



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2010)1937 final

Brussels, 1st December 2010

MINUTES

**of the 1937th meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 23 November 2010
(afternoon)**

PV(2010)1937 final

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Single sitting: Tuesday 23 November 2010 (afternoon)

The sitting opened at 13.08 with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	Items 9 and 10
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr POTOČNIK		
Mr REHN		
Mr PIEBALGS		
Mr BARNIER		Items 9 and 10
Ms VASSILIOU		
Mr ŠEMETA		
Mr DE GUCHT		
Mr DALLI		
Ms GEOGHEGAN-QUINN		
Mr LEWANDOWSKI		Items 1 to 10 (in part)
Ms DAMANAKI		
Ms GEORGIEVA		
Ms HEDEGAARD		
Mr ANDOR		Item 10 (in part)
Ms MALMSTRÖM		
Mr CIOLOŞ		

Absent:

Baroness ASHTON

High
Representative/Vice-
President

Mr OETTINGER

Mr HAHN

Mr FÜLE

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

Ms NIKOLAY	Adviser in Baroness ASHTON's office
Mr HAGER	A member of Mr OETTINGER's staff

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	
Mr DOENS	Head of the Commission Spokesperson Service	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr THEBAULT	Head of the Bureau of European Policy Advisers	
Mr FRUTUOSO DE MELO	Deputy Chef de cabinet to the PRESIDENT	
Mr LEMAÎTRE	Chef de cabinet to Mr LEWANDOWSKI	Items 1 to 9
Mr CSEREY	A member of Mr ANDOR's staff	
Mr JOUANJEAN	Director-General, DG Budget	Items 1 to 9

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

1. AGENDAS

(OJ(2010)1937/3; SEC(2010)1419/2)

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(2010)1937)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 22 November.

3. APPROVAL OF THE MINUTES AND SPECIAL MINUTES OF THE 1935TH AND 1936TH MEETINGS OF THE COMMISSION (9 NOVEMBER AND 17-18 NOVEMBER)

(PV(2010)1935; PV(2010)1935, PART II; PV(2010)1936; PV(2010)1936, PART II)

The Commission approved the minutes of its 1935th meeting, and decided to hold over for one week approval of the minutes of its 1936th meeting.

4. INTERINSTITUTIONAL RELATIONS (SEC(2010)1429)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 19 November (SEC(2010)1429).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Horizontal dossiers

(point 1.1 of the record)

- Delegated acts and implementing acts in financing instruments for external action

The Commission approved the line set out in SI(2010)311 and /2.

- Delegated acts – Follow-up to the Commission communication of 9 December 2009 on the implementation of Article 290 of the Treaty on the Functioning of the European Union – draft Common Understanding

The Commission approved the line set out in SI(2010)309.

ii) Ordinary legislative procedure

(point 1.2 of the record)

- Setting emission performance standards for new light commercial vehicles as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (Regulation) – CALLANAN report – 2009/0173 (COD)

The Commission approved the line set out in SPI(2010)77 and /3.

- Citizens' initiative (Regulation) - LAMASSOURE/GURMAI report – 2010/0074 (COD)

The Commission approved the line set out in SPI(2010)78/3.

- Preventing and combating trafficking in human beings, and protecting victims (Directive) – BAUER / HEDH report – 2010/0065 (COD)

The Commission approved the line set out in SPI(2010)80.

Preparation of agreements at first reading

- Provision of food information to consumers (Regulation) – SOMMER report - 2008/0028 (COD)

The Commission approved the line set out in SI(2010)304/2.

- Facilitating cross-border enforcement of legislation in the field of road safety (Directive) – AYALA SENDER report – 2008/0062 (COD)

The Commission approved the line set out in SI(2010)308/3.

Preparations for Conciliation Committee meeting on 30 November

- Rights of passengers in bus and coach transport and amendment of Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (Regulation) - CANCIAN report – 2008/0237 (COD)

The Commission approved the line set out in SPI(2010)79.

iii) Preparations for Parliament's November II part-session

(point 1.3 of the record)

Ordinary legislative procedure – Codecision – 1st reading

- Restriction of the use of certain hazardous substances in electrical and electronic equipment (Directive – recast) – EVANS report – 2008/0240 (COD)

The Commission approved the line set out in SP(2010)8151 and /2.

