



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2011) 1955 final

Brussels, 13 April 2011

MINUTES
of the 1955th meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 5 April 2011
(afternoon)

PV(2011)1955 final

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Single sitting: Tuesday 5 April 2011 (afternoon)

The sitting opened at 13.11 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Ms REDING	Vice-President	Items 1 to 10 (in part)
Mr ALMUNIA	Vice-President	
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr POTOČNIK		
Mr REHN		
Mr PIEBALGS		
Mr BARNIER		
Mr ŠEMETA		
Mr DE GUCHT		
Ms GEOGHEGAN-QUINN		
Mr LEWANDOWSKI		
Ms DAMANAKI		
Ms GEORGIEVA		
Mr OETTINGER		
Mr HAHN		
Mr FÜLE		
Mr ANDOR		Items 1 to 10 (in part)
Ms MALMSTRÖM		
Mr CIOLOŞ		

Absent:

Baroness ASHTON

High
Representative/Vice-
President

Ms VASSILIOU

Mr DALLI

Ms HEDEGAARD

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

Ms NIKOLAY	Adviser in Baroness ASHTON's office
Mr HILL	A member of Ms VASSILIOU's staff
Mr DEMICOLI	A member of Mr DALLI's staff
Mr MUELLER	A member of Ms HEDEGAARD's staff

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr VANDERSTEEN	DG Communication	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr SCHINAS	Bureau of European Policy Advisers	
Ms ROUCH	A member of Ms REDING's staff	Item 11

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

1. AGENDAS

(OJ(2011)1955/3; SEC(2011)405/2)

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)1955)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 4 April.

3. MINUTES OF 1954TH MEETING (30 MARCH)

The Commission held over approval of the minutes of its 1954th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(SEC(2011)425)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 1 April (SEC(2011)425).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

**i) Interinstitutional working group on the regