



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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MINUTES
of the 1893rd meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 4 November 2009
(afternoon)

PV(2009)1893 final

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Single sitting: Wednesday 4 November 2009 (afternoon)

The sitting opened at 15.07 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 KALLAS	Vice-President	Items 1 to 8 (in part)
Mr TAJANI	Vice-President	
Ms REDING		
Mr DIMAS		
Mr ALMUNIA		
Mr BORG		
Mr KOVÁCS		
Ms KROES		
Ms FISCHER BOEL		
Mr ŠPIDLA		
Mr ORBAN		
Ms VASSILIOU		
Mr ŠEMETA		
Mr SAMECKI		
Mr ŠEFČOVIČ		

Absent:

Mr BARROT Vice-President

Mr POTOČNIK

Mr REHN

Ms FERRERO-WALDNER

Mr McCREEVY

Mr PIEBALGS

Ms KUNEVA

Baroness ASHTON

Mr DE GUCHT

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

Mr SAGREDO	A member of Mr BARROT's staff	
Mr VANDENBERGHE	Chef de cabinet to Mr POTOČNIK	
Ms VERGER	Deputy Chef de cabinet to Mr REHN	
Mr CHILD	Chef de cabinet to Ms FERRERO-WALDNER	Items 1 to 8 (in part)
Ms ARP	A member of Ms FERRERO-WALDNER's staff	Items 8 (in part) and 9
Ms DE BASALDUA	Deputy Chef de cabinet to Mr McCREEVY	
Mr KESTERIS	Chef de cabinet to Mr PIEBALGS	
Mr BELL	Chef de cabinet to Ms KUNEVA	
Mr MORRISON	Chef de cabinet to Baroness ASHTON	
Mr VANHEUKELEN	Chef de cabinet to Mr DE GUCHT	

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT
Mr ROMERO REQUENA	Director-General, Legal Service
Mr SØRENSEN	Director-General, DG Communication
Ms AHRENKILDE HANSEN	Commission Spokeswoman
Mr CONDOMINES BERAUD	Bureau of European Policy Advisers
Mr FRUTUOSO DE MELO	Deputy Chef de cabinet to the PRESIDENT

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

The PRESIDENT introduced his new Chef de cabinet, Mr Johannes LAITENBERGER, and the new Commission Spokeswoman, Ms Pia AHRENKILDE HANSEN, and welcomed them to the meeting.

He highlighted the qualities, skills and experience of Mr LAITENBERGER and Ms AHRENKILDE HANSEN, which made them more than capable of performing these duties.

The PRESIDENT wished them every success and hoped they would tackle the challenges they would face in their new posts with courage and determination.

* * *

1. AGENDAS

(OJ(2009)1893/3; SEC(2009)1486/2)

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)1893)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Tuesday 3 November.

3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1892nd MEETING (28 OCTOBER 2009)

(PV(2009)1892; PV(2009)1892, PART II)

The Commission approved the minutes of its 1892nd meeting.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED (SEC(2009)1488 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 26 and 30 October.

4.2. EMPOWERMENT (SEC(2009)1489 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 26 and 30 October.

4.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2009)1490 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 26 and 30 October, as archived in e-Greffe.

4.4. SENSITIVE WRITTEN PROCEDURES (SEC(2009)1491)

The Commission took note of the sensitive written procedures for which the time limit expired between 3 and 6 November.

5. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2009)1487)

ADMINISTRATIVE MATTERS

(PERS(2009)135)

***DG PERSONNEL AND ADMINISTRATION – TEMPORARY POSTINGS AS
DIRECTOR-GENERAL AND DIRECTOR***

(PERS(2009)136)

Having noted the information at point 1 of PERS(2009)135 and in accordance with Commission decision C(2009)7839 of 19 October 2009 laying down implementing rules as regards temporary occupation of management posts, the Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT, Mr VERHEUGEN, Mr BARROT, Mr TAJANI, Mr POTOČNIK, Ms FISCHER BOEL, Ms FERRERO-WALDNER, Mr PIEBALGS, Mr ORBAN and Mr DE GUCHT:

- decided, in accordance with Article 7(2) of the Staff Regulations, to grant a temporary posting as Director-General to Mr Vitor GASPAR, under the terms set out in point 2 of PERS(2009)136;
- decided, in accordance with Article 7(2) of the Staff Regulations, to grant a temporary posting as Director to Mr Robert NORRIS, Mr Manuel LOPEZ BLANCO, Ms Maria Elena FERNANDEZ-MIRANDA PARRA, Ms Ghyslaine GUISOLPHE, Ms Mechthild WOERSDOERFER, Ms Lotte KNUDSEN, Mr Robert STEINMETZ, Mr Sean DOYLE, Mr Gunnar WIEGAND, Mr Timothy HALL, Mr Manuel HALLEN, Mr Arthur POOLEY, Mr Edgar THIELMANN and Mr Stamatios TSALAS, under the terms set out respectively in point 1, and points 3 to 15 of PERS(2009)136.

These decisions would take effect immediately.

The Commission also noted the degree of personal and professional commitment displayed by Ms Ghyslaine GUISOLPHE, who for nearly two years had served

effectively and loyally in her temporary posting as Director, Regulatory Policy, in DG Enterprise and Industry.

6. GREEN PAPER ON THE INTERCONNECTION OF BUSINESS REGISTERS

(COM(2009)614 TO /4; SEC(2009)1492; SEC(2009)1493)

The Commission approved the Green Paper in COM(2009)614/4 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 report in the staff paper distributed as SEC(2009)1492, the contents of which were noted.

7. INTERINSTITUTIONAL RELATIONS

7.1. LEGISLATIVE MATTERS

i) Preparation of a negotiated common position

(SPI(2009)83; SPI(2009)84/2)

- Establishment of a European Asylum Support Office (Regulation) – LAMBERT report – 2009/0027 (COD)

The Commission authorised Mr BARROT to adopt a position in the Permanent Representatives Committee (COREPER) and at the triologue to be held in early November, following the line set out in SPI(2009)83.

- 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 authorised Mr PIEBALGS to pursue negotiations with the co-legislators in order to reach a general compromise, following the line set out in SPI(2009)84/2.

7.2. RELATIONS WITH THE COUNCIL

ii) Programming of Council business

(SI(2009)263)

The Commission took note of the information in SI(2009)263 on the Council meetings between 5 and 18 November.

iii) Results of the European Council (Brussels, 29 and 30 October)

(SI(2009)304)

The PRESIDENT reviewed the main results of the European Council held on 29 and 30 October, referring first to the letter he had sent on this subject to the Members of the Commission, the report written by the Secretary-General and the text of the Presidency Conclusions. The discussions had focused mainly on two issues – institutional matters, in particular the Lisbon Treaty ratification process, and climate change; in both cases the PRESIDENT felt that significant results had been achieved.

On the institutional front, agreement had been reached on the wording of the provisions requested by the Czech Republic concerning application of the Charter of Fundamental Rights of the European Union; these would take the form of a protocol attached to the next accession treaty. Immediately after this agreement at the European Council and the ruling by the Czech Constitutional Court on 3 November, the Czech President had signed the law ratifying the Treaty. The President-in-Office of the European Council had then decided to launch consultations with his counterparts; he intended to convene an extraordinary meeting of the European Council as soon as possible in order to fill the new posts provided for by the Lisbon Treaty, namely the President of the European Council and the Union's High Representative for Foreign Affairs and Security Policy, who would also be a Vice-President of the

Commission. The PRESIDENT explained that he would not be able to form the new Commission and allocate portfolios until the High Representative had been appointed. He also noted that the future Members of the Commission would face hearings before the European Parliament, which would require careful preparation.

The PRESIDENT then turned to the issue of climate change, in particular the question of financing, which had been the focus of discussions at the European Council. He was pleased that it had been possible to put forward figures ahead of the Copenhagen conference, which all the Member States wanted to be a success. The position that had been reached, together with the commitments to reduce emissions, meant that the EU could go to the Copenhagen conference with a conditional offer that was both credible and sound. He was, however, concerned by the stance being adopted at this stage by some of the EU's main partners and was worried that an agreement reached at Copenhagen might lack ambition.

Lastly, the PRESIDENT referred to the economic situation, which had also been discussed at the European Council. The Member States had agreed that it was still too soon to end the fiscal stimulus measures introduced to deal with the economic and financial crisis; however, work had to begin now on a coordinated strategy for moving away from the broad-based recovery policies. He also noted that the Member States had welcomed the Commission's initial ideas on the Lisbon strategy for growth and employment after 2010, which were set out under the heading 'EU 2020' in the political guidelines he had presented for the next Commission.

The Commission took note of this information and then held a brief exchange of views, covering the following main points:

- the internal debate now getting under way in the Czech Republic on the question of applying the Charter of Fundamental Rights;

- the probable date on which the Lisbon Treaty would enter into force – perhaps 1 December 2009 – and the timetable for forming the new Commission;
- preparations for the Copenhagen conference on climate change.

7.3. RELATIONS WITH PARLIAMENT

iv) Presence of Members of the Commission at Question Time during Parliament's December 2009 part-session (SP(2009)4635)

The Commission approved document SP(2008)4635 setting out the list of Commission Members to be present at Question Time during Parliament's December 2009 part-session, for transmission to Parliament.

v) Participation by Members of the European Parliament in international conferences

- Fourth meeting of the Internet Governance Forum (Sharm El Sheikh, 15 to 19 November 2009)

The Commission decided to agree to the request from the President of the European Parliament, Mr BUZEK, to the PRESIDENT concerning the attendance of five MEPs at this conference and to reiterate the rules governing the participation of MEPs in delegations to international conferences.

8. RELATIONS WITH NON-MEMBER COUNTRIES

8.1. EUROPEAN UNION – UNITED STATES SUMMIT (WASHINGTON, 3 NOVEMBER)

The PRESIDENT briefed the Commission on the summit between the European Union and the United States that had taken place in Washington on

3 November. This was the first formal, bilateral summit with the new President of the United States, Barack Obama, and had been conducted in a particularly open and positive atmosphere.

The PRESIDENT went over the main topics covered in the discussions with the American President, particularly the question of visas, relations with Turkey, Iran, Afghanistan and Pakistan, the situation in the Middle East, climate change and the Doha Round. He also reported on talks with the US Vice-President, Joe Biden, at a working lunch.

On the subject of the American visa system and the tourist tax he said that he had reiterated the Commission's insistence on equal treatment for nationals of all Member States and the importance of not imposing travel restrictions, although he acknowledged the need to consider the anti-terrorism aspects.

As regards relations with Afghanistan, he had cited the important contributions made by the European Union and its Member States and had stressed the importance of pursuing a credible policy aimed at supporting the economic development and stability of the country while insisting on democratic reform. He also mentioned the exchange of views on Pakistan, a key player in the region, during which he had referred to the first summit organised with that partner country.

The PRESIDENT then informed the Commission of the long discussion at the summit on the issue of climate change and the preparations for the conference in Copenhagen, which had focused in particular on the question of funding. There was agreement on several points, notably the determination to reach an agreement in Copenhagen, but there were also a number of differences in approach. He said he had stressed the importance of setting ambitious and realistic goals for the framework agreement which it should be possible to conclude in Copenhagen, as well as the link with the question of energy security.

The PRESIDENT also mentioned the discussion on trade matters, and in

particular the possibility of concluding the Doha Round in 2010. Although the United States remained committed to reaching an ambitious and balanced agreement, it felt that certain partners, such as Brazil and India, still had some work to do in terms of market access. He had highlighted the risk of re-opening certain sensitive areas of the negotiations and had also pointed out that trade liberalisation was a means of reviving growth and that reaching an agreement in 2010 was essential for international credibility.

Finally, the PRESIDENT explained that the discussions with Mr Biden, during which the importance of transatlantic ties had been reaffirmed, had covered relations with Russia, Ukraine, Georgia and Belarus, the Eastern Partnership, the Western Balkans and cooperation on energy security, in the light of the first meeting of the new Energy Council which was taking place that day (Wednesday 4 November).

