



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2010)1903 final

Brussels, 3rd February 2010

MINUTES
of the 1903rd meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 27 January 2010
(morning)

PV(2010)1903 final

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Single sitting: Wednesday 27 January 2010 (morning)

The sitting opened at 09.10 hours 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	
Mr BORG	
Mr POTOČNIK	
Mr REHN	
Mr KOVÁCS	
Ms KROES	
Ms FISCHER BOEL	
Ms FERRERO-WALDNER	
Mr McCREEVY	
Mr ŠPIDLA	
Mr PIEBALGS	
Ms KUNEVA	
Mr ORBAN	
Ms VASSILIOU	
Mr ŠEMETA	
Mr SAMECKI	
Mr DE GUCHT	
Mr ŠEFČOVIČ	

Items 11 (in part) and 12

(27 January 2010)

Absent:

Baroness ASHTON

High Representative /
Vice-President

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

Mr MORRISON	Chef de cabinet to Baroness ASHTON	Items 11 and 12
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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 GASPAR	Acting Director-General, Bureau of European Policy Advisers	
Mr FRUTUOSO DE MELO	Deputy Chef de cabinet to the PRESIDENT	Items 1 to 12 (in part)

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

(27 January 2010)

The PRESIDENT paid tribute to the European Commission official Ms Pilar JUÁREZ BOAL, who died during the earthquake that struck Haiti on 12 January 2010.

Two weeks after the earthquake which devastated Haiti, the human dimension of the disaster was making a deep impression on hearts and minds. It was vital that the aid response from international and non-governmental organisations, countries and individuals across the world matched the scale of the tragedy suffered by the people of Haiti.

The disaster had not spared our institution.

Ms Pilar JUÁREZ BOAL, a Commission official, who was in charge of operations at the Delegation in Haiti, died when the United Nations building in Port-au-Prince collapsed while she was attending a meeting there as Commission representative.

The PRESIDENT paid tribute to a brave and dedicated woman who was passionate about development and humanitarian work and concerned at the plight of the poor. She had been extremely active in the last few years in promoting the social dialogue and gender equality in Latin America. Her professionalism and commitment were universally recognised.

On behalf of the Commission and in his own name, the PRESIDENT offered his sincere condolences to the husband, son, family and friends of Ms Pilar JUÁREZ BOAL.

Mr ALMUNIA joined the PRESIDENT in offering his condolences and spoke about the great sadness in Spain that had been caused by the circumstances surrounding her death.

He was keenly aware that Ms JUÁREZ BOAL's work and courage had been greatly appreciated both within the Commission and in the outside world. He felt it was important that the Commission pay full tribute to such valuable people working day-in day-out in particularly difficult conditions.

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1. AGENDA

(OJ(2010)1903/3)

The Commission took note of that day's agenda.

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2010)1903)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 25 January.

3. MINUTES OF 1902ND MEETING (19 JANUARY)

(PV(2010)1902)

The Commission approved the minutes of its 1902nd meeting.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

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

(SP(2010)330)

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(2010)330, drawn up following the January part-session of Parliament, the contents of which were noted.

ii) Preparation of a political agreement – Application of Article 290 of the Treaty on the Functioning of European Union

(SI(2010)18)

- Obligations of operators who place timber and timber products on the market (Regulation) – LUCAS report – 2008/0198(COD)

The Commission authorised Mr DIMAS to give political support to a Presidency compromise that would be adopted by a qualified majority so that the legislative procedure could continue, and to make a statement concerning the new recital 24 on the consultation of experts at the preparatory stage of delegated acts, following the line set out in note SI(2010)18, while reserving a formal position for adoption by the future Commission at a later date.

4.2. RELATIONS WITH THE COUNCIL

iii) Programming of Council business

(SI(2010)19)

The Commission took note of the information in SI(2010)19 on the Council meetings between 28 January and 10 February 2010.

4.3. RELATIONS WITH PARLIAMENT

iv) Results of Parliament's January part-session

(SP(2010)291 and /2)

The Commission took note of the information in SP(2010)291 and /2 on the proceedings of the part-session of Parliament held in Strasbourg from 18 to 21 January.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – INDIVIDUAL CASES

(SEC(2010)72 TO /3)

The Commission adopted the decisions in SEC(2010)72/3.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2010)44 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 18 and 22 January.

6.2. EMPOWERMENT

(SEC(2010)45 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 18 and 22 January.

6.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2010)46 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 18 and 22 January, as archived in e-Greffe.

6.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2010)47 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 25 and 29 January and of the ‘finalisation’ written

procedure initiated following the weekly meeting of Chefs de cabinet on 25 January.

7. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2010)43)

ADMINISTRATIVE MATTERS
(PERS(2010)8)

**7.1. DG EXTERNAL RELATIONS – TERMINATION OF THE SELECTION
PROCEDURE FOR AN AD14/15 DIRECTOR POST**

The Commission took note of the information at point 1 of PERS(2010)8 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Baroness ASHTON, decided to terminate – without making any appointment – internal selection procedure COM/2009/1909 for the post of Director, External Service, in the Directorate-General for External Relations.

This decision would take effect immediately.

**7.2. DG EXTERNAL RELATIONS – APPOINTMENT OF AD14 DIRECTOR
(PERS(2010)8)**

The Commission took note of the information at point 2 of PERS(2010)8 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Baroness ASHTON, decided under Article 7 of the Staff Regulations to fill the post of Director, External Service, in the Directorate-General for External Relations by transferring in the interest of the service Mr Patrick CHILD, an AD14 official and currently Director, Financial Instruments and Regional Programmes, in the Directorate-General for Enlargement.

This decision would take effect on 1 February 2010.

**8. COMMUNICATION FROM THE COMMISSION TO THE COUNCIL –
ASSESSMENT OF THE ACTION TAKEN BY LATVIA AND HUNGARY IN
RESPONSE TO THE COUNCIL RECOMMENDATIONS OF 7 JULY 2009
WITH A VIEW TO BRINGING AN END TO THE SITUATION OF
EXCESSIVE GOVERNMENT DEFICIT
(COM(2010)10 AND /2; SEC(2010)58; SEC(2010)62)**

The Commission approved the communication on the assessment of the action taken by Latvia and Hungary in response to the Council Recommendations, as set out in COM(2010)10/2, for transmission to the Council.

**9. COMMISSION RECOMMENDATION FOR A COUNCIL
RECOMMENDATION UNDER ARTICLE 126(7) OF THE TREATY ON
THE FUNCTIONING OF THE EUROPEAN UNION, WITH A VIEW TO
BRINGING AN END TO THE SITUATION OF AN EXCESSIVE
GOVERNMENT DEFICIT IN LITHUANIA
(SEC(2010)60 AND /2; SEC(2010)58; SEC(2010)62)**

The Commission adopted the recommendation in SEC(2010)60/2, for transmission to the Council.

**10. COMMISSION RECOMMENDATION FOR A COUNCIL
RECOMMENDATION UNDER ARTICLE 126(7) OF THE TREATY ON
THE FUNCTIONING OF THE EUROPEAN UNION, WITH A VIEW TO
BRINGING AN END TO THE SITUATION OF AN EXCESSIVE
GOVERNMENT DEFICIT IN MALTA
(SEC(2010)56 AND /2; SEC(2010)58; SEC(2010)62)**

The Commission adopted the recommendation in SEC(2010)56/2, for transmission to the Council.

11. OTHER BUSINESS

The PRESIDENT informed the Members of the Commission of the timetable for the organisation of the Commission's work over the weeks ahead.

He announced that the hearing before the European Parliament of Ms Kristalina Georgieva, Commissioner-designate for international cooperation, humanitarian aid and crisis response, would take place on 3 February and Parliament's vote of approval on the new Commission would be held at 13.30 on 9 February in Strasbourg. The PRESIDENT asked all Commissioners-designate to attend the debate in Parliament that would precede the vote.

