS FOR EMPLOYMENT AND SOCIAL AFFAIRS

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Disability Advisory Committee (established within framework of the European Year of People with Disabilities)	4	4	Advisory	0	0	0	0	0	0
Committee of the Community Action Programme to combat discrimination	2	2	Several: Advisory, Management	8	0	0	0	0	0
Committee of the Community action programme to encourage co-operation between Member States to combat social exclusion	4	4	Several: Advisory, Management	0	0	0	0	0	0
Employment Incentive Measures	3	1.5	Several: Advisory, Management	7	0	0	0	0	0
Committee for the technical adaptation of legislation on the introduction of measures to encourage improvements in the safety and health of workers at work	2	2	Regulatory	1	0	0	0	0	0
Committee for the technical adaptation of legislation on the minimum safety and health requirements for improved medical treatment on board vessels	0	0	Regulatory	0	0	0	0	0	0
Restricted Committee for Safety and Health in the Mining and Other Extractive Industries	0	0	Regulatory	0	0	0	0	0	0
Committee for the implementation of the Programme relating to the Community framework strategy on gender equality	2	2	—	0	0	0	0	0	0

The eight committees in this policy sector have delivered a total of 16 favourable opinions, but no instrument was adopted in the year 2003.

In all committees accession countries were invited to participate, with the active observer status conferred to them. The remaining candidate countries were also invited to participate as observers. In view of the enlargement date in 2004, some committees set up working groups in order to prepare their working agendas.

Following the Council Decision of 22 July 2003 setting up an *Advisory Committee on Safety and Health at Work* ⁽¹⁾ (OJ C 218, 13.9.2003, p. 1), the *Committee for Safety and Health in the Mining and Other Extractive Industries* ceased to exist on 1 January 2004.

DETAILED STATISTICS FOR AGRICULTURE

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on Agricultural Structures and Rural Development (STAR Committee)	9	9	Several: Advisory, Management	59	0	0	59	0	0
Implementation Committee for spirit drinks	3	3	Several: Advisory, Regulatory	0	0	0	0	0	0
Committee on the conservation, characterisation, collection and utilisation of genetic resources in agriculture	2	2	Management	0	0	0	0	0	0
Community Committee on the Farm Accountancy Data Network (FADN)	4	6	Management	3	0	0	3	0	0
European Agricultural Guidance and Guarantee Fund Committee	15	18	Management	17	0	0	17	0	0
Management Committee for bananas	5	5	Management	8	0	0	8	0	0
Management Committee for beef and veal	21	21	Management	81	0	4	85	0	0
Management Committee for cereals	45	45	Management	603	0	81	684	0	0
Management Committee for dried fodder	1	1	Management	1	0	0	1	0	0
Management Committee for fruit and vegetables	17	19	Management	37	0	7	44	0	0
Management Committee for hops	1	1	Management	1	0	0	1	0	0
Management Committee for live plants and floriculture products	0	0	Management	0	0	0	0	0	0
Management Committee for milk and milk products	22	22	Management	123	0	18	141	0	0
Management Committee for Natural Fibres	5	5	Management	5	0	0	5	0	0

⁽¹⁾ OJ C 218, 13.9.2003, p. 1.

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Management Committee for oils and fats	14	14	Management	13	0	12	25	0	0
Management Committee for pigmeat	12	12	Management	18	0	0	18	0	0
Management Committee for poultrymeat and eggs	11	11	Management	58	0	1	59	0	0
Management Committee for products processed from fruit and vegetables	15	17	Management	18	0	0	18	0	0
Management Committee for raw tobacco	4	4	Management	5	0	0	5	0	0
Management Committee for seeds	0	0	Management	0	0	0	0	0	0
Management Committee for sheepmeat and goatmeat	7	7	Management	4	0	0	4	0	0
Management Committee for sugar	37	37	Management	143	0	9	152	0	0
Management Committee for wines	19	19	Management	37	0	2	39	0	0
Standing Committee on Agricultural Research (SCAR)	1	1	Management	0	0	0	0	0	0
Regulatory Committee on certificates of specific character for agricultural products and foodstuffs	0	0	Regulatory	0	0	0	0	0	0
Regulatory Committee on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (OAP)	5	5	Regulatory	2	0	0	2	0	0
Regulatory Committee on Organic Farming	6	9	Regulatory	4	0	0	4	0	0
Standing Forestry Committee (SFC)	5	5	Regulatory	0	0	0	0	0	0
Implementation Committee for aromatised wine-based drinks	0	0	Several: Management, Regulatory	0	0	0	0	0	0
Management committee for direct payments	3	3	Management	5	0	1	6	0	0
Joint meetings of management committees	33	33	—	27	0	6	33	0	0

During the 322 meetings of the 30 existing committees and joint committees in DG AGRI, 1 272 favourable opinions and 141 absences of opinion (no opinion) were delivered/recorded, giving rise to 1 413 drafts adopted by the Commission.

In 2003, following the reform of the Common Agricultural Policy, decided on by the Council on 29 September 2003, a new agricultural committee was created. The legal basis for the *Management Committee for Direct Payments*, governing its operation as a management committee, appears in Article 144 of Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers ⁽¹⁾.

No unfavourable opinions were delivered in the context of the management committees and no absences of opinion (no opinion) were expressed in the context of a regulatory committee: consequently, there were no referrals to the Council in 2003.

DETAILED STATISTICS FOR TRANSPORT AND ENERGY

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Advisory Committee for the technical adaptation of the Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users	0	0	Advisory	0	0	0	0	0	0
Advisory Committee on unfair pricing practices in maritime transport	0	0	Advisory	0	0	0	0	0	0
Committee on application of the legislation on access to the ground-handling market at Community airports	0	0	Advisory	0	0	0	0	0	0
Transport infrastructure charging	0	0	Advisory	0	0	0	0	0	0
Developing European Railways Committee	2	2	Several: Advisory, Regulatory	0	0	0	0	0	0
Technical Adaptation Committee on Roadworthiness Testing	1	1	Several: Advisory, Regulatory	1	0	0	1	0	0
Committee on adaptation of the legislation concerning reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway	0	0	Several: Advisory, Management, Regulatory	0	0	0	0	0	0
Advisory Committee on the conditions under which non-resident carriers may operate national road passenger transport services within a Member State (cabotage)	0	0	Several: Advisory, Safeguard	0	0	0	0	0	0

⁽¹⁾ OJ L 270, 21.10.2003, p. 1.

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for implementation of the multiannual framework programme for actions in the energy sector (1998 to 2002) — promotion of renewable energy sources (ALTENER)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (1998 to 2002) — rational and efficient use of energy resources (SAVE)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (1999 to 2002) — clean solid fuel technologies (CARNOT)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (1999 to 2002) — future development of energy policy (ETAP)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (1999 to 2002) — reinforcement of international cooperation (SYNERGY)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (1999 to 2002) — safety of nuclear installations in the countries participating in the TACIS programme (SURE)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (1999-2002) — rational and efficient use of energy resources (SAVE)	0	0	Management	0	0	0	0	0	0
Committee for implementation of the multiannual framework programme for actions in the energy sector (2003 to 2006) (Intelligent energy for Europe)	1	1	Management	1	0	0	1	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Ecopoints Management Committee	3	3	Management	0	0	0	0	0	0
Committee for harmonisation of national measures on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances	1	1	Regulatory	0	0	0	0	0	0
Committee for the application of legislation on the transfer of ships from one register to another within the Community	0	0	Regulatory	0	0	0	0	0	0
Committee for the establishment of conditions for the interoperability of the trans-European high-speed rail system	4	5	Regulatory	2	0	0	0	0	0
Committee for the implementation of the series of guidelines for trans-European energy networks	0	0	Regulatory	0	0	0	0	0	0
Committee on application of the legislation concerning the definition and use of compatible technical specifications for the procurement of air traffic management equipment and systems	0	0	Regulatory	0	0	0	0	0	0
Committee on application of the legislation on harmonisation of technical requirements and administrative procedures in the field of civil aviation	0	0	Regulatory	0	0	0	0	0	0
Committee on application of the legislation on ship inspection and survey organisations and the relevant activities of maritime administrations	0	0	Regulatory	0	0	0	0	0	0
Committee on application of the legislation on the minimum level of training for seafarers and the recognition of certificates issued by training institutes or administrations of third countries (STCW)	0	0	Regulatory	0	0	0	0	0	0
Committee on application of the legislation on the minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods	0	0	Regulatory	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on application of the legislation on tonnage measurement of ballast spaces in segregated ballast oil tankers (SBT)	0	0	Regulatory	0	0	0	0	0	0
Committee on driving licences	5	6	Regulatory	0	0	0	0	0	0
Committee on tachograph (CATP)	0	0	Regulatory	0	0	0	0	0	0
Committee on the transport of dangerous goods	1	1	Regulatory	3	0	0	3	0	0
Committee overseeing the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station	0	0	Regulatory	0	0	0	0	0	0
Community/Switzerland Transport Committee (rail and road)	1	1	Regulatory	0	0	0	0	0	0
Ten-Energy Financial Assistance Committee	1	1	Regulatory	1	0	1	1	0	0
TEN-Energy Guidelines Committee	0	0	Regulatory	0	0	0	0	0	0
Ten-Transport Financial Assistance Committee	2	3	Regulatory	2	0	0	2	0	0
Committee for implementation of the regulation concerning the granting of Community financial assistance for actions of an innovative nature to promote combined transport (PACT) (1997 to 2001)	0	0	Regulatory	0	0	0	0	0	0
Advisory Committee on application of the legislation on access for Community air carriers to intra-Community air routes	0	0	Safeguard	0	0	0	0	0	0
Advisory Committee on measures taken in the event of a crisis in the market in the carriage of goods by road and for laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State (cabotage)	0	0	Advisory	0	0	0	0	0	0
Committee on Safe Seas and prevention of pollution from ships	2	2	Management	3	0	0	3	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Marco Polo Committee	1	1	Management	2	0	0	2	0	0
EASA Committee	5	6	Advisory	6	0	0	5	0	0
Consultative Committee on Market Access (Aviation)	1	1	Advisory	1	0	0	1	0	0
Regulatory Committee for Civil Aviation Security	10	14	Regulatory	4	0	0	4	0	0
Committee for the implementation of the distribution and management of authorisations for heavy trucks of the Community circulating in Switzerland	1	1	Regulatory	1	0	0	0	0	0

The 45 committees in this policy sector have delivered a total of 29 favourable opinions and one absence of opinion (no opinion), giving rise to 24 instruments.

The *Developing European Railways Committee (DERC)* was informally consulted twice (in January and July) on a draft Commission Recommendation concerning a common format for railway licences that have to be issued by Member States' licensing authorities based on Directive 2001/13.

The *Committee on the Transport of Dangerous Goods* delivered favourable opinions on the adoption of certain national derogations to the requirements of Directives 94/55/EC and 96/49/EC and the deferral of the date of implementation of Directive 1999/36/EC on transportable pressure equipment for certain types of equipment.

In addition, the Committee discussed (without any formal voting), modifications of Annexes to Directive 95/50/EC on road-side checks; translations and publication of the international agreements on the transport of dangerous goods (ADR, RID, ADN) in all Community languages in the future and the establishing of an information exchange forum for the national notifying authorities and the EU and notified bodies.

The *Committee on the adaptation of technical progress* focused on corrigenda and some technical amendments of the Annex 1B to Council Regulation (EEC) No 3821/85, as amended by Council Regulation (EC) No 2135/98. The opinion of the Committee was favourable.

The *Committee for the establishment of conditions for the interoperability of the trans-European rail system* gave a second mandate to the 'Association européenne pour l'interopérabilité ferroviaire' (AEIF) for the development of conventional rail technical specifications for interoperability (TSIs) on safety in tunnels, accessibility to people with reduced mobility and air pollution. Air pollution by engines used in railway application has since fallen under the scope of a general directive (TSIs for tunnel safety and accessibility are expected for 2005). The Committee also discussed the draft TSIs of the first priority group and gave a favourable opinion on a draft decision relative to the ERTMS parameters and on a draft decision relative to the basic parameters for the 'telematics application for freight', 'noise' and 'wagons' TSIs.

The *Committee on driving licences* focused in particular on the future revision of Annex III on mental and physical fitness to drive a vehicle (without delivering any formal voting). Another point of discussion concerned the necessary adaptation to technical progress of the definition of (semi)-automatic gearboxes.

The *European Aviation Safety Agency*, established by Article 54 of Regulation (EC) No 1592/2002 of 15 July 2002, came into being in July 2003. It was working under great pressure from the outset, as it was required to deliver opinions on texts constituting the regulatory basis for the certification procedures for aeronautical products which, pursuant to Regulation (EC) No 1592/2002, were the responsibility of the EASA from 28 September 2003. Thus, from September, the Committee was delivering favourable opinions on three proposed Commission regulations, concerning (respectively) amendments to Article 6 of Regulation (EC) No 1592/2002 to bring it into line with the most recent requirements of the International Civil Aviation Organisation and the rules implementing Articles 5 (airworthiness) and 6 (environmental requirements) of the same Regulation. In December, a draft Commission Regulation on the organisation and make-up of the EASA appeals chamber also received a favourable opinion, as did a draft Commission Decision laying down the rules on the delegation of the powers of the executive director of the Agency.

Regulation (EC) No 2320/2002 of the European Parliament and of the Council came into force on 19 January 2003. The Committee for Civil Aviation Security Committee 2003 met for the first time in February 2003. The Committee delivered favourable opinions regarding four Commission Regulations. Commission Regulations (EC) No 622/2003 and (EC) No 68/2004 were technical regulations that add detail to the requirements of Regulation (EC) No 2320/2002. Commission Regulation (EC) No 1217/2003 lays down common standards for quality control programmes in the Member States in the field of aviation security — as required by an obligation in Article 5 of Regulation (EC) No 2320/2002. Commission Regulation (EC) No 1486/2003 lays down operational requirements for the conduct of inspections of EU airports by the Commission, also meeting obligations laid down in Article 5 of the Regulation (EC) No 2320/2002.

The Committee on Market Access (Aviation) (working under the advisory procedure) examined a draft decision by the Commission on a complaint by Switzerland against Germany concerning certain airspace regulations in the approach to Zürich airport which Switzerland considered to be restrictive. The draft decision proposing not to follow the request received a favourable opinion by the Committee.

Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas (COSS) and the Prevention of Pollution from Ships came into force on 25 November 2002, and the Committee held its first two meetings in 2003. The COSS replaced all of the existing committees in the area of maritime safety.

An informal meeting of the Marco Polo Programme Committee took place prior to the adoption of the Marco Polo Programme in July 2003. The Committee adopted its Rules of Procedure and delivered a favourable opinion after the Programme adoption regarding the Marco Polo Work programme 2003.

The Committee for the Financing of the Trans-European Network — Transport Section (TEN-T) approved, by favourable opinion, a Commission proposal for the cofinancing of six projects making up a first tranche of the non-MIP fund allocation for 2003, and a Commission proposal for the cofinancing of the second tranche of the non-MIP fund allocation for 2003. The Committee was also informed by the Commission about, and expressed its views on, the 'outstanding payments' (*Reste à liquider*) exercise intended to reduce the number of financial matters awaiting implementation.

The Committee for the Financing of the Trans-European Network — Energy Section (TEN-E) delivered a favourable opinion on a draft Commission decision to support 15 of the 37 applications for financial aid received for a total of EUR 21,6 million.

DETAILED STATISTICS FOR ENVIRONMENT

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Advisory Committee for implementation of the directive on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations	0	0	Advisory	0	0	0	0	0	0
Advisory Committee for implementation of the directive relating to a reduction in the sulphur content of certain liquid fuels	0	0	Advisory	0	0	0	0	0	0
Committee for the implementation of the Community framework for cooperation to promote sustainable urban development (2001 to 2004)	1	1	Advisory	2	0	0	2	0	0
Committee for implementing the Community action programme in the field of civil protection (CPC) (2000 to 2004)	4	6	Management	3	0	0	1	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the adaptation to technical and scientific progress of the directive on the quality of water intended for human consumption	2	2	Management	0	0	0	0	0	0
Committee on Marine Pollution	2	2	Management	1	0	0	1	0	0
Committee on the financial instrument for the environment (LIFE)	2	2	Management	1	0	0	2	0	0
Management Committee for application of the directive on the standardisation and rationalisation of reports on the implementation of certain directives relating to the environment	0	0	Management	0	0	0	0	0	0
Management Committee to monitor production and consumption of substances that deplete the ozone layer (SDO)	2	4	Management	9	0	0	5	0	0
Committee for the adaptation to technical progress of the directive on the control of volatile organic compound emissions resulting from the storage of petrol and its distribution from terminals to service stations (VOC)	0	0	Regulatory	0	0	0	0	0	0
Committee for application of the regulation authorising voluntary participation by undertakings in the industrial sector in a Community eco-management and audit scheme (EMAS)	1	4	Regulatory	1	0	0	1	0	0
Committee for implementation of the directive on integrated pollution prevention and control (IPPC)	3	5	Regulatory	0	0	0	0	0	0
Committee for implementation of the directive on packaging and packaging waste	2	2	Regulatory	0	0	0	0	0	0
Committee for implementing the directive establishing a Community policy regarding water	1	1	Regulatory	0	0	0	0	0	0
Committee for the adaptation to scientific and technical progress and implementation of the directive on protection of waters against pollution caused by nitrates from agricultural sources	2	2	Regulatory	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the adaptation to scientific and technical progress and implementation of the directive on the incineration of hazardous waste	0	0	Regulatory	0	0	0	0	0	0
Committee for the adaptation to scientific and technical progress and implementation of the directive on urban waste water treatment	1	2	Regulatory	0	0	0	0	0	0
Committee for the adaptation to scientific and technical progress and implementation of the directives on waste	6	6	Regulatory	1	0	0	0	0	0
Committee for the adaptation to scientific and technical progress of the directive on conservation of wild birds (ORNIS)	1	1	Regulatory	0	0	0	0	0	0
Committee for the adaptation to technical progress and application of the Community award scheme for an eco-label (ECO-LABEL)	3	1.5	Regulatory	3	1	0	3	1	0
Committee for the adaptation to technical progress and implementation of the directive on the contained use of genetically modified micro-organisms	0	0	Regulatory	0	0	0	0	0	0
Committee for the adaptation to technical progress and implementation of the directive on the deliberate release into the environment of genetically modified organisms	2	2	Regulatory	2	0	0	2	0	0
Committee for the adaptation to technical progress and implementation of the regulation on the evaluation and control of the risks of existing substances	2	2	Regulatory	2	0	0	2	0	0
Committee for the adaptation to technical progress of legislation to remove technical barriers to trade in dangerous substances and preparations	1	2	Regulatory	4	0	0	4	0	0
Committee for the adaptation to technical progress of the directive on the quality of bathing water	0	0	Regulatory	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the application of the directive relating to the availability of consumer information on fuel economy and CO2 emissions in respect of the marketing of new passenger cars	0	0	Regulatory	0	0	0	0	0	0
Committee for the approximation of the laws of the Member States relating to measures against the emission of gaseous and particulate pollutants from internal combustion engines to be installed in non-road mobile machinery	0	0	Regulatory	0	0	0	0	0	0
Committee for the approximation of the laws of the Member States relating to noise emission in the environment by equipment for use outdoors	2	2	Regulatory	1	0	0	1	0	0
Committee for the protection of species of wild fauna and flora by regulating trade therein	5	5	Regulatory	2	0	0	2	0	0
Committee on implementing legislation on ambient air quality assessment and management	1	1	Regulatory	1	0	0	1	0	0
Committee on the conservation of natural habitats and of wild fauna and flora (Habitat)	2	2	Regulatory	2	0	0	2	0	0
Committee on the monitoring mechanism of Community CO2 and other greenhouse gas emissions	3	6	Regulatory	2	0	0	1	0	0
Committee overseeing the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station	0	0	Regulatory	0	0	0	0	0	0
Standing Committee for implementation of the directive concerning the placing of biocidal products on the market	1	1	Regulatory	1	0	0	1	0	0
Standing Committee for implementation of the directive on the control of major accidental hazards involving dangerous substances	2	4	Regulatory	0	0	0	0	0	0
Advisory Committee for implementation of the directive on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations	0	0	Advisory	0	0	0	0	0	0

The 35 committees in this policy sector have delivered a total of 38 favourable opinions and one unfavourable opinion, giving rise to 31 instruments.

The *Eco-label Regulatory Committee* gave its opinion on four draft Commission Decisions establishing the ecological criteria for the award of the Community eco-label to different kinds of products and services. Three of them (concerning tourist accommodation services, washing machines and refrigerators) received positive opinions by the Committee and were therefore adopted. The fourth, related to *furniture*, was instead rejected by the Committee. The proposed criteria received a negative vote (in favour: 30; against: 42; abstention: 13). The Commission, decided to withdraw the fourth proposal rather than referring it to Council. The *Regulatory Committee for the Adaptation to scientific and technical progress of directive 94/62 on packaging and packaging waste* met twice in 2003. It focused on the harmonisation of data provision on recycling and recovery rates, running in parallel with the legislative procedure which lead to the revision of the Directive itself at the end of the year. Another sensitive issue addressed was the clarification of questions raised by Acceding Countries on the implementation of the Directive. The committee also served as a forum to exchange best practice on data collection among the Member States.

The *Regulatory Committee on the implementation of the Monitoring Mechanism of Community CO₂ and other greenhouse gas emissions* gave a favourable opinion on the guidelines to be used by installations covered under the Community greenhouse gas emissions trading scheme to monitor and report their emissions. It also prepared the implementing provisions for the new Monitoring Decision which was discussed by the Legislator in 2003.

The (regulatory) *Committee on the deliberate release into the environment of genetically modified organisms* adopted a model for the presentation of the results on the deliberate release of superior plants for purposes other than commercialisation. It also gave favourable opinion for setting up a system of GMO indicators.

DETAILED STATISTICS FOR RESEARCH

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the execution of the specific programme for research, technological development and demonstration: 'Integrating and Strengthening the European Research Area' (2002 to 2006)	39	39.5	Several: Management, Regulatory	58	0	0	47	0	0
Committee for the execution of the specific programme for research, technological development and demonstration: 'Structuring the European Research Area' (2002 to 2006)	11	9.5	Management	16	0	0	13	0	0

The two committees in this policy sector have delivered a total of 74 favourable opinions, giving rise to 60 instruments.

2003 was the first full year of operations for the two (new) Programme committees under the sixth framework programme for research. The specific Programme committees ceased their activities in 2002, which explains the considerable reduction of committees in this policy area. The relationship of the committee members with the services of DG Research continued to be smooth and productive, as under the previous framework programmes for research.

It is important to note the full support provided by the committees on the various revisions proposed by the Commission for the Work programmes of the specific programmes 'Integrating and Strengthening the European Research Area' and 'Structuring the European Research Area'.