The following points were raised in the Commission's discussion:

- the crucial role of relations between the European Union and the United States;
- the importance of explaining to our American partners the impact of the Treaty of Lisbon, particularly for transatlantic relations;
- the need, on the eve of the Copenhagen conference, for close cooperation between the European Union and the United States, without compromising the EU's ambitious objectives, which reflected the high expectations of its citizens and civil society;
- the link between combating climate change and improving security of energy supply;
- regret that the voluntary financial contributions by the Member States were starting to be announced in a piecemeal fashion, making it impossible to capitalise on their combined impact to strengthen the EU's position in the run-up to the Copenhagen conference, compared to other

players whose actual pledges would be smaller.

- the importance of pursuing an ambitious approach ahead of the Copenhagen conference, while safeguarding the competitiveness of European businesses;
- concerns about the economic and budgetary situation in Ukraine, the spread of the A(H1N1) flu pandemic in that country and the possibility of another energy crisis which might affect gas supplies in the European Union;
- the fact that failure to achieve progress in the negotiations in 2010 could jeopardise the entire Doha Round; a discussion of whether priority should be given to a multilateral or a bilateral approach for trade liberalisation agreements in future;
- a call for a clear distinction to be drawn between developing countries and emerging economies, not only in the context of tackling climate change but also in international trade negotiations.

The PRESIDENT wound up the discussion by saying that the summit in Washington had made it possible to achieve progress and had demonstrated a common desire for cooperation. For the Commission this meant continuing to strive for closer dialogue on matters of common interest.

The Commission took note of this information.

8.2. JOINT AFRICA–EU STRATEGY – STATE OF PLAY AND NEXT STEPS (SEC(2009)1534)

The Commission took note of the information note from Mr DE GUCHT in SEC(2009)1534.

8.3. *EUROPEAN DEVELOPMENT DAYS (STOCKHOLM, 22-24 OCTOBER)*
(SEC(2009)1533)

The Commission took note of the information note from Mr DE GUCHT in SEC(2009)1533.

9. OTHER BUSINESS

9.1. *AUTUMN 2009 ECONOMIC FORECASTS*
(SEC(2009)1516)

Mr ALMUNIA briefly presented the autumn economic forecasts. According to the most recent information and indicators, the European economy was gradually coming out of recession. However, this recovery was still fragile because of the constraints on internal and external demand.

The gradual upturn in growth in the EU in 2010 and 2011 would not bring about any lasting reduction in the pressures on the labour market or the high level of government debt, which therefore posed serious challenges in the short and medium term.

Mr ALMUNIA rounded off his presentation by pointing out that the European economy would still need support in 2010 and that the gradual withdrawal of the various fiscal stimulus measures could probably not begin until 2011. Finally, he stressed that it was important for the EU to make a start now on formulating a medium-term strategy for reducing unemployment and government debt as well as a longer-term strategy for growth.

The brief discussion that ensued brought to the fore the following points in particular: the current low levels of production within the EU; the persistent shortage of access to credit, the worrying employment situation, and the need to avoid imposing additional constraints on productive activities, and in particular on small and medium-sized enterprises.

The Commission took note of this information and of the note from Mr ALMUNIA set out in SEC(2009)1516.

9.2. *IMPACT OF THE ECONOMIC CRISIS ON KEY ECONOMIC SECTORS OF THE EU (NOVEMBER 2009 UPDATE)*
(SEC(2009)1542)

The Commission took note of the information note from Mr VERHEUGEN in SEC(2009)1542.

9.3. *FINDINGS OF THE EUROBAROMETER SURVEY ON SMEs' ACCESS TO FINANCE*
(SEC(2009)1541)

The Commission took note of the information note from Mr VERHEUGEN in SEC(2009)1541.

9.4. *TRIPARTITE SOCIAL SUMMIT (BRUSSELS, 29 OCTOBER)*
(SEC(2009)1558)

The Commission took note of the information note from Mr ŠPIDLA in SEC(2009)1558.

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The meeting closed at 16.54.