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Amended proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing a European Institute for Gender Equality

(presented by the Commission pursuant to
Article 250 (2) of the EC Treaty)

Amended proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

establishing a European Institute for Gender Equality

(Text with EEA relevance)

1. BACKGROUND

- 1.1. At its meeting in Nice in 2000, the European Council acknowledged the need for greater awareness and exchange of experiences, with a view to promoting equality between women and men, in particular through the establishment of a European Gender Institute, and asked the Commission to carry out a feasibility study. This study, which was completed in 2002, assessed the need for the creation of such an institute as well as its aims and administrative structure.
- 1.2. The European Parliament has also supported the establishment of such an institute since 2002 and commissioned a specific study, which was completed in June 2004.
- 1.3. The Employment, Social Policy, Health and Consumer Affairs Council of 1 and 2 June 2004 endorsed the setting-up of such an institute, on the basis of the work done by Equality Ministers at a meeting in Limerick during the Irish Presidency, in May 2004, stressing the importance of a structure that would bring added value and would not in any way duplicate existing activities. The need for budgetary neutrality of the operation was also mentioned.
- 1.4. The European Council of June 2004, taking account of the earlier discussions and reflecting the Lisbon objectives as regards gender equality, expressed its support for the establishment of a European Gender Institute and invited the Commission to put forward a proposal.
- 1.5. On 8 March 2005, the Commission presented a proposal for a Regulation establishing a European Institute for Gender Equality¹. The proposal is in line with both the communication of December 2002 and the draft interinstitutional agreement of February 2005 on the operating framework for the European regulatory agencies.²
- 1.6. The purpose of the proposed Institute is to provide technical support both to the Member States and to the Community institutions, especially the Commission, thereby furthering the Community policy for gender equality. In this connection, it will collect, analyse and disseminate objective, reliable and comparable data at Community level, develop appropriate methodological tools for incorporating the gender perspective into Community policies generally, facilitate the exchange of

¹ COM(2005) 81 final

² COM(2002) 718 final and COM(2005) 59 final

good practice, encourage dialogue between stakeholders, spread knowledge and awareness, and raise the profile of this Community policy among the citizens of Europe.

- 1.7. In order to ensure that the Institute operates effectively, bearing in mind its size and its technical nature, a restricted Management Board composed of 15 members (six representatives of the Council, six representatives of the Commission, and three representatives of the social partners and NGOs at European level without voting rights) is proposed as the managing structure. An Advisory Forum composed of 25 representatives of competent bodies from all the Member States, as well as three representatives of the social partners and NGOs at European level, is also envisaged as a support mechanism for the Director and as a vehicle for the exchange of information and knowledge.
- 1.8. The Council adopted a general approach in June 2005. It welcomed the Commission proposal, except for the composition of the Management Board; the Council preferred a large Management Board composed of 31 members (25 representatives of the Member States, three representatives of the Commission, and three representatives of the social partners and NGOs at European level without voting rights), accompanied by a six-member Executive Bureau. Given the representation of all the Member States on the Management Board, it saw no need for the Advisory Forum.
- 1.9. The European Economic and Social Committee delivered its opinion on 27 September 2005. It supported the Commission proposal, including the restricted Management Board, but wanted voting rights to be given to the representatives of the social partners and NGOs at European level.
- 1.10. The European Parliament adopted its position at first reading on 14 March 2006, making 50 amendments, on the basis of the Gröner - Sartori report, drawn up on behalf of the "Women's Rights and Gender Equality" parliamentary committee.

2. EXAMINATION OF THE AMENDMENTS

The amendments fall mainly into the following categories:

those which make the text clearer: the Commission **can accept them as they stand** (nos. 2, 3, 6, 59/74, 13, 15, 18, 28, 29, 35, 36, 38, 39, 45 and 53) **or subject to slight reworking** (amendments 7, 8, 10 and 40);

- those which reinforce/clarify the tasks of the Institute and its working methods: a vote was taken on a large number of amendments in the FEMM Committee, with a view to reinforcing the Institute's tasks; a softer line was taken on these amendments in plenary. The clear position of the European Parliament on the technical nature of the Institute enables the Commission **to accept these amendments as they stand** (nos. 60/76, 61rev/77, 17, 62/78, 64/80, 65/81, 42, 48, 67/83 and 68/84), **in part or after reworking** (nos. 4, 5, 20, 24, 25, 26 and 63/79). These amendments as accepted by the Commission could in principle be acceptable to the Council as well. The Commission **cannot accept** amendment 30, because of the need to ensure that duplication is avoided;

- those which address horizontal issues: mainly concerning the procedure for selecting the Director, the extension of his/her term of office and the procedure for evaluation of the Institute. Amendments 46, 47, 51 and 54 **cannot be accepted** by the Commission, since it is necessary to maintain a consistent approach for all the agencies. The Council has not called these provisions into question. The Commission **accepts**, as they stand, amendments 41 (tenure of the Chairperson and Vice-Chairperson of the Management Board) and 55 (clarification of the time limit for setting up the Institute).