The two programme committees meet in different sections, according to the nature of the issues on the agenda to be discussed. These sections are:

Programme committee for the specific programme 'Integrating and Strengthening the European Research Area':

- horizontal aspects,
- life sciences, genomics and biotechnology for health,
- information society technologies,
- nanotechnologies and nanosciences, knowledge-based multifunctional materials and new production processes and devices,
- aeronautics and space,
- food quality and safety,
- sustainable development, global change and ecosystems,
- citizens and governance in a knowledge-based society.

Programme committee for the specific programme 'Structuring the European Research Area':

- horizontal aspects,
- research and innovation,
- human resources and mobility,
- research infrastructures,
- science and society.

DETAILED STATISTICS FOR INFORMATION SOCIETY

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Electronic Signatures Committee	1	0.5	Management	12	0	0	1	0	0
Advisory Committee on information systems security (SOG-IS)	0	0	Several	0	0	0	0	0	0
Advisory Committee on the implementation of open telecommunications network provision (ONP)	0	0	Several	0	0	0	0	0	0
Committee for application of the legislation on general authorisations and individual licences in the field of telecommunications services (GAIL/AGLI)	0	0	Several	0	0	0	0	0	0
Advisory Committee for Telecommunications Equipment (ACTE)	0	0	Advisory	0	0	0	0	0	0
Communications Committee-framework directive 2002/21/EC (COCOM)	6	6	Several	7	0	0	6	0	0
Radio Spectrum Committee (RSC) — Decision No 676/2002/EC (RSC)	4	4	Several	4	0	0	4	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the implementation of the series of guidelines for trans-European telecommunications networks (TEN-Telecom)	6	5.5	Regulatory	1	0	0	1	0	0
TEN Financial Regulation Committee (Regulation (EC) No 2236/95)	1	1	Regulatory	1	0	0	1	0	0
Committee for the execution of the specific programme for research, technological development and demonstration: Integrating and Strengthening the European Research Area (2002 to 2006) — ISTC Priority 2 configuration	8	8	Several: Management, Regulatory	4	0	0	4	0	0
Committee for the implementation of the multiannual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information society (eContent)	3	3	Management	1	0	0	1	0	0
Committee on the multiannual Community action plan on promoting safe use of the Internet (1999 to 2002)	1	1	Regulatory	2	0	0	1	0	0
Committee of the specific programme Structuring the European Research Area — Research Infrastructures configuration	1	1	Management	2	0	0	2	0	0

The 13 committees in this policy sector have delivered a total of 34 favourable opinions, giving rise to 21 instruments.

Compared to 2002, the *PROMISE Committee* expired (it was replaced, from 2004 on, by the MODINIS Committee), whereas the *Committee 'Structuring the ERA — Research Infrastructures configuration'* is newly listed in the Information Society policy area, so there is no change in the overall number of 13 committees. Of these 13 committees nine were active committees in the year 2003, whereas four showed no activities in 2003 (SOG-IS, ONP, GAIL/AGLI and ACTE).

e-Signature Committee

During its meeting of July 2003, the committee gave a favourable opinion on the draft Decision on generally recognised standards for electronic signature products. The Commission adopted the final Decision ⁽¹⁾.

PROMISE Committee

The committee which was created in order to manage the PROMISE work programme, met for the last time in September 2002. Continuation of the meetings in 2003 was not necessary because the PROMISE programme expired and was replaced by the MODINIS programme ⁽²⁾. This programme in its article 6, stipulates that the Commission shall be assisted in the execution of the MODINIS programme by a committee working according to the management procedure (MODINIS Committee). It will be established and start activities in the year 2004.

⁽¹⁾ OJ L 175, 15.7.2003, p. 45.

⁽²⁾ Decision 2256/2003/EC of the European Parliament and of the Council on a multi-annual programme 2003 to 2005, for the monitoring of eEurope 2005 Action plan, dissemination of good practices and the improvement of network and information security (OJ L 336, 23.12.2003, p. 1).

Communications Committee (COCOM)

The COCOM, created in 2002, has proven to play a key role for implementing the new framework by both issuing opinions on draft Commission measures and by being a forum to exchange ideas on practical issues. Important implementation measures have found the Committee's favourable opinion under comitology procedure, such as the Commission Recommendation on notifications under Article 7 of the Framework Directive. During the year of people with disabilities, the COCOM established a dedicated subgroup, called Inclusive Communication (Incom), which produced a report on a large scale of issues, including best practice and suggestions on how to overcome barriers for users of telecommunications services with disabilities. More than 60 working documents were distributed to the committee members and made available to them via the CIRCA IT-tool. The CIRCA sites became a major information and transparency tool, with more than 11 000 hits in 2003.

Radio Spectrum Committee (RSC)

The RSC, created in 2002, has proven to play a key role for implementing the new framework as regards radio spectrum issues. A total of four mandates under the Spectrum Decision subject to formal votings according to comitology procedure have found a favourable opinion. Some 50 working documents were distributed and some 4 000 hits were counted at the Committee's website.

eContent Committee

During the year 2003 proceedings to include the ten accession countries and the three remaining candidate countries (Bulgaria, Romania, Turkey) in the committee were concluded and the committee's work focused on the third call of proposals that closed in March 2003. Thanks to the committee members over 20 information days publicizing the programme were organised throughout Europe (total participation in excess of 2 500 people). A mid-term evaluation of the programme was concluded in June 2003.

Safer Internet Programme Committee

Following the late adoption of the extension Decision by the European Parliament and the Council⁽¹⁾, the Committee only met once in 2003. It discussed and delivered opinions on agenda items related to the implementation of the Programme, in particular the Work Programme 2003-2004 and the 2003 call text. Representatives of the acceding countries participated for the first time with an observer status.

Information Society Technologies (IST) Committee

The main task of the committee is the integration and strengthening of the European Research Area (ISTC Priority 2). During the first year of operations under the sixth framework programme⁽²⁾, the information society technologies (IST) programme Committee screened 197 proposals. The new instruments (52 'Integrated Projects' and 29 'Networks of Excellence') of the sixth framework programme were successfully implemented receiving slightly more than two thirds of the budget allocated, as provided for in the Work Programme. The 'Specific Targeted Research Project' was with 85 proposals the most frequently used of the old instruments, while we count 20 'Specific Support Actions' and 11 'Coordination actions'.

These operations successfully started implementing the European Research Area for Information Society Technologies. They enabled the programme to increase support for the development of key technologies for the competitiveness of European industry and enable citizens to benefit more from information society services, with a major impact in areas such as health, transport and education and training.

eTEN Committee 2003

The year 2003 was used to put the eTEN programme back on track firmly after a call for proposals had been cancelled in late 2002, and to strengthen the involvement of the (management) committee with a view to the demanding agenda of 2003. This agenda comprised the creation and adoption of a new Work Programme for 2003, preparing and informing the constituencies in the Member States, launching a Call for Proposals based on the Work Programme, and conducting a transparent and fair evaluation and selection process. The eTEN Committee was strongly involved in all these issues. In addition the committee was actively involved in the launching of the 30 % decision (Proposal by the Commission to increase the maximum funding level of Initial Deployment projects to 30 %), and in the preparation of involving the new Member States into the programme after the accession in 2004.

⁽¹⁾ Decision 1151/2003/EC (OJ L 162, 1.7.2003, p. 1).

⁽²⁾ Thus, replacing the Committee for execution of the specific programme of research, technological development and demonstration on a user-friendly information society (1999 to 2002, FP 5).

DETAILED STATISTICS FOR FISHERIES

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the Structures for Fisheries and Aquaculture	5	5	Several: Advisory, Management	3	0	0	3	0	0
Committee for Fisheries Products	10	7,5	Management	5	0	0	1	0	0
Committee for Fisheries and Aquaculture	10	11,5	Several: Management, Regulatory	11	0	0	5	0	0

The three committees in this policy sector have delivered a total of 19 favourable opinions, giving rise to nine instruments.

Committee for Structures on Fisheries and Aquaculture

The Committee was consulted on five occasions in 2003 on the following subjects:

Second revision of Regulation (EC) No 1685/2000 governing the eligibility rules under the Structural Funds. The consultation took place by written procedure and resulted in a favourable opinion.

Information on the accompanying measures and financial needs required by affected MS to address the socio-economic impact of recovery plans, on the 2003 program for innovative actions, and the 2003 programme for technical assistance.

Communication from the Commission on the future of the cohesion policy, information on the impact of the CFP reform on aid to the fleet, consultation on the revised indicative guidelines for structural funds in future Member States (favourable opinion, COM(2003) 0499 final).

Revision of the list of objective 2 eligibility zones. The consultation took place by written procedure and resulted in a favourable opinion.

Information on the results of the call for proposals for innovative actions in 2003 and the implementation of previous projects in the framework of the 2002 similar call for proposals.

Committee for Fisheries Products

The (management) *Committee for Fisheries Products* focused its work on the common organisation of the fisheries and aquaculture products markets. Mention should be made of the adoption of Commission Regulation (EC) No 1181/2003 amending Council Regulation (EEC) No 2136/89 laying down common marketing standards for preserved sardines, following a favourable opinion of the committee.

With regard to current management activities, priority went to the revision of the multi-annual tariff quotas laid down in Council Regulation (EC) No 2803/2000.

Committee for Fisheries and Aquaculture

The following measures were adopted by the Commission after receiving favourable opinions of the (management) committee:

Commission Regulation (EC) No 728/2003 (of 25 April 2003) adapting certain fish quotas for 2003 pursuant to Council Regulation (EC) No 847/96 introducing additional conditions for year-to-year management of TACIS and quotas.

Commission Regulation (EC) No 1438/2003 (of 12 August 2003) laying down implementing rules on the Community Fleet Policy as defined in Chapter III of Council Regulation (EC) No 2371/2002.

Commission Regulation (EC) No 1461/2003 (of 18 August 2003) laying down conditions for pilot projects for the electronic transmission of information on fishing activities and for remote sensing.

Commission Regulation (EC) No 2244/2003 (of 18 December 2003) laying down detailed provisions regarding satellite-based Vessel Monitoring Systems.

Commission Decision (of 30 December 2003) on the financial contribution towards carrying out certain operations planned by the Member States in 2003 to implement the control, inspection and surveillance systems applicable to the common fisheries policy (second instalment) ⁽¹⁾.

DETAILED STATISTICS FOR INTERNAL MARKET

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Advisory Committee on Public Procurement (ACPC)	4	3,5	Advisory	2	0	0	2	0	0
UCITS Contact Committee	5	5	Advisory	0	0	0	0	0	0
Committee of Senior Officials on Public Health (CSOPH)	2	2	Management	0	0	0	0	0	0
Committee on the protection of individuals with regard to the processing of personal data and on the free movement of such data	5	6	Management	2	0	0	2	0	0
Committee on the second general system for the recognition of professional education and training	1	1	Management	1	0	0	0	0	0
Committees on checks for conformity with the rules on product safety in the case of products imported from third countries	0	0	Management	0	0	0	0	0	0
Accounting Regulatory Committee	4	4	Regulatory	1	0	0	1	0	0
Banking Advisory Committee (BAC)	3	4	Regulatory	0	0	0	0	0	0
Committee for application of the legislation concerning common rules for the development of the internal market of Community postal services and the improvement of quality of service	1	1	Regulatory	1	0	0	0	0	0
Committee on fees, implementation rules and the procedure of the boards of appeal of the Office for Harmonization in the Internal Market (trade marks and designs)	0	0	Regulatory	0	0	0	0	0	0
Insurance Committee	3	3	Regulatory	0	0	0	0	0	0
European Securities Committee	10	10	Regulatory	3	0	0	3	0	0

⁽¹⁾ OJ L 13, 20.1.2004, p. 34.

The 12 committees in this policy sector have delivered a total of 10 favourable opinions, giving rise to eight instruments.

