



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2011)1951 final

Brussels, 16 March 2011

MINUTES
of the 1951st meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 8 March 2011
(afternoon)

PV(2011)1951 final

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Single sitting: Tuesday 8 March 2011 (afternoon)

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

Present:

Mr BARROSO	President	
Baroness ASHTON	High Representative/Vice- President	
Ms REDING	Vice-President	Items 9 (in part) and 10
Mr ALMUNIA	Vice-President	
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	
Mr TAJANI	Vice-President	Items 9 (in part) and 10
Mr ŠEFČOVIČ	Vice-President	
Mr POTOČNIK	Member	
Mr REHN	Member	
Mr BARNIER	Member	Items 9 (in part) and 10
Ms VASSILIOU	Member	
Mr ŠEMETA	Member	
Mr DALLI	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	
Ms DAMANAKI	Member	
Ms GEORGIEVA	Member	
Mr OETTINGER	Member	Items 1 to 10 (in part)
Mr HAHN	Member	
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	Items 9 (in part) and 10
Ms MALMSTRÖM	Member	
Mr CIOLOŞ	Member	

Absent:

Mr PIEBALGS

Member

Mr DE GUCHT

Member

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

Ms ARNOULD	A member of Mr PIEBALGS's staff
Ms PERESSO	A member of Mr DE GUCHT's staff

The following also sat in:

Mr FRUTUOSO DE MELO	Deputy Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr VANDERSTEEN	DG Communication	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr THEBAULT	Head of the Bureau of European Policy Advisers	
Ms MARTÍNEZ ALBEROLA	Adviser in the PRESIDENT's office	Items 1 to 9
Ms SKURATOWICZ	A member of the PRESIDENT's staff	
Mr SOBRAL	A member of the PRESIDENT's staff	
Mr MORRISON	Chef de cabinet to Baroness ASHTON	Items 1 to 9
Mr MORDUE	Chef de cabinet to Mr FÜLE	Items 1 to 9

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

1. AGENDAS

(OJ(2011)1951/3; SEC(2011)263/2)

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(2011)1951)

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

3. MINUTES OF 1950TH MEETING (2 MARCH)

(PV(2011)1950)

The Commission approved the minutes of its 1950th meeting.

4. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – INDIVIDUAL CASES

(SEC(2011)296; SEC(2011)295)

The Commission adopted the decisions in SEC(2011)296.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2011)264 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 28 February and 4 March.

5.2. EMPOWERMENT

(SEC(2011)265 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 28 February and 4 March.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2011)266 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 28 February and 4 March, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2011)267)

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

5.5. AD HOC EMPOWERMENT CONCERNING THE ROLE PLAYED BY THE COMMISSION IN THE MONITORING OF CONDITIONALITY ASSOCIATED WITH THE FINANCIAL SUPPORT TO GREECE PROVIDED BY THE EURO AREA MEMBER STATES

(SEC(2011)294)

The Commission decide to empower Mr REHN, Member of the Commission responsible for economic and monetary affairs, in agreement with the PRESIDENT, on its behalf and under its responsibility, to prepare, negotiate

with the Greek authorities and sign, after approval by the lending Member States, the revisions to the memorandum of understanding setting the detailed policy conditions attached to the loan, which are necessary as a result of the adoption of the Council Decision of 7 March 2011, under the terms set out in SEC(2011)294.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2011)268)

ADMINISTRATIVE MATTERS

(PERS(2011)30)

6.1. DG TRADE – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2010)163 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director (Public procurement and intellectual property, bilateral trade relations) in DG Trade (PERS(2010)163 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 25 January and 10 February 2011 (PERS(2010)163/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr DE GUCHT, it then decided to appoint Mr Rupert SCHLEGELMILCH to the post.

This decision would take effect on 1 April 2011.