As regards the important question of the composition of the Management Board, the EP's option is for a restricted Management Board but without Council/Commission parity, composed of 13 members (nine representatives of the Council, only one representative of the Commission, and three representatives of the social partners and NGOs without voting rights; the appointment of the nine representatives of the Council should be made on the basis of a list drawn up by the Commission and after consultation of the EP)³. The Commission **accepts** this position of the EP (amendment 66/82), on the condition that, in a very limited number of cases where the Commission assumes responsibility (adoption of the work programme and the budget), the voting weight of the Commission's representative is equal to that of the nine Council representatives, so as to preserve the balance between the two institutions;

- those which, although constructive, are not proper to the Regulation, but are relevant to the Institute's rules of procedure (no. 31), fall within the competence of the Management Board (nos. 32 and 52) or are covered by other amendments (no. 23), and are **not accepted**;

- those which form part of legal technique: the Commission **accepts** amendment 9, which gives greater legal clarity, but **does not accept** amendment 1, which seeks to include in the specific legal bases of the proposal an article which is not a specific basis (Article 3(2)).

2.1. Amendments accepted in full by the Commission

2.1.1. Amendment 2

This amendment adds two aspects to Recital 7 ("network building" and "highlighting the gender perspective") in the light of the Commission's feasibility study. It is acceptable, since these elements were emphasised in the study.

2.1.2. Amendment 3

This amendment comprises two small additions to Recital 10 (linked to the Institute's tasks), making the text clearer, and replacement of the word "collection" by "documentation" of information and data, so as to make it clear that the Institute will place greater emphasis on analysing the information and data obtained, thus lending undoubted added value. This amendment is acceptable, given that the Institute will have to seek out the information for analysis.

³ This option is derived from the Food Safety Authority, established in 2002, the only agency having a restricted Management Board composed of 18 members (14 representatives of the Council, only one representative of the Commission and three stakeholder representatives without voting rights).

2.1.3. *Amendment 6*

This amendment adds to Recital 11 an explicit reference to the Institute's cooperation with national and Community statistical bodies. It is acceptable, as it reflects the provisions of Article 4.

2.1.4. *Amendment 9*

This amendment to Recital 13 refers to Article 3(2) of the Treaty. It is acceptable, since it adds precision.

2.1.5. *Amendment 59/74*

This amendment provides a title for Article 1, "Establishment of the Institute", as for the other articles. This title, which is acceptable, is also provided for in the Council's text.

2.1.6. *Amendment 13*

This amendment to Article 2 (Objectives) edits the text in the interest of clarity; acceptable.

2.1.7. *Amendment 60/76*

This amendment concerns Article 3(1)(a) (Tasks of the Institute) and makes four small changes:

- deletion of "collect, record", thus emphasising the analysis aspect as opposed to collection, which is the work of other bodies, including Eurostat: acceptable, given that for information to be analysed it first of all has to be collected, even though the word "collect" is removed to give greater prominence to analysis; documentation is, moreover, explicitly mentioned in Recital 10, see amendment 3;
- addition of "best practice": acceptable; the amendment helps to clarify the tasks;
- addition of the social partners to the organisations with which the Institute should cooperate: acceptable, being in line with Article 4.
- as a further task, the Institute should draw attention to sectors where more research is needed and suggest initiatives for filling the gaps: acceptable, because the amendment helps to clarify the Institute's tasks.

2.1.8. *Amendment 15*

This amendment to Article 3(1)(b) seeks to reinforce cooperation with Eurostat and national statistical bodies. Acceptable, as it makes the tasks more precise and clearer.

2.1.9. *Amendment 61rev/77*

This amendment to Article 3(1)(c) entails three additions:

- disseminate and promote the use of methodological tools;

- methodological tools should support not only Community policies but also the resulting national policies;

- they should also support gender mainstreaming in all Community institutions and bodies.

It is acceptable, as it strengthens/clarifies the tasks.

2.1.10. Amendment 17

This amendment concerning Article 3(1)(d a) (new) makes explicit provision in the Regulation for the creation of a Network for the Institute, involving all the stakeholders, in order to optimise the use of resources, foster the exchange of information, etc. It is acceptable; the Commission proposal covers the necessary budget for creating a telematic network, because all the agencies have this. The Council is also in favour of creating a telematic network.

2.1.11. Amendment 18

This amendment to Article 3(1)(e) (publication of the Institute's annual report on its activities) is intended to move this task to a separate paragraph. Acceptable, as the tasks are presented in a clearer manner; same move in the Council's text.

2.1.12. Amendment 62 /78

This amendment to Article 3(1)(f) is more precise about the purpose of meetings with researchers. It is acceptable, being also in line with the Council's text.

2.1.13. Amendment 64/80

This amendment concerning Article 3(1)(g b) (new) provides that the Institute's tasks should include cooperation and development of dialogue with the relevant organisations, which is already stipulated in Article 8, thereby drawing more attention to this role of the Institute. Acceptable.

2.1.14. Amendment 65/81

This amendment concerning Article 3(1)(h d) (new) envisages that the Institute will provide the Community institutions with information on gender equality in the accession and candidate countries. Acceptable, as it highlights an important task: the Institute will certainly have to help with the collection of information which will enable the Commission to prepare reports on the situation in those countries.

2.1.15. Amendment 28

This amendment concerning Article 3(1)(h e) (new) provides for the dissemination of examples of good practice. Acceptable, as it clarifies the tasks, but it should be incorporated in Article 3 (1)(a), in line with the Council's text.

2.1.16. *Amendment 29*

This amendment concerning Article 3(1a) (new) provides for the moving to a separate paragraph of the task of publishing the annual report on the Institute's activities. Acceptable, as the moving of this task within the text improves the presentation (see amendment 18); it is in line with the Council's text.

2.1.17. *Amendment 35*

This amendment to Article 7(4) (Access to documents) presents in a neater way the reference to Regulation 45/2001. Acceptable, more concise presentation, in line with the Council's text.

2.1.18. *Amendment 36*

This amendment to Article 8(1) (Cooperation with national/European/international organisations) explicitly includes cooperation with experts and universities. Acceptable, because the concept is enhanced.

2.1.19. *Amendment 38*

This amendment to Article 10(2) stipulates that the members of the Management Board should, additionally, possess transdisciplinary expertise. It is acceptable, as it makes the text clearer.

2.1.20. *Amendment 39*

Under the terms of this amendment to the second subparagraph of Article 10(2), on the subject of equal representation, the three institutions must ensure that neither women nor men constitute less than 40% of the membership of the Management Board. Acceptable, being closer to the text of the Council, which calls for balanced participation among men and women (instead of equal participation as proposed by the Commission).

2.1.21. *Amendment 41*

This amendment to Article 10(3) (Management Board tenure) introduces a period of two and a half years instead of one year for the tenure of the Chairperson and Vice-Chairperson. Acceptable, being in line with the Council's text.

2.1.22. *Amendment 42*

This amendment to Article 10(5)(b) envisages the publication of the Institute's annual report on its website. Acceptable, as it enhances transparency.

2.1.23. *Amendment 45*

This amendment to Article 10(11) makes it clear that the purpose of having the directors of other agencies attend meetings of the Management Board is to coordinate the respective working programmes as regards gender mainstreaming. Acceptable, as it makes the reason for cooperation between the agencies clearer.

2.1.24. *Amendment 48*

This amendment to Article 11(4) provides that the Director may be called upon at any time by the Council and the EP to attend a hearing on any matter linked to the Institute's activities. It is acceptable: the Agency Directors regularly present their work programme, balance sheet etc., to the competent parliamentary committees; it is important, in the context of a restricted Management Board where not all the Member States will be represented, to have this option available to the Council as well.

2.1.25. *Amendment 67/83*

This amendment to Article 12(1) (Advisory Forum) limits the Forum participants to Member State representatives only, thus removing the three representatives of NGOs and the social partners at European level, since they are members of the Management Board without voting rights.

The Commission, in line with amendment 66/82 on the restricted composition of the Management Board, accepts that the Advisory Forum can be reduced to Member State representatives only and considers it sufficient that the three parties concerned be involved in the Management Board only.

2.1.26. *Amendment 68/84*

This amendment to Article 12(4) indicates that the Forum should additionally support the Director in preparing the Institute's annual and medium-term programmes of activities. It is acceptable; in the context of a restricted Management Board where not all the Member States will be represented, it is important to strengthen the role of the Advisory Forum, which is composed of representatives of all the Member States.

2.1.27. *Amendment 53*

This amendment to Article 20 (Evaluation) stipulates that the evaluation of the Institute should include the financial implications not just of the extension of tasks but also of any modification of them. Acceptable, as it gives greater clarity and is in line with the Council's text.

2.1.28. *Amendment 55*

This amendment to Article 23 (Start of the Institute's activities) points out that the Institute must be operational as soon as possible within the stipulated twelve-month period. Acceptable, as it strengthens the text.

2.2. Amendments which can be accepted by the Commission subject to slight reworking

2.2.1. *Amendment 4*

This amendment introduces a new Recital 10a concerning harmonious co-existence and balanced participation of men and women in society, and the role of the Institute in ensuring balanced participation of this kind. This will be acceptable after being

reworked along the following lines: “*contributing to [this objective] ...*” rather than “attainment of [this objective]”.

2.2.2. *Amendment 5*

This amendment introduces a new Recital 10b on the importance for the Institute of highlighting achievements by women in all walks of life so as to provide a positive example for other women to follow. This will be acceptable after it has been reworked to include the importance of highlighting role models for men as well: “highlighting achievements by women in all walks of life so as to provide a positive example for other women to follow” should therefore be replaced with “*highlighting positive gender roles in European society* in all walks of life for other men and women to follow...”. See also amendment 63/79.

2.2.3. *Amendment 7*

This amendment to Recital 12 concerning the Institute’s working methods replaces “avoid duplication” with “*ensure the best possible use of resources*”. Acceptable, but as an addition. Avoiding duplication is important and must be mentioned; the working methods therefore include specific mechanisms to deal with this. See also amendment 30, which is not acceptable.

2.2.4. *Amendment 8*

This amendment adds a new Recital 12a to reflect the content of Article 8(1) (and of Article 3(1)(g b), following amendment 64/80, which has been accepted) concerning the Institute’s cooperation with the various key bodies. Acceptable, after inclusion of “*the social partners and research centres*” among the organisations, in order to better reflect Article 8.

2.2.5. *Amendment 10*

This amendment to Recital 19 (subsidiarity) removes the reference to the main objectives because it is considered to be rather limiting. The Commission has highlighted a number of objectives concerning subsidiarity to illustrate the need for an instrument at Community level (making comparable and reliable data available at Community level). This means that, instead of removing the objectives mentioned in this recital, which would not be conducive to understanding its content (since this recital justifies the need to set up an Institute at Community level with regard to its objectives), further text should be added along the following lines: “... namely the provision of comparable and reliable information and data at European level, *the development of methodological tools, the promotion of dialogue between those involved, etc.* in order to assist the Community institutions ...”. The amendment will be acceptable if it is reworked in this way.

2.2.6. *Amendment 20*

This amendment to Article 3(1)(g) further clarifies the description of tasks and is acceptable apart from the words “and promote”, since the Institute will have a budget for organising its own seminars/conferences but not for providing funding for conferences held by other bodies.

2.2.7. *Amendment 63/79*

This amendment to Article 3(1) adds a new point (g a) to highlight the Institute's role in promoting a positive image of women and the role of women in contemporary society. It will be acceptable after it has been reworked in two ways: (a) to include the role of men, which is very important, in order to promote real equality between men and women; "achievements by women" should therefore be replaced with "*positive gender roles in European society*" (see also amendment 5), and (b) to remove "propose policies", as the Institute should simply "present its findings and initiatives...", in view of its role in providing technical support to policy makers.

2.2.8. *Amendment 24*

This amendment concerning Article 3(1)(h a) (new) indicates that the Institute's tasks include providing expertise on gender mainstreaming for public and private organisations. This will be acceptable after it has been reworked: it should be made clear that the Institute cannot respond to ad hoc requests for support from public and private bodies but will make its expertise available instead: "*make expertise on gender mainstreaming available to public and private organisations*" instead of "provide ... for ...".

