



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.12.2006
COM(2006) 860 final

2005/0017 (COD)

OPINION OF THE COMMISSION

**pursuant to Article 251(2), third subparagraph, point c) of the EC Treaty on the
European Parliament's amendments to the Council's common position on the
proposal for a**

REGULATION OF THE EUROPEAN PARLIAMENT AND THE COUNCIL

establishing a European Institute for Gender Equality

**AMENDING THE PROPOSAL OF THE COMMISSION
pursuant to Article 250 (2) of the EC Treaty**

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(Text with EEA relevance)

1. INTRODUCTION

Article 251(2) third subparagraph, point (c) of the EC Treaty requires the Commission to give an opinion on the amendments proposed by the European Parliament at second reading. The Commission's position on the amendments adopted by Parliament is set out below.

2. BACKGROUND

The proposal, COM(2005) 81 final - 2005/0017 (COD), was forwarded to the EP and the Council on 8.3.2005.

The European Economic and Social Committee's opinion was adopted on 27.9.2005.

The European Parliament's position at first reading was adopted on 14.3.2006.

The amended proposal was forwarded to the EP and the Council on 8.5.2006.

A political agreement on the common position was reached in the Council on 1.6.2006.

The Council's common position was formally adopted on 18.9.2006.

The Communication from the Commission on the Council's common position was forwarded to the European Parliament on 21.9.2006.

The European Parliament's opinion at second reading was adopted on 14.12.2006.

3. AIM OF THE PROPOSAL

The Institute is intended to provide technical support for both the Member States and the Community institutions, especially the Commission, to ensure that Community policy on equal opportunities for men and women is implemented as effectively as possible.

To this end, it will collect and analyse objective, reliable and comparable data at Community level, develop suitable methodological tools to integrate the gender perspective into Community policies, facilitate the exchange of good practice and dialogue between the players concerned and raise this policy's profile in the eyes of European citizens.

This proposal is in line with the Communication of 2002 on the operating framework for the regulatory agencies and the draft Interinstitutional Agreement on these agencies (proposed in February 2005 and currently under discussion).

4. THE COMMISSION'S OPINION ON THE AMENDMENTS ADOPTED BY THE EUROPEAN PARLIAMENT AT SECOND READING

The amendments adopted by the European Parliament at second reading at the plenary session of 14 December concern:

- The make-up of the Administration Board: a medium-sized Administration Board (18 representatives of the Member States and one of the Commission), without a Bureau, with the members rotating when the Presidency changes;
- a draft joint declaration on the make-up of the Administration Board which clearly indicates that the solution adopted for the Institute is not a precedent for future agencies and which specifies how the rotation system for the Council representatives works;
- the Forum of experts, which is reinstated (27 experts appointed by the Member States, 2 by the EP and 3 representatives of NGOs/social partners at European level);
- appointment of the Director: the appointment procedure is explicitly mentioned (same provision as in the EFSA regulation) and the option for the candidate to attend a hearing before the EP becomes an obligation;
- minor amendments to Article 21 (evaluation), whereby scrutiny of the management structure's fitness to carry out the Institute's duties is introduced as one of the aspects of evaluation, and to Article 22 (revision clause).

These amendments stem from a compromise between the Council Presidency and the European Parliament's rapporteurs with the support of the Commission with a view to adopting the regulation at second reading.

As far as the Commission is concerned, this represents a balanced compromise.

The Administration Board will be smaller; the compromise incorporates the arrangements advocated by the Commission at first reading: a smaller Board without a Bureau, a rotation mechanism for members and an advisory/expert forum.

The rotation system and the joint declaration enable those Member States that had reservations about a medium-sized Administration Board to accept it, whilst the amendments relating to the appointment of the Director, reinstatement of the Forum and the appointment of the two experts to the forum by the EP are as requested by the EP.

The Commission can accept the amendments adopted by the European Parliament at second reading.

5. CONCLUSION

In accordance with Article 250(2) of the EC Treaty, the Commission amends its proposal as indicated above.