6.2. SECRETARIAT-GENERAL – RENEWAL OF THE TERM OF OFFICE OF THE DATA PROTECTION OFFICER AT THE COMMISSION

The Commission took note of the information at point 2 of PERS(2011)30 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, decided:

- to renew for a period of five years, the term of office of Mr Philippe RENAUDIERE as data protection officer at the Commission, a post attached to the Secretariat-General;
- to register him with the European Data Protection Supervisor.

This decision would take effect on 16 April 2011.

6.3. SECRETARIAT-GENERAL – TERMINATION OF THE SELECTION PROCEDURE TO APPOINT AN AD14 PRINCIPAL ADVISER (EU-6) (PERS(2010)157 TO /3)

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, the Commission decided to terminate – without making any appointment – external selection procedure COM/2010/10282 for the post of Principal Adviser in the Secretariat-General.

This decision would take effect immediately.

6.4. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF HEAD OF DELEGATION (PERS(2010)170)

Having noted the procedure followed, as set out in point 4 of PERS(2011)30, the Commission, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, decided to approve the list of candidates for the post of Head of the EU Delegation in Brazil in PERS(2010)170, which would serve as a basis for the competent authority of the European External Action Service to make a final appointment.

This decision would take effect immediately.

6.5. DG TRANSLATION – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms VASSILIOU, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director of Directorate A (Translation) in DG Translation from 1 December 2005 to 15 November 2006 to Mr Ludovicus DE PRINS, AD14 official and Head of the Dutch Language Department (DGT.B.NL) in that DG.

This decision would take effect immediately.

6.6. DG TRANSLATION – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms VASSILIOU, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director of Directorate A (Translation) in DG Translation from 1 August 2009 to 28 February 2010 to Mr Ludovicus DE PRINS, AD14 official and Head of the Dutch Language Department (DGT.B.NL) in that DG.

This decision would take effect immediately.

6.7. DG TRANSLATION – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms VASSILIOU, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director of Directorate C (Resources) in DG Translation from 1 December 2004 to 30 November 2005 to Mr Basile KOUTSIVITIS, AD14 official and Head of the Greek Language Department (DGT.C.EL) in that DG.

This decision would take effect immediately.

6.8. DG TRANSLATION – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms VASSILIOU, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director of Directorate R (Resources) in DG Translation from 1 November 2008 to 30 June 2009 to Ms Gertrud INGESTAD, AD14 official and at that time Head of the Training Unit in that DG.

This decision would take effect immediately.

6.9. DG MOBILITY AND TRANSPORT – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr KALLAS, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director (Trans-European transport networks and smart transport) in DG Mobility and Transport from 1 August 2010 to 28 February 2011 to Mr Eric PAQUET, AD13 official and at that time Head of Unit (Trans-European transport network policy, research coordination and European radio navigation plan (ERNP)) in that DG.

This decision would take effect immediately.

6.10. DG REGIONAL POLICY – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr HAHN, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director (Policy development) in DG Regional Policy to Ms Veronica GAFFEY, AD12 official and Head of Unit (Evaluation) in that DG, from 1 September 2010 until such time as the post was filled, but in principle without exceeding the maximum period of one year laid down in the Staff Regulations.

This decision would take effect immediately.

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – ENERGY EFFICIENCY PLAN 2011

(COM(2011)109 TO /4; SEC(2011)275 AND /2; SEC(2011)276; SEC(2011)277; SEC(2011)278; SEC(2011)279; SEC(2011)280; SEC(2011)281; SEC(2011)283; SEC(2011)231)

The Commission approved the communication in COM(2011)109/4 for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments, accompanied by the report on implementation of the 2006 energy efficiency action plan, the report on the national energy efficiency action plans, the impact assessment and the two annexes thereto and summary thereof in SEC(2011)275/2, SEC(2011)276, SEC(2011)277, SEC(2011)278, SEC(2011)279 and SEC(2011)280 respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above communication, as set out in SEC(2011)281.