2.2.9. *Amendment 25*

This amendment concerning Article 3(1)(h b) (new) indicates that the Institute's tasks include the submission of recommendations and guidelines to the Community institutions so that they may incorporate effectively gender mainstreaming into legislation. This amendment may be accepted only after it has been reworked and inserted in Article 3(1) at the end of point (g) (regarding the organisation of conferences/seminars, etc.) along the following lines: "*and submit conclusions and recommendations to the Community institutions*".

2.2.10. *Amendment 26*

This amendment to Article 3(1) adds a new point (h c) on the dialogue which the Institute should develop at international level with bodies and organisations responsible for gender equality. Article 8(1) already makes provision for cooperation of this kind but the European Parliament wants to give it more weight by incorporating it into the Institute's tasks. Cooperation with organisations at international level is important but it should not be excessive, given the size of the Institute and its initial budget. In view of this, the amendment will be acceptable after it has been reworked to simplify the task and bring it into line with other agencies. The text should therefore be replaced with the following wording based on that used for the European Agency for Safety and Health at Work: "*collect and make available information on gender equality issues from and to third countries and international organisations*".

2.2.11. *Amendment 66/82*

This amendment to Article 10(1) (composition of the Management Board) echoes the Commission's position in favour of a restricted Management Board, but with even fewer members, i.e. 13 (nine from the Council — chosen on the basis of a list

proposed by the Commission and after the EP has been consulted, only one from the Commission, and three representatives of the social partners and NGOs without voting rights)⁴. The European Parliament's position is in line with its resolution of 1 December 2005 on the draft interinstitutional agreement on the operating framework for the European regulatory agencies.

The Commission is in favour of a restricted Management Board and accepts the European Parliament's position, even though the Council and the Commission are not represented in equal numbers, provided that a balance is maintained between the two institutions whenever the Commission's responsibility is exercised (i.e. when the work programme and budget are adopted). To this end, the Commission proposes that the following provision be added to Article 10(7) (decision-making within the Management Board): "*In the case of decisions referring to Article 10(5)(a) and (d), the vote of the representative of the Commission shall have the same weight as the votes of all the members appointed by the Council taken together*". The amendment will be acceptable with this addition and it is also proposed that the following recital accompany it:

"With a view to ensuring that the Institute operates effectively, and having regard to its size and its technical nature, it shall be managed by a restricted Management Board composed of nine representatives of the Council, a single representative of the Commission, and three stakeholder representatives without voting rights. The balance between the two institutions, Council and Commission, must be preserved in cases where the Commission assumes responsibility (in particular, when the work programme and the budget are adopted)".

The composition of the Management Board proposed by the European Parliament makes it possible, through a system of rotation, for representatives of all the Member States to sit on the Management Board over three terms of office (9 x 3 = 27), thus ensuring the necessary geographical balance. The Commission therefore proposes that the following be added to amendment 66/82: "1. The Management Board ... The list drawn up by the Commission, on the basis of proposals from the Member States and in accordance with a system of rotation by order of Presidencies, shall be forwarded ...".

The following recital is proposed in support of the above provision:

"With a view to ensuring the necessary geographical balance between the Member States, the representatives of the Council shall be appointed for each rotating term of office in accordance with the order of Presidencies of the Council".

Lastly, the Commission proposes that the term of office of the members of the Management Board be reduced from five to three years so that the rotation of the Member State representatives can take place within a reasonable period of time. Article 10(2), fourth subparagraph, should therefore be amended as follows: "The term of office shall be a *non-renewable period of three years*".

⁴ This option is derived from the Food Safety Authority, established in 2002, which has a restricted Management Board composed of 18 members (14 representatives of the Council, only one representative of the Commission and three stakeholder representatives without voting rights).

2.2.12. *Amendment 40*

This amendment to Article 10(2), fifth subparagraph, refers to the publication of the list of members of the Management Board on all relevant websites as well as on the website of the Institute. Acceptable with slight reworking (“*other relevant websites*” instead of “all relevant websites”).

2.3. **Amendments which cannot be accepted by the Commission**

2.3.1. *Amendment 1*

This amendment seeks to include Article 3(2) of the Treaty, which introduces the principle of incorporating the gender dimension into all Community policies, in the legal bases of the proposal. This amendment cannot be accepted, as only the provisions of the Treaty which constitute specific legal bases for the policy of equality between men and women may be referred to in the context of setting up the Institute, which is an instrument for implementing this policy. Article 3(2) and its objective are, moreover, referred to in Recital 2.

