



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2009)1884 final

Brussels, 10 September 2009

MINUTES
of the 1884th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 2 September 2009
(morning)

PV(2009)1884 final

TABLE OF CONTENTS

Attendance list	4-6
1. AGENDAS (OJ(2009)1884/3; SEC(2009)1065/2).....	7
2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2009)1884)	7
3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1883RD MEETING (22 JULY) (PV(2009)1883/2; PV(2009)1883, PART II)	7
4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	8
4.1. WRITTEN PROCEDURES APPROVED (SEC(2009)1067 ET SEQ.).....	8
4.2. EMPOWERMENT (SEC(2009)1030/6; SEC(2009)1068 ET SEQ.)	8
4.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2009)1069 ET SEQ.).....	8
4.4. SENSITIVE WRITTEN PROCEDURES (SEC(2009)1070 AND /2)	8
5. AMENDING LETTER NO 1 TO THE PRELIMINARY DRAFT BUDGET 2010 – STATEMENT OF EXPENDITURE BY SECTION (SEC(2009)1133 TO /4; SEC(2009)1134 TO /4; SEC(2009)1135)	8
6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – REVIEWING COMMUNITY INNOVATION POLICY IN A CHANGING WORLD (COM(2009)442 TO /4; SEC(2009)1126).....	9
7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON THE ESTABLISHMENT OF A JOINT EU RESETTLEMENT	

PROGRAMME (COM(2009)447 TO /4; SEC(2009)1127 AND /2; SEC(2009)1128; SEC(2009)1129 AND /2; SEC(2009)1136; SEC(2009)1130).....	11
8. PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DECISION 573/2007/EC ESTABLISHING THE EUROPEAN REFUGEE FUND FOR THE PERIOD 2008 TO 2013 AS PART OF THE GENERAL PROGRAMME "SOLIDARITY AND MANAGEMENT OF MIGRATION FLOWS" AND REPEALING COUNCIL DECISION 2004/904/EC (COM(2009)456; SEC(2009)1127 AND /2; SEC(2009)1128; SEC(2009)1129 AND /2; SEC(2009)1130).....	11
9. OTHER BUSINESS.....	15
<i>SITUATION REGARDING THE AH1N1 FLU PANDEMIC (SEC(2009)1161)</i>	<i>15</i>
10. INTERINSTITUTIONAL RELATIONS.....	16
<i>10.1. RELATIONS WITH THE COUNCIL</i>	<i>16</i>
<i>10.2. OTHER BUSINESS.....</i>	<i>16</i>
11. TRENDS IN THE MEMBER STATES	20
<i>POLITICAL SITUATION IN THE CZECH REPUBLIC</i>	<i>20</i>

Single sitting: Wednesday 2 September 2009 (morning)

The sitting opened at 9.09 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		Items 1 to 8
Mr BORG		
Mr POTOČNIK		
Mr FIGEL'		
Mr REHN		Items 1 to 10 (in part)
Mr KOVÁCS		
Mr McCREEVY		Items 1 to 10 (in part)
Mr ŠPIDLA		
Mr PIEBALGS		Item 10 (in part)
Ms KUNEVA		
Mr ORBAN		
Ms VASSILIOU		
Mr ŠEMETA		
Mr SAMECKI		
Mr DE GUCHT		

Absent:

Ms KROES

Ms FISCHER BOEL

Ms FERRERO-WALDNER

Baroness ASHTON

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

Ms BOIX ALONSO	Deputy Chef de cabinet to Ms KROES
Ms NAESAGER	Deputy Chef de cabinet to Ms FISCHER BOEL
Mr CHILD	Chef de cabinet to Ms FERRERO- WALDNER
Ms NIKOLAY	A member of Baroness ASHTON's staff

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr CARVOUNIS	Deputy Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	Items 6 to 11
Mr GASPAR	Acting Director-General, Bureau of European Policy Advisers	
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT	Items 9 to 11
Ms MARTÍNEZ ALBEROLA	A member of the PRESIDENT's staff	
Mr PÉREZ CALDENTEY	A member of Mr ALMUNIA's staff	
Mr KESTERIS	Chef de cabinet to Mr PIEBALGS	
Mr ERGINEL	A member of Ms VASSILIOU's staff	Item 9

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

The PRESIDENT welcomed all the Members to the first Commission meeting after the summer break.

He reported that the presentations of Mr ŠEMETA and Mr DE GUCHT to the European Parliament had gone well and thanked them for their efforts.

He hoped that Mr SAMECKI's presentation that afternoon would be equally successful.

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1. AGENDAS

(OJ(2009)1884/3; SEC(2009)1065/2)

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)1884)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 31 August.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1883rd MEETING (22 JULY)

(PV(2009)1883/2; PV(2009)1883, PART II)

The Commission approved the minutes of its 1883rd meeting.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2009)1067 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 July and 28 August.

4.2. EMPOWERMENT

(SEC(2009)1030/6; SEC(2009)1068 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 July and 28 August.

4.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2009)1069 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 20 July and 28 August, as archived in e-Greffe.

4.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2009)1070 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 31 August and 4 September.

5. AMENDING LETTER No 1 TO THE PRELIMINARY DRAFT BUDGET 2010 – STATEMENT OF EXPENDITURE BY SECTION

(SEC(2009)1133 TO /4; SEC(2009)1134 TO /4; SEC(2009)1135)

The Commission adopted Amending Letter No 1 to the Preliminary Draft Budget 2010, set out in SEC(2009)1133/4, for transmission to the European Parliament and

the Council, and to the national parliaments, together with the statement of expenditure by section in the staff paper distributed as SEC(2009)1134/4, the contents of which were noted.

The Commission also noted that the proposal as adopted did not take account of the financial implications of the ongoing political process between the EU and Cuba and that this matter should therefore be reviewed later.

**6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – REVIEWING COMMUNITY INNOVATION POLICY IN A CHANGING WORLD
(COM(2009)442 TO /4; SEC(2009)1126)**

Mr VERHEUGEN introduced the communication he was tabling for approval, which reviewed the measures taken at Community level to foster innovation and at the same time identified the challenges to be met in defining future European strategy in this field. Although European innovation policy had already come a long way, the Commission would have to devote a special effort to develop it further in the years ahead.

Pointing out that innovation policy was multi-faceted and involved many different players, he thanked Mr POTOČNIK and the other Members concerned for the excellent cooperation which the Commission had established. Nevertheless, the question still remained of how to mobilise more effectively the instruments available at Community level for innovation policy, given the need to bolster the strategic approach and develop an overview that encompassed all measures.

Finally, he mentioned the contribution of innovation to economic recovery, stressing that the EU's position in the world market after the economic crisis would depend largely on whether it could improve its ability to innovate.

During a brief discussion, the Commission highlighted the following points:

- the innovative dimension of European integration and the European project as a whole;
- the need to take into account not only scientific research and the development of new technologies, but also the wider social and political dimension of innovation;
- the need for a further increase in Community aid for innovation;
- the contribution of the newly created European Institute of Innovation and Technology to the exchange of innovations and to the development of a knowledge-based economy.

Winding up the discussion the PRESIDENT highlighted the strategic role of innovation for the European Union as a whole, for the European economy and for Europe's citizens. He confirmed the priority attached by the Commission to aid for innovation and to strengthening Community innovation policy across a number of fields: the internal market, research and development, education and training, and cooperation with international partners.

He argued that the capacity to innovate was crucial for sustainable growth. It was also important to develop the Community dimension of innovation, to place more emphasis on its added value and to back up the measures taken to encourage economic recovery with others designed to develop a knowledge-based economy.

Following this discussion, the Commission approved the communication in COM(2009)442/4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and to the national parliaments.

- 7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON THE ESTABLISHMENT OF A JOINT EU RESETTLEMENT PROGRAMME**
(COM(2009)447 TO /4; SEC(2009)1127 AND /2; SEC(2009)1128; SEC(2009)1129 AND /2; SEC(2009)1136; SEC(2009)1130)
- 8. PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DECISION 573/2007/EC ESTABLISHING THE EUROPEAN REFUGEE FUND FOR THE PERIOD 2008 TO 2013 AS PART OF THE GENERAL PROGRAMME "SOLIDARITY AND MANAGEMENT OF MIGRATION FLOWS" AND REPEALING COUNCIL DECISION 2004/904/EC**
(COM(2009)456; SEC(2009)1127 AND /2; SEC(2009)1128; SEC(2009)1129 AND /2; SEC(2009)1130)

Mr BARROT presented the communication and the proposal for a decision on the establishment of a "joint EU resettlement programme" which he was tabling, the purpose of which was to make resettlement a more effective instrument for protecting refugees. He began by pointing out that the United Nations High Commissioner for Refugees (UNHCR) estimated that there were now around 10 million refugees worldwide, that 203 000 people were awaiting resettlement in 2010 and that around 66 000 people were resettled in 2008, 4 400 of them in the European Union.