- Establishment of a long-term plan for the anchovy stock in the Bay of Biscay and the fisheries exploiting that stock (Regulation) – BILBAO BARANDICA report – 2009/0112 (COD)

The Commission approved the line set out in SP(2010)7924/3.

Non-legislative procedure

- State aid to facilitate the closure of uncompetitive coal mines (Council Regulation) – RAPKAY report – 2010/0220 (NLE)

The Commission approved the line set out in SP(2010)7931 and /4.

- Conclusion of a Fisheries Partnership Agreement between the European Union and the Solomon Islands (Council Decision) – PATRÃO NEVES report – 2010/0094 (NLE)

The Commission approved the line set out in SP(2010)8252.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2010)314)

The Commission took note of the information in SI(2010)314 on the Council meetings between Thursday 25 November and Wednesday 8 December.

v) Preparations for COREPER II meeting (24 November)

- Negotiating directives for concluding a new, updated framework agreement between the European Union and Canada, replacing the 1976 framework agreement between the European Community and Canada, and an enhanced partnership and cooperation agreement between the European Union and Kazakhstan

The Commission approved the line set out in SI(2010)307/2.

vi) Preparations for Council meeting (Agriculture and Fisheries) (Brussels, 29 and 30 November)

- Fixing for 2011 and 2012 of the fishing opportunities for EU vessels for certain deep-sea fish stocks (Council Regulation) – 2010/0284 (NLE)

The Commission approved the line set out in SI(2010)305.

- Long-term management plans

The Commission approved the information note for the Council in SI(2010)306.

4.3. RELATIONS WITH PARLIAMENT

vii) Preparations for November II part-session – Non-legislative matters
(point 3.1 of the record)

- 26th annual report on the monitoring of the application of European Union law (2008) – LICHTENBERGER report – 2010/2076 (INI)

The Commission took note of SP(2010)8266.

viii) Preparations for November II part-session – Oral questions
(point 3.3 of the record)

- H-0513/10, H-0514/10, H-0515/10, H-0517/10, H-0519/10, H-0521/10, H-0522/10, H-0524/10 (joined with H-0538/10 and H-0552/10),

H-0526/10, H-0527/10, H-0528/10, H-0530/10, H-0531/10, H-0532/10, H-0533/10, H-0537/10, H-0539/10, H-0540/10, H-0541/10, H-0543/10, H-0544/10, H-0546/10, H-0547/10, H-0548/10, H-0550/10, H-0554/10, H-0556/10, H-0558/10, H-0560/10, H-0562/10, H-0563/10, H-0564/10, H-0565/10, and H-0567/10

The Commission approved the draft answers set out in SP(2010)7915 to /3, following the agreement reached between the Chefs de cabinet, and certain draft supplementary answers, revisions to answers and draft answers as set out in SP(2010)7915/4 *et seq.*

ix) Action taken on non-legislative resolutions adopted by Parliament at its September I part-session
(point 3.6.2 of the record)

The Commission approved the documents SP(2010)7906 and /2 on the action taken on the non-legislative resolutions adopted by Parliament at its September I part-session, for transmission to Parliament.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED
(SEC(2010)1421 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 November.

5.2. EMPOWERMENT
(SEC(2010)1422 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 November.

5.3. DELEGATION AND SUBDELEGATION OF POWERS
(SEC(2010)1423 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 15 and 19 November, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2010)1424 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 22 and 26 November and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on 15 November.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2010)1420)

ADMINISTRATIVE MATTERS
(PERS(2010)165)

**6.1. DG AGRICULTURE AND RURAL DEVELOPMENT – CHANGE IN
THE EFFECTIVE DATE OF A DECISION TO APPOINT AN AD14/15
DIRECTOR**

The Commission took note of the information set out at point 1 of PERS(2010)165 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr CIOLOȘ, decided to change the date on which the appointment of Mr John CLARKE to the post of Director, 'International affairs II, in particular enlargement', in DG Agriculture and Rural Development took effect, from 1 December 2010 to 1 January 2011.

This decision would take effect immediately.

**6.2. DG ENLARGEMENT – APPOINTMENT OF AD15/16 ADVISER HORS CLASSE
(PERS(2010)62 TO /5)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) and (2) of the Staff Regulations for the post of Adviser *hors classe* in DG Enlargement (PERS(2010)62 to /3).

It took note of the opinions of the Consultative Committee on Appointments of 20 and 22 October (PERS(2010)62/4 and /5).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr FÜLE, it then decided to appoint Mr Christian DANIELSSON to the post.

This decision would take effect on 1 January 2011.

**7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL - HOW TO EXPRESS EU CITIZEN'S SOLIDARITY THROUGH VOLUNTEERING: FIRST REFLECTIONS ON A EUROPEAN VOLUNTARY HUMANITARIAN AID CORPS
(COM(2010)672 TO /3; SEC(2010)1417)**

The Commission approved the communication in COM(2010)683/3, for transmission to the European Parliament and the Council and, for information, to the national parliaments.

**8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS: AN AGENDA FOR NEW SKILLS AND JOBS: A EUROPEAN CONTRIBUTION TO FULL EMPLOYMENT
(COM(2010)682 TO /4; SEC(2010)1415)**

The Commission approved the communication in COM(2010)682/4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

**9. MEMORANDUM TO THE COMMISSION – BUDGET PROCEDURE 2011 – NEXT STEPS
(SEC(2010)1458 AND /2)**

The PRESIDENT referred to the recent discussions held by the Commission on the establishment of the Union budget for 2011, following the failure of the European Parliament and the Council to reach agreement at the end of the conciliation procedure and the consensus reached in favour of a new budget proposal by the Commission as soon as possible. He thanked Mr LEWANDOWSKI for the work accomplished within very tight deadlines and briefly presented the new draft that was the subject of today's memorandum to the Commission.

He reminded the meeting that the Commission's objective was for agreement to be reached on the 2011 budget and for it to be approved by the end of 2010 to avoid the difficult situation that would arise if the system of provisional twelfths had to be applied. After several contacts with the European Parliament and numerous Member States, he felt that such an agreement was still possible.

The PRESIDENT said that the new budget proposal was very close to the text that had been on the table just before the failure of the conciliation. The key aspects of a possible agreement were still the issues of flexibility and of inter-institutional

dialogue and cooperation during the negotiations for the next multiannual financial framework. He felt that agreement was within the reach of the institutional players concerned and trusted that each player's sense of responsibility would prevail. If agreement were not reached, the consequences of this failure would be suffered by all those involved, particularly those who benefited most from European policies, both within the Member States and outside the European Union.

Mr LEWANDOWSKI summarised the main points of the memorandum to the Commission, in particular the figures relating to commitment appropriations and payment appropriations and the balance reached among the headings that may be subject to budgetary cuts. He also referred to the problem of flexibility and the financing of the ITER project, and the policy declarations that were annexed to the Memorandum. He concluded by referring to certain matters relating to the procedure and timetable. The new draft budget should be submitted to the Council by 1 December, then to the European Parliament.

In the ensuing debate, there was general support for the approach proposed and the following points were highlighted:

- the room for manoeuvre currently existing in the common agricultural policy budget and the scope for transfers between headings; in this context, the need to ensure adequate financing for the ITER project;
- should the provisional twelfths be implemented, the need to ensure financing of agricultural direct payments in the first months of 2011;
- the importance of ensuring that the new agencies set up in the field of financial supervision, which were currently committees funded by intergovernmental financing, could effectively come into operation on 1 January 2011 with financing from the European budget.

The PRESIDENT noted the Commission Members' agreement on the content of the memorandum submitted with a view to establishing a new draft budget for 2011, and their agreement to the introduction of the following amendment to the English-language version of SEC(2010)1458/2:

- **on page 16, the text of Annex 3 on the Commission declaration on own resources now reads as follows:**

"With regards to the Union's own resources, on the basis of the proposal it will table together with the multiannual financial framework in June 2011, the Commission will provide the necessary information to the European Parliament, and the Council, in order to pave the way for an effective consultation of the European Parliament under Article 311 of the Treaty and to facilitate the implementation of the Treaty provisions on the Union's Own Resources."

