



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2009)1874 final

Brussels, 27 May 2009

MINUTES

of the 1874th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 13 May 2009

(morning)

PV(2009)1874 final

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Single sitting: Wednesday 13 May 2009 (morning)

The sitting opened at 9.42 in the Jean Monnet room with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Ms WALLSTRÖM	Vice-President	
Mr VERHEUGEN	Vice-President	
Mr BARROT	Vice-President	
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	
Ms REDING		
Mr DIMAS		
Mr ALMUNIA		
Ms HÜBNER		Items 1 to 15 (in part)
Mr POTOČNIK		
Mr FIGEL'		
Mr REHN		Items 1 to 15 (in part)
Mr MICHEL		Items 1 to 15 (in part)
Mr KOVÁCS		
Ms KROES		Items 1 to 15 (in part)
Ms FISCHER BOEL		
Mr ŠPIDLA		
Mr PIEBALGS		
Ms KUNEVA		
Ms VASSILIOU		Items 1 to 15 (in part)
Baroness ASHTON		

Absent:

Mr BORG

Ms GRYBAUSKAITĖ

Ms FERRERO-WALDNER

Mr McCREEVY

Mr ORBAN

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

Ms STRICKLAND	A member of Mr BORG's staff
Mr CHILD	Chef de cabinet to Ms FERRERO-WALDNER
Mr POWER	Chef de cabinet to Mr McCREEVY
Ms BUGNOT	Chef de cabinet to Mr ORBAN

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	Item 15 (in part)
Ms AHRENKILDE	DG Communication – Commission Spokesman's Service	Items 1 to 15 (in part)
Mr CONDOMINES BERAUD	Bureau of European Policy Advisers	
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT	Item 15 (in part)
Ms MARTÍNEZ ALBEROLA	A member of the PRESIDENT's staff	
Ms JORNA	Chef de cabinet to Mr BARROT	
Mr BRUNET	Chef de cabinet to Ms VASSILIOU	Item 15 (in part)
Mr FAULL	Director-General, DG Justice, Freedom and Security	

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

The PRESIDENT extended his best wishes to Ms REDING, Ms HÜBNER, Mr MICHEL and Ms KUNEVA, who would soon be on electoral leave for the European Parliament elections.

The PRESIDENT also thanked all the Members of the Commission for their excellent individual track records during the Commission's term of office.

* * *

1. AGENDAS

(OJ(2009)1874/3; SEC(2009)624/2)

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)1874)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 11 May.

3. APPROVAL OF MINUTES OF 1872nd AND 1873rd MEETINGS AND SPECIAL MINUTES OF THE 1873rd MEETING (29 APRIL AND 5 MAY)

(PV(2009)1872 AND /2; PV(2009)1873, PV(2009)1873, PART II)

The Commission approved the minutes of its 1872nd and 1873rd meetings.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

i) Action to be taken on Parliament's legislative opinions

(SP(2009)2639)

The Commission decided to empower the Commission Members responsible for the sectors in question, in agreement with the PRESIDENT and Ms WALLSTRÖM and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2009)2639, drawn up following the May part-session of Parliament, the contents of which were noted.

4.2. RELATIONS WITH THE COUNCIL

ii) Programming of Council business

(SI(2009)118)

The Commission took note of the information in SI(2009)118 on the Council meetings between 14 and 27 May.

iii) Results of the Employment Summit (Prague, 7 May)

(SEC(2009)674)

The Commission took note of the information note from the PRESIDENT and Mr ŠPIDLA, distributed as SEC(2009)674.

4.3. *RELATIONS WITH THE EUROPEAN PARLIAMENT*

iv) Results of Parliament's May part-session

(SP(2009)2610 to /3)

The Commission took note of the information in SP(2009)2610 to /3 on the proceedings of the part-session of Parliament held in Strasbourg from 4 to 7 May.

5. MONITORING THE APPLICATION OF COMMUNITY LAW

5.1. *STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST*

(SEC(2009)653 AND /2)

The Commission adopted the decisions in SEC(2009)653/2.

5.2. *STATE AID – GUIDELINES FOR EXAMINING STATE AID IN THE FISHERIES AND AQUACULTURE SECTOR – PUBLICATION OF ACCEPTANCE OF APPROPRIATE MEASURES*

(C(2009)3565)

The Commission took note of the Member States' acceptance of the appropriate measures provided for in the Guidelines for the examination of state aid to fisheries and aquaculture, as set out in C(2009)3565, with the exception of Finland as regards the fisheries insurance scheme.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. *WRITTEN PROCEDURES APPROVED*

(SEC(2009)626 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 May.

6.2. *EMPOWERMENT*

(SEC(2009)627 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 May.

6.3. *DELEGATION AND SUBDELEGATION OF POWERS*

(SEC(2009)628 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 4 and 8 May, as archived in e-Greffe.

6.4. *SENSITIVE WRITTEN PROCEDURES*

(SEC(2009)629 TO /3)

The Commission took note of the sensitive written procedures for which the time limit expired between 11 and 15 May and of the "finalisation" written procedures initiated following the weekly meeting of Chefs de cabinet on 11 May.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2009)625/2)

ADMINISTRATIVE MATTERS

(PERS(2009)66/2)

7.1. DG EXTERNAL RELATIONS – APPOINTMENT OF AD15/16 DEPUTY DIRECTOR-GENERAL

(PERS(2009)7 TO /5)

The Commission had before it the list of applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of the Latin America and Asia Directorates in DG External Relations (PERS(2009)7 to /3).

The Commission took note of the opinions of the Consultative Committee on Appointments of 17 March and 30 April 2009 (PERS(2009)7/4 and /5).

The Commission proceeded to consider the applicant's qualifications for the post. It also considered the applicant's ability, efficiency and conduct in the service. On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, it then decided to appoint Mr Stefano SANNINO to the vacant post.

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

7.2. DG INTERNAL MARKET AND SERVICES – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2008)147 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director (Planning, Administrative Support and Communication) in DG Internal Market and Services (PERS(2008)147 and /2).

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The Commission took note of the opinions of the Consultative Committee on Appointments of 5 March and 23 April 2009 (PERS(2008)147/3 and /4).

It proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr McCREEVY, it then decided to appoint Mr Bernhard FRIESS to the vacant post.

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

7.3. *DG ENVIRONMENT – END OF SECONDMENT IN THE INTEREST OF THE SERVICE OF A GRADE AD16 OFFICIAL*

The Commission took note of the information in point 3 of PERS(2009)66/2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr DIMAS, decided:

- to approve the end of the secondment in the interest of the service of Mr Mogens Peter CARL, an AD16 official, to the French Government Ministry of Ecology, Energy, Sustainable Development and Town and Country Planning;
- to approve his reinstatement as adviser *hors classe* in DG Environment;
- to appoint him head of the Biodiversity Task Force in DG Environment;
- to take note of his request to be retired with effect from 16 July 2009.

This decision would take effect on 16 May 2009.

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**7.4. DG EMPLOYMENT, SOCIAL AFFAIRS AND EQUAL OPPORTUNITIES – TERMINATION OF INTERNAL AND INTERINSTITUTIONAL SELECTION PROCEDURE FOR AN AD14/15 DIRECTOR POST
(PERS(2007)33 TO /4)**

The Commission took note of the information set out in point 4 of document PERS(2009)66/2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr ŠPIDLA, decided to terminate selection procedure COM/2007/35 for the post of Director (Social Dialogue, Social Rights, Working Conditions, Adaptation to Change) in DG Employment, Social Affairs and Equal Opportunities without making an appointment.

This decision would take effect immediately.

The vacancy notice for this post would again be published internally.

**7.5. GRANTING OF LEGAL ASSISTANCE TO A MEMBER OF THE COMMISSION
(C(2009)3898)**

On a proposal from Mr KALLAS, in agreement with the PRESIDENT, the Commission adopted the decision in C(2009)3898.

**8. REPORT FROM THE COMMISSION, PREPARED IN ACCORDANCE WITH ARTICLE 104(3) OF THE EC TREATY, ON THE BUDGETARY SITUATION OF LITHUANIA
(SEC(2009)649 TO /3; SEC(2009)648; SEC(2009)654)**

**9. REPORT FROM THE COMMISSION, PREPARED IN ACCORDANCE WITH ARTICLE 104(3) OF THE EC TREATY, ON THE BUDGETARY SITUATION OF MALTA
(SEC(2009)651 AND /2; SEC(2009)648; SEC(2009)654)**

10. REPORT FROM THE COMMISSION, PREPARED IN ACCORDANCE WITH ARTICLE 104(3) OF THE EC TREATY, ON THE BUDGETARY SITUATION OF POLAND

(SEC(2009)650 AND /2; SEC(2009)648; SEC(2009)654)

11. REPORT FROM THE COMMISSION, PREPARED IN ACCORDANCE WITH ARTICLE 104(3) OF THE EC TREATY, ON THE BUDGETARY SITUATION OF ROMANIA

(SEC(2009)647 AND /2; SEC(2009)648; SEC(2009)654)

The Commission adopted the reports on the budgetary situation of Lithuania, Malta, Poland and Romania, set out respectively in SEC(2009)649/3, SEC(2009)651/2, SEC(2009)650/2 and SEC(2009)647/2, and decided to forward them to the Council for examination by the Economic and Financial Committee.

12. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 82 OF THE EC TREATY AND ARTICLE 54 OF THE EEA AGREEMENT (*CASE COMP/37.990 – INTEL*)

(C(2009)3726 TO /9; SEC(2009)656; SEC(2009)683)

The Commission:

- took note of the opinions of the Advisory Committee on Restrictive Practices and Dominant Positions of 28 April and 8 May 2009 in C(2009)3726/3 and /7;
- took note of the final report of the Hearing Officer of 8 May 2009 in C(2009)3726/5;
- adopted, in the authentic language (English), the decision in C(2009)3726/9 finding that the company to which the decision was addressed had infringed Article 82 of the EC Treaty and Article 54 of the Agreement on the European Economic Area and imposing a fine on that company totalling €1 060 000 000;

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- decided that the decision in C(2009)3726/9 would be notified to the company concerned, together with the final report of the Hearing Officer;
- decided that the most important parts of the decision, together with the opinion of the Advisory Committee and the final report of the Hearing Officer, would be published in the official languages in the Official Journal of the European Union (with all business secrets removed);
- decided to publish the decision (with business secrets removed) on the Internet.

13. RELATIONS WITH NON-MEMBER COUNTRIES

13.1. EASTERN PARTNERSHIP SUMMIT (PRAGUE, 7 MAY) (SEC(2009)679 AND /2)

The Commission took note of the information note from the PRESIDENT and Ms FERRERO-WALDNER, distributed as SEC(2009)679 and /2.

13.2. “SOUTHERN CORRIDOR NEW SILK ROAD” SUMMIT (PRAGUE, 8 MAY) (SEC(2009)690)

The Commission took note of the information note from the PRESIDENT, in agreement with Mr PIEBALGS and Ms FERRERO-WALDNER, distributed as SEC(2009)690.

13.3. SECOND MEETING OF THE EU-CHINA HIGH LEVEL ECONOMIC AND TRADE DIALOGUE (BRUSSELS, 7 AND 8 MAY) (SEC(2009)685)

The Commission took note of the information note from Baroness ASHTON in SEC(2009)685.

14. OTHER BUSINESS

14.1. BOLOGNA MINISTERIAL CONFERENCE (LEUVEN AND LOUVAIN-LA-NEUVE, 28 AND 29 APRIL)

(SEC(2009)669)

The Commission took note of the information note from Mr FIGEL' in SEC(2009)669.

14.2. COMMISSION PARTICIPATION IN THE 2010 SHANGHAI WORLD EXPOSITION

(SEC(2009)688)

The Commission took note of the information note from Ms FERRERO-WALDNER in SEC(2009)688.

14.3. TRADE FOR SMALL AND MEDIUM-SIZED ENTERPRISES (SMEs) - DOING BUSINESS ABROAD – SMALL BUSINESS ACT FOR EUROPE

(SEC(2009)687)

The Commission took note of the information note from Mr VERHEUGEN and Baroness ASHTON in SEC(2009)687.

15. ORIENTATION DEBATE ON THE STOCKHOLM PROGRAMME

(SEC(2009)668)

Mr BARROT introduced the orientation debate that was to provide input for the preparation of the communication on the Stockholm programme for a European area of freedom, security and justice to be submitted to the Commission for approval at its meeting on 10 June. The programme was to be approved by the European Council in December and would be followed in 2010 by an action plan designed to ensure its implementation. With regard to the context of the programme, two main challenges needed to be addressed: on the one hand the need to avoid prejudging the results of the Lisbon Treaty ratification process, and on the other the economic

crisis, which should point to a new policy direction in the areas of justice, freedom and security. The Commission's contribution to the Stockholm programme should therefore set out long-term proposals for an area of freedom, security and justice while setting targets attainable in the short term that would demonstrate the added value contributed by the European Union in this area. Since this area cut across several different Union policies, it called for the involvement of the whole Commission.

Mr BARROT spoke of his vision for the Stockholm programme and said that work on the programme must focus on the public interest and the need to address the problems encountered by people in their everyday lives. He went on to speak of the four main priorities of the debate: a Europe for citizens, a Europe of law and justice, a Europe that protects, and a Europe of solidarity and responsibility in immigration and asylum matters.

On the subject of a Europe for citizens, he highlighted the importance of facilitating freedom of movement for citizens in the European Union through practical and concrete measures. These included enabling swifter transmission and recognition of birth, marriage and death certificates, ensuring that data protection policy met requirements relating to the evolution of technologies such as the Internet, and rethinking the existing legal instruments in order to propose a single protection framework based on the principles of proportionality, the purpose for which the were intended and the proper use of the data. He moved on to the question of democratic participation in Europe and mooted the proposal of a single date, which could be 9 May, for European elections in all Member States. He referred also to the important issue of consular protection and proposed implementing a reinforced framework designed to provide all European citizens with international protection. Lastly, he expressed particular concern with regard to vulnerable groups, women and minorities such as the Roma, and spoke of his wish to launch an ambitious programme to address these matters in cooperation with Mr ŠPIDLA.

Moving on to the European judicial area, Mr BARROT began by stating that the objective was not harmonisation but the development of mutual recognition, which must remain the cornerstone of a European judicial area, particularly in civil law

matters with the proposed abolition of exequatur. He was convinced that in order to further develop mutual recognition, it was necessary to strengthen reciprocal trust by developing training in European law for all legal professions. He also mentioned the suggestion put forward by several Member States for a peer evaluation mechanism to develop best practices in implementing the various legal instruments at European level, thereby developing a kind of counterpart to the Lisbon strategy for the judicial area. He said that the economic crisis also called for new initiatives in the judicial area, for example the introduction of criminal sanctions for irregular practices in the financial markets and the facilitation of the enforcement of decisions by a European system for the attachment of bank accounts. Lastly, he spoke of the need to provide a European response to people's specific legal situations, particularly the possible development of the idea of a 28th optional European system for matrimonial matters and the European Parliament's proposal for a European marriage contract.

Mr BARROT then proposed an innovative approach to internal security strategy based on police cooperation, criminal justice and border control.

With regard to police cooperation, he believed that it should facilitate cross-border action by police forces and focus on operational matters, stepping up joint investigations and alert exercises and reinforcing the European Police Office (Europol) and its synergies with the European Union's Judicial Cooperation Unit (Eurojust).

With regard to criminal justice in the area of cross-border crime, he was in favour of strengthening Eurojust, which could in time become a European public prosecutor, and establishing a European evidence warrant, reinforced exchange of information on criminal records and common minimum guarantees in criminal procedures.

He also proposed stepping up integrated border management by improving border control through the development of the operational role of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), which should also play an active part in return procedures; by introducing or completing electronic information systems such as the second-generation Schengen

Information System (SIS II), the visa information system (VIS), the entry/exit information system and a registered traveller programme; and, lastly, by proposing a European visa regime to be developed into a system whereby visas were issued on the basis of an assessment of individual risk rather than nationality. He emphasised that technology would have a key role to play in electronic information systems and also in security equipment, which suffered from a lack of standardisation and interoperability. A coordinated approach would make it possible to elicit a response from the industries concerned more in line with European needs.

Lastly, he referred to the initiatives that would better equip Europe to address the joint threats facing it, in particular international organised crime, by developing genuine coordinated action plans to tackle the main cross-border crimes – people trafficking, sexual exploitation of children, cybercrime, economic crimes and drug trafficking. Together with Mr DIMAS and the other Commissioners concerned, he also wanted to develop the means of protecting citizens against major natural or human disasters through increased cooperation and solidarity between Member States.

Turning to the fourth major priority, immigration and asylum, Mr BARROT spoke of the challenges faced as a result of growing migratory pressure and the need to consolidate a global approach to this problem. In his view, the action taken by the European Union should be marked by (i) flexibility, with migration policy putting in place tools enabling the Union to adapt to the short-, medium- and long-term needs of the economy and the employment markets; (ii) solidarity, with the Union providing increased support to the Member States with the highest migration pressure; and (iii) a balance between the need for an integration policy, a firm policy to combat illegal immigration, and an active legal migration policy consonant with the needs of the labour market. He stressed that this would require appropriate analytical tools and recommended setting up an Observatory for Migration Flows to that end.

With regard to asylum, the Union must continue the work already started in order to develop the EU into a genuine single protection area. Currently, the most sensitive issue was solidarity and sharing responsibilities for receiving and integrating

refugees. He expressed his wish to cooperate with Mr MICHEL in tying in development issues with migratory policy issues.

He concluded by expressing his conviction that the Commission's communication on the Stockholm programme would be the reference text for the next five years. On the basis of the preparatory memorandum circulated for this orientation debate, he invited the Commission members to discuss these important questions openly in order to formulate ambitious proposals that would adequately address the challenges, with a view to the communication of 10 June and the preparation of the action plan to be launched in 2010 by the Spanish presidency of the Council.

The PRESIDENT thanked Mr BARROT for his presentation and began by reiterating the importance of the subject of today's orientation debate, which provided a valuable opportunity for establishing the content of the communication to be adopted by the Commission on 10 June. He praised the work already done by Mr BARROT and his departments and emphasised the importance of this programme in an area in which the Commission had played a much greater role since the Tampere European Council in October 1999. He noted that Europeans felt particularly concerned by this matter and that their wish for greater progress in this area sometimes did not always take into account the principle of subsidiarity.

With regard to the preparation of the communication, he reminded the meeting that, whereas the Hague programme was influenced by terrorist attacks and the issue of security, the Stockholm programme had to take into account the current political and economic situation and address people's concerns as directly as possible. In his opinion, the Stockholm programme would represent a very significant part of this Commission's achievements and should therefore set out a clear strategic vision for the next five years. He stressed the need for an ambitious programme that would place citizens at the centre of the area of freedom, security and justice.

He stressed also the need to avoid pitting the "freedom and fundamental rights" argument against the "security" argument when setting out the Commission's vision, since although some citizens identified closely only with the first of these, security was also a fundamental right, without which the others could not be fully exercised.

It was therefore important to give equal priority to them and to make this the objective of the whole programme.

The PRESIDENT agreed with Mr BARROT that it was necessary to make "a Europe for citizens" one of the priorities. However, in his view it was necessary to go further and make citizens the central theme, or leitmotif, of the Commission's proposal, with a specific number of actions to be determined within each priority area.

With regard to the first of the priorities mentioned by Mr BARROT, the PRESIDENT felt that the current system of protection of fundamental rights should be strengthened in order that it might have a more practical impact on people's everyday lives. It was also necessary to address the issues raised by certain new technologies, in particular with regard to protection of privacy. He referred also to the issue of consular protection and the importance of making it effective, while making the general point that the Commission should display tact and balance in these areas and avoid proposing measures that might appear to call into question the principle of subsidiarity.

With regard to the second priority, the PRESIDENT stressed that the aim must be to create a genuine European judicial area. To achieve this, it was necessary to overcome the current fragmentation and enable European citizens to exercise their rights throughout the Union, and equip economic operators as well as consumers with the tools enabling them to benefit fully from the single market. He added that access to justice must be facilitated with a view to a Europe guaranteeing speedy and effective justice across borders. However, while agreeing that a climate of "mutual trust" should be created between Member States and their judicial systems, given the diversity of national legislation and legal systems he had doubts about the feasibility of a peer evaluation system.

With regard to the third priority, the PRESIDENT considered that the central idea was to develop an internal security strategy so as to provide the framework needed to protect Europeans against cross-border threats that called for more cooperation at EU level through the fight against terrorism and proper assessment of the

mechanisms currently in place (both databases and others).

Concerning the fourth priority, the main challenge in the years ahead would be to consolidate and implement a common immigration and asylum policy that would guarantee solidarity among Member States and partnership with non-EU countries. The Commission should highlight this priority and should also be able to propose credible solutions when more difficult situations arose. The main tasks would be to bring immigration more closely into line with the needs of the European labour market and to work on integration and education issues. It was also important, given the current economic situation, to reinforce the economic dimension and questions relating to legal immigration. Lastly, he stressed the importance of external affairs and development for the implementation of this policy.

Before opening up the discussion, the PRESIDENT reminded the meeting that the aim of today's debate was to help prepare a document that should reflect a vision and provide an overarching text that would launch an institutional discussion and, at a later date, be used to define the specific measures to be proposed. There was little point at this stage in presenting an over-elaborate action programme or a list of measures.

The Commission then held a wide-ranging policy debate, during which the following points were raised:

General aspects

- widespread support for the approach of making citizens the focal point of the entire justice, freedom and security policy;
- the link between this approach and consumer protection policy, and the huge potential in terms of synergy;
- the many intersections with social policy, also, and the case for a common strategy;

- the contribution by research policy to justice, freedom and security, particularly by supporting the development of new technologies and initiatives, and the value of close cooperation;
- the tie-in with the Lisbon Treaty provisions and in particular with the status this Treaty confers on the Charter of Fundamental Rights;
- the work to be carried out in cooperation with Member States in order to raise the rate of implementation of measures already adopted the area of justice, freedom and security;
- the importance of a broad communication strategy in line with the priority nature of the programme;
- the fact that certain aspects of the programme were sensitive from the point of view of subsidiarity, and the need to pursue contacts with national parliaments;
- the need to consider how the Stockholm programme could contribute to improving global governance of justice, freedom and security issues;
- the high expectations regarding the EU's approach to criminal sanctions, the sharing of information and the fight against organised crime;
- the need to ensure that the programme was transparent for citizens, and the preference for a document which defined realistic top priorities rather than simply listing intentions;
- the concern to ensure that the action plan that would follow in 2010 would be as detailed as possible and comprehensible for citizens;

Priority: a Europe for citizens

- the wish to see more emphasis on fundamental rights in the Stockholm programme;
- the need to give priority to keeping data protection levels in line with the development of technology;

- the special privacy protection concerns to be taken into account in relation to videosurveillance;
- the need to introduce a European procedure governing access to personal data and making it possible to modify these data;
- the value of having a European identity card, and support for extending European consular protection;
- the need to develop a practical mechanism to help citizens exercise their rights;
- the importance of freedom of movement and the consequent need for a comprehensive approach to abolishing visas for candidate countries, potential candidates and non-EU countries which come under the European Neighbourhood Policy or the Eastern Partnership; the short-term outlook in this respect as regards the Western Balkans;

Priority: a European judicial area

- the usefulness and importance of evaluating national judicial systems so that progress could be monitored; recognition, however, of the delicate and difficult nature of such an exercise;
- the wish to see more emphasis on financial offences and on combating money laundering and organised crime;
- the importance of the objective of improving access to the courts in cross-border disputes;
- the need to improve cross-border training for legal professionals in order to promote mutual trust;
- the case for ensuring that a link was established in the Stockholm programme between the completion of the European judicial area and a more efficient internal market;

- the special importance which Member States attached to their civil law systems and the need to ensure respect for the various cultures and sensibilities, for instance religious sensibilities, especially as regards matrimonial property regimes;

