



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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MINUTES
of the 1885th meeting of the Commission
held in Brussels
(Berlaymont)
on Thursday 10 September 2009
(morning)

PV(2009)1885 final

TABLE OF CONTENTS

Attendance list	4-6
1. AGENDAS (OJ(2009)1885/3; SEC(2009)1147/2).....	7
2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2009)1885)	7
3. MINUTES OF 1884TH MEETING (2 SEPTEMBER) (PV(2009)1884 AND /2).....	7
4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	7
4.1. WRITTEN PROCEDURES APPROVED (SEC(2009)1149 ET SEQ.).....	7
4.2. EMPOWERMENT (SEC(2009)1150 ET SEQ.)	8
4.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2009)1151 ET SEQ.).....	8
4.4. SENSITIVE WRITTEN PROCEDURES (SEC(2009)1152)	8
5. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2009)1148/2)	8
5.1. DG PERSONNEL AND ADMINISTRATION / DG COMMUNICATION - ARRANGEMENTS FOR FILLING HEAD OF COMMISSION REPRESENTATION POSTS (C(2009)6879).....	8
5.2. DG PERSONNEL AND ADMINISTRATION – APPOINTMENT OF SPECIAL ADVISERS (PERS(2009)102/2).....	9
6. AMENDED PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING THE ESTABLISHMENT OF 'EURODAC' FOR THE COMPARISON OF FINGERPRINTS FOR THE EFFECTIVE APPLICATION OF REGULATION (EC) NO [...] ESTABLISHING THE CRITERIA AND MECHANISMS FOR DETERMINING THE MEMBER STATE RESPONSIBLE FOR EXAMINING AN APPLICATION FOR	

INTERNATIONAL PROTECTION LODGED IN ONE OF THE MEMBER STATES BY A THIRD-COUNTRY NATIONAL OR A STATELESS PERSON (<i>RECAST</i>) (COM(2009)342 AND /2; SEC(2009)936 AND /2; SEC(2009)937 AND /2; SEC(2009)938; SEC(2009)941; SEC(2009)942; SEC(2009)1171)	10
7. PROPOSAL FOR A COUNCIL DECISION ON REQUESTING COMPARISONS WITH EURODAC DATA BY MEMBER STATES' LAW ENFORCEMENT AUTHORITIES AND EUROPOL FOR LAW ENFORCEMENT PURPOSES (COM(2009)344 TO /3; SEC(2009)936 AND /2; SEC(2009)937 AND /2; SEC(2009)938; SEC(2009)941; SEC(2009)942; SEC(2009)1171).....	10
8. RELATIONS WITH NON-MEMBER COUNTRIES.....	11
8.1. MEETING OF G7 FINANCE MINISTERS AND CENTRAL BANK GOVERNORS (LONDON, 4 AND 5 SEPTEMBER) (SEC(2009)1199)	11
8.2. VISIT TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (SKOPJE, 3 AND 4 SEPTEMBER) (SEC(2009)1187).....	11
8.3. VISIT TO SERBIA AND BOSNIA AND HERZEGOVINA (BELGRADE AND SARAJEVO, 29 AUGUST TO 1 SEPTEMBER) (SEC(2009)1186).....	11
8.4. WTO MINISTERIAL MEETING (NEW DELHI, 3 AND 4 SEPTEMBER) (SEC(2009)1202).....	11
9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – STEPPING UP INTERNATIONAL CLIMATE FINANCE: A EUROPEAN BLUEPRINT FOR THE COPENHAGEN DEAL (COM(2009)475 TO /4; SEC(2009)1172 TO /3; SEC(2009)1173)	12
10. INTERINSTITUTIONAL RELATIONS.....	16
10.1. RELATIONS WITH THE COUNCIL	16
10.2. RELATIONS WITH THE EUROPEAN PARLIAMENT	17

Single sitting: Thursday 10 September 2009 (morning)

The sitting opened at 8.38 in the Jean Monnet room with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President
Mr BARROT	Vice-President
Mr KALLAS	Vice-President
Mr TAJANI	Vice-President
Ms REDING	
Mr DIMAS	
Mr ALMUNIA	
Mr BORG	
Mr FIGEL'	
Mr REHN	
Ms KROES	
Ms FISCHER BOEL	
Ms FERRERO-WALDNER	
Mr ŠPIDLA	
Mr PIEBALGS	
Ms KUNEVA	
Mr ORBAN	
Ms VASSILIOU	
Mr ŠEMETA	

Absent:

Ms WALLSTRÖM

Vice-President

Mr VERHEUGEN

Vice-President

Mr POTOČNIK

Mr KOVÁCS

Mr McCREEVY

Baroness ASHTON

Mr SAMECKI

Mr DE GUCHT

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

Mr LEFFLER	Chef de cabinet to Ms WALLSTRÖM
Ms ERLER	Chef de cabinet to Mr VERHEUGEN
Mr VANDENBERGHE	Chef de cabinet to Mr POTOČNIK
Ms GAGO FILORI	Deputy Chef de cabinet to Mr KOVÁCS
Ms SAMNADDA	A member of Mr McCREEVY's staff
Mr MORRISON	Chef de cabinet to Baroness ASHTON
Mr LEMAÎTRE	Chef de cabinet to Mr SAMECKI
Mr DOENS	Chef de cabinet to Mr DE GUCHT

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr SØRENSEN	Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	Items 9 and 10
Mr GASPAR	Acting Director-General, Bureau of European Policy Advisers	Items 9 (in part) and 10
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT	Items 9 (in part) and 10
Mr BALDWIN	Adviser in the PRESIDENT's Office	
Ms KONTOU	Chef de cabinet to Mr DIMAS	
Mr RUNGE-METZGER	DG Environment	Items 1 to 9

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

1. AGENDAS

(OJ(2009)1885/3; SEC(2009)1147/2)

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)1885)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 7 September.

3. MINUTES OF 1884th MEETING (2 SEPTEMBER)

(PV(2009)1884 AND /2)

The Commission approved the minutes of its 1884th meeting.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2009)1149 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 31 August and 4 September.

4.2. EMPOWERMENT
(SEC(2009)1150 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 31 August and 4 September.

4.3. DELEGATION AND SUBDELEGATION OF POWERS
(SEC(2009)1151 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 31 August and 4 September, as archived in e-Greffe.

4.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2009)1152)

The Commission took note of the sensitive written procedures for which the time limit expired between 7 and 11 September.

5. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2009)1148/2)

ADMINISTRATIVE MATTERS
(PERS(2009)101/2)

5.1. DG PERSONNEL AND ADMINISTRATION / DG COMMUNICATION -
ARRANGEMENTS FOR FILLING HEAD OF COMMISSION
REPRESENTATION POSTS
(C(2009)6879)

The Commission took note of the information in point 1 of PERS(2009)101/2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms WALLSTRÖM, adopted the decision in C(2009)6879, which consisted of:

- repealing decision C(2004)2662 on arrangements for filling Head of Commission Representation posts;
- amending decision C(2004)1597/4 on middle management staff, as amended by decision C(2008)5028, by aligning the procedure for the selection and appointment of Heads of Representation on the judgments handed down by the European Union Civil Service Tribunal;
- asking the Directorate-General for Personnel and Administration and the Directorate-General for Communication, in agreement with the Secretariat-General, to assess the new procedure for filling Head of Representation posts, and to continue to examine accompanying measures designed to facilitate career management for the persons concerned, during a period of twelve months after its adoption.

This decision would take effect immediately.

**5.2. DG PERSONNEL AND ADMINISTRATION – APPOINTMENT OF SPECIAL ADVISERS
(PERS(2009)102/2)**

The Commission took note of the information in point 2 of PERS(2009)101/2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr TAJANI, decided:

- to authorise Mr KALLAS to approve the appointments of Mr Jas GAWRONSKI and Mr Paolo Lorenzo GAMBA as special advisers to Mr TAJANI from 1 September to 31 October 2009;
- to authorise the Director-General for Personnel and Administration to implement those decisions by signing contracts of employment on behalf of the authority empowered to conclude contracts of employment.

These decisions were backdated to take effect from 1 September 2009.

6. AMENDED PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING THE ESTABLISHMENT OF 'EURODAC' FOR THE COMPARISON OF FINGERPRINTS FOR THE EFFECTIVE APPLICATION OF REGULATION (EC) NO [...] ESTABLISHING THE CRITERIA AND MECHANISMS FOR DETERMINING THE MEMBER STATE RESPONSIBLE FOR EXAMINING AN APPLICATION FOR INTERNATIONAL PROTECTION LODGED IN ONE OF THE MEMBER STATES BY A THIRD-COUNTRY NATIONAL OR A STATELESS PERSON (RECAST)

(COM(2009)342 AND /2; SEC(2009)936 AND /2; SEC(2009)937 AND /2; SEC(2009)938; SEC(2009)941; SEC(2009)942; SEC(2009)1171)

7. PROPOSAL FOR A COUNCIL DECISION ON REQUESTING COMPARISONS WITH EURODAC DATA BY MEMBER STATES' LAW ENFORCEMENT AUTHORITIES AND EUROPOL FOR LAW ENFORCEMENT PURPOSES

(COM(2009)344 TO /3; SEC(2009)936 AND /2; SEC(2009)937 AND /2; SEC(2009)938; SEC(2009)941; SEC(2009)942; SEC(2009)1171)

The Commission:

- adopted the amended proposal for a Regulation, set out in COM(2009)342/2;
- adopted the proposal for a Council Decision set out in COM(2009)344/3;
- decided to transmit the above amended proposal for a Regulation and proposal for a Council Decision to the European Parliament, the Council and the European Data Protection Supervisor, and to the national parliaments, together with the impact assessment and the summary thereof in staff papers SEC(2009)936/2 and SEC(2009)937/2, the contents of which were noted;

- also took note of the opinion of the Impact Assessment Board on the above amended proposal for a Regulation and proposal for a Council Decision, as set out in SEC(2009)938.