The PRESIDENT added that this agreement also concerned empowering the Commission Member in charge of the budget to finalise, if necessary, and adopt, in agreement with him, the final texts of the new draft budget for 2011, of the letter of amendment to amending budget 20/2010, and of the proposal for mobilisation of the flexibility instrument in 2011.

Subject to the above amendment, the Commission approved the guidelines set out in the memorandum concerning the draft budget for 2011, the letter of amendment to amending budget 20/2010, and the proposal for mobilisation of the flexibility instrument in 2011 set out in SEC(2010)1458/2; approved the draft declarations in Annexes 2, 3, 4 and 5 to that memorandum; and decided to grant Mr LEWANDOWSKI, in agreement with the PRESIDENT, the powers indicated above.

10. OTHER BUSINESS

ECONOMIC AND BUDGET SITUATION IN IRELAND

Mr REHN referred to the economic situation in Ireland. He briefly recalled the steps that had led up to the Irish authorities' request for financial assistance on Sunday 21 November, which had resulted in the joint statement by the Economic and Financial Affairs Council and the Euro Group Member States welcoming this request and

recognising the importance of this support in preserving the financial stability of the euro area and the European Union as a whole.

The technical discussions were continuing in Dublin between the Irish authorities, the Commission and the International Monetary Fund (IMF), in liaison with the European Central Bank (ECB). The fiscal, banking and financial aspects of the Irish plan were intended to bring the deficit down to 3% of gross domestic product by 2014. The various components of the financial assistance to be granted to Ireland would be adopted in parallel by the IMF and the EU, in line with their own procedures, probably at the end of November.

The negotiations were taking place against the background of the drafting of the Irish national budget for 2011, which should be adopted in December and should provide for a reduction of 6 billion euros in the deficit as of 2011. There was also the prospect of an early general election. Mr REHN referred also to the external context and the importance to avoid that this crisis spread to other euro-area countries.

Ms GEOGHEGAN-QUINN described the political developments in Ireland in the run-up to the request for financial assistance by the current Irish Government. In addition to this, the 2011 budget still had to be adopted, an early general election was now on the cards and the budget cuts were being met by protests from trade unions and the Irish people. She underlined the importance of appropriateness in communications, in particular by the Commission Representation in Dublin.

Following these presentations, the Commission held an in-depth exchange of views during which the following points in particular were raised:

- the importance of an adequate communication strategy taking account, on the one hand, of the image which the Irish public had of the European Union and European aid and, on the other, of the delicate nature of certain matters in the Irish public debate, in particular trade policy and taxation; in this respect it was necessary to differentiate between the European dimension of these matters and the way in which they were handled by the national media;

- the case for also conveying an encouraging message by highlighting the dynamic nature of Ireland's society and private sector (in particular as far as research and information technologies were concerned), the positive economic fundamentals, the adequate progress being made in relation to structural reform and the resulting growth prospects, and in so doing, to prevent an upsurge in populist and protectionist attitudes;
- recognition of the need for joint efforts to establish concerted solutions and combat propagation risks within the framework of a European response to the crisis and European budgetary discipline, in cooperation with Member States and with the ECB;
- the need for the 2011 European budget to be adopted as soon as possible in order not to worsen Ireland's budgetary situation;
- the importance of having sufficient financial and human resources in EU representations to deal with the necessary communication work.

The PRESIDENT thanked the Commission for this exchange of views and analysis. He hoped that there would be a positive development in Ireland. The Commission would resume the discussion on broader issues than the current crisis, in particular those relating to taxation, trade policy and communication. It was important, not least for Ireland, to rapidly adopt the 2011 European budget. He was also confident that the European Union would be capable of overcoming these difficulties and recommended that the approach should be to deal with problems as they arose.

The Commission took note of this information.

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The meeting closed at 14.40.