



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2009)1871 final

Strasbourg, 5 May 2009

MINUTES
of the 1871st meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 21 April 2009
(afternoon)

PV(2009)1871 final

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Single sitting: Tuesday 21 April 2009 (afternoon)

The sitting opened at 13.13 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President
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Ms WALLSTRÖM	Vice-President
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Mr VERHEUGEN	Vice-President
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Mr BARROT	Vice-President
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Mr TAJANI	Vice-President
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Ms REDING	
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Mr DIMAS	
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Mr ALMUNIA	
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Mr BORG	
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Mr POTOČNIK	
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Mr FIGEL'	
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Mr MICHEL	Items 1 to 10
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Mr KOVÁCS	
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Ms KROES	
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Ms FISCHER BOEL	
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Ms FERRERO-WALDNER	
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Mr McCREEVY	Items 1 to 12 (in part)
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Mr ŠPIDLA	
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Ms KUNEVA	
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Mr ORBAN	
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Ms VASSILIOU	
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Baroness ASHTON	
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Absent:

Mr KALLAS

Vice-President

Ms HÜBNER

Ms GRYBAUSKAITĖ

Mr REHN

Mr PIEBALGS

The following sat in to represent absent Members of the Commission:

Mr SCHMIDT	Deputy Chef de cabinet to Mr KALLAS
Mr CASINI	A member of Ms HÜBNER's staff
Ms SOEWARTA	Deputy Chef de cabinet to Mr PIEBALGS

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Ms DURAND	Director-General, Legal Service	
Mr SØRENSEN	Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	
Ms CARVALHO	Bureau of European Policy Advisers	
Mr CABRAL	Adviser hors classe in the PRESIDENT's office	Items 1 to 10
Ms MARTINHO	Chief adviser in the PRESIDENT's Office	Items 11 and 12
Ms MARTÍNEZ ALBEROLA	A member of the PRESIDENT's staff	
Mr SAGREDO	A member of Mr BARROT's staff	Item 11 (in part)
Ms ARP	A member of Ms FERRERO-WALDNER's staff	
Mr RICHTER	Deputy Chef de cabinet to Mr ORBAN	Items 1 to 12 (in part)

Secretary: Ms DAY, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2009)1871/3; SEC(2009)488/2)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2009)1871)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 20 April.

Mr ALMUNIA raised the question of the communication on the ageing of Europe's population, which had been transformed into a staff working paper following discussion at the weekly meeting of Chefs de cabinet. Mr ALMUNIA argued that the document should retain its status as a communication and be approved as such by the Commission ahead of the discussion planned in the Economic and Financial Affairs Council on 5 May. He stressed that it was politically important for the Commission to provide input for the conclusions of that Council meeting.

Mr ŠPIDLA then pointed out that management of demographic ageing was a key factor in the crisis exit strategy being worked out by the Commission.

The PRESIDENT said that everyone recognised the ageing of the population as a key issue, particularly for social security and the balancing of public finances. He noted that there had been a consensus at the weekly meeting of Chefs de cabinet that this issue should be dealt with in a more ambitious manner and asked the originating departments to deploy all the necessary efforts to strengthen the messages in the document, so that it could be laid before the Commission in the form of a communication at its next meeting. This approach received unanimous support.

3. MINUTES OF 1870th MEETING (8 APRIL)
(PV(2009)1870)

The Commission approved the minutes of its 1870th meeting.

4. INTERINSTITUTIONAL RELATIONS
(SEC(2009)502)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 17 April (SEC(2009)502).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Preparation for Parliament's April II part-session
(point 1.3 of the IRG record)

In accordance with the rules in force, the Commission authorised the Commission Members responsible, in agreement with the PRESIDENT and Ms WALLSTRÖM and any other Members associated, to take a position on Parliament's amendments to its proposals.

It considered the following in particular:

Codecision – 2nd reading

- Annex XI to Regulation (EC) 883/2004 on coordination of social security systems (Regulation) – CREMERS report – 2006/0008 (COD)

The Commission approved the line set out in SP(2009)2194.

- Procedure for implementing Regulation (EC) 883/2004 on coordination of social security systems (Regulation) – LAMBERT report – 2006/0006 (COD)

The Commission approved the line set out in SP(2009)2195.

Empowerment

- Annex XI to Regulation (EC) 883/2004 on coordination of social security systems (Regulation) – CREMERS report – 2006/0008 (COD)

The Commission empowered Mr ŠPIDLA, under Article 13 of its Rules of Procedure, in agreement with the PRESIDENT and Ms WALLSTRÖM and any associated Members, to adopt and transmit to the Council its opinion on the amendments, in accordance with Article 251(2)(c) of the Treaty, once Parliament had expressed its position, and if necessary to attach to its opinion an amended proposal, on the basis of the line set out in SP(2009)2194.

- Procedure for implementing Regulation (EC) 883/2004 on coordination of social security systems (Regulation) – LAMBERT report – 2006/0006 (COD)

The Commission empowered Mr ŠPIDLA, under Article 13 of its Rules of Procedure, in agreement with the PRESIDENT and Ms WALLSTRÖM and any associated Members, to adopt and transmit to the Council its opinion on the amendments, in accordance with Article 251(2)(c) of the Treaty, once Parliament had expressed its position, and if necessary to attach to its opinion an amended proposal, on the basis of the line set out in SP(2009)2195.

Codecision – 1st reading

- Harmonised conditions for the marketing of the construction products (Regulation) – NERIS report – 2008/0098 (COD)

The Commission approved the line set out in SP(2009)1828.

- Labelling of tyres with respect to fuel efficiency and other essential parameters (Directive) – BELET report – 2008/0221 (COD)

The Commission approved the line set out in SP(2009)2132 and /2.

- Application of patients' rights in cross-border healthcare (Directive) – BOWIS report – 2008/0142 (COD)

The Commission approved the line set out in SP(2009)2134 and /2.

- Participation by the Community in a European metrology research and development programme undertaken by several Member States (Decision) – MANN report – 2008/0230 (COD)

The Commission approved the line set out in SP(2009)2143.

- Energy performance of buildings (Directive) – ȚICĂU report – 2008/0223 (COD)

The Commission approved the line set out in SP(2009) 2196 and /3.

- Term of protection of copyright and related rights (Directive) – CROWLEY report – 2008/0157 (COD)

The Commission approved the line set out in SP(2009)1671 and /2.

- Credit rating agencies (Regulation) – GAUZÈS report – 2008/0217 (COD)

The Commission approved the line set out in SP(2009)2221 and /3.

ii) Preparation for Parliament's May part-session

(point 1.4 of the IRG record)

In accordance with the rules in force, the Commission authorised the Commission Members responsible, in agreement with the PRESIDENT and Ms WALLSTRÖM and any other Members associated, to take a position on Parliament's amendments to its proposals.

It considered the following in particular:

Codecision – 2nd reading

- Common regulatory framework for electronic communications networks and services, access to and interconnection and authorisation of such networks and services (Directive) / Universal service, users' rights relating to electronic communications networks and services, processing of personal data, protection of privacy, consumer protection cooperation (Directive) / Creation of the European Electronic Communications Market Authority (Regulation) – TRAUTMANN / HARBOUR / DEL CASTILLO VERA reports – 2007/0247 (COD) / 2007/0248 (COD) / 2007/0249 (COD).

The Commission approved the line set out in SP(2009)2135, further to note SPI(2009)40/2, already approved by the Commission at its 1868th meeting on 24 March.

Empowerment

- Common regulatory framework for electronic communications networks and services, access to and interconnection and authorisation of such networks and services (Directive) / Universal service, users' rights relating to electronic communications networks and services, processing of personal data, protection of privacy, consumer protection cooperation (Directive) / Creation of the European Electronic Communications Market Authority (Regulation) – TRAUTMANN / HARBOUR / DEL CASTILLO VERA reports – 2007/0247 (COD) / 2007/0248 (COD) / 2007/0249 (COD).

The Commission empowered Ms REDING, under Article 13 of its Rules of Procedure, in agreement with the PRESIDENT and Ms WALLSTRÖM and any associated Members, to adopt and transmit to the Council its opinion on the amendments, in accordance with Article 251(2)(c) of the Treaty, once Parliament had expressed its position, and if necessary to attach to its opinion an amended proposal, on the basis of the line set out in SP(2009)2135.

Codecision – 1st reading

- Frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community (Directive) – PLEGUEZUELOS AGUILAR report – 2008/0214 (COD)

The Commission approved the line set out in SP(2009)1820.

- Protection of animals used for scientific purposes (Directive) – PARISH report – 2008/0211 (COD)

The Commission approved the line set out in SP(2009)2198 and /3.

- Indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (Directive – recast) – PODIMATA report – 2008/0222 (COD)

The Commission approved the line set out in SP(2009)2199 and /2.

- Stage II petrol vapour recovery during refuelling of passenger cars at service stations (Directive) – PAPADIMOULIS report – 2008/0229 (COD)

The Commission approved the line set out in SP(2009)2144 and /2.

- Organisation of the working time of persons performing mobile road transport activities (Directive) – PANAYOTOPOULOS-CASSIOTOU report – 2008/0195 (COD)

The Commission approved the line set out in SP(2009)2145.

- Banks affiliated to central institutions, certain own funds items, large exposures, supervisory arrangements, and crisis management (Directive) – KARAS report – 2008/0191 (COD)

The Commission approved the line set out in SP(2009)1821/2.

iii) Preparation of agreements at first reading

(point 1.5 of the IRG record)

- Procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries concerning sectoral matters and covering applicable law in contractual and non-contractual obligations (Regulation) / Procedure for the negotiation and conclusion of bilateral agreements between Member States and third countries concerning sectoral matters and covering jurisdiction, recognition and enforcement of judgments and decisions in matrimonial matters, parental responsibility and maintenance obligations, and applicable law in matters relating to maintenance obligations (Council Regulation) – ZWIEFKA / DEPREZ reports – 2008/0259 (COD) / 2008/0266 (CNS)

The Commission authorised Mr BARROT to pursue contacts with Parliament and the Council in order to reach agreement at first reading following the line set out in SPI(2009)60.

- Common rules for the allocation of slots at Community airports (Regulation) – COSTA report – 2009/0042 (COD)

The Commission authorised Mr TAJANI to pursue contacts with Parliament and the Council in order to reach agreement at first reading following the line set out in SPI(2009)61/2.

4.2. RELATIONS WITH THE COUNCIL

iv) Programming of Council business

(SI(2009)98)

The Commission took note of the information in SI(2009)98 on the Council meetings between 23 April and 6 May.

4.3. RELATIONS WITH THE EUROPEAN PARLIAMENT

v) Preparation for Parliament's April II part-session – Oral questions (point 3.4 of the IRG record)

H-0128/09, H-0129/09, H-0131/09, H-0133/09, H-0135/09, H-0137/09, H-0139/09, H-0141/09, H-0142/09, H-0146/09, H-0147/09, H-0149/09, H-0150/09, H-0152/09, H-0154/09, H-0155/09, H-0156/09, H-0157/09, H-0158/09, H-0160/09, H-0161/09, H-0163/09, H-0164/09, H-0165/09, H-0168/09, H-0169/09, H-0171/09, H-0172/09, H-0174/09, H-0177/09, H-0179/09, H-0180/09, H-0181/09, H-0183/09, H-0184/09, H-0186/09, H-0188/09, H-0189/09, H-0190/09, H-0192/09, H-0193/09, H-0194/09, H-0196/09, H-0197/09, H-0198/09, H-0199/09, H-0200/09, H-0202/09, H-0204/09

The Commission approved the draft answers set out in SP(2009)2015 to /3, following the agreement reached between the Chefs de cabinet on revisions to some of these draft answers, and certain draft supplementary answers, revisions to answers and draft answers as set out in SP(2009)2015/4 *et seq.*

vi) Action taken on Parliament's non-legislative resolutions (point 3.6.2 of the IRG record)

The Commission approved documents SP(2009)2154, /3 and /4 on the action taken on Parliament's non-legislative resolutions adopted at its February II part-session, for transmission to Parliament.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. *WRITTEN PROCEDURES APPROVED*

(SEC(2009)490 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 6 and 17 April.

5.2. *EMPOWERMENT*

(SEC(2009)491 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 6 and 17 April.

5.3. *DELEGATION AND SUBDELEGATION OF POWERS*

(SEC(2009)492 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 6 and 17 April, as archived in e-Greffe.

5.4. *SENSITIVE WRITTEN PROCEDURES*

(SEC(2009)493 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 20 and 24 April and of the "finalisation" written procedures initiated following the weekly meeting of Chefs de cabinet on 20 April.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2009)489/3)

ADMINISTRATIVE MATTERS

(PERS(2009)54/3)

**6.1. DG INFORMATION SOCIETY AND MEDIA – APPOINTMENT OF
AD14 (EU-12) CHIEF ADVISER**

(PERS(2008)93 TO /8)

The Commission had before it applications under Article 29(2) of the Staff Regulations for the post of Chief Adviser in DG Information Society and Media (PERS(2008)93 to /6).

The Commission took note of the opinions of the Consultative Committee on Appointments of 23 February and 2 April 2009 (PERS(2008)93/7 and /8).

The Commission proceeded to consider the applicant's qualifications for the post. On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms REDING, it then decided to appoint Ms Mary TOVŠAK PLETERSKI to the post.

This decision would take effect on a date to be determined.

**6.2. DG COMMUNICATION – APPOINTMENT OF HEAD OF
REPRESENTATION OFFICE**

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms WALLSTRÖM, the Commission decided:

- to fill the post of Head of the Commission Representation Office in Madrid (DG Communication), in accordance with Article 7 of the Staff Regulations, by transferring in the interest of the service Mr Francisco FONSECA MORILLO, an AD15 official and currently Director (Justice) in DG Justice, Freedom and Security;

(21 April 2009)

- to upgrade this post to director level (AD14/15), by way of derogation from Commission decision C(2008)5028, until the departure of the jobholder.

These decisions would take effect on a date to be fixed later.

**7. GREEN PAPER ON THE REVIEW OF COUNCIL REGULATION (EC) 44/2001 ON JURISDICTION AND THE RECOGNITION AND ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS
(COM(2009)175 TO /4; SEC(2009)498)**

The Commission approved the Green Paper in COM(2009)175/4, for transmission to Parliament, the Council and the European Economic and Social Committee, and to the national parliaments.

**8. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE ON THE APPLICATION OF COUNCIL REGULATION (EC) 44/2001 ON JURISDICTION AND THE RECOGNITION AND ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS
(COM(2009)174 TO /3; SEC(2009)498)**

The Commission approved the report in COM(2009)174/3, for transmission to Parliament, the Council and the European Economic and Social Committee, and to the national parliaments.

**9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS: TOWARDS A BETTER TARGETING OF THE AID TO FARMERS IN AREAS WITH NATURAL HANDICAPS
(COM(2009)161 TO /3; SEC(2009)449; SEC(2009)450; SEC(2009)451; SEC(2009)452; SEC(2009)463)**

The Commission approved the communication in COM(2009)161/3, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and to the national parliaments, accompanied by the technical annex, the impact assessment and the summary thereof in staff papers distributed as SEC(2009)449, SEC(2009)450 and SEC(2009)451 respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above communication, as set out in SEC(2009)452.

**10. COMMISSION RECOMMENDATION FOR A COUNCIL DECISION GRANTING MUTUAL ASSISTANCE FOR ROMANIA AND A PROPOSAL FOR A COUNCIL DECISION PROVIDING EU MEDIUM-TERM FINANCIAL ASSISTANCE FOR ROMANIA
(COM(2009)199 TO /3; SEC(2009)508)**

Mr ALMUNIA presented the recommendation for a Council Decision and the proposal for a Council Decision which he was tabling for adoption in response to the request for financial assistance submitted by Romania on 6 March in the context of the economic and financial crisis.

Referring to previous decisions to provide Community financial support for the balance of payments in Hungary and then in Latvia, Mr ALMUNIA explained that in Romania's case the measure was aimed more at anticipating events and should

therefore be more effective. In addition to the EUR 5 billion mobilised by the EU, Romania would also be receiving loans of EUR 13 billion from the International Monetary Fund and EUR 1 billion from the World Bank, plus additional assistance – also totalling EUR 1 billion – from the European Investment Bank and the European Bank for Reconstruction and Development.

A memorandum of understanding laying down the detailed conditions for granting the aid would be negotiated once the recommendation had been adopted at the Council meeting (Economic and Financial Affairs) on 5 May. Mr ALMUNIA explained that the reference – in recital 8 of the proposal for a Decision – to the cooperation and verification mechanism set up under Romania's Treaty of Accession was simply a reminder, was not a condition for granting the aid and did not prejudge the issue of extending the lifetime of that mechanism.

In the brief discussion that followed this presentation, was considered the advisability of referring to the cooperation and verification mechanism and the effect which applying this mechanism might have on implementation of the aid, and also the relevance of the condition requiring a reduction of the public sector wage bill in Romania.

In replying to the comments made, Mr ALMUNIA stressed that fiscal consolidation was an absolute necessity, particularly on the expenditure side, through measures such as a freeze on public sector wages and/or further job cuts. He also reiterated that the reference to the cooperation and verification mechanism served merely as a reminder of the existence of that mechanism and not as a condition for implementing the aid.

Winding up the discussion, the PRESIDENT confirmed that the reference, which, moreover, was contained in a recital rather than in an article of the proposal, did not introduce any new conditions.

The Commission adopted the recommendation for a Council Decision and the proposal for a Council Decision in COM(2009)199/3, for transmission to the Council.

11. OTHER BUSINESS

ILLEGAL IMMIGRATION

Mr BARROT recounted first the events relating to the rescue at sea by the merchant vessel *Pinar* of 140 illegal migrants whose boats were capsizing, and the follow-up to this, in particular the difficulty in finding a country that would accept them. He thanked the PRESIDENT for his intervention, which had resolved the problem and enabled assistance to be given to the survivors. Such events would become more frequent with the advent of summer, which was conducive to migration by sea. Under international maritime law, boats in difficulty must be rescued, and survivors must be allowed to disembark at the nearest port and be received under decent conditions.

Malta and the Italian island of Lampedusa were in a critical situation as they were in the frontline and had already accepted an extremely large number of illegal immigrants. Mr BARROT had invited representatives of the Maltese and Italian governments to a meeting on Thursday 23 April to discuss feasible solutions to cope with the foreseeable influx of illegal immigrants over the next few months. He hoped that the Commission as a whole would take up this sensitive matter.

There were several points that might be used as guidelines for future discussions on this matter: (i) the idea that all negotiations conducted with African countries should cover the questions of immigration and re-entry; (ii) the need to clarify maritime law; and (iii) the need for greater solidarity between Member States, and for Member States to accept a fair share of asylum-seekers, plus cooperation on return policy.

The PRESIDENT thanked Mr BARROT for this information and underlined the importance of the question of Member States' ability to cope with the challenge of illegal immigration, a situation that was made worse by the economic crisis and the approach of summer.

Major efforts had already been made at European level in the past four years to devise a common immigration policy, and these efforts must constitute the basis for future work. The development of a common immigration policy must also be set out in the proposal for the future Stockholm programme, which would define the priorities for the coming years.

Going back to the points mentioned by Mr BARROT, the PRESIDENT pointed first to the importance of solidarity, while underlining the highly sensitive nature of any proposal by the Commission concerning the resettlement of migrants, an idea which had already been discussed unsuccessfully by the Council in recent years and would require a clear mandate from the Member States if it were to be raised again by the Commission. Nevertheless, he suggested to Mr BARROT that he should explore this avenue informally.

He also proposed that all the matters raised under this item should be discussed by an informal group of Commissioners responsible for immigration issues with a view to preparing a Commission debate to be held in the next two to three weeks.

The following aspects in particular emerged from the ensuing discussion:

- the urgent need to find ways to limit the tragedies arising from illegal immigration;
- the immediate inclusion of these issues in all the negotiations held with the countries of emigration; the considerable difficulty, however, in moving forward in these negotiations and the considerable sensitivity of these countries as regards re-entry aspects in particular;
- the importance of European-level management of this recurrent problem and the need for European coordination of immigration and return policies;
- the need to develop European policy on Africa given the upsurge in immigration to be expected in the coming years, and the case for holding a Commission debate on Community strategy in Africa; the crucial role, in this respect, of transport infrastructure in the development of Africa;

- the risk of increased racism in Europe if migration flows increased;
- the seriousness of the situation in Malta and Lampedusa, illustrated by recent events, and the tension between Member States because of this intolerable state of affairs;
- the need for Member States to show solidarity with regard to hosting migrants, and the role the Commission could play in this respect;
- the need to increase cooperation with neighbouring countries and to achieve progress on re-entry agreements;
- the risk that the situation could worsen because of the economic conditions in countries traditionally affected by emigration, and the importance, therefore, of the trade aid which the EU might provide to Africa in particular;
- the suggestion that Mr MICHEL in particular be asked to share his experiences and give his opinion on the priorities to be discussed at a forthcoming meeting of the Commission;
- in addition to the socio-economic causes of emigration, the governance problems which are particularly acute in Africa and which push people to leave;
- the need to raise this matter with the African Union Commission;
- the possibility that this matter might take on a high profile during the European electoral campaign, and the need to prepare answers and to devise concrete proposals;
- the fact that movements of people are triggered by hunger, and the agricultural measures that could be taken in this respect.

Mr BARROT thanked the Commission Members for this initial exchange of views, reiterating his wish to be involved in all negotiations with the countries of emigration and underlining, in particular, the need for African countries to help combat immigrant smuggling. It was important to raise these matters in any contacts

with the African Union Commission.

The PRESIDENT ended the discussion, pointing out that the matters raised at this meeting would be useful in forming the basis for a more thorough debate to be held in the near future.

The Commission took note of this information.

12. RELATIONS WITH NON-MEMBER COUNTRIES

12.1. SITUATION IN THE REPUBLIC OF MOLDOVA

Ms FERRERO-WALDNER informed the Commission about recent developments following the parliamentary elections in the Republic of Moldova on 5 April. She referred first to the mixed conclusions of the observation mission by the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe, which judged the elections to have taken place in a pluralist environment and to have fulfilled a number of international criteria for democratic elections, but at the same time reported failings in the coverage by the public media and possible pressure on voters and candidates.

The reports of serious violations of human rights following the demonstrations prompted by the election results were particularly worrying. This aspect was being treated very seriously, as respect for human rights remained an essential condition for developing the European Union's relations with the Republic of Moldova. In this context she welcomed the decision of Republic of Moldova's President, Mr Vladimir Voronin, to meet the Council of Europe's Commissioner for Human Rights, Mr Thomas Hammerberg, and to cooperate with the European Union's special representative on these issues, and the interest that had been shown in the possibility of a European fact-finding mission.

Ms FERRERO-WALDNER stressed the fragility of the current situation, but praised the restraint shown by Romania in the face of Republic of Moldova's decision to reintroduce visa requirements for its citizens and to declare its ambassador *persona non grata*. All the partners should be encouraged to exercise extreme caution and to remember that the main objective was the stabilisation of this country on the EU's borders.