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – A ROADMAP FOR MOVING TO A LOW CARBON ECONOMY IN 2050

(COM(2011)112 TO /4; SEC(2011)287; SEC(2011)288; SEC(2011)289; SEC(2011)290; SEC(2011)291; SEC(2011)231)

The Commission approved the communication in COM(2011)112/4 for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national

parliaments, accompanied by the results of the public consultation exercise, the impact assessment and the summary thereof in SEC(2011)287, SEC(2011)288 and SEC(2011)289 respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above communication, as set out in SEC(2011) 290.

9. JOINT COMMUNICATION FROM THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE UNION TO THE EUROPEAN COUNCIL, THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – A PARTNERSHIP FOR DEMOCRACY AND SHARED PROSPERITY WITH THE SOUTHERN MEDITERRANEAN (COM(2011)200 AND /2)

The PRESIDENT began by stating that this Communication had been drawn up under extremely tight time constraints in preparation for the extraordinary European Council on Friday. However, he stressed the high quality of the proposed document and thanked all those who had contributed to it, in particular Baroness ASHTON, Mr FÜLE, the Secretary-General and their departments. The document demonstrated the Commission's capacity to react quickly and effectively.

The Communication was being proposed jointly by the Commission and the High Representative. This guaranteed an integrated response from the European Union and was the right way to work in the context of the implementation of the Treaty of Lisbon.

Having referred briefly to the previous discussions that had taken place at the weekly meeting of Chefs de cabinet and the amendments made to the text, he reviewed the main points of the Communication.

He pointed out firstly that it addressed both the immediate response to be made and the medium- and long-term challenges to be tackled. In his view, the immediate

response demonstrated the rapid and decisive measures taken by the Commission and the High Representative from the first days of the events in the southern Mediterranean. Referring to European humanitarian aid and the work carried out by Ms GEORGIEVA, he considered that this aid should probably be stepped up because of developments in Libya.

The PRESIDENT said that in the longer term, the European response was structured round the concept of a partnership for democracy and shared prosperity based on the key principles of democratic transformation, a firmer commitment to civil society and inclusive growth.

This new contract would be based on the principles of differentiation and conditionality (“more for more”), meaning that countries undertaking genuine political and economic reform could expect stronger support from the Union. The Communication set out what the European Union would be able to offer in various areas, such as democracy and political institution building, mobility, economic development, trade and investment, sectoral cooperation and financial aid.

For each of the areas in question, the European Union listed specific actions and initiatives for assisting its Mediterranean neighbours. All of these were based on the common approach of cooperation with the other stakeholders, in particular the EU Member States, UN agencies, international financial institutions and other partners. European actions could be effective only if the work was carried out in cooperation with the other players, and this applied equally to humanitarian aid and financial assistance.

By means of this Communication, the Commission and the High Representative were taking the initiative and providing an appropriate framework for implementing and developing European and international cooperation, thereby laying the groundwork for the debate to be held on these issues in the European Council.

Baroness ASHTON, in her turn, thanked those who had helped to prepare and draft the Communication, in particular the Secretary-General. The document reflected very well the actions taken by the Commission and her own role as High

Representative. She went on to review briefly the very latest developments in Egypt, Tunisia and Libya and the various contacts she had had in these countries and on the international stage. It was important for the countries concerned that their people and their political elites themselves should be the drivers of democratic change.

The southern Mediterranean countries needed European aid and this aid, as referred to in the Communication in terms of financial assistance, access to markets and support for democracy building, would make it possible to make a real difference. The EU Member States must be fully involved in this process and this aid, since the stability of the region was in everyone's interests.

Mr FÜLE said that the proposed Communication set out both the European Union's immediate response and the medium- and long-term framework. This framework would be developed in more detail under the neighbourhood policy review which will be presented on 20 April.

He welcomed the fact that the Communication was not prescriptive about the countries in question and duly differentiated between them according to the merits of each. This showed that the Union had grasped the full significance of recent events both for itself and for the countries concerned. An approach based on criteria to which each was committed was particularly welcome. However, it should not be interpreted as being imposed on these countries from outside, since the values in question were by nature universal.

