



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.12.2001
COM(2001) 783 final

REPORT FROM THE COMMISSION

on the working of the committees during 2000

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(Annual) Report from the Commission on the working of the committees during 2000

(Report published in compliance with Article 7(4) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission¹)

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¹ OJ L 184/23, 17.07.1999.

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1. PRELIMINARY COMMENTS

The Council, in Article 7(4) of its Decision of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (1999/468/EC) — the so-called new “comitology” decision — provided that the Commission must publish, from 2000 onwards, “*an annual report on the working of committees*”. This report is the first to do so.

The last report prepared by the Commission concerned the “work of the committees in 1995”. It took the form of a review drafted at the request of the European Parliament and sent to Parliament on 24 July 1996 (SEC(96)1498).

The structure of this “*report on the working of the committees during 2000*” is similar to that of the abovementioned review: on the one hand, it focuses on the “comitology” committees indicated in the list of committees published in the Official Journal²; it also takes into account the changes resulting from the implementation of Council Decision 1999/468/EC. Thirdly, it evaluates the working of the committees’ procedures in 2000.

1.1 The legal nature and goal of the comitology committees

The purpose of the comitology committees is to assist the Commission in exercising the implementing powers conferred on it by the legislator, i.e. the Council and the European Parliament. As opposed to other types of committees or expert groups, the comitology committees share three essential features.

Firstly, they were created by the legislator (the Council and European Parliament) in accordance with the “legislative” procedures in force at the time the instrument under which they were established was adopted, namely the cooperation or advisory procedures and, ever since the Maastricht Treaty, the codecision procedure. Hence, the legal basis of the comitology committees is enshrined in a so-called ‘basic’ instrument.

Secondly, their structure and working methods are in several respects standardised. A representative of the Commission chairs each committee, which consists of Member State representatives; these are the only “members” of the committees. The committees intervene in the framework of the procedures set out in the basic legislative instrument, in compliance with the Council’s comitology decision.

Article 9 of Council Decision 1999/468/EC repeals the old comitology Decision 87/373/ECE of 13 July 1987³. However, pending the amendment of the basic legislative instruments putting in place the comitology procedures pursuant to Decision 87/373/EEC, these procedures remain in force.

² OJ C 225, 08.08.2000, p. 2.

³ OJ L 197, 18.07.1987, p. 33.

Thirdly, the committees exercise their power to deliver opinions on draft implementing measures submitted to them by the Commission pursuant to the basic legislative instrument and intervene in the framework of the advisory procedure, the management procedure or the regulatory procedure provided for to that effect.

Pursuant to Article 2 of Council Decision 1999/468/EC, the management procedure should be reserved to management measures such as those relating to the application of the common agricultural and common fisheries policy or to the implementation of programmes with substantial budgetary implications (Article 2(a)). The regulatory procedure is prescribed in the case of measures of general scope designed to apply essential provisions of basic instruments, including measures concerning the protection of the health or safety of humans, animals or plants and in updating the “technical” elements of a basic instrument (Article 2 (b)). The advisory procedure is applied in any case in which it is considered to be the most appropriate.

1.2 The state of implementation of Decision 1999/468/EC

In Declaration No 2 on the implementation of Council Decision 1999/468/EC⁴, the Council and the Commission agreed to adapt as soon as possible the provisions governing the committees assisting the Commission in the exercise of its implementing powers under Decision 87/373/EEC in order to bring them into line with the provisions of Articles 3 through 6 of Decision 1999/468/EC, in compliance with the appropriate legislative procedures.

This task, which covers approximately 300 instruments, is currently under way, and a proposal will be presented by year’s end.

Besides, Article 7 of Decision 1999/468/EC puts in place measures designed to improve the transparency of the working of the comitology committees.

In compliance with Article 7(4), the Commission has published the list of all the committees which assist it in the exercise of implementing powers⁵.

On 31 January 2001, in compliance with Article 7(1), the Commission adopted the standard rules of procedure⁶ on the basis of which the existing or newly created committees draw up their rules of procedure. The Commission sees to it that these rules of procedure diverge from the standard rules only on points relating to work organisation, for example as regards the specific features of the field concerned.