The Republic of Moldova had repeatedly expressed its desire for closer relations with the European Union, and the current crisis would be an opportunity to put this determination to the test. She firmly believed that the country's route to future stability and prosperity lay in developing closer relations with the EU. On the eve of the launch of the Eastern Partnership she stressed the need to demonstrate to the Republic of Moldova the EU's willingness to help it overcome its difficulties by defusing tension, promoting dialogue and strengthening existing ties.

Ms FERRERO-WALDNER concluded by noting that recent events in the Republic of Moldova would be discussed at the next General Affairs and External Relations Council on Monday 27 April which should, in her view, demonstrate both its solidarity with Romania and its determination not to compromise the general objectives of the EU with regard to the Republic of Moldova and the region as a whole.

After this presentation the Commission held a brief discussion on the following points:

- the precise train of events after the elections and role played by the government;
- the measures taken against Romanian citizens with regard to visas;
- the question marks surrounding the organisation and conduct of the elections, and the Council of Europe's investigation into the matter;
- the reactions in Romania to the position adopted by the European Union

on the renewed tensions between the two neighbouring states;

- the importance of sending a fact-finding mission to examine the allegations of fraud and human rights violations;
- the line to be taken towards the new Moldovan government;
- the need to support the Republic of Moldova in its efforts to strengthen the rule of law;
- the country's disastrous economic situation, which was prompting a mass exodus of young people.

The PRESIDENT also spoke of the difficult situation in the Republic of Moldova and the need to handle it extremely cautiously. The reintroduction of visa requirements for certain Member States was unacceptable, and he, too, praised Romania's restraint in this matter and in response to the expulsion of its ambassador. He reaffirmed the Commission's support for any Member State experiencing unprovoked problems with a non-member country, while at the same time noting Republic of Moldova's desire for closer relations with the EU and the EU's interest in promoting a long-term relationship with a stable and prosperous Republic of Moldova.

He stressed the importance of not diverting the Republic of Moldova from its goal of developing its relations with the European Union and hence the need, when dealing with the situation, to reconcile the principled defence of Member States' interests with promoting the EU's regional interests, all the while acting with calm, consistency and restraint.

The Commission took note of this information.

12.2. DURBAN REVIEW CONFERENCE “UNITED AGAINST RACISM: DIGNITY AND JUSTICE FOR ALL” (GENEVA, 20-24 APRIL)

Ms FERRERO-WALDNER reported on events at the Durban Review Conference, which had opened in Geneva that Monday 20 April and was

intended as a follow-up to the World Conference Against Racism and Racial Discrimination in 2001. She began by noting that the Member States had not adopted a unanimous position on participating in the conference and some had already withdrawn from it. She briefly reviewed the work that had been carried out since the beginning of the year to prepare a draft working paper to serve as a basis for the conference, which the Commission had followed very closely. This had helped the European Union to form a common position on the subject matter. She referred to the "red lines" laid down by the EU during these negotiations and the concerns expressed by certain Member States about the danger of the discussion fomenting a North-South divide, and emphasised the compromise nature of the working document finally adopted for the conference.

A number of Member States had decided in the end not to attend the conference and she referred to the incident on the first day which had led all of the participating Member States to walk out, demonstrating the EU's unity on the "red lines" that had been agreed. It was extremely important to maintain this united front in support of the acting Presidency of the Council.

Following these remarks the Commission briefly discussed the level of preparation of the conclusions of the conference.

The PRESIDENT concluded by expressing his support for the approach set out by Ms FERRERO-WALDNER.

The Commission took note of this information.

**12.3. DONORS CONFERENCE FOR PAKISTAN (TOKYO, 17 APRIL)
(SEC(2009)553)**

The Commission took note of the information note from Ms FERRERO-WALDNER set out in SEC(2009)553.

**12.4. VISITS TO ETHIOPIA, KENYA AND ZAMBIA (ADDIS-ABABA,
NAIROBI AND LUSAKA, 2-11 APRIL)
(SEC(2009)550)**

The Commission took note of the information from Ms VASSILIOU in SEC(2009)550.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 15.10.