The last meeting of the present Commission would therefore take place on Wednesday 3 February and would be followed by a farewell lunch. The PRESIDENT hoped that all Members of the outgoing Commission would be able to attend. He confirmed that, subject to a positive outcome of the investiture procedure, the new Commission would take office at 0.00 hours on 10 February and hold its first formal meeting on 17 February.

He also confirmed that, during the transitional week of 8-12 February, an informal meeting of the new Commission would be held in Strasbourg on the afternoon of 9 February. He invited all Members-designate of the future Commission to attend this meeting, which would take the form of a working seminar, followed by a group photograph and dinner.

Finally, the PRESIDENT thanked the Members of the Commission and the departments under their responsibility for their support and cooperation during this extended transitional period.

The Commission took note of this information.

12. RELATIONS WITH NON-MEMBER COUNTRIES

12.1. VISIT TO CENTRAL AMERICA IN THE CONTEXT OF NEGOTIATIONS FOR AN ASSOCIATION AGREEMENT (GUATEMALA, EL SALVADOR AND COSTA RICA, 18-21 JANUARY) (SEC(2010)84)

The Commission took note of the information note from Ms FERRERO-WALDNER set out in SEC(2010)84.

12.2. VISIT TO IRAQ – SIGNATURE OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE EUROPEAN UNION AND IRAQ FOR A STRATEGIC PARTNERSHIP ON ENERGY (BAGHDAD, 18 JANUARY) (SEC(2010)87)

The Commission took note of the information note from Mr PIEBALGS set out in SEC(2010)87.

12.3. SITUATION IN HAITI FOLLOWING THE EARTHQUAKE OF 12 JANUARY (SEC(2010)88)

Mr DE GUCHT reported on his mission to Haiti from 20 to 22 January, in the company of the Directors-General concerned, during which he had had an opportunity to assess the situation on the ground at first hand. He felt that the rescue efforts had been effective and had saved many lives. He praised the work and the excellent organisation of the rescue workers and medical teams which had carried out all the necessary surgical operations in conditions he described as much better than those portrayed by the media. Continuing medical and particularly surgical care would, however, be needed in the weeks and months to come, given the nature of the injuries. He concluded, therefore, that the first phase of the humanitarian relief operation had been handled well by all of those involved, including the European Union and the Commission in particular, despite the lack of media coverage and the

criticism that had been voiced.

He then turned to the disastrous situation of the Haitian government and administration, which now had to be rebuilt, starting with the infrastructure, to enable the Haitian State to participate fully in the general recovery and reconstruction effort that would have to start soon. The UN stabilisation mission in Haiti (MINUSTAH) would be continuing, and the EU would support its efforts by sending an interinstitutional reconnaissance team to assess the needs in terms of rebuilding the State apparatus.

Finally, he referred to the ongoing international process, initiated by the emergency interministerial meeting on aid to Haiti which had been held in Montreal on 25 January, and which aimed to propose a detailed, practical action plan ahead of the financial commitments which would be made. The EU would continue to support Haiti and its people, whom he praised for their resilience and their refusal to lose hope.

Mr DIMAS also described the scale of the human tragedy caused by the earthquake and conveyed his deepest sympathy to all those affected. He reported on the casualty figures and the medical supplies and equipment still needed.

The EU's civil protection mechanism had been activated on the day of the earthquake itself, the first European rescue teams were in place the next day and a European assessment and coordination team had arrived in Port-au-Prince on 14 January. The aid provided by the Member States and coordinated by the civil protection mechanism included search and rescue teams, field hospitals, medical teams and supplies, supplies of tents, blankets, water purification kits and clothes.

Aid distribution had been difficult at first, because the local infrastructure had been destroyed, but he insisted that it had made a difference, citing the examples of survivors pulled from the wreckage by European rescue teams, the delivery of supplies of water and the chartering of cargo planes funded by

the EU.