Finally, besides this annual report on the working of the committees, Article 7(5) of Decision 1999/468/EC provides that the Commission shall make public the references of all documents sent to the European Parliament in a register to be set up by the Commission in 2001. Here the Commission will take into account Regulation (EC) No 1049/2001 of the Parliament and of the Council regarding public access to the institutions’ documents⁷, which took effect on 3 December 2001⁸.

⁴ OJ C 203, 17.07.1999, p. 1.

⁵ See note 1).

⁶ OJ C 38, 06.02.2001, p. 3. Following a number of amendments to be approved by the Commission and linguistic review, the standard rules of procedure will be published afresh in the Official Journal.

⁷ OJ L 145, 31.05.2001, p. 43.

⁸ The next report will include an evaluation of the impact of Regulation No 1049/2001, which was adopted during 2001.

1.3 The European Parliament's right to scrutiny

The Commission is obliged to inform the European Parliament about the committees' work and to send it all draft implementing measures pursuant to a basic instrument adopted under Article 251 of the Treaty, so that the European Parliament can exercise its right of scrutiny enshrined in Article 8 of Decision 1999/468/EC.

In February 2000 the European Parliament and the Commission concluded an *Agreement on procedures for implementing Council Decision of 28 June 1999*, designed specifically to regulate the procedures for implementing the obligations incumbent on the Commission⁹.

The agreement provides for the electronic transmission of the documents. This task has been progressively implemented during 2001. Documents from the various Commission departments are first transmitted to the Secretariat-General, which promptly dispatches them either electronically or via the CIRCA network to a central service at the European Parliament. While the percentage of electronic mailings has grown, the number of traditional dispatches in paper form has decreased. Today almost all documents are transmitted electronically.

Except in emergencies, the agreement stipulates a period of one month from receipt of a "definitive" draft implementing measure¹⁰ to allow the European Parliament to adopt, pursuant to Article 8 of Council Decision 1999/468/EC, where appropriate, a resolution (in plenary session), if it considers that the draft exceeds the implementing powers enshrined in the basic instrument¹¹.

During 2000, the European Parliament exercised its right of scrutiny on one occasion only, namely in respect of the draft decision pursuant to *Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data*¹² on the adequacy of the protection provided by the safe harbour privacy principles and related frequently asked questions issued by the US Department of Commerce. Although the European Parliament's Resolution of 5 July 2000, which was transmitted to the Commission's Secretariat-General on 11 July, expressly refers to Article 8 of Council Decision 1999/468/EC, it contained a series of observations on the *substance* of the draft decision. The Commission has reexamined the draft decision in the light of the Resolution of the European Parliament and has concluded that it did not exceed its implementing powers. Consequently, it adopted its Decision on 26.07.2000¹³.

1.4 Referrals to the Council

Only six cases out of a total of 2 838 instruments (of which 1 786 relate to DG Agriculture) were referred to the Council during 2000. These six cases concern DG Agriculture (one case¹⁴), DG Environment (one case) and DG Health and Consumer Protection (four cases).

⁹ OJ L 256, 10.10.2000, p. 19. The agreement nullifies certain earlier agreements: the Plumb/Delors Agreement of 1988, the Samland/Williamson Agreement of 1996 and the "modus vivendi" of 1994.

¹⁰ The drafts are first sent before the committee meeting and, if they are substantially modified during the meeting, are sent again afterwards.

¹¹ This basic instrument must itself have been adopted under the codecision procedure (Article 251 of the Treaty) between the Council and the European Parliament.

¹² OJ L 281, 23.11.1995, p. 31.

¹³ OJ L 215, 25.08.2000, p. 7 and corrigendum of 25.04.2001, OJ L 115, p. 14.

¹⁴ The absence of an opinion which led to the referral was verified in 1999.

Pursuant to the comitology decision, measures must be referred to the Council when the Commission fails to obtain the necessary majority in committee. The small percentage of referrals (approximately 0.2%) as compared with the total number of instruments adopted by the Commission (regulatory or management procedures) shows that the proposals submitted by the Commission to the committees normally obtain the necessary majority. From this one can conclude that the committees' work is characterised by a high degree of consensus.