8. RELATIONS WITH NON-MEMBER COUNTRIES

8.1. MEETING OF G7 FINANCE MINISTERS AND CENTRAL BANK GOVERNORS (LONDON, 4 AND 5 SEPTEMBER) (SEC(2009)1199)

The Commission took note of the information note from Mr ALMUNIA in SEC(2009)1199.

8.2. VISIT TO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA (SKOPJE, 3 AND 4 SEPTEMBER) (SEC(2009)1187)

The Commission took note of the information note from Mr FIGEL' in SEC(2009)1187.

8.3. VISIT TO SERBIA AND BOSNIA AND HERZEGOVINA (BELGRADE AND SARAJEVO, 29 AUGUST TO 1 SEPTEMBER) (SEC(2009)1186)

The Commission took note of the information note from Ms KUNEVA in SEC(2009)1186.

8.4. WTO MINISTERIAL MEETING (NEW DELHI, 3 AND 4 SEPTEMBER) (SEC(2009)1202)

The Commission took note of the information note from Baroness ASHTON and Ms FISCHER BOEL in SEC(2009)1202.

**9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – STEPPING UP INTERNATIONAL CLIMATE FINANCE: A EUROPEAN BLUEPRINT FOR THE COPENHAGEN DEAL
(COM(2009)475 TO /4; SEC(2009)1172 TO /3; SEC(2009)1173)**

Introducing this item, the PRESIDENT said that with just 88 days to go before the United Nations conference on climate change in Copenhagen from 7 to 18 December, there was a need to renew efforts and show initiative in order to move the negotiations forward and, in line with the efforts already made by the European Union and the ambitious objectives it had set itself, to react to the alarm bells sounded by scientists and limit the temperature increase to two degrees Celsius. An agreement must be reached on financing in order to ensure a successful conclusion to the negotiations in Copenhagen. It was important to respond to the appeal by developing countries and help them fulfil their commitments once these negotiations were over.

This communication concerning the blueprint on financing the fight against climate change described the European Union's role in supporting the contribution of developing countries to reducing greenhouse gas emissions, and the potential sources of financing. It also contained a proposal on how to share contributions fairly and on how the funding would be organised. It was particularly important for the Commission to present its vision of this matter in the run-up to the high-level United Nations meeting on climate change to be held in New York on 22 September and the G20 summit in Pittsburgh on 24 and 25 September.

Mr DIMAS presented the communication, pointing out that the question of financing was fundamental if an ambitious international deal on combating climate change was to be secured in Copenhagen. Reductions in emissions by industrialised countries would not be enough to bring climate change under control: efforts would have to be made by developing countries too, in particular the main emerging economies. These developing countries would need financial support in order to embark on the major undertakings required and to cope with the consequences of

climate change, to which they were particularly vulnerable.

The European Union had already committed itself to contributing to this financing so it was now a question of pursuing this debate with a view to the October European Council and the Copenhagen conference, and presenting a blueprint of the estimated financing required. This would not, however, be a blank cheque: the level of financing would depend on the outcome of the Copenhagen deal, and the developed countries and economically more advanced developing countries would have to contribute their fair share to this deal.

In the event of an ambitious deal, the Commission's best estimates were that the mitigation and adaptation actions in developing countries would cost approximately EUR 100 billion per year up to 2020. This financing could come from three main sources: the national resources (both public and private) of developing countries themselves which could cover between 20% and 40% of needs, and an efficient, sophisticated international emissions trading scheme which could furnish up to 40%. The remainder could be paid via an international public funding mechanism, requiring roughly EUR 22 billion to EUR 50 billion per year, which must be up and running in 2020. This would be shared between the developing countries and the more advanced developing countries in line with each country's ability to pay and share of emissions. The European Union's contribution could amount to between EUR 2 billion and EUR 15 billion per year by 2020, depending on the total international financing agreed and the weighting of the criteria for sharing the burden. This considerable contribution was still modest compared with the revenue that would be generated by the emission allocation system. It was vital that this aid should be made available to the countries concerned as soon as possible so that they could start immediately to step up their capacity to combat climate change.