He emphasised the need for firm commitments by these countries as regards reform of judicial systems, the fight against corruption and freedom of speech and association guaranteed for all, pointing out that it was these factors that would make it possible to restore people's trust, build modern democracies, hold free elections and attract investors.

He also stressed that in terms of ambition, the Union and its partners would be judged on three aspects: mobility, access to markets and financial aid. With regard to mobility, he felt that this should feature in every area of our relations with these countries. He thanked Ms MALMSTRÖM for her work and her commitment with

regard to “mobility partners”, on which the two of them would work in tandem.

As regards access to markets, Mr FÜLE recalled the strong growth potential of the North African market as a whole. Exports of its products should be promoted while recognising that the Commission should continue to discuss this matter in the coming weeks and months in close association with Mr DE GUCHT.

In terms of financial aid, the proposed approach was ideal and convincing, with the refocusing of the aid provided under the European Neighbourhood and Partnership Instrument followed by an examination of what could be done under Heading IV of the Multiannual Financial Framework and, lastly, what was available in the reserves and the flexibility instrument. However, he noted that it would also be important to assess exactly what the countries concerned would be able to finance themselves, adding that the existing projects would be refocused and the funding reprogrammed as far as possible so as to offer European aid for the fight against corruption and for judicial reform.

Mr FÜLE felt that the references to the peace process in the Middle East and to the Union for the Mediterranean were timely and that the main aims of the latter should be to develop employment, innovation and growth in the region. He hoped that the structure of the Union for the Mediterranean, while remaining intergovernmental, would involve the Commission and the European External Action Service more closely.

He wound up by recalling the discussions to be held on the European Neighbourhood Policy, including conditionality and its application to the countries in the Union’s eastern and southern neighbourhoods.

Taking the floor, Ms GEORGIEVA spoke of the general humanitarian situation and the specific problems in Libya as regards access to victims, the need for food and medicines, refugees on the borders and means of transport. She mentioned the humanitarian aid, both financial and material, provided until now by the European Union, its Member States and the United Nations.

Ms MALMSTRÖM said she had had contacts with the High Commissioner for

Refugees and that over 4 000 people were now in need of international protection. She also referred to recent flows of persons from Tunisia bound for Europe, particularly Italy (Lampedusa).

In the course of the exchange of views which followed, the following points were mentioned in particular:

- the need for European action that was both inventive and reactive;
- the need for coordinated action by the European Union and its Member States;
- a reminder of the financial aspects of the debate and the link between them and future European budget discussions;
- the importance in the proposed Communication of using specific tools in the area of agriculture and rural development, reprogramming the European Neighbourhood and Partnership Instrument and exploring the possibilities for cofinancing with the European Investment Bank and the European Bank for Reconstruction and Development;
- the merit of the proposals for targeted enhanced mobility for students, teachers, researchers and businessmen and of the proposals for education and training;
- the need for better management of the flow of migrants and for measures to tackle illegal immigration and people-smuggling;
- the importance of helping the Mediterranean countries to develop a real regional common market of their own, which would help to stabilise democracy, develop their economies and strengthen links with the European Union;
- the need to promote the development of the internet and new communication technologies in these countries;
- the importance of supporting the development of industry in these countries, including, but not only, in the area of tourism;

- the social dimension of the problems and the need to promote social dialogue in the countries concerned, and to strengthen civil society in these countries, for example through direct partnerships between associations.

The PRESIDENT thanked the Members for their contributions and said that, as regards funding issues, it was best to talk more in terms of mobilisation and orders of magnitude rather than gross figures, given that this was an evolving process and there would be changes in the medium and long term. He also pointed out that the European Union should not be the only party to act and it would be seeking the involvement of other partners and the international financial institutions.

He welcomed the progress that had been made in clarifying the concepts of differentiation and conditionality. The best possible use should also be made of the structures that already existed in the Mediterranean, such as the Barcelona Process and the Union for the Mediterranean, and the Commission would be working practically and pragmatically towards this goal.