1.5 Other questions

In the field of **external relations**, the Commission prepares proposals for Council regulations amending the basic ALA regulation¹⁵ and various other thematic legal bases which chiefly include extending the use of the management committee procedure under Article 4 of Decision 1999/468/EC.

Following the **Lamfalussy report** on the regulation of the European securities market, the Commission adopted two Decisions¹⁶ creating two different types of committee designed to facilitate the decision-making process. According to the Resolution of the Stockholm European Council in March 2001 concerning this report¹⁷, the first, which is called the "Committee of European Securities Regulators" and is composed of high-level representatives of the national authorities, is an advisory group responsible for assisting the Commission in the preparation of implementing measures. The second Committee, called the "European Securities Committee", is also composed of high-level representatives of the Member States. The task of this Committee is to assist the Commission in the preparation of legislative proposals and also to operate as a regulatory committee within the meaning of Article 5 of Decision 1999/468/EC.

In March 2000, the Lisbon European Council urged the Commission, the Council and the Member States to develop during 2001 a coordinated strategy to simplify the regulatory environment. In its interim report to the Stockholm European Council¹⁸ the Commission contemplated the possibility of making greater use of delegation of the implementing powers vested in it by the legislator under the existing legal framework, as enshrined by Article 202 of the Treaty.

The White Paper on **Governance**¹⁹, for its part, looks to the future. Here the Commission proposes reexamining the conditions under which it adopts implementing measures and the need to maintain the existing committees, notably the management and regulatory committees²⁰. Besides, the Commission plans to launch a debate on the possibility of amending Article 202 of the Treaty with a view to putting the Council and the European Parliament on an equal footing "in supervising the way in which the Commission exercises its executive role"²¹.

¹⁵ Council Regulation (EEC) No 443/92 of 25 February 1992 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America, OJ L 52, 27.02.1992, p. 1.

¹⁶ Commission Decision 2001/527/EC of 6 June 2001, OJ L 191, 13.07.2001, p. 43 and Commission Decision 2001/528/EC of 6 June 2001, OJ L 191, 13.07.2001, p. 45.

¹⁷ Annex 1 to the Conclusions of the Presidency.

¹⁸ COM (2001) 130 final, p. 9.

¹⁹ COM (2001) 428 final.

²⁰ See the White Paper, p. 36.

²¹ Idem.

2. HORIZONTAL OVERVIEW OF THE ACTIVITIES

2.1 Number of committees and types of procedures

In evaluating the committees' activities as a whole, the first step is to identify the number of comitology committees existing at a specific date. Here it is important to distinguish between the comitology committees, on the one hand, and the "consultative committees" and "expert groups" created by the Commission itself, on the other, since the latter are chiefly concerned with preparing and carrying out policies rather than with implementing legislative decisions. These committees and groups are not addressed in this report. The number of comitology committees has been calculated by sector of activity on the basis of the list of committees published in the Official Journal²² (Table I), status as at 31.12.2000. After this date, new committees may have been created or existing committees may have been disbanded.

TABLE I – TOTAL NUMBER OF COMMITTEES

Trans-European Networks (TEN)	2
Enterprise (ENTR)	32
Employment and Social Affairs (EMPL)	8
Agriculture (AGRI)	30
Energy (ENER)	4
Transport (TRANS)	23
Environment (ENV)	41
Research (RTD)	6
Information Society (INFSO)	10
Fisheries (FISH)	3
Internal Market (MARKT)	10
Regional Policy (REGIO)	2
Taxation and Customs Union (TAXUD)	9
Education and Culture (EAC)	6
Health and Consumer Protection (SANCO)	22
Justice and Home Affairs (JAI)	2
External Relations (RELEX)	7 ^(*)
Trade (TRADE)	11
Development (DEV)	5
Enlargement (ELARG)	2
Humanitarian Aid (ECHO)	1
Statistics (ESTAT)	6
Budget (BUDG)	1
Anti-Fraud Office (OLAF)	1
TOTAL	244

²² Reference — see note 1.

^(*) The Advisory Committee for implementing the programme of specific measures and actions to improve access of EU goods and cross-border services to the Japanese market, which is listed under DG Trade in the list of committees published in the Official Journal was convened under the responsibility of DG External Relations.

The figures show the focus of activities in the different sectors from the comitology perspective. DG Environment, DG Enterprise, DG Agriculture, DG Transport and Energy and DG Health and Consumer Protection have the largest number of committees (at least 20 each). With 152 out of a total of 244 committees, these DGs alone account for more than half the committees.

The overall figure may be broken down by the different types of procedure (advisory procedure (type I), management procedure (type II), regulatory procedure (type III), plus the safeguards procedure (type IV - Table II)). The different variants (IIa and IIb, IIIa and IIIb) are classified in the same type (I, II, III) in accordance with the 1987 comitology procedure. The overall figure also includes all corresponding functions - both under the 1987 Comitology Decision and the new 1999 Comitology Decision. Since certain committees have multiple functions (i.e. use a plurality of procedures ranging from type I to III, plus the safeguard procedure), these have been singled out from the other committees to provide a true picture of the applicable procedures.

TABLE II – NUMBER OF COMMITTEES BY PROCEDURE

	Type of procedure				Committees operating under several procedures
	I	II	III	IV	
TEN	-	-	2	-	-
ENTR	8	4	17	-	3
EMPL	1	2	4	-	1
AGRI	-	23	3	-	4
ENER	1	1	2	-	-
TRANS	4	-	15	1	3
ENV	2	4	34	-	1
RTD	-	6	-	-	-
INFSO	1	1	5	-	3
FISH	-	2	-	-	1
MARKT	1	3	5	-	1
REGIO	-	1	-	-	1
TAXUD	1	2	4	-	2
EAC	-	-	-	-	6 ^(*)
SANCO	4	-	7	-	11
JAI	-	-	1	-	1
RELEX	1	2	1	-	3
TRADE	1	3	-	4	3
DEV	-	2	2	-	1
ELARG	-	1	-	1	-
ECHO	-	-	-	-	1
ESTAT	-	4	-	-	2
BUDG	1	-	-	-	-
OLAF	-	-	1	-	-
TOTAL	26	55	109	6	48

(*) all committees of mixed type (advisory/management).

Table II provides a breakdown by type of procedure. The global figures indicate that a relative majority of the committees (109 out of 244) consists of regulatory committees, followed by a considerably smaller number of management committees. The horizontal breakdown by sector is quite well balanced, with a number of exceptions, notably DG Environment (with a large number of regulatory committees) and DG Agriculture (with a large number of management committees).

2.2 Number (and days) of meetings

The number of committees is not the only indicator of activity at comitology level. The *number of meetings* held in 2000 reflects the intensity of the committees' work (Table III).

TABLE III – NUMBER OF MEETINGS

TEN	8	TAXUD	110
ENTR	54	EAC	23
EMPL	14	SANCO	122
AGRI	367	JAI	7
ENER	10	RELEX	44
TRANS	27	TRADE	28
ENV	52	DEV	19
RTD	32	ELARG	7
INFSO	30	ECHO	7
FISH	10	ESTAT	15
MARKT	24	BUDG	5
REGIO	16	OLAF	1

DG Agriculture leads the field (with 345 meetings), since it has to manage the different agricultural markets which require frequent meetings. It is followed by DG Health and Consumer Protection (with 122 meetings), which is responsible *inter alia* for food safety, and DG Taxation and Customs Union (with 110 meetings), where the focus is on customs matters involving trade with third countries.

A supplementary indicator which sheds light on the allocations of funds is the *number of days* taken up by the meetings (Tableau IV). Meetings normally take up half a day – hence the decimals.