Most of the committees in the Internal Market sector share comitology functions with more general advisory functions, which represent the predominant part of their activity. There were significant discussions in the *Banking Advisory Committee* on the subject of the adequacy of capital in credit institutions and investment firms or the application of the 'electronic money' Directive to certain categories of institutions. The *Advisory Committee on Public Procurement*, for its part, discussed the legislative framework applicable to public/private partnerships and concessions. It also discussed the revision of the 'appeals' Directive. In the area of *data protection*, the committee responsible for the implementation of Directive 95/46/EC was kept regularly updated on the progress of negotiations with the United States in respect of the transfer of data concerning passengers on transatlantic flights.

The role of the Committees in the Internal Market sector should, however, show a shift towards more 'comitological' activity over the next few years. This is already the case in the financial services sector following the implementation of what is referred to as the 'Lamfalussy process'. This new method, approved by the European Parliament and the Council, is specifically intended to grant the Commission increased executive powers. Its scope is, however, limited to the *securities* sector. In this area, the three first draft implementing measures of Directive 2003/6/EC on 'market abuse' submitted by the Commission to the European Securities Committee in accordance with 'Lamfalussy' principles, were adopted by the Commission in December 2003. The fact that these draft measures met with the unanimous approval of the Committee can be considered as proof that all concerned place great store by the 'Lamfalussy' process.

In a draft Directive adopted on 5 November 2003, the Commission proposed to extend the 'Lamfalussy' approach to the banking sector, insurance and pension funds. This proposal also provided for the *European Securities Committee* to be given the task of assisting the Commission in the exercise of its power to implement Directives 2001/107/EC and 2001/108/EC on UCITS, in place of the Committee currently responsible in this area.

Other notable activities during 2003 include the important favourable opinion delivered by the *Accounting Regulatory Committee* on the draft Commission Regulation to adopt into Community law all of the International Accounting Standards (IAS) in force at 14 September 2002 with the exception of standards IAS 32 and IAS 39 on financial instruments (which are being contested by the EU banking and insurance industries). The *Advisory Committee on Public Procurement*, for its part, delivered a favourable opinion on a draft Commission Regulation establishing a Common Procurement Vocabulary.

DETAILED STATISTICS FOR REGIONAL POLICY

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the Development and Conversion of Regions (CDCR)	11	11	Several: Advisory, Management	5	1	0	7	0	0
Committee on the regulation establishing an Instrument for Structural Policies for Pre-Accession (ISPA)	1	2	Management	23	0	0	0	0	0

The two committees in this policy sector have delivered a total of 28 favourable opinions and one unfavourable opinion, giving rise to seven instruments.

Committee on the Development and Conversion of the Regions (CDCR)

This CDCR acts under the management procedure when it deals with rules implementing the Structural Funds Regulation (EC) No 1260/1999 and under the consultative procedure dealing with other points related to the same Regulation.

The CDCR delivered an unfavourable opinion, under to the management procedure, on a draft amendment to Commission Regulation (EC) No 1685/2000 of 28 July 2000 laying down detailed rules for the implementation of Council Regulation (EC) No 1260/1999 as regards eligibility of expenditure of operations co-financed by the structural funds. Finally, Commission Regulation (EC) No 1145/2003 of 27 June 2003 amending Commission Regulation (EC) No 1685/2000 was adopted.

However, requirements with regard to the committee procedure were not fully respected (the text of that Regulation had never been sent to delegations in the consolidated version). As a consequence, the Commission proposed repealing the Regulation (EC) No 1145/2003 and replacing it by the modified text and the Committee gave a favourable opinion.

Furthermore, the Committee has been consulted as a management committee on a decision on the new repartition of Community Initiative allocations 1994 to 1999 in favour of the programme PEACE, in order to respond to a ruling of the Court of Justice.

Under the consultative procedure the CDCR treated the revision of the list of areas eligible under Objective 2 of the Structural Funds for the period 2000 to 2006 in France and Technical assistance measures planned for 2004.

The CDCR also acted as platform to consult the Member States on the revised indicative guidelines on the Structural Funds based on the relevant agreed Community policies, in accordance with Article 10(3) of Regulation (EC) No 1260/1999.

In addition, the CDCR acts as a forum for information and discussion of any specific points related to the implementation of the Structural Funds. In 2003 the CDCR therefore discussed a wide range of issues concerning the Structural Funds and in particular the European Regional Development Fund.

The CDCR has been consulted in its role as a sectorial committee on projects related to the 'Interchange of Data between Administrations (IDA)'.

The *Working group 'Territorial and Urban Development'* is charged to assist the CDCR and the Commission in implementing Regulation (EC) No 1260/1999, in particular issues related to spatial planning and urban questions.

The ISPA (Management) Committee

This committee acts under the management procedure; representatives of the EIB and EBRD participate as observers.

Its main assignment is to deliver an opinion, on the draft measures proposed by the Commission for ISPA funding. In addition, the committee is entitled to examine, either at the initiative of the Commission or at its own request, ISPA related activities in the fields of programming, implementation, monitoring and financial management and control.

In 2003, one meeting of the ISPA Committee took place where 23 favourable opinions required by Article 7(1) of the ISPA Regulation were gathered.

DETAILED STATISTICS FOR TAXATION AND CUSTOMS UNION

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on the export and return of cultural goods	2	2	Advisory	1	0	0	0	0	0
Committee for implementation of an action programme for customs in the Community (Customs 2007) (2003 to 2007)	2	2	Management	0	0	0	0	0	0
Committee for monitoring trade in substances used for the illicit manufacture of narcotic drugs or psychotropic substances (precursors)	4	5	Management	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Customs Code Committee — counterfeit and pirated goods	2	2	Management	0	0	0	0	1	0
Customs Code Committee — tariff and statistical nomenclature — BTI	3	4	Management	1	0	0	1	0	0
Customs Code Committee — tariff and statistical nomenclature — HS — CN —TARIC	13	25.5	Management	6	0	0	2	0	0
Committee for mutual assistance on recovery of claims (assistance)	1	1	Regulatory	0	0	0	0	0	0
Committee on economic outward processing arrangements for textiles	0	0	Regulatory	0	0	0	0	0	0
Committee on excise duties	9	13.5	Regulatory	1	0	0	1	0	0
Committee on the movement of air or sea passengers' baggage (principles)	0	0	Regulatory	0	0	0	0	0	0
Customs Code Committee — customs procedures with economic impact	4	4	Regulatory	0	0	0	0	0	0
Customs Code Committee — customs valuation	4	5	Regulatory	2	0	0	1	0	0
Customs Code Committee — customs warehouses and free zones	4	4	Regulatory	5	0	0	0	0	0
Customs Code Committee — duty-free arrangement	0	0	Regulatory	0	0	0	0	0	0
Customs Code Committee — favourable tariff treatment (nature or end-use of goods)	0	0	Regulatory	0	0	0	0	0	0
Customs Code Committee — general legislation	3	3	Regulatory	1	0	0	1	0	0
Customs Code Committee — movement of air or sea passengers' baggage (technical problems)	0	0	Regulatory	0	0	0	0	0	0

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Customs Code Committee — tariff and statistical nomenclature — Agriculture and chemicals	6	12	Management	7	0	0	7	0	0
Customs Code Committee — tariff and statistical nomenclature — Mechanical appliances	5	14	Management	6	0	0	6	0	0
Customs Code Committee — tariff and statistical nomenclature — Textiles	3	4	Management	4	0	0	4	0	0
Customs Code Committee — transit	0	0	-	0	0	0	0	0	0
Customs Code Committee — economic tariff questions	0	0	-	0	0	0	0	0	0
Customs Code Committee — origin	0	0	-	0	0	0	0	0	0
Standing Committee on Administrative Cooperation	0	0	-	0	0	0	0	0	0
Customs Code Committee — repayment	0	0	-	0	0	0	0	0	0
Customs Code Committee — Single Administrative Document	0	0	-	0	0	0	0	0	0

The nine committees in this policy sector have delivered a total of 34 favourable opinions, giving rise to the same number of instruments.

Advisory Committee on Cultural Goods

The Committee for the export and restitution of cultural goods is intended to administer the implementation of Regulation (EEC) No 3911/92 on the export of cultural goods and to draw up the relevant rules. Its work during 2003 concentrated on the development of a new model export licence, a project that required an amendment to Regulation (EEC) No 752/93 laying down provisions for the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods. In addition to this the Committee dealt with issues regarding the common interpretation of certain legal concepts in Regulation (EEC) No 3911/92, such as 'collection' and 'lawful and definitive'.

'Customs 2007' Committee

'Customs 2002' is a programme for customs administration within the customs union.

The 'Customs 2007' Committee is an essential element of this programme and works specifically towards identical treatment of trade based on the cooperation of customs administrations. The programme administered by the Committee has, in particular, provided a major computer network to process transit and tariffs. The numerous joint activities undertaken in 2003 saw high levels of participation by both the Member States and the candidate countries.

DETAILED STATISTICS FOR EDUCATION AND CULTURE

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for implementation of the actions laid down in the second phase of the Community vocational training action programme „Leonardo da Vinci“ (2000 to 2006)	3	5	Several: Advisory, Management	9	0	0	7	0	0
Committee for implementation of the second phase of the Community action programme in the field of education „Socrates“ (2000 to 2006)	3	6	Several: Advisory, Management	26	0	0	14	0	0
Committee for implementation of the third phase of the trans-European cooperation scheme for higher education (Tempus III) (2000 to 2006)	1	1	Several: Advisory, Management	1	0	0	1	0	0
Committee for the implementation of the training programme for professionals in the European audiovisual programme industry and of the programme to encourage the development, distribution and promotion of European audiovisual works (MEDIA-formation / MEDIA Plus) (2001-2005)	7	7	Several: Advisory, Management	41	0	0	16	0	0
Committee on the Community action programme concerning cooperation policy in the youth field, including European voluntary service and youth exchanges within the Community and with third countries (YOUTH) (2000 to 2006)	2	2	Several: Advisory, Management	4	0	0	1	0	0
Committee for implementation of the programme establishing a single financing and programming instrument for cultural cooperation (Culture 2000) (2000 to 2004)	3	3	Several: Advisory, Management	8	0	0	6	0	0
The advisory committee for the European Year of Education through Sport 2004	4	10	Advisory	8	0	0	2	0	0

The seven committees in this policy sector have delivered a total of 97 favourable opinions, giving rise to 47 instruments.

The *Leonardo da Vinci Committee* held three plenary meetings in 2003. The Committee delivered a favourable opinion on the following: the selection of projects for 2003 under the 'B' procedure, the 'C' procedure and joint actions for 2003, the 'innovation transfer' call for tenders, the financial addendum to the text of the 2004 call, priorities for joint action for 2003, improvements to the 'B' selection procedure, the work plan, the *ex ante* budget for 2004 and the selection of pre-proposals for 2004.

The *Socrates Committee* met three times in 2003. Its main activities were to adopt opinions, on the basis of proposals submitted by the Commission's services, so as to enable the ongoing implementation of the Socrates programme and its different actions. The most important political items discussed were the following: the political priorities for the forthcoming programme year, national evaluation reports, the Socrates information strategy and budget matters.

The *Tempus Committee* met in February 2003 and delivered a positive opinion on the new Guide for Applicants.

The *MEDIA Committee* delivered a favourable opinion on amendments to the guidelines in the various sectors of the MEDIA Plus and MEDIA Training programmes and was consulted for the selection of projects to which a Community contribution would be made.

In addition to its main tasks concerning the Culture 2000 Programme, the Committee also approved financing for a special concert in St. Petersburg in April 2003, as part of the tercentenary celebrations of the city, and financing for four projects issuing from a special call for 'A cultural celebration of the Enlargement of the European Union in 2004'. Both of these were under the Action 3 of the Culture 2000 Programme.