Finally, he spoke again of the Commission's ambitious aims and the challenge posed by the situation in the Mediterranean for the EU's foreign policy and its newly created structures. This policy had to rise to this historic occasion.

The PRESIDENT concluded by noting the Commission's unanimous support for the Communication *A partnership for democracy and shared prosperity with the southern Mediterranean* and its agreement to the following amendments to the English-language version of the document COM(2011)200/2:

- **on page 2, the penultimate sentence of the first paragraph of the introduction should read as follows:**

‘While respecting what are primarily internal transformation processes, the EU can offer expertise - that of governments, the European Institutions (European Commission and European Parliament), local and regional authorities, political parties, foundations, trade unions and civil society organizations.’;

- on page 6, in the chapter entitled ‘**DEMOCRACY AND INSTITUTION BUILDING**’, a new bullet point should be added to the text box, which would then read as follows:

- ‘
 - *Expanding support to civil society*
 - *Establishing a Civil Society Neighbourhood Facility*
 - *Support Social Dialogue Forum*’;

- on page 7, the last sentence of the first paragraph should read as follows:

‘It should be supported through the Euro-Mediterranean Social Dialogue Forum which will facilitate exchange between the Mediterranean social partners on key employment and social issues and will support capacity building.’;

- on page 8, in the chapter entitled ‘**TACKLING THE CHALLENGES OF MOBILITY**’, the first two sentences of the fifth paragraph should read as follows:

*‘In the short-term, the Commission will work with Member States on **legal migration legislation and visa policy to support the goal of enhanced mobility, in particular for students, researchers and business persons**. Cooperation under Local Schengen Cooperation should be reinforced and full use should be made of practical improvements and flexibilities for visa applicants within the EU Visa Code, including the issuing of multiple entry visas to bona fide travellers and specific groups (such as researchers, students and business persons)’;*

- on page 8, in the chapter entitled ‘**PROMOTING INCLUSIVE ECONOMIC DEVELOPMENT**’, a new bullet point should be added to the text box, which would then read as follows:

- ‘
 - *Promote Small and Medium Size Enterprises (SMEs) and Job Creation*
 - *Seek agreement of Member States to increase EIB lending by EUR 1 billion*
 - *Work with other shareholders to extend the EBRD mandate to countries of the region*
 - *Promote job creation and training*’;

- **on page 9, in the chapter entitled ‘PROMOTING INCLUSIVE ECONOMIC DEVELOPMENT’, the last sentence of the second paragraph should read as follows:**

‘This should be accompanied by integrated employment and social policies, including matching of training initiatives and labour market needs, social dialogue, provision of social safety-nets and transformation of the informal sector.’;

- **on page 12, in the chapter entitled ‘ENHANCING SECTORIAL CO-OPERATION’, a new bullet point should be added to the text box, which would then read as follows:**

- ‘
 - *Establish an EU-South Mediterranean Energy Community*
 - *Launch an Agricultural/rural development support programme*
 - *Increase participation in education programmes*
 - *Develop the Internet and other communication technologies’;*

- **on page 17, the last two sentences of the new first paragraph of Annex 1 should read as follows:**

‘The legal base for the conclusion of the association agreements is provided by Article 217 of the Treaty on the Functioning of the European Union (TFUE). The Treaty Establishing the European Union (TEU) makes a specific reference to agreements with neighbouring countries in Article 8(2).’.

Subject to the introduction of these amendments, the Commission approved the joint Communication from the Commission and the High Representative of the Union set out in COM(2011)200/2, for transmission to the European Council, the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and, for information, to the national parliaments.

10. INTERINSTITUTIONAL RELATIONS

(SEC(2011)273)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 4 March (SEC(2011)273).

It paid particular attention to the following points.