Priority: a European security policy

- the need, in the communication being drafted, to strike an adequate balance between respect for fundamental liberties and security objectives; the importance of devoting one section to safeguarding the European democratic model for protection of freedoms;
- in relation to setting up an external border management system, the need to convey a clear message concerning the balance to be preserved between security and human rights protection in order to avoid any drift towards a "Fortress Europe", and the importance of ensuring that immigration is not presented as a threat to security;
- the wish to see the future programme dealing more precisely with human trafficking, in particular trafficking in women, and the abandonment of children;
- the need to prepare to cope with new forms of terrorism such as cyber-attacks and to include measures on this in the future action plan;

Priority: immigration and asylum matters

- the essential nature of the solidarity between Member States as regards accepting and taking care of asylum-seekers, managing illegal immigration and showing solidarity with developing countries and victims of trafficking or other abuses;
- the need to establish a formal redistribution mechanism for asylum-seekers and migrants in order to spread the burden better, and to develop a financing system to underpin this solidarity-based approach;

- the importance of looking to the medium and long terms and of not giving in to pressure caused by short-term problems;
- the need, at the same time, to take account of the implications which the economic crisis would have in terms of pressure to migrate;
- the usefulness of efforts to explain the need for immigration, given the ageing of the European population, and the need to make a distinction between desirable and illegal immigration;
- the concern that the communication presenting the Stockholm programme should also tackle the question of integrating legal migrants;
- the need for a comprehensive European policy on immigration that is not confined to the external dimension but takes account of immigration in a broader context;
- the importance of developing the European strategy on Africa and monitoring the use made of the aid granted;
- the economic importance for many developing countries of emigrants' remittances, in particular compared with the volume of public development aid;
- the overlap with development and external relations policies, and differing views as to whether granting aid should be subjected to the conclusion of readmission agreements;
- doubts regarding the pertinence of establishing a monitoring centre which would be akin to a new agency; preference for an approach focusing on better use of existing resources;
- the need to simplify the current asylum system by developing common procedures.

Mr BARROT thanked the PRESIDENT and the other Members of the Commission for their comments, welcoming their support for this approach which made citizens

and their expectations the focal point of the matter. He acknowledged the need to produce an accessible document which would also be a good communication tool. He said that account must be taken of the economic crisis and then went on to clarify the intentions in the draft communication regarding research and the method that might be applied so that a useful set of good practices could be devised following the examination of national judicial systems. Lastly, solidarity must be emphasised as a key factor in immigration issues, which must in turn be related to the challenge of an ageing population.

The PRESIDENT thanked Mr BARROT and the other Members of the Commission for this very useful debate which clearly indicated how much importance everyone attached to this policy. It was generally agreed that the future programme must be accessible and based on a strategic and politically convincing approach, and also that citizens should be the focal point of all future measures.

The PRESIDENT took note of the special attention paid to certain aspects, for instance:

- the need to prepare a policy introduction setting out the context and the strategic approach;
- the reference to the growing importance of financial crime;
- the importance of protecting private data and fundamental rights in general;
- the need for dialogue with national parliaments;
- in relation to illegal immigration: the case for dealing with this matter at European level; the need for solidarity between Member States; integration needs; the importance of strengthening the role of the Frontex agency; the need for a fair distribution of the burden among Member States; the financial dimension which would provide scope for such solidarity; and, lastly, the importance of finding out more about illegal immigration without, however, setting up a new agency for this purpose;

- in relation to approximating national policies, the clear agreement on promoting mutual confidence between Member States, although reservations were expressed about the objective to be pursued – evaluation or benchmarking – the preference being to apply an open coordination method;
- the importance of ensuring coherence between the justice, freedom and security aspects and various external relations issues (Africa, developing countries in general and the Mediterranean in particular), and of ensuring a European contribution to the debate at world level, in particular in the United Nations;
- the need to maintain a balance in several important areas in a bid to avoid any artificial antagonism between the security and freedoms aspects, and to strike the right balance between protecting privacy and personal data and safeguarding other fundamental rights;
- lastly, the need for a polished communication strategy to present this programme.

The PRESIDENT ended the debate, pointing out that the Commission would discuss the draft programme in the coming weeks with a view to approving the communication on 10 June. He asked Mr BARROT to take account of the comments made at this meeting when drafting the text, and said that he himself was willing to cooperate in the production of this ambitious document.

The Commission took note of the outcome and conclusions of the policy debate.

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The meeting closed at 11.58.