2.3.2. *Amendment 23*

This amendment to Article 3(1)(h) makes explicit reference to the social partners’ contribution to the Institute’s documentation centre. This is not necessary, particularly in view of the supplement to amendment 64/80 (accepted as it stands), which makes explicit reference to the Institute’s cooperation with the social partners.

2.3.3. *Amendment 30*

This amendment to Article 4(3) (Areas of activity and working methods) seeks to remove the words “avoid duplication” and retain only the second part of the sentence: “guarantee the best possible use of resources”. Avoiding duplication is important and the working methods include specific mechanisms to deal with this. This amendment is not accepted. See also amendment 7 (accepted with an addition).

2.3.4. *Amendment 31*

This amendment concerning Article 4(5)(1a) (new) makes provision for the Institute’s annual report to include all information on the Institute’s contractual relations, the tasks entrusted and the bodies involved. It is not acceptable, because it is not necessary to specify in the Regulation that such information be included in the annual report. This falls under the Institute’s rules of procedure.

2.3.5. *Amendment 32*

This amendment concerning Article 4a (new) defines in detail the procedure for creating a virtual network for the Institute (as provided for in amendment 17, accepted as it stands). It is not necessary for this procedure to be laid down in the Regulation. The Management Board must be left to decide how to create this network for the Institute.

2.3.6. *Amendment 46*

This amendment to Article 11(1) (appointment of the Director) makes two adjustments:

(a) inclusion of the detailed procedure which the Commission will use to draw up the list of candidates (open competition, after publication of a call for expressions of interest in the OJ/EU and in other publications), which is not necessary, given that the proposed procedure is the one which is applied across the board for all the agencies;

(b) all candidates on the short list proposed by the Commission, not just the candidate selected by the Management Board, to make a statement before the EP. This amendment is not accepted: the Commission takes the view that the making of statements by all the candidates on the short list would hamper the process and could even lead to conflict (where the candidate selected by the Management Board, as the appointing authority, is not the one proposed by the EP). The procedure proposed by the Commission for the appointment of the Director requires the candidate who has been selected to be heard by the European Parliament before being officially appointed. This is a practice which is followed and included in the draft interinstitutional agreement. Moreover, this is a horizontal question which is also of current relevance to several existing agencies, as amendments to their rules of procedure are currently being discussed in the Council and the EP, and a consistent approach must be taken.

2.3.7. *Amendment 47*

This amendment to Article 11(2) (extending the Director's term of office) indicates that the Commission does not make a proposal and is not solely responsible for evaluating the Director, and that this responsibility be shared by the European Parliament and the Management Board. This is not acceptable: it is for the appointing authority (the Management Board) to decide whether or not to extend the term of office of the incumbent Director, on the basis of an evaluation, just as it may reject all the candidates on the short list for the appointment of the Director. In the same way that the short list is compiled, the evaluation must be carried out by a body which is independent of the appointing authority, in order to ensure that the evaluation remains objective. The Commission has definite and recognised knowledge and expertise, and it will follow the evaluation procedure which applies to its senior management posts. The provision proposed by the Commission is horizontal in nature and should be retained for the sake of consistency.

2.3.8. *Amendment 51*

This amendment to Article 12(8) (Advisory Forum) indicates that the Director may invite experts to meetings, also following suggestions from the members of the Forum. This provision does not need to be included in the Regulation; it falls under the rules of procedure of the Institute.

2.3.9. *Amendment 52*

This amendment to Article 19(1) (Participation of third countries) gives examples of areas in which the Institute may cooperate with third countries. This provision does not need to be included in the Regulation; it falls under the rules of procedure of the Institute.

2.3.10. *Amendment 54*

This amendment to Article 21 (Review clause) indicates that if the Commission, following an evaluation, deems that the Institute's existence is no longer justified, it may propose that it be repealed. This is not acceptable for reasons of consistency; the standard formula for all the agencies should be adhered to.

3. CONCLUSIONS

In conclusion, the Commission accepts in full amendments 2, 3, 6, 9, 59/74, 13, 60/76, 15, 61/77, 17, 18, 62/78, 64/80, 65/81, 28, 29, 35, 36, 38, 39, 41, 42, 45, 48, 67/83, 68/84, 53 and 55. The Commission accepts, subject to slight reworking, amendments 4, 5, 7, 8, 10, 20, 63/79, 24, 25, 26, 66/82 and 40. It cannot accept amendments 1, 23, 30, 31, 32, 46, 47, 51, 52 and 54.

By virtue of Article 250(2) of the EC Treaty, the Commission is amending its proposal as indicated above.