10.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure

(point 1.2 of the IRG record)

Dossiers at first reading

- Short selling and certain aspects of credit default swaps (Regulation) – CANFIN report – 2010/0251 (COD)

The Commission approved the line set out in SI(2011)56/2.

- Deposit guarantee schemes (Directive – recast) – SIMON report – 2010/0207 (COD)

The Commission approved the line set out in SI(2011)58/2.

- OTC derivatives, central counterparties and trade repositories (Regulation) – LANGEN report – 2010/0250 (COD)

The Commission approved the line set out in SI(2011)62/2.

10.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

ii) Programming of Council business

(SI(2011)66)

The Commission took note of the information in SI(2011)66 on the Council meetings between 10 and 23 March.

iii) Results of COREPER II meeting of 2 March and preparation of COREPER II meeting of 9 March

(point 2.2.1 of the IRG record)

- Response to the United States' initiative concerning Icelandic whaling catches

The Commission approved the line set out in SI(2011)65.

iv) Preparation of Council meeting (Competitiveness) (Brussels, 9 and 10 March)

- Enhanced cooperation in the area of the creation of unitary patent protection (Council Decision) – LEHNE report – 2010/0384 (NLE)

The Commission approved the line set out in SI(2011)63.

v) Preparation of Council meeting (Economic and Financial Affairs) (Brussels, 15 March)

- Economic governance package – FEIO / FORD / GOULARD / HAGLUND / WORTMANN-KOOL / FERREIRA report – 2010/0277 (NLE) / 2010/0276 (CNS) / 2010/0278 to 0281 (COD)

The Commission approved the line set out in SI(2011)57.

vi) Draft Council conclusions on the mid-term review of the European satellite radio-navigation programmes – Galileo Interinstitutional Panel (GIP) (Strasbourg, 8 March)

The Commission approved the line set out in SI(2011)64/2.

vii) Preparation of the informal summit of euro area Heads of State and Government (Brussels, 11 March) and the Spring European Council (Brussels, 24-25 March)

The PRESIDENT opened the discussion in view of the preparation of the informal summit of euro area Heads of State and Government planned for the following Friday and, in the longer term, the Spring European Council of 24-25 March. He spoke of the progress made in the work on the Competitiveness Pact, the aim of which was to define the concepts to be discussed during the summit, along with the other components of a comprehensive response to the crisis, in particular its financial aspects.

He explained the fundamental principles which he intended to put forward and defend at the following Friday's summit, reflecting the Commission's discussions since 4 February: (i) to maintain the coherence of and enhance EU economic governance, in accordance with the Treaty; (ii) to ensure respect for the role of the Commission, which was also enshrined in the institutional framework laid down by the Treaty, with the European Parliament to be assigned a role in monitoring the process; (iii) also to ensure respect for the integrity of the single market and the *acquis communautaire*; (iv) to ensure respect for social dialogue and to link the efforts to promote competitiveness to the major objectives of growth and employment; and (v) to ensure an inclusive nature and openness to those non-euro-area Member States which might wish to take part.

The PRESIDENT referred to the debates within the Commission on the major pillars of the Competitiveness Pact — which he hoped would also be a convergence pact — namely coherence with the Annual Growth Survey and certain themes which, moreover, cut across those of legislative proposals submitted to the European Parliament and the Council for adoption with respect to enhancing European economic governance.

Consequently, he indicated that he wanted to give the full support of the Commission to this objective, providing those conditions were met. In his

view there could not be growth without competitiveness, in the same way as there could not be job creation without growth, and growth and employment constituted the main priorities for the European Union.

Mr REHN also reported on the preparatory discussions for the summit of euro area members of 11 March, in particular those held in the Economic and Financial Affairs Committee of the European Parliament on 7 March and the Board of Governors of the European Central Bank on 3 March.