For the *YOUTH Committee* in 2003 the most important points on the agendas were the Activity Report 2002 and Work plan and budget 2004.

The Committee for the European Year of Education through Sport 2004 was created by Decision No 291/2003/EC of the European Parliament and of the Council ⁽¹⁾, establishing the European Year of Education through Sport 2004. This Committee, operating in accordance with the consultation process and bringing together representatives of the States participating in the Year, assists the Commission in defining priorities and implementing activities linked to the initiative. The Committee is also consulted on the list of projects to be co-financed. The Committee met four times during its first year of existence.

DETAILED STATISTICS FOR HEALTH AND CONSUMER PROTECTION

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on implementation of the general framework for Community activities in favour of consumers (1999 to 2003)	2	2	Advisory	0	0	0	0	0	0
Committee for the implementation of the Community action programme on public health (2003 to 2008)	2	3	Several: Advisory, Management	3	0	0	3	0	0
Standing Committee on the Food Chain and Animal Health — Section: „Animal health and animal welfare“	19	27	Several: Advisory, Regulatory	150	0	0	150	0	0
Committee established under Article 10 of the Directive 2001/37/EC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products	1	1	Regulatory	1	0	0	1	0	0
Committee of the General Product Safety Directive (2001/95/EC)	3	6	Regulatory	4	0	0	4	0	0

⁽¹⁾ OJ L 43, 18.2.2003, p. 1.

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on the decision to set up a network for the epidemiological surveillance and control of communicable diseases	5	7	Regulatory	2	0	0	2	0	0
Regulatory Committee on the quality and safety of blood	1	2	Regulatory	1	0	0	1	0	0
Standing Committee for Community protection of plant variety rights	1	1	Regulatory	1	0	0	1	0	0
Standing Committee on plant health (SCPH)	11	22	Regulatory	19	0	0	19	0	0
Standing Committee on the Food Chain and Animal Health — Section „Phytopharmaceuticals-Pesticide residues“	6	10	Regulatory	10	0	0	10	0	0
Standing Committee on the Food Chain and Animal Health — Section: „Animal nutrition“	8	14	Regulatory	16	0	0	16	0	0
Standing Committee on the Food Chain and Animal Health — Section: „Biological safety of the food chain“	11	16	Regulatory	49	0	0	49	0	0
Standing Committee on the Food Chain and Animal Health — Section: „Controls and import conditions“	0	0	—	46	0	0	46	0	0
Standing Committee on the Food Chain and Animal Health — Section: „General food law“	4	5	Regulatory	11	0	1	12	1	0
Standing Committee on the Food Chain and Animal Health — Section: „Phytopharmaceuticals — Legislation“	5	10	Regulatory	45	0	0	45	0	0
Standing Committee on the Food Chain and Animal Health — Section: „Toxicological safety of the food chain“	4	4	Regulatory	12	0	0	12	0	0
Standing Committee on Zootechnics (SCZ)	0	0	Regulatory	0	0	0	0	0	0
Standing Committee on propagating material and ornamental plants	2	2	Several: Management, Regulatory	1	0	0	1	0	0
Standing Committee on propagating material and plants of fruit genera and species	2	2	Several: Management, Regulatory	2	0	0	2	0	0
Standing Committee on seeds and propagating material for agriculture, horticulture and forestry (SCS)	14	19	Several: Management, Regulatory	18	0	0	18	0	0

The 13 committees in this policy sector have delivered a total of 392 favorable opinions, giving rise to the same number of instruments.

Public Health

Committee for the implementation of the programme of community action in the field of public health (2003/2008)

The main activity of the committee consisted of giving a (favourable) opinion on the selection of projects for Community funding following the 2003 call for proposals for public health and on the adoption of the work plan for 2004.

'Blood' Regulatory Committee

During its first year of activity, this new committee, established by Directive 2002/98/EC, gave favourable opinions on the setting of standards of quality and safety for the collection, testing, processing, storage and distribution of human blood and blood components and the draft implementing measures on technical requirements for quality and safety of human blood and blood components ⁽¹⁾.

Tobacco Products Directive Regulatory Committee

The committee gave its favourable opinion on the draft proposal for a Commission Decision on the use of colour photographs or other illustrations as health warnings on tobacco packages as provided in Article 5(3) of Directive 2001/37/EC ⁽²⁾.

Committee setting up a network for the epidemiological surveillance and control of communicable diseases (created by decision 2119/98/EC)

Two important acts obtained the favourable opinion of the committee: a draft Commission Decision updating case definitions and ensuring that pathogens which may be used in bio-terror attacks are monitored by the network and a draft Commission Decision to enhance collaboration among Member States in the surveillance of communicable diseases improving comparability of data and the operation of dedicated surveillance networks ⁽³⁾.

Food Safety

Standing Committee on the Food Chain and Animal Health

All the sections of the Standing Committee on the Food Chain and Animal Health, created by Regulation (EC) No 178/2002, were active during this second year of existence of the committee.

The *General Food Law* section adopted opinions on, for example, the following issues: decisions concerning authorisations for the marketing of novel foods and novel food ingredients under Regulation (EC) No 258/97 ⁽⁴⁾ and a regulation on the labelling of products containing added phytosterols ⁽⁵⁾; directives concerning substances that may be added for particular nutritional uses in food for particular nutritional purposes ⁽⁶⁾.

On one occasion (authorisation of the placing on the market of sweetcorn from genetically modified maize Bt11) the Committee could not express an opinion with the requested majority and the Commission referred the draft proposal to the Council in accordance with the rules governing the regulatory procedure. The Council failed to adopt measures itself so the Commission adopted them as Decision 2004/657/EC ⁽⁷⁾.

⁽¹⁾ Commission Directive 2004/33/EC (OJ L 91, 30.3.2004, p. 25).

⁽²⁾ Commission Decision 2003/641/EC (OJ L 226, 10.9.2003, p. 24).

⁽³⁾ Commission Decision 2003/542/EC (OJ L 185, 24.7.2003, p. 55).

⁽⁴⁾ Commission Decisions 2004/334/EC (OJ L 105, 14.4.2004, p. 43) and 2004/335/EC (OJ L 105, 14.4.2004, p. 46).

⁽⁵⁾ Commission Regulation (EC) No 608/2004 (OJ L 97, 1.4.2004, p. 44).

⁽⁶⁾ Commission Directives 2004/5/EC (OJ L 14, 21.1.2004, p. 19) and 2004/6/EC (OJ L 15, 22.1.2004, p. 31).

⁽⁷⁾ OJ L 300, 25.9.2004, p. 48.

The *Toxicological Safety* section gave favourable opinions on a number of technical issues, among which were the establishment of maximum levels for certain contaminants in foodstuffs (e.g. patulin⁽¹⁾, aflatoxins⁽²⁾, ochratoxin A, tin in canned foods⁽³⁾) and of sampling and analysis methods for the official control of such contaminants⁽⁴⁾, favourable opinions were also delivered on issues related to the use of materials and articles intended to come into contact with foodstuffs⁽⁵⁾ and specific purity criteria on food additives other than colours and sweeteners⁽⁶⁾.

The *Animal Nutrition* section delivered favourable opinions relating to the authorisation of feed additives⁽⁷⁾ and bio-protein⁽⁸⁾, to official controls in the field of animal nutrition⁽⁹⁾ and to undesirable substances in feedingstuffs (in particular maximum levels of dioxins)⁽¹⁰⁾.

In the *plant protection* section, the subsection dealing with *pesticide residues* delivered favourable opinions on Maximum Residues Levels (MRLs) for thirty two substances representing more than four thousand MRLs (taking into account the possible pesticide/commodities combinations)⁽¹¹⁾. The subsection dealing with *regulatory aspects* gave its opinion on the draft implementing measures aiming at establishing standard warnings to be used on pesticides in case of special risks or as safety precautions for the protection of the humans and the environment⁽¹²⁾. It also voted on the inclusion of 30 active substances in Annex I to Directive 91/414/EEC and for the withdrawal from the market of more than 100 substances which could not be included in said Annex I⁽¹³⁾.

The *Animal Health and Welfare* section delivered 150 favourable opinions, 25 of which on draft decisions on the eradication of avian influenza in the Netherlands, Belgium and Germany⁽¹⁴⁾, eight on the control of classical swine fever in Belgium, France, Germany and Luxembourg⁽¹⁵⁾, three on outbreaks of Newcastle disease in the United States of America and Australia⁽¹⁶⁾ and two on foot-and-mouth disease in Argentina⁽¹⁷⁾.

⁽¹⁾ Commission Regulation (EC) No 1425/2003 (OJ L 203, 12.8.2003, p. 1) and Commission Regulation (EC) No 455/2004 (OJ L 74, 12.3.2004, p. 11).

⁽²⁾ Commission Regulation (EC) No 2174/2003 (OJ L 326, 13.12.2003, p. 12) and Commission Regulation (EC) No 683/2003 (OJ L 106, 15.4.2003, p. 41).

⁽³⁾ Commission Regulation (EC) No 242/2004 (OJ L 42, 13.2.2004, p. 3).

⁽⁴⁾ Commission Directive 2003/78/EC (patulin) (OJ L 203, 12.8.2003, p. 40) and Commission Directive 2004/16/EC (tin in canned foods) (OJ L 42, 13.2.2004, p. 16).

⁽⁵⁾ Commission Directive 2004/1/EC (Azodicarbonamide — Semicarbazide) (OJ L 7 of 13.1.2004, p. 45), Commission Directive 2004/19/EC (Plastics) (OJ L 71, 10.3.2004, p. 8) and Commission Directive 2004/14/EC (regenerated cellulose films) (OJ L 27, 30.1.2004, p. 48).

⁽⁶⁾ Commission Directive 2004/45/EC (OJ L 113, 20.4.2004, p. 19).

⁽⁷⁾ Commission Regulation (EC) No 316/2003 (OJ L 46, 20.2.2002, p. 15), Commission Regulation (EC) No 666/2003 (OJ L 96, 12.4.2003, p. 11), Commission Regulation (EC) No 668/2003 (OJ L 96, 12.4.2003, p. 14), Commission Regulation (EC) No 676/2003 (OJ L 97, 15.4.2003, p. 29), Commission Regulation (EC) No 871/2003 (OJ L 125, 21.5.2003, p. 3), Commission Regulation (EC) No 877/2003 (OJ L 126, 22.5.2003, p. 24), Commission Regulation (EC) No 1334/2003 (OJ L 187, 26.7.2003, p. 11 and OJ L 14, 21.1.2004, p. 54), Commission Regulation (EC) No 1801/2003 (OJ L 264, 15.10.2003, p. 16), Commission Regulation (EC) No 1847/2003 (OJ L 269, 21.10.2003, p. 3), Commission Regulation (EC) No 1852/2003 (OJ L 271, 22.10.2003, p. 13), Commission Regulation (EC) No 2112/2003 (OJ L 317, 2.12.2003, p. 22), Commission Regulation (EC) No 2154/2003 (OJ L 324, 11.12.2003, p. 11).

⁽⁸⁾ Commission Directive 2003/104/EC (OJ L 295, 13.11.2003, p. 83).

⁽⁹⁾ Commission Directive 2003/126/EC (OJ L 339, 24.12.2003, p. 78).

⁽¹⁰⁾ Commission Directive 2003/57/EC (OJ L 151, 19.6.2003, p. 38), Commission Directive 2003/100/EC (OJ L 285, 1.11.2003, p. 33).

⁽¹¹⁾ See for instance Commission Directives 2003/60/EC and 2003/62/EC (OJ L 155, 24.6.2003, p. 15), 2003/69/EC (OJ L 175, 15.7.2003 p. 37), 2003/113/EC (OJ L 324, 11.12.2003 p. 24), 2003/118/EC (OJ L 327, 16.12.2003, p. 25).