Referring to the calls made since the earthquake for the creation of a European rapid response force, Mr DIMAS felt that the civil protection mechanism would have to form the core of any such force, with improvements being made in both the internal coordination and the visibility of the actions undertaken. This matter would be a priority for the next Commission and would require careful thought to be given to ways of providing the necessary resources.

The PRESIDENT also spoke of the financial and humanitarian aid provided and the Commission's pledge to make available 130 million euros for emergency aid and urgent rehabilitation, and a further 200 million euros for long-term assistance. He believed that the European Union had responded well and thanked Baroness ASHTON, Mr DE GUCHT and Mr DIMAS in particular for their work in coordinating the relief effort, and the Commission departments for their commitment and professionalism. He also mentioned that a team of European experts would be sent to help the Haitian authorities to restore the functions of state, and a contingent of gendarmes would be deployed shortly to maintain law and order.

He mentioned Baroness ASHTON's visit to New York, Mr DE GUCHT's mission to Haiti, the two meetings of the Foreign Affairs Council and the international meeting in Montreal on 25 January to coordinate international action.

A long-term commitment was important, but there was also the immediate need to continue the emergency aid, with efforts focusing on three separate areas: the humanitarian situation, restoring the vital capacities of the Haitian State in matters of governance, and reconstructing the country.

The avenues identified by Mr DE GUCHT should be explored in these different areas, particularly the need, in addition to short-term assistance, to ensure that the Haitian authorities and MINUSTAH had the means to

participate in the international effort. He referred here to the possibility of a joint mission by the UN, the World Bank, the EU and other major regional and international partners to assess needs and develop a strategic plan to serve as a basis for the future conference on the reconstruction of Haiti, which should be held at the end of March or in April.

The PRESIDENT agreed that the future Commission would have to consider the question of creating a European voluntary humanitarian aid corps, as provided for in Article 214 of the Treaty on the Functioning of the European Union, which would be able to intervene in this type of situation, if required.

He stressed the vital importance of coordination of humanitarian efforts within the EU, but also internationally; this was essential to their success and a way of ensuring that European efforts achieved the visibility they deserved. In this connection he deplored the unfair media coverage of the disaster, but felt that the main thing was the value of these efforts for the Haitian population.

The Commission then held a brief exchange of views, covering the following points in particular:

- the importance of giving visibility to the EU's action, for example by ensuring the Commission's presence on the ground as quickly as possible after an event occurred, mobilising the media and using EU symbols and, more generally, the need to free up the financial resources required to ensure this visibility;
- the need to promote international and European cooperation, in view of the specialist skills and excellence developed by the different Member States, and to provide training in the different rescue equipment used;
- the potential role of a corps of volunteers, but also the need for professional coordination in such situations.

Mr DE GUCHT replied to these comments by stressing the quality and

effectiveness of the coordination of the various emergency operations, at both EU and international level, as well as on the ground. Although networks of volunteers could be useful, the immediate response to disasters on this scale had to be entrusted to professionals. The visibility of the EU's action, in his view, depended largely on the political will of the Member States and the availability of the financial resources for ensuring the participation of the European media.

The PRESIDENT agreed with Mr DE GUCHT that immediate intervention should be a matter for the professionals; only the later stages could be entrusted to networks of volunteers. It was important to learn lessons from the disaster, as had been the case after the Asian tsunami. Following that disaster he had commissioned a report on civil protection from Michel Barnier, a former Member of the Commission, but the conclusions had not been endorsed by the Council.

He noted the important work carried out within the Commission, particularly in the Monitoring and Information Centre, the Humanitarian Aid Office (ECHO) and the External Relations DG, as well as the professionalism of the Commission staff involved. It had been difficult to secure coverage of this work in the international press. The Commission would have to look into ways of raising media awareness of the work being done at European level, for the future, given its duty to inform the public about the work of the institutions. The first priority, however, was to provide aid to the people affected by this humanitarian tragedy, and he thanked all of the departments involved and urged them to start preparing now for the forthcoming international conference on aid to Haiti.

The Commission took note of this information and of Mr DE GUCHT's note in SEC(2010)88.

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The meeting closed at 10.11.