TABLE IV – NUMBER OF DAYS

TEN	7	TAXUD	147.5
ENTR	64	EAC	32
EMPL	17	SANCO	178.5
AGRI	258.5	JAI	5.5
ENER	10.5	RELEX	35.5
TRANS	29	TRADE	15.5
ENV	65.5	DEV	26.5
RTD	32	ELARG	7.5
INFSO	30.5	ECHO	7
FISH	9	ESTAT	22
MARKT	30	BUDG	5
REGIO	24	OLAF	2

The figures in Table IV broadly correspond to those of the preceding table: a large number of meetings means a large number of meeting days. This shows that meetings do not normally last more than one day or two half days, spread over two consecutive days.

2.3 Number of consultations

A key indicator of the intensity of activities is the number of consultations which the Commission puts on a committee's agenda. These figures include all sorts of items: formal opinions, preparatory exchanges of view in the run-up to a formal opinion, simple communications from the Chair (or a delegation), etc. (Table V). The total number of consultations was 4 323.

TABLE V – NUMBER OF CONSULTATIONS

TEN	10	TAXUD	512
ENTR	269	EAC	92
EMPL	44	SANCO	449
AGRI	1889	JAI	4
ENER	12	RELEX	269
TRANS	21	TRADE	135
ENV	80	DEV	19
RTD	83	ELARG	121
INFSO	36	ECHO	28
FISH	41	ESTAT	102
MARKT	8	BUDG	46
REGIO	87	OLAF	1

The large number of consultations in DG Agriculture (1 889), followed by DG Taxation and Customs Union (512) and DG Health and Consumer Protection (449) again reflect the intensity of work in these sectors.

3. PRESENTATION OF ACTIVITIES BY SECTORAL POLICY²³

A sectoral snapshot of the committees' activities should include the opinions delivered by all the committees in a sector. *Opinions* may be of various kinds: they may concern draft legislative instruments (directives, regulations), decisions designed to regulate a specific (individual) 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 instruments adopted in a specific sector).

In the event of a *favourable opinion*, the rule is that the Commission adopts the implementing measures (the instruments adopted); under the management procedure it may also adopt an instrument in the absence of an opinion. It is only in the eventuality of an *unfavourable opinion* that the decision is referred to the Council as "an appeal body", which in this case has the power to decide (*referrals* to the Council); in the framework of a regulatory procedure, the Council is also consulted in the absence of an opinion.

²³ The chapters follow the order of the list of committees as published in the Official Journal C 225, 8.8.2000, p. 2.

There may be a difference between the total number of *favourable opinions* delivered by the committees and the number of *instruments* adopted by the Commission in a given sector when opinions were delivered in 2000 but the instruments were not adopted until the following year.

The annex shows the different results for the individual sectors (using the breakdown under II).

ANNEX

This annex provides an overview of “comitology” during 2000 with a breakdown by sector. The rubric “instruments adopted” includes all the instruments adopted by the Commission, regardless of their nature.

Note also that in certain cases the committees are required to deliver opinions on dossiers which will not be the subject of a draft instrument until some time later (see also point 3 in the text of the report). Hence there may be considerable discrepancies between the total number of opinions and the number of instruments adopted by the Commission.

1. TRANS-EUROPEAN NETWORKS

The Trans-European Networks sector is managed by DG Transport and Energy. In respect of a total of ten dossiers consulted, the two committees in this sector delivered nine favourable opinions under the regulatory procedure, following which the Commission adopted eight instruments.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	-	9	-	-

Instruments adopted by the Commission	Referred to Council
8	-

2. ENTERPRISE

In respect of a total of 269 dossiers submitted for consultation, the 32 committees of DG Enterprise delivered 72 favourable opinions under the different procedures, following which the Commission adopted 47 instruments.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
3	32	37	-	3

Instruments adopted by the Commission	Referred to Council
47	-

3. EMPLOYMENT AND SOCIAL AFFAIRS

In respect of a total of 44 dossiers submitted for consultation, the eight committees of DG Employment and Social Affairs delivered just one (favourable) opinion under the advisory procedure, followed by the only instrument adopted by the Commission in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
1	-	-	-	-