Today's proposal concerned external resettlement, i.e. the transfer of refugees currently in a third country, where they had provisional protection, to another country in which they could start a new life and receive permanent protection. The European Union's aim was both to strengthen protection capacities in third countries and create the conditions for resettlement of some of these refugees in Europe. While ten Member States were currently participating in resettlement actions, regrettably these were often carried out without prior consultation or coordination

between Member States. The September 2008 and June 2009 European Councils had entrusted the Commission with the task of coordinating resettlement efforts, particularly with regard to the most vulnerable refugees.

He presented the main components of an integrated and coordinated Community approach to external resettlement, one of which was to set up a Resettlement Expert Group whose main role would be to identify common annual priorities, to be adapted each year on the basis of the needs identified worldwide in close coordination with the UNHCR. He spoke also of the need for proper allocation of the EU resources earmarked for these resettlement activities so as to enable the pooling of appropriations and of logistical means. This would be more cost-effective and would bring benefits in terms of specialised personnel, particularly medical personnel, and means of transport. It would also be valuable for Member States to exchange information on their experiences.

Mr BARROT felt sure that this external resettlement programme would provide a structured framework for Community cooperation and enable action financed by the European Refugee Fund to be more targeted. He noted that the current Council Presidency attached considerable importance to this initiative, which would better equip the EU to fulfil its duty to protect refugees.

He then spoke of the other measures to help refugees, in particular intra-EU resettlement, i.e. the resettlement in another Member State of persons already in an EU Member State. He emphasised that this answered the need for solidarity within the Union, particularly towards Member States which had to deal with numerous requests for asylum. An example was the pilot project for resettlement in other Member States of refugees benefiting from international protection in Malta. This project was already well advanced and France had already received around 90 refugees before the summer.

Mr BARROT then turned to the broader question of illegal immigration. He recognised once again that this was a sensitive topic in political and media terms. In recent months there had been an overall decline in numbers of illegal migrants, in particular to Malta, Italy and Spain, although there had been a rise in numbers

arriving in Greece. In this context, he mentioned the issue of cooperation with the Mediterranean countries of origin and transit, with missions planned in Libya and Turkey to improve border control. These measures on the ground were accompanied by legislative proposals, which were either under discussion - notably the proposal on the European Asylum Support Office - or due to be presented by the end of the year, in particular the review of the procedures for examining asylum applications. He hoped that the initiative being presented today would also enable cooperation to be stepped up with the transit countries, and thanked Mr REHN and Ms FERRERO-WALDNER for their support for this objective.

In conclusion, Mr BARROT said he believed that these measures must be at the same time rigorous and humanistic and that the European Union had a duty to receive the refugees most under threat and to address the biggest challenges facing Europe today.

After this presentation, the Commission held a discussion during which the following aspects in particular were raised:

- the importance of the efforts being made to address migration flows in the Mediterranean in view of the problems being experienced by certain Member States, in particular Malta, Italy, Greece and Spain, and the need to demonstrate solidarity with these countries;
- in addition to the Mediterranean area which was currently particularly affected by this issue, illegal migration could extend to the other Member States and it was therefore necessary to promote a positive climate of cooperation and solidarity throughout the Union;
- the compatibility of these proposals with the draft Stockholm programme and their demonstration of the Union's commitment and determination, particularly in the fight against illegal immigration; the importance in this context of the creation of a European Asylum Support Office, which was strongly supported by the current Council Presidency;
- the value of this comprehensive approach, embracing relations with the

countries of origin and transit, and the importance for the Commission of closer cooperation with the third countries concerned, in particular to improve control of illegal immigration flows at the Libyan and Turkish borders; the importance of relations with the African Union and of the contribution to be made by the Union to development and support for political stability in Africa.

The PRESIDENT in turn expressed his support for the proposed initiative, which addressed an extremely complex and politically sensitive issue that posed a threat to the European system as it could potentially be handled in a populist or even extremist way. In the face of these challenges, he supported the principle of a humanistic position of reception and integration combined with a firm stance on illegal immigration and trafficking in human beings. The future Stockholm programme struck the right balance between the two. He was convinced that this was a major debate in which the Commission must remain the driving force by combining a humanistic approach, through reception and integration, with a resolute stance against crime. Rather than project a negative image of immigration as such, it was important to step up efforts against illegal immigration and make them the focus of the message to be conveyed.

He went on to speak of the solidarity that must guide the measures taken by the Union to address the specific difficulties being experienced by certain Member States (Italy, Malta, Spain, Greece and others). The Commission's role was to respond to this duty to show solidarity. He also spoke of the need for solidarity with non-EU countries, particularly in Africa, with emphasis on development as well as security.

In view of these many challenges, he congratulated Mr BARROT for this new proposal which, despite its sensitive nature, had the unanimous support of the Commission as a whole, and urged him to defend it resolutely.

Mr BARROT recognised the importance of an objective and sober communication and stressed that the Commission's proposal offered concrete solutions to a sensitive issue.

Following this exchange of views, the Commission:

- approved the communication set out in COM(2009)447/4;
- adopted the proposal for a decision set out in COM(2009)456;
- decided to transmit the communication and the proposal for a decision to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and to the national parliaments, accompanied by the impact assessment and summary thereof in the staff papers distributed as SEC(2009)1127/2 and SEC(2009)1128, the contents of which were noted;
- also took note of the opinion of the Impact Assessment Board on the above communication and proposal for a decision, as set out in SEC(2009)1129 and /2.

9. OTHER BUSINESS

SITUATION REGARDING THE AH1N1 FLU PANDEMIC (SEC(2009)1161)

Ms VASSILIOU reported on the situation regarding the AH1N1 flu pandemic, which her departments had been monitoring throughout the summer in close cooperation with the responsible authorities in the Member States. She also mentioned the statistics on cases detected and noted that, at this stage, the mortality rate was still low compared with that for seasonal flu or other viruses. However, extreme vigilance was still required, particularly because of the uncertainty over the possible convergence of the two types of flu in the autumn.

A communication on the pandemic would be drafted and laid before the Commission at one of its forthcoming meetings, together with staff working documents covering a number of fields.

Health Ministers from the partner countries in the Global Health Security Initiative would meet in Brussels on 11 September to discuss joint international efforts to

combat the AH1N1 flu pandemic. The Commission was a member of this Initiative, which had been launched in 2001.

Ms VASSILIOU ended her presentation by stressing the Commission's role as coordinator and thanking the other Commission Members, their cabinets and the departments under their responsibility for their excellent cooperation, particularly over the summer.

The Commission took note of this information and of the note from Ms VASSILIOU distributed as SEC(2009)1161.

10. INTERINSTITUTIONAL RELATIONS

10.1. RELATIONS WITH THE COUNCIL

i) Programming of Council business (SI(2009)200)

The Commission took note of the information in SI(2009)200 on the Council meetings between 2 and 16 September.

10.2. OTHER BUSINESS

ii) Start of the new political term and the institutional agenda

The PRESIDENT referred to the content of the document he planned to send MEPs, in a personal capacity, ahead of the vote on the nomination of the President of the next Commission, scheduled for the September part-session. He began by thanking all of the Members for their contributions to this document, which was not a programme for the future Commission but a response to Parliament's request for an outline of the candidate's political guidelines before the vote.

He then went over the policy ideas set out in the document, stressing in particular the strongly pro-European and ambitious nature of the line adopted. Referring to the specific nature of the current situation, in which Europe faced not only an economic and financial crisis but also serious questions about the values it defended around the world, he felt it was important for the European Union to maintain a united front to tackle these issues and ensure its continuing relevance. He reasserted his commitment to the Community method, while also stressing the need to promote the European spirit and political will. In his view, the European Union needed to set its own stamp on globalisation rather than simply suffer the consequences of that process, and to do so it would have to be united.