⁽¹²⁾ Commission Directive 2003/82/EC (OJ L 228, 12.9.2003, p. 11).

⁽¹³⁾ See, for instance Commission Directives 2003/39/EC (OJ L 124, 20.5.2003 p. 30), 2003/68/EC (OJ L 177, 16.7.2003, p. 12), 2003/70/EC (OJ L 184, 23.7.2003 p. 9), 2003/79/EC (OJ L 205, 14.8.2003, p. 16), 2003/81/EC (OJ L 224, 6.9.2003, p. 29), 2003/84/EC (OJ L 247, 30.9.2003, p. 20), 2003/112/EC (OJ L 321, 6.12.2003, p. 32) and Commission Decisions 2004/129/EC (OJ L 37, 10.2.2004, p. 27), 2004/140/EC (OJ L 46, 17.2.2004, p. 32), 2004/141/EC (OJ L 46, 17.2.2004, p. 35), 2004/247/EC and 2004/248/EC (OJ L 78, 16.3.2004, p. 50).

⁽¹⁴⁾ Commission Decisions 2003/153/EC (OJ L 59, 4.3.2003, p. 32), 2003/156/EC (OJ L 64, 7.3.2003, p. 36), 2003/172/EC and 2003/173/EC (OJ L 69, 13.3.2003, pp. 27 and 29), 2003/186/EC (OJ L 71, 15.3.2003, p. 30), 2003/187/EC (OJ L 73, 19.3.2003, p. 8), 2003/191/EC (OJ L 74, 20.3.2003, p. 30), 2003/214/EC (OJ L 81, 28.3.2003, p. 48), 2003/258/EC (OJ L 95, 11.4.2003, p. 65), 2003/275/EC (OJ L 99, 17.4.2003, p. 57), 2003/289/EC, 2003/290/EC and 2003/291/EC (OJ L 105, 26.4.2003), 2003/317/EC and 2003/318/EC (OJ L 115, 9.5.2003), 2003/333/EC (OJ L 116, 13.5.2003, p. 28), 2003/356/EC, 2003/357/EC, 2003/358/EC and 2003/359/EC (OJ L 123, 17.5.2003), 2003/386/EC, 2003/387/EC and 2003/388/EC (OJ L 133, 29.5.2003), 2003/428/EC (OJ L 144, 12.6.2003, p. 15), 2003/443/EC (OJ L 150, 18.6.2003, p. 64).

⁽¹⁵⁾ Commission Decisions 2003/135/EC and 2003/136/EC (OJ L 53, 28.2.2003), 2003/146/EC (OJ L 55, 1.3.2003, p. 56), 2003/363/EC (OJ L 124, 20.5.2003, p. 43), 2003/526/EC (OJ L 183, 22.7.2003, p. 46), 2003/626/EC (OJ L 223, 5.9.2003, p. 32), 2003/772/EC (OJ L 280, 30.10.2003, p. 21), 2003/851/EC (OJ L 322, 9.12.2003, p. 30).

⁽¹⁶⁾ Commission Decisions 2003/377/EC (OJ L 130, 27.5.2003, p. 25), 2003/489/EC (OJ L 167, 4.7.2003, p. 37), 2003/572/EC (OJ L 194, 1.8.2003, p. 87).

⁽¹⁷⁾ Commission Decisions 2003/658/EC (OJ L 232, 18.9.2003, p. 59), 2003/758/EC (OJ L 272, 23.10.2003, p. 16).

The *Controls and Import Conditions* section gave favourable opinions on 46 draft Commission decisions, on issues ranging from specific conditions and veterinary checks on imports of live animals and animal products from various third countries to measures relating to the presence of residues in food of animal origin and the setting of minimum required performance limits for analysis ⁽¹⁾.

The *'Biological Safety of the Food Chain'* section held this year a joint meeting with the Standing Committee for Waste Management, in order to debate the relationship between the waste framework Directive and the animal by-products Regulation.

The *Standing Committee on Plant Health* dealing with harmful organisms gave a favourable opinion on 14 draft Commission Decisions and five Commission directives. These cover technical adaptations to the current legislation, emergency measures against the introduction into and spread within the EC of *Diabrotica* (western corn rootworm affecting Maize) ⁽²⁾ and *Pseudomonas solanacearum* (potato brownrot) ⁽³⁾ and temporary derogations allowing the entry of certain commodities under strict phytosanitary conditions ⁽⁴⁾.

The three Standing Committees dealing with seeds and plant propagating material gave their favourable opinions on several draft proposals in particular on the authorisation to Member States to market material subject to less stringent requirements ⁽⁵⁾, on Community comparative trials and tests ⁽⁶⁾ and on the establishment of alignments between the requirements of varieties for the Common catalogues and for Plant breeder's rights ⁽⁷⁾.

The *Standing Committee for Community Protection of Plant Variety Rights* delivered a favourable opinion on implementation rules for the application of Council Regulation (EC) No 2100/94 on Community Plant Variety Rights as regards the fees payable to the Community Plant Variety Office ⁽⁸⁾.

Consumer Protection

2003 was a year of transition for the *Advisory Committee on the implementation of a general framework for Community activities in favour of consumers*. The new legal basis (Council Decision No 20/2004/EC ⁽⁹⁾), which came into force at the start of 2004, strengthens the role of this Committee, which, during its meetings in 2003, expressed a favourable opinion on the preparation of the new framework (planning and working method, new duties and prerogatives provided for in the new basic text, etc.).

The *General Product Safety Committee* gave its favourable opinion on the draft of the four Commission Decisions prolonging the validity of prohibition to place on the market toys and childcare articles intended to be placed in the mouth by children under three years of age made of soft PVC containing one or more of the substances DINP, DEHP, DBP, DIDP, DNOP, and BBP ⁽¹⁰⁾.

DETAILED STATISTICS FOR HOME AND JUSTICE

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
European Refugee Fund Advisory Committee	2	2	Advisory	2	0	0	14	0	0
AGIS Committee	2	1.5	Several: Advisory, Management	2	0	0	1	0	0
ARGO Committee	1	1	Several: Advisory, Management	3	0	0	2	0	0

⁽¹⁾ See for instance Commission Decisions 2004/99/EC (OJ L 29, 3.2.2004, p. 17), 2004/210/EC (OJ L 32, 5.2.2004, p. 45) and 2004/264/EC (OJ L 81, 19.3.2004, p. 89).

⁽²⁾ Commission Decision 2003/766/EC (OJ L 275, 25.10.2003, p. 49).

⁽³⁾ Commission Decision 2004/4/EC (OJ L 2, 6.1.2004, p. 50).

⁽⁴⁾ Commission Decision 2003/248/EC (OJ L 93, 10.4.2003, p. 28) and Commission Decision 2003/69/EC (OJ L 26, 31.1.2003, p. 72).

⁽⁵⁾ Commission Decision 2003/210/EC (OJ L 80, 27.3.2003, p. 25) and Commission Decision 2003/244/EC (OJ L 89, 5.4.2003, p. 39).

⁽⁶⁾ Commission Decision 2003/865/EC (OJ L 325, 12.12.2003, p. 62) and Commission Decision 2003/894/EC (OJ L 333, 20.12.2003, p. 88).

⁽⁷⁾ Commission Directive 2003/90/EC (OJ L 254, 8.10.2003, p. 7) and Commission Directive 2003/91 (OJ L 254, 8.10.2003, p. 11).

⁽⁸⁾ Commission Regulation (EC) No 569/2003 (OJ L 82, 29.3.2003, p. 13).

⁽⁹⁾ OJ L 5, 9.1.2004, p. 1.

⁽¹⁰⁾ Decisions 2003/113/EC (OJ L 46, 20.2.2003, p. 27), 2003/368/EC (OJ L 125, 21.5.2003, p. 45), 2003/610/EC (OJ L 210, 20.8.2003, p. 35) and 2003/819/EC (OJ L 308, 25.11.2003, p. 8).

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee for the Framework Programme for civil judicial cooperation	1	1	Several: Advisory, Management	2	0	0	2	0	0
Committee for the implementation of Daphne Programme	1	.5	Several: Advisory, Management	1	0	0	0	0	0
Committee Article 6 Visa	3	3	Regulatory	2	0	0	2	0	0
SIS II Committee	11	11	Several: Management, Regulatory	1	0	0	0	0	0

The seven committees in this policy sector have delivered a total of 13 favourable opinions, giving rise to seven instruments.

The *Visa Committee*, which assists the Commission in setting out the secret technical specifications for documents classified as EU-Secret (uniform format for visas, residence permit for third country nationals, FTD, FRTD), met three times in 2003 in a meeting room of the Council. The meetings treated EU-Secret documents. Due to requirements arising from the implementation of the Commission Decision of 29 November 2001 on security issues ⁽¹⁾; as no meeting rooms complying with the security rules laid down in the above mentioned Decision are at the disposal of services within the Commission facilities.

In 2003, the *SIS ⁽²⁾ II Committee* delivered a favourable opinion on the validation of the outcome of the Feasibility Study which addressed in particular the architecture of the SIS II and contributed to the preparation of a part of the documentation needed for the SIS II development.

The *European Refugee Fund Advisory Committee* was consulted by written procedure on Member States' co-financing requests for 2004. The written procedure was also used for consulting the ARGO Committee and has not been contested so far. This type of procedure proved to be quite useful for the work of the committee as it saves financial resources and time for the Commission and the Member States.

During the only and last meeting ⁽³⁾ of the *Committee for the implementation of the Daphne Programme*, the Commission proposed projects to be funded in 2003 which were unanimously approved.

DETAILED STATISTICS FOR EXTERNAL RELATIONS

Committee	Nr of meetings	Nr of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which EP has adopted a resolution according to Art. 8 of Council Decision 1999/468/EEC
Committee on the implementation of projects promoting cooperation and commercial relations between the European Union and the industrialised countries of North America, the Far East and Australasia (EXPROM Advisory Committee)	1	1	Advisory	1	0	0	1	0	0

⁽¹⁾ Commission Decision of 29 November 2001 amending its internal Rules of Procedure (notified under document number C(2001) 3031) (OJ L 317, 3.12.2001, p. 1).

⁽²⁾ Schengen Information System.

⁽³⁾ In 2004, when Daphne II will be approved, a new Committee will be set up.

Committee	Nr of meetings	Nr of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which EP has adopted a resolution according to Art. 8 of Council Decision 1999/468/EEC
Committee on protection against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom (anti-boycott)	0	0	Several: Management, Regulatory	0	0	0	0	0	0
Comité pour la certification et le contrôle des importations et des exportations de diamants bruts aux fins de la mise en oeuvre du système de certification du processus de Kimberley	4	4	Management	3	0	0	3	0	0

The three committees in this policy sector have delivered a total of four favourable opinions, giving rise to the same number instruments.

The *Export Promotion (EXPROM) Committee* was created by Council Regulation (EC) No 382/2001 of 26 February 2001 concerning the implementation of projects promoting cooperation and commercial relations between the European Union and the industrialised countries of North America, the Far East and Australasia. The only meeting of the Exprom Committee in 2003 focused on the implementation of the Executive Training Programme as well as on the EU Gateway to Japan export promotion campaign. The Committee delivered a favourable opinion on a draft decision concerning the work program and the financing thereof ⁽¹⁾.