Instruments adopted by the Commission	Referred to Council
1	-

4. AGRICULTURE

In respect of a total of 1 889 dossiers submitted for consultation, the 30 committees of DG Agriculture (of which 26 actually convened) delivered 1 786 opinions, following which the Commission adopted the same number of instruments. The 123 'no opinions' concerned Commission proposals which should have been the subject of an opinion, but in respect of which the committees were not able to comply because there was no majority for or against the Commission proposal. Only one case was referred to the Council, namely to the Committee on Geographical Indications and Designations of Origin of Agricultural Products and Foodstuffs (PDO). The Council approved the measure proposed by the Commission²⁴.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	1.786	-	1	123

Instruments adopted by the Commission	Referred to Council
1.786	1

²⁴ Council Regulation (EC) No 813/2000 supplementing the Annex to Commission Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 7 of Regulation (EC) No 2081/92 (aceto balsamico tradizionale di Modena/ aceto balsamico tradizionale di Reggio Emilia), OJ L 100, 20.4.2000, p. 1.

5. ENERGY

In respect of a total of 12 dossiers submitted for consultation concerning several proposed implementing measures, the four committees in this sector delivered 40 favourable opinions under the management procedure and one unfavourable opinion. No legislative instrument was adopted by the Commission in this sector during the year.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	40	-	1	5

Instruments adopted by the Commission	Referred to Council
-	-

6. TRANSPORT

In respect of a total of 21 dossiers submitted for consultation, the 23 committees in this sector delivered 14 favourable opinions and one unfavourable opinion under the management procedure, following which the Commission adopted six instruments.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	14	-	1	-

Instruments adopted by the Commission	Referred to Council
6	-

7. ENVIRONMENT

In respect of a total of 80 dossiers submitted for consultation, the 41 committees of DG Environment delivered 56 favourable opinions under the management procedure, following which the Commission adopted 16 instruments. There were two unfavourable opinions and one case was referred to the Council. The Commission's proposal on hazardous waste did not find the unanimity needed at the Council for it to be amended and it was finally adopted by the Commission on 22 January 2001²⁵.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	56	-	2	2

Instruments adopted by the Commission	Referred to Council
16	1

8. RESEARCH

In respect of a total of 83 dossiers submitted for consultation, the six committees of DG Research delivered 83 favourable opinions under the management procedure. The Commission adopted a total of 203 instruments in this sector, including the 83 cases which were the subject of a committee opinion and a certain number of cases which were referred to the committees exclusively for information purposes (groups of projects in which Community funding is below the thresholds required for submission to the committee for an opinion).

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	83	-	-	-

Instruments adopted by the Commission	Referred to Council
203	-

²⁵ Commission Decision of 22 January 2001 amending Decision 2000/532/EC replacing Decision 94/3/EC establishing a list of waste pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (2001/119/CE), OJ L 47, 16.2.2001, p. 32.

9. INFORMATION SOCIETY

In respect of a total of 36 dossiers submitted for consultation, the 22 committees of DG Information Society delivered 208 favourable opinions under the management procedure. The Commission adopted a total of 31 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	208	-	-	2

Instruments adopted by the Commission	Referred to Council
31	-

10. FISHERIES

In respect of a total of 41 dossiers submitted for consultation, the three committees of DG Fisheries delivered 18 favourable opinions. The Commission adopted a total of 27 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	18	-	-	-

Instruments adopted by the Commission	Referred to Council
27	-

11. INTERNAL MARKET

In respect of a total of eight dossiers submitted for consultation, the ten committees of DG Internal Market delivered three favourable opinions under the management procedure. These three cases were the subject of instruments adopted by the Commission.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	3	-	-	-

Instruments adopted by the Commission	Referred to Council
3	-

12. REGIONAL POLICY

In respect of a total of 87 dossiers submitted for consultation, the two committees of DG Regional Policy delivered 123 favourable opinions under the management procedure. The Commission did not adopt any legislative instrument in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	123	-	-	-

Instruments adopted by the Commission	Referred to Council
-	-

13. TAXATION AND CUSTOMS UNION

In respect of a total of 512 dossiers submitted for consultation, the nine committees of DG Taxation and Customs Union delivered 73 favourable opinions (of which 15 under the safeguard procedure, in addition to the numbers of opinions indicated below). The Commission adopted 50 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	48	10	-	-