Mr DIMAS then turned to the potential sources for financing the European Union contribution: here the Commission would have to make a proposal with a view to the next financial framework after 2013 so that a single, global European offer could be tabled. He preferred a solution involving the European Union's general budget, which would allow the European Parliament to have a say. However, other options could be explored such as establishing a separate climate fund to be included in the

proposals concerning the post-2013 financial framework, or a combination of direct contributions from Member States and a pay-out from the collective EU budget. There was also the sensitive issue of how contributions were to be shared internally, which would also have to take account of ability to pay and emission levels as well as the special circumstances of the Member States concerned.

Mr DIMAS ended by saying that this communication would be used as a basis for formulating a position at the next European Council meeting in October. It was clear that financial assistance was a precondition for the success of the ambitious undertakings by developing countries. He reminded the meeting of the achievements of the EU, and of the Commission in particular, with regard to combating climate change, in particular its essential contribution to the signing of the Kyoto Protocol and the devising of a European emissions trading scheme that could serve as the nucleus of a worldwide carbon market, the role of the Commission in pursuing international negotiations despite the problems encountered by certain stakeholders and, more generally, the adoption of the most ambitious targets in the world and the results achieved by the European Union with respect to these targets.

Before inviting the Commission Members to exchange views on the proposed text, the PRESIDENT said that for the moment it was a question of laying the groundwork for the negotiations on the Copenhagen deal. The figures given in this document did not in fact constitute formal proposals for commitments by the EU: they should be regarded as an indication of the scale of financing that would probably be necessary if the Copenhagen meeting led to an ambitious deal. He was convinced that, since the United Nations negotiations had reached a deadlock, the EU must take the lead and inject new impetus, and the Commission must present its analysis of needs and its recommendations on the way forward.

The Commission then held an exchange of views during which the following points were raised:

- general support for the approach adopted and recognition of the timing of this initiative, three months before the Copenhagen conference;

- the need to arrive at the conference with detailed figures to hand, although at the same time these estimates and financing arrangements still had to be treated with caution;
- the EU's role as driving force on this issue and the importance of it presenting a united front;
- in this context the advantages of Member States being aware of the estimated figures for their respective contributions;
- the need to convey the message of conditionality and the importance of Member States speaking with one voice on the question of mobilising contributions from developing countries;
- regarding the various financing arrangements, different points of view on the three possible options presented: some preferred a contribution from the Community budget, while others argued for a more flexible approach and others again felt that the third option was the most appropriate at this stage;
- on the question of financing up to 2013, a reminder of the changes that would have to be made to the current financial framework if the Community budget were used, and the consequences of such changes;
- a question as to whether it was appropriate to mention the possibility of higher contributions from large developing countries;
- the case for targeting aid on the countries most in need;
- the need to point out that the figures set out in the document would apply only if an ambitious agreement were reached at Copenhagen;
- on the question of governance, the need to have structures for monitoring the use of the funds.

In reply to the various comments, Mr DIMAS began by expressing his firm conviction that an agreement would be reached at Copenhagen. He pointed out that

international financing would hinge on the mitigation efforts made by the developing countries themselves and stressed that the announcement of a Community financial contribution would have a beneficial effect on the negotiations and encourage the other major partners to follow suit.

The PRESIDENT thanked Mr DIMAS and gave him his full support for presenting this dossier.

The Commission approved the communication in COM(2009)475/4, for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and to national parliaments, together with staff paper SEC(2009)1172/3, the contents of which were noted.

10. INTERINSTITUTIONAL RELATIONS

10.1. RELATIONS WITH THE COUNCIL

i) Programming of Council business

(SI(2009)204)

The Commission took note of the information in SI(2009)204 on the Council meetings between 10 and 23 September.

ii) Results of the "Gymnich" informal Foreign Ministers' meeting (Stockholm, 4 and 5 September 2009)

(SEC(2009)1204)

The Commission took note of the information note from Mrs FERRERO-WALDNER, in agreement with Mr REHN, distributed as SEC(2009)1204.

10.2. RELATIONS WITH THE EUROPEAN PARLIAMENT

iii) Meetings with the political groups

The PRESIDENT informed the Commission of his meetings with the political groups in the European Parliament on 7, 8 and 9 September in preparation for the vote on the investiture of the President of the next Commission. Ahead of these meetings, Members of the European Parliament had been sent last week the document setting out his political guidelines for the next Commission; all the political groups had wanted such an exchange of views.

The PRESIDENT emphasised that there had been a frank and constructive atmosphere at the meetings. He had stressed that he was not the candidate of a single political formation but that his cause was Europe, a cause shared by the Commission, and that the present Commission's non-partisan spirit would also have to infuse discussions in the future. He had also advanced the very positive achievements of the present Commission, the first since the European Union had been enlarged to 27 Member States.

The PRESIDENT thanked the Members of the Commission for their support and suggestions ahead of the meetings with the political groups. It was now appropriate to wait for the result of the vote in the European Parliament, the date of which was to be fixed by the Conference of Presidents at its meeting on Thursday 10 September.

The Commission took note of this information.

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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 9.45.