In 2003, a new Committee (established by Article 22 of Council Regulation (EC) No 2368/2002 and working under the management procedure) dealing with the implementation of the Kimberley Process Certification Scheme (KPCS) for the international trade in rough diamonds took up its work. The Committee delivered favourable opinions on a wide range of tasks, including the certification of imports into and exports from the EC, industry self-regulation, trade statistics, and the preparation of participation by the EC in Plenary meetings of the KPCS, as well as the participation by the EC in Working Groups of the KPCS, and provided a formal opinion in three instances on draft Commission Regulations ⁽²⁾.

DETAILED STATISTICS FOR TRADE

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on defence against obstacles to trade which affect the market of the Community or a non-member country (TBR)	3	1,5	Advisory	7	0	0	7	0	0
Management Committee on quantitative import or export quotas	2	1	Management	11	0	0	5	0	0
Advisory Committee on common rules for imports of products originating in third countries	3	1,5	Safeguard	6	0	0	6	0	0

⁽¹⁾ Adopted by the Commission on 15 April 2003.

⁽²⁾ Commission Regulations (EC) No 257/2003 of 11 February 2003 (OJ L 36, 12.2.2003, p. 11), (EC) No 762/2003 of 30 April 2003 (OJ L 109, 1.5.2003, p. 10) and (EC) No 1214/2003 of 7 July 2003 (OJ L 169, 8.7.2003, p. 30).

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Advisory Committee on common rules for imports of products originating in certain third countries	3	1,5	Safeguard	6	0	0	6	0	0
Committee on common rules for exports of products	0	0	Safeguard	0	0	0	0	0	0
Textile Committee (conventional regime)	13	6,5	Regulatory	32	0	0	32	0	0
Committee on common rules for imports of textile products from certain third countries (autonomous regime)	0	0	Regulatory	0	0	0	0	0	0
Committee for administering the double-checking system without quantitative limits in respect of the export of certain steel products covered by the EC and the ECSC Treaties for the NIS countries (Ukraine, Russian Federation and Kazakhstan) having a steel agreement with the European Union (2000 to 2001)	0	0	?	0	0	0	0	0	0
Advisory Committee on the implementation of activities relating to the Community market access strategy	2	1	Advisory	0	0	0	0	0	0
Advisory Committee on the implementation of the programme of specific measures and actions to improve access of European Union goods and cross-border services to Japan (1999 to 2001)	0	0	?	0	0	0	0	0	0
Committee on harmonisation of the provisions concerning export credit insurance for transactions with medium and long-term cover	0	0	Management	0	0	0	0	0	0
Generalised Preferences Committee	4	2	Several: Advisory, Regulatory	4	0	0	4	0	0
Traditional product-specific safeguard mechanism for originating in the People's Republic of China (TPSSM)	2	1	Safeguard	2	0	0	2	0	0

The 13 committees in this policy sector have delivered a total of 66 favourable opinions, giving rise to 55 instruments.

The *Safeguard (import regime) Committees* focussed on the two EC safeguard proceeding on imports of steel and Satsumas respectively. The Committees were called at several stages to pronounce on the actions proposed by the Commission, investigative process, provisional and definitive safeguard measures and termination of existing measures ⁽¹⁾.

The *TBR Committee* delivered favourable opinions related to the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the WTO. Among the investigated practices were: Canada — lack of protection of the wines with geographical indication 'Bordeaux' and 'Medoc', Turkey — measures concerning import of pharmaceutical products and United States — subsidies granted in the United States to oilseed producers.

The *Generalised Preferences Committee* assists the Commission in implementing the Council regulation on the scheme of generalised tariff preferences granted by the EU to developing countries. In 2003, among other things, the committee discussed matters relating to the requests of beneficiary countries for the special incentive schemes for labour protection. The committee gave opinions on the Commission's graduation proposal for excluding sectors from the GSP scheme, granting Sri Lanka the inventive scheme for labour protection, amending the annexes to the GSP Regulation and on initiating an investigation in Belarus on violations of freedom of association ⁽²⁾.

The *Committee dealing with non-textile quotas* from the People's Republic of China gave a favourable opinion, in addition to routine management, on criteria and parameters to be used for the allocation of quotas amongst applicant importers.

DETAILED STATISTICS FOR ENLARGEMENT

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on economic assistance to certain central and eastern European countries and for coordinating aid to the applicant countries in the framework of the pre-accession strategy (PHARE)	8	6,5	Management	83	0	0	90	0	0
Committee on certain procedures for applying the Europe Agreements with the CEECs and the Republic of Slovenia and the free trade agreements with the Baltic countries (safeguard)	0	0	Safeguard	0	0	0	0	0	0

The two committees in this policy sector have delivered a total of 83 favourable opinions, giving rise to 90 instruments.

Of the two committees in this policy area, only the *PHARE Committee* has been operational in 2003. There was no reason for the Commission to convene a meeting of the other committee, treating possible safeguard measures regarding the accession states and remaining candidate countries (Romania and Bulgaria).

Some of the favourable opinions delivered in the *PHARE Committee* have been related to horizontal programmes, which have been subsequently adopted by individual decisions per beneficiary country (with identical texts for each of the financing proposals). This explains why the number of instruments adopted by the Commission exceeds exceptionally the number of favourable opinions delivered by the committee in this policy area in the reporting period.

⁽¹⁾ The Commission terminated the definitive safeguard measures in relation to certain steel products by the Regulation (EC) No 2142/2003 of 5 December 2003 (OJ L 321, 6.12.2003, p. 11). By Commission Regulation (EC) No 1964/2003 of November 2003 (OJ L 290, 8.11.2003, p. 3) the provisional measures in respect of satsumas were adopted.

⁽²⁾ The Commission adopted the measures as Commission Regulation (EC) No 2331/2003, Commission Regulation (EC) No 2342/2003, Commission Regulation (EC) No 1686/2003 and Commission Decision 2004/23/EC of 29 December 2003, respectively.

DETAILED STATISTICS FOR EUROPEAID (AIDCO + DEV)

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
CARDS: Committee for the implementation of Community Assistance to Reconstruction, Development and Stabilisation for Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro (including province of Kosovo) and FYROM	5	5	Management	12	0	0	12	0	0
Committee on development co-operation with South Africa (meets under the EDF Committee, in accordance with the basic rules in force)	3	3	Management	5	0	0	5	0	0
Committee on Food Security and Food Aid	3	3	Management	21	0	0	21	0	0
MED: Committee on financial and technical cooperation between the Community and Mediterranean non-member countries	6	6	Management	21	0	0	15	0	0
ONG: Committee on co-financing operations with European non-governmental development organisations in fields of interest to the developing countries	3	3	Management	3	0	0	3	0	0
TACIS: Committee for the implementation of the provision of assistance to the partner States in Eastern Europe and Central Asia	6	6	Management	25	0	0	25	0	0
Human Rights and Democracy: Committee for implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms	3	3	Regulatory	16	0	0	11	0	0
PVD-ALA: Committee for management of financial and technical assistance to and economic cooperation with the developing countries in Asia and Latin America	6	8	Regulatory	61	0	0	61	0	0

The eight committees in this policy sector have delivered a total of 164 favourable opinions, giving rise to 153 instruments.

Eight committees assist the Commission in the implementation of Community external aid. Five committees are closely involved with cooperation programmes in the following geographical areas: the south Mediterranean and the near and Middle East (MED), the Balkans (CARDS), eastern Europe and central Asia (TACIS), Asia and Latin America (PVD-ALA) and South Africa. The three other committees are involved with programmes covering the following: food safety and food aid, the European Initiative for Democracy and Human Rights, and cooperation with non-governmental organisations.

These committees met 35 times during 2003, to which figure must be added the eight meetings of the European Development Fund Committee (EDF). This Fund is intended to finance Community aid in sub-Saharan Africa, the Caribbean and the Pacific (ACP). Because of its specific legal context, the EDF committee does not follow the Committee procedure. However, its missions and role are similar to those of the aforementioned committees.

During 2003, the committees' activity focussed mainly on the analysis of projects and programmes that the Commission proposed to finance in 2003 in line with the various external aid programmes. Thus, for example, the ALA Committee delivered a favourable opinion on various programmes of reconstruction in Afghanistan ⁽¹⁾.

In order to harmonise the procedures and working methods of the committees in the RELEX family, a standardised internal regulation was adopted in June 2003 in the context of a joint meeting bringing together all of the committees concerned.

DETAILED STATISTICS FOR HUMANITARIAN AID (ECHO)

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on humanitarian aid measures	10	10	Several: Management, Regulatory	42	0	0	42	0	0

The *Humanitarian Aid Committee (HAC)* ⁽²⁾ provided 42 favourable opinions (on draft humanitarian financial decisions) and discussed around 55 strategy and/or policy issues such as ECHO Aid Strategy, ECHO's Information Strategy, disaster preparedness and prevention, needs assessments, ECHO cooperation with partners, and including ECHO missions, evaluations, statistical data etc. In 2003, there were also organised various initiatives to inform and integrate the new acceding countries into the work of the committee and humanitarian aid in general, including visits to the capitals of acceding countries and general information meetings.

In addition to the formal committee meetings, the committee also meets on an informal basis once to twice a year in the capital of the holder of the presidency of the Council (on the expenses of the Member State exercising the presidency). In the informal meetings senior representatives from the authorities responsible for humanitarian aid in Member States and ECHO discuss strategy, policy or thematic issues outside the constraints of the formal HAC meetings. Two such meetings were held in May and October 2003 in respectively Athens and Rome where the topics discussed were 'Entry-Exit strategies for Humanitarian Assistance', 'The European Convention: the future of European Humanitarian Assistance and of International Humanitarian Law', 'Humanitarian responses to food crises', and 'Joint efforts on Evaluations'.

DETAILED STATISTICS FOR STATISTICS

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which EP has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on statistics relating to the trading of goods between Member States	3	4.5	Management	2	0	0	2	0	0
Committee on statistics relating to the trading of goods with non-member countries	3	4.5	Management	2	0	0	1	0	0

⁽¹⁾ Adopted by Commission Decision of 28 July, 23 October and 17 December 2003.

⁽²⁾ Set up by Article 17 of Regulation (EC) No 1257/96 concerning humanitarian aid.

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which EP has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Committee on the harmonisation of the compilation of gross national product at market prices (GNP)	0	0	Management	0	0	0	0	0	0
Confidentiality of Statistics Committee	1	1	Management	0	0	0	0	0	0
Standing Committee for Agricultural Statistics (SCAS)	4	4	Several	5	0	0	4	0	0
Statistical Programme Committee (SPC)	4	4	Several	17	0	0	11	0	0
Committee on the harmonisation of gross national income at market prices (GNI)	2	4	Regulatory	0	0	0	0	0	0

The seven committees in this policy sector have delivered a total of 26 favourable opinions, giving rise to 18 instruments.

Mention must be made of the role of the committees that assisted the Commission with the implementation of the Community statistical programme for 2003 to 2007 ⁽¹⁾. This year also saw representatives of the ten new Member States start to take part as observers.

The *Committee for the Statistical Programme (CSP)*, in its general role as coordinator, helped the Commission to coordinate actions at Community level with national statistical programmes. The CSP delivered favourable opinions on social statistics (labour forces, income and living conditions, and index of labour costs) ⁽²⁾, transport (air and rail) ⁽³⁾, company structure, waste and industrial production ⁽⁴⁾.

⁽¹⁾ Decision No 2367/2002/EC of the European Parliament and of the Council of 16 December 2002 on the Community statistical programme 2003 to 2007 (OJ L 358, 31.12.2002, p. 1).

⁽²⁾ Commission Regulation (EC) No 1980/2003 of 21 October 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards definitions and updated definitions (OJ L 298, 17.11.2003, p. 1).

Commission Regulation (EC) No 1981/2003 of 21 October 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the fieldwork aspects and the imputation procedures (OJ L 298, 17.11.2003, p. 23).