He went over the various themes related to the preparation of the summit and of the forthcoming European Council, *inter alia* the Annual Growth Survey, the Competitiveness Pact, the European Financial Stability Mechanism and the batch of proposals on economic governance, emphasising the importance of encouraging Member States to agree on an ambitious, comprehensive response. As far as the European Financial Stability Mechanism was concerned, he noted the progress made, as well as the issues still outstanding, which needed to be settled at the policy-making level at the 11 March meeting.

A discussion followed among the Commissioners which highlighted concern regarding the latest developments in the sovereign debt of certain Member States, especially those benefiting from financial stability support, and in interest rates, against a backdrop of persistent unease in the financial markets. Consequently the Commission emphasised the urgency of reaching comprehensive decisions at the 11 March meeting in order to ensure the credibility of the decisions relating to economic governance and the Financial Stability Mechanism, and thus of the Competitiveness Pact. The Commission also emphasised the importance of linkage with the relaunch of the single market – a driver of growth – and of providing for social measures as a counterweight to fiscal consolidation and restructuring.

Mr REHN acknowledged the importance of coordinating the Competitiveness Pact with strengthening the Financial Stability Mechanism and the measures for those Member States weakened by the crisis. In this context, he stressed

the need for a commitment to structural reform, but also to support for such States and, therefore, for a decision on Friday 11 March ahead of the Spring European Council.

The PRESIDENT in turn emphasised the link between competitiveness and growth, and the importance of deepening the internal market and tapping new sources of growth. He stressed the convergence aspect, in addition to competitiveness, of the comprehensive response which should be prepared for the forthcoming European Council on 24 and 25 March. He noted that this link would be provided by approval at the meeting of the Annual Growth Survey. He reiterated the need for the Competitiveness Pact to be compatible with the EU system of governance and for it to respect the powers of the Commission. With this in mind, he held that it was necessary to safeguard the Community approach, not to bring about a division between members and non-members of the euro area, to safeguard the integrity of the *acquis communautaire*, not to duplicate the system of governance and to ensure the compatibility of the Competitiveness Pact with the Europe 2020 strategy.

The Commission took note of this information and these conclusions.

10.3. RELATIONS WITH PARLIAMENT

viii) Preparation of March I part-session – Oral questions

(point 3.4 of the IRG record)

- H-061/11, H-063/11, H-065/11 (jointly with H-082/11 and H-094/11), H-066/11, H-068/11, H-070/11, H-071/11, H-072/11, H-073/11, H-075/11, H-076/11, H-077/11, H-079/11, H-080/11, H-081/11 (jointly with H-088/11), H-084/11, H-086/11, H-090/11, H-092/11, H-096/11, H-097/11, H-099/11, H-100/11, H-101/11, H-103/11, H-105/11

The Commission approved the draft answers set out in SP(2011)1538 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(2011)1538/4 *et seq.*

- ix) Action taken on the non-legislative resolution on the Commission's 2011 work programme adopted by Parliament at its December part-session**
(point 3.5.1 of the IRG record)

The Commission approved document SP(2011)1628/4 on the action taken on the non-legislative resolution adopted by Parliament at its December part-session, for transmission to Parliament.

- x) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its January part-session**
(point 3.5.2 of the IRG record)

The Commission approved document SP(2010)1738 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its January part-session, for transmission to Parliament.

- xi) Presence of Members of the Commission at Question Time during Parliament's part-sessions in Strasbourg in 2011**
(SP(2011)685/2)

The Commission approved document SP(2011)685/2 setting out the list of Commission Members to be present at Question Time during Parliament's part-sessions in Strasbourg in 2011, for transmission to Parliament.

- xii) Participation by Members of Parliament in international conferences**
(point 3.8 of the IRG record)

- Sixteenth session of the Human Rights Council of the United Nations
(Geneva, 28 February to 25 March)

The Commission decided to reply to the request to the PRESIDENT from Mr Jerzy Buzek, President of Parliament, concerning the attendance of five Members of the European Parliament at the above-mentioned meeting, as observers in the Union delegation, while pointing out that the request had been received late and including a reminder about the procedure to be followed.

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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 14.37.