Instruments adopted by the Commission	Referred to Council
50	-

14. EDUCATION AND CULTURE

In respect of a total of 92 dossiers submitted for consultation, the six committees of DG Education and Culture delivered 37 favourable opinions under the management procedure. The Commission adopted 34 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	37	-	-	-

Instruments adopted by the Commission	Referred to Council
34	-

15. HEALTH AND CONSUMER PROTECTION

In respect of a total of 449 dossiers submitted for consultation, the 22 committees of DG Health and Consumer Protection delivered 51 favourable opinions. The Commission adopted 231 instruments. The Commission's proposals were referred to the Council in four cases but without success and the measures were finally adopted by the Commission (classical swine fever in the Netherlands and BSE risk material)²⁶.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
1	241	26	-	2

Instruments adopted by the Commission	Referred to Council
231	4

16. JUSTICE AND HOME AFFAIRS

In respect of a total of four dossiers submitted for consultation, the two committees of DG Justice and Home Affairs delivered seven opinions. The Commission adopted two instruments.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	6	1	-	-

Instruments adopted by the Commission	Referred to Council
2	-

²⁶ Commission Decision of 25 May 2000 on the total amount of Community aid for the eradication of classical swine fever in the Netherlands in 1997 ((2000/362/EC), OJ L 129, 30.5.2000, p. 33; Commission Decision of 29 June 2000 regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC (2000/418/EC), OJ L 158, 30.6.2000, p. 76.

17. EXTERNAL RELATIONS

In respect of a total of 269 dossiers submitted for consultation, the seven committees of DG External Relations delivered 212 favourable opinions under the management procedure. The Commission adopted 206 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	212	-	-	-

Instruments adopted by the Commission	Referred to Council
206	-

18. TRADE

In respect of a total of 135 dossiers submitted for consultation, the 11 committees of DG Trade delivered 39 favourable opinions under the management procedure. The Commission adopted 29 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	39	-	-	3

Instruments adopted by the Commission	Referred to Council
29	-

19. DEVELOPMENT

In respect of a total of 19 dossiers submitted for consultation, the five committees of DG Development delivered 20 favourable opinions under the management procedure. The Commission adopted 20 instruments in this sector²⁷.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	20	-	-	-

Instruments adopted by the Commission	Referred to Council
20	-

20. ENLARGEMENT

In respect of a total of 121 dossiers submitted for consultation, the two committees of DG Enlargement delivered 100 favourable opinions under the management procedure. The Commission also adopted 100 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	100	-	-	-

Instruments adopted by the Commission	Referred to Council
100	-

²⁷ During 2000 the European Development Fund Committee delivered a total of 175 opinions concerning mandatory consultations outside the comitology procedures.

21. HUMANITARIAN AID (ECHO)

In respect of a total of 28 dossiers submitted for consultation, the Humanitarian Aid Committee delivered 28 favourable opinions under the management procedure. The Commission adopted 28 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	28	-	-	-

Instruments adopted by the Commission	Referred to Council
28	-

22. STATISTICS (EUROSTAT)

In respect of a total of 102 dossiers submitted for consultation, the six committees of DG Eurostat delivered five opinions under the management procedure and 12 under the regulatory procedure. The Commission adopted 12 instruments in this sector.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	5	12	-	-

Instruments adopted by the Commission	Referred to Council
12	-

23. BUDGET

The only committee of DG Budget — Own Resources — was consulted on 46 dossiers, without delivering any formal opinion.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Consultation	Management	Regulatory		
-	-	-	-	-

Instruments adopted by the Commission	Referred to Council
-	-

24. EUROPEAN ANTI-FRAUD OFFICE (OLAF)

The activities of the Anti-Fraud Office’s only committee concerned implementation and coordination of operational activities at Community level.

Number of favourable opinions			Unfavourable opinions	No opinion
Procedure				
Advisory	Management	Regulatory		
-	-	-	-	-

Instruments adopted by the Commission	Referred to Council
-	-