Commission Regulation (EC) No 1982/2003 of 21 October 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the sampling and tracing rules (OJ L 298, 17.11.2003, p. 29).

Commission Regulation (EC) No 1983/2003 of 7 November 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the list of target primary variables (OJ L 298, 17.11.2003, p. 34).

Commission Regulation (EC) No 1216/2003 of 7 July 2003 implementing Regulation (EC) No 450/2003 of the European Parliament and of the Council concerning the labour cost index (OJ L 169, 8.7.2003, p. 37).

Commission Regulation (EC) No 1358/2003 of 31 July 2003 implementing Regulation (EC) No 437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air and amending Annexes I and II thereto (OJ L 194, 1.8.2003, p. 9). Commission Regulation (EC) No 1192/2003 of 3 July 2003 amending Regulation (EC) No 91/2003 of the European Parliament and of the Council on rail transport statistics (OJ L 167, 4.7.2003, p. 13).

⁽³⁾ Commission Regulation (EC) No 1358/2003 of 31 July 2003 implementing Regulation (EC) No 437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air and amending Annexes I and II thereto (OJ L 194, 1.8.2003, p. 9). Commission Regulation (EC) No 1192/2003 of 3 July 2003 amending Regulation (EC) No 91/2003 of the European Parliament and of the Council on rail transport statistics (OJ L 167, 4.7.2003, p. 13).

⁽⁴⁾ Commission Regulation (EC) No 1667/2003 of 1 September 2003 implementing Council Regulation (EC, Euratom) No 58/97 with regard to derogations to be granted for structural business statistics (OJ L 244, 29.9.2003, p. 1).

Commission Regulation (EC) No 317/2004 of 23 February 2004 on adopting derogations from the provisions of Regulation (EC) No 2150/2002 of the European Parliament and of the Council on waste statistics as regards Austria, France and Luxembourg. (OJ L 55, 24.2.2004, p. 43).

Commission Regulation (EC) No 574/2004 of 23 February 2004 amending Annexes I and III to Regulation (EC) No 2150/2002 of the European Parliament and of the Council on waste statistics. (OJ L 90, 27.3.2004, p. 15).

Commission Regulation (EC) No 1829/2004 of 21 October 2004 adopting derogations from the provisions of Regulation (EC) No 2150/2002 of the European Parliament and of the Council on waste statistics with regard to Belgium, Portugal, Greece and Cyprus. (OJ L 321; 22.10.2004, p. 24).

Commission Regulation (EC) No 210/2004 of 23 December 2003 establishing for 2004 the «Prodcom list» of industrial products provided for by Council Regulation (EEC) No 3924/91 (OJ L 45, 14.2.2004, p. 1).

Commission Decision 2004/452/EC of 29 April 2004 laying down a list of bodies whose researchers may access confidential data for scientific purposes. (OJ L 156, 30.4.2004, p. 1).

Outside the Committee procedure, this Committee discussed a plan of action on economic, monetary and financial statistics for the pre-accession countries. It also expressed its views on the Commission's legislative proposals on economic and monetary statistics, short-term statistics, the information society and ongoing vocational training in companies. Representatives of several other institutions took part as observers ⁽¹⁾.

The *Committee on statistics relating to the trading of goods between Member States (Intrastat)* and the *Committee on Statistics relating to the trading of goods with non-member countries (Extrastat)* dealt with all of the issues regarding the implementation of Intrastat and Extrastat regulations. In particular, the Intrastat Committee delivered a favourable opinion on the preparation of the new Commission proposal to simplify the Intrastat system, which is currently under discussion by the European Parliament and the Council. The two Committees also delivered favourable opinions in respect of the continuation of the Edicom programme (adoption of the annual Commission decision; mid-term report; follow-up work). They also regularly dealt with (for discussion or information) points concerning the collection, processing and dissemination of data, various issues on methodology and projects linked to cooperation and enlargement.

The *Committee on Statistical Confidentiality* met to examine (though did not vote on) the implementation of Commission Regulation (EC) No 831/2002 concerning access to confidential data for scientific purposes, specifically the application of Article 3(1)(c) concerning the admissibility of applications from organisations and institutions not covered by the Regulation.

The new Committee for the harmonisation of gross national income at market prices (GNI Committee) created by Council Regulation (EC, Euratom) No 1287/2003 of 15 July 2003 on the harmonisation of gross national income at market prices (GNI Regulation), was established in 2003 and, among other things, took over the role of the *Committee on the harmonisation of the compilation of gross national product at market prices (GNP)*. It provides assistance to the Commission in the verification of the harmonisation of GNI and GNP data. In 2003, GNI inventories of sources and methods submitted by the Member States were checked for compliance with the European system of national and regional accounts. Moreover, annual GNI/GNP data submitted by Member States were considered appropriate for use for Community purposes, receiving a favourable opinion.

The *Standing Committee on Agricultural Statistics (CPSA)* delivered a favourable opinion on the continued application of area frame surveys and remote-sensing techniques to the agricultural statistics (LUCAS project) and on the technical action plan for 2003 on improvements to Community agricultural statistics (TAPAS) ⁽²⁾. The Committee also delivered opinions on winegrowing statistics and statistics on sheep and goat populations and production ⁽³⁾.

DETAILED STATISTICS FOR BUDGET

Committee	No of meetings	No of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which European Parliament has adopted a resolution according to Article 8 of Council Decision 1999/468/EEC
Advisory Committee on the Communities' Own Resources (ACOR)	4	4	Advisory	0	0	0	0	0	0
Regulatory Committee for Executive Agencies (RCEA)	2	1.5	Regulatory	1	0	0	1	0	0

(1) EFTA = European Free Trade Association
CMFB = Committee on Monetary, Financial and Balance of payment
ECB = European Central Bank
OECD = Organisation for Economic Cooperation and Development
IMF = International Monetary Fund
CEIES = European Advisory Committee on statistical information in the Economic and social Sphere.

(2) Commission Decision No 2003/304/EC of 29 April 2003 approving the technical action plan 2003 for improving agricultural statistics (OJ L 110, 3.5.2003, p. 15).

(3) Commission Regulation (EC) No 1402/2003 of 1 August 2003 setting out a schedule of tables and laying down the definitions relating to basic statistical surveys of areas under vines (OJ L 199, 7.8.2003, p. 4).
Commission Decision No 2003/597/EC of 4 August 2003 laying down detailed rules for the application of Council Directive 93/25/EEC as regards the statistical surveys on sheep and goat population and production (OJ L 203, 12.8.2003, p. 46).
Commission Decision 2003/654/EC of 8 September 2003 laying down a code and standard rules for the transcription into a machine-readable form of the data relating to intermediate statistical surveys of areas under vines (OJ L 230, 16.9.2003, p. 44).

Only one of the two committees in this policy sector has delivered one favourable opinion, giving rise to one instrument.

The *Advisory Committee on Own Resources (ACOR)* held its usual forecasting meeting in April. For the first time the then 10 accession countries presented their preliminary predictions of the amounts that they expected to pay to the budget under the four different own resources in 2004. With respect to traditional own resources, the ACOR examined 21 reports of inspection visits carried out in the Member States and also discussed a series of technical questions, in particular concerning import arrangements for certain goods, as well as matters of principle relating to the interpretation of Community provisions on own resources. In the field of VAT- and GNI-based own resources the ACOR similarly examined 6 reports on control missions to Member States and debated a number of general questions concerning the determination of these resources. Each meeting was attended by representatives of the accession countries and the state of preparedness of these countries' financial authorities to meet their budgetary obligations from 1 May 2004 onwards was a regular subject of discussion.

The *Executive Agencies Committee* was created by Council Regulation (EC) No 58/2003 of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes. In November 2003 this Committee, now operational in accordance with the regulatory procedure, met for the first time and adopted its rules of procedure. The Committee discussed the first draft Commission Decision setting up an 'executive agency for intelligent energy' (for the administration of Community activities in the area of energy in accordance with Council Regulation (EC) No 58/2003). As this was the first project of this type, the delegations asked general questions on executive agencies, their operation and their human and budgetary resources, and proposed a certain number of amendments to the project, which were taken into consideration by the Commission. During its second meeting, the Committee issued a favourable opinion on the draft Decision.

DETAILED STATISTICS FOR ANTI FRAUD (OLAF)

Committee	Nr of meetings	Nr of days	Procedure	Favourable opinions	Unfavourable opinions	No opinion (absence of opinion)	Instruments adopted by the Commission	Referred to Council	Cases in which EP has adopted a resolution according to Art. 8 of Council Decision 1999/468/EEC
Committee on mutual assistance in customs and agricultural matters	1	1	Regulatory	0	0	0	0	0	0

The *Mutual Assistance Committee* ⁽¹⁾ delivered no formal opinion (and consequently no instrument was adopted by the Commission in this policy sector):

International Mutual Assistance Convention

The Commission invited the Member States to reflect on the consequences of the adoption of the Draft International Customs Mutual Assistance Convention established by the World Customs Organisation vis-à-vis of the provisions of Regulation (EC) No 515/1997 and the Mutual Assistance Agreement/Protocols in customs matters concluded between the Community and third countries. A consultation is ongoing with the Member States as well as between the Commission services.

Customs System of Information (CIS)

The Commission produced a report describing the first three months of exploitation of the system and reported on the final recommendations on the CIS Seminar held on March 21 to 24, 2003 in Athens. The committee informally agreed to examine the feasibility of these recommendations on the technical, administrative and legal aspects.

The Commission explained the actions to be undertaken with regard to the calendar aiming to put the CIS database in production status before the enlargement date (1st May 2004). In particular with regard to the existence of an appropriate legal instrument related to the data protection rules, the appointment of the competent authorities and the deployment of the workstations.

⁽¹⁾ Established by Regulation (EC) No 515/1997.

Modification of Regulation (EC) No 515/1997

With regard to the extension of the legal frame, the Commission was invited to consider a modification of Article 30(1) of Regulation (EC) No 515/1997 allowing the extract of data integrated into the CIS and to re-use such data in the national systems of risk analysis involving the control of goods. Due to the lack of consensus on the proposition in the committee, the Commission pursued its reflection on the extension of the terms of the Article 27(1) of Regulation (EC) No 515/1997.

Mutual Assistance (MA) Communication

The Commission presented an evaluation report concerning the use of the MA Communications which demonstrated the heteroclitic character of the bi-annual follow-up of MA communication by Member States as well as the long storage of cases in the phase of administrative investigation. With a view to allow the Commission to make recommendations or proposals aimed at improving the current system, Member States were invited to communicate their comments for September 2003 and to close at the latest by 1 November 2003 cases communicated between 1 January 1987 and 31 December 2001.

European Customs Files Identification Database (Fichier d'identification douanière européen) — FIDE

In addition to comitology procedures the Commission presented a proposal to modify Regulation (EC) No 515/1997 aiming to create a customs registration file for the identification of investigation (FIDE first pillar), to expand the use of the CIS into the national risk analysis system, to create a supplementary category concerning the seizure of goods, to create the European Data Pool and to create a permanent infrastructure for the Joint Surveillance Operation. The committee pleads for a feasibility study on a unique search tool for both data bases and proposed that a working group examines the types of infringements to be considered within the framework of the FIDE third pillar. The study started in October 2003, was completed in May 2004 and approved by the Committee in July 2004. It is now under development and implementation by the Member States (due in 2006).

Use of the CIS info on the seizure of cigarettes linked with the World Customs Organization (WCO) database

The Commission informed the Committee on the conclusion of a procedure for the exchange of data related to the seizure of cigarettes. This procedure entered into force on 1 September 2003 and allowed the Member States and the then acceding countries to communicate the data to WCO and OLAF in a single report.