As regards the immediate priorities set out in the document, the PRESIDENT pointed to the need firstly to pursue the efforts to combat the current crisis - even though there were already encouraging signs in the economy - and secondly to prepare an exit strategy that would result in an open and sustainable economy. The efforts to reform the financial sector were essential, above all to restore full confidence, and the document would also highlight the increased importance that needed to be given to social aspects and employment, in particular, at all decision-making levels, whatever the threats of competition from outside the EU.

On the subject of financial regulation and supervision he insisted that there was an urgent need to complete the work that had been started at European level and which would also be valuable in the international context, and mentioned a number of important initiatives still under preparation, such as the proposal on derivatives. The short-term economic measures should not conflict with medium and long-term strategies and should look ahead to the post-2010 period after the review of the Lisbon strategy for growth and jobs.

He indicated that he would be proposing in future a more integrated and coordinated approach built around a plan that gave priority to work in the areas of energy and the fight against climate change as motors of European competitiveness and sustainable development based on knowledge and

innovation. He mentioned here the importance of the framework provided by the internal market and the need to develop this still further to create the conditions for satisfying the public's expectations. At the same time, he rejected any form of protectionism and wanted to promote European standards and values at global level, by mobilising all possible levels of influence.

He explained that the text also mentioned the need to maintain the commitment to enlargement and referred to aspects of the functioning of the EU, the tools and resources it would need for the future and the importance of the principles of consensus and subsidiarity, the latter concept being integral to the idea of European added value.

Finally, he pointed out that the document reiterated the role of the Commission as the driving force behind European integration, but also the need for a close partnership with Parliament and the other institutions, at international level too, and for transparent communication with the public.

The PRESIDENT felt sure that these guidelines would strike a chord with a majority of MEPs and reported that he had already met representatives of several of the political groups.

He concluded by referring to the uncertainty surrounding the institutional timetable for the end of the year and expressing the hope that the next Commission would be at least as successful as the current one, which had a remarkable record, particularly as the first enlarged 27-member Commission.

The Commission then held a discussion in which general support was expressed for the guidelines presented by the PRESIDENT and the following aspects were raised:

- the need for all Members to contact the new Parliamentary committees and all the political groups represented, as soon as possible, and for the Commission as a whole to consider how the arrangements for cooperation with the newly elected Parliament should be discussed;

- the fact that it was hard for ordinary people to understand why the procedure for appointing the new Commission President took so long, and the need for greater transparency;
- the need for a clearer idea of the current Commission's timetable for the coming months;
- satisfaction with the priority given by the PRESIDENT to social questions in the current context of rising unemployment;
- the importance of the Member States not viewing everything solely in the light of subsidiarity, but of combining subsidiarity and solidarity;
- the need to emphasise the partnership between the Commission and Parliament in the face of the centrifugal forces at work throughout the Union, and the need for a solid alliance to ensure that a suitable timetable for Europe could be maintained;
- the clear priority to be given to energy issues and the fight against climate change in the context of efforts to revive the economy, and the external dimension of this priority;
- the importance of the vision embodied by the package of energy and climate change measures, its economic importance, the stimulus it gave to research and innovation and its contribution to greater social equity both internally and internationally;
- the importance of stressing the achievement of maintaining a united, "one-speed" Europe since enlargement and the unique challenge of running a 27-member Commission;
- the merits of an approach which was anchored in Europe's founding values and put the citizen and the consumer at the heart of policy;
- the need to raise the question of gender equality;

- the value of a personal commitment by the PRESIDENT to Europe providing global leadership in a world undergoing profound changes, but also to a united Europe and a citizens' Europe with a human face;
- the importance of European added value being recognised as the guiding principle in decisions on the Community budget.

The PRESIDENT thanked all the Members of the Commission for their contributions and support and replied to the various comments. He said that a discussion on the organisation of the coming months could take place after the second Irish referendum on the Lisbon Treaty had been held, but the situation in certain other Member States regarding the ratification of the Treaty might also cause problems. This was a crucial period and it was important to resolve the institutional questions as soon as possible.

11. TRENDS IN THE MEMBER STATES

POLITICAL SITUATION IN THE CZECH REPUBLIC

Mr ŠPIDLA briefed the Commission on the political situation in the Czech Republic and in particular the consequences this might have for the Lisbon Treaty ratification process.

The Commission took note of this information.

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The meeting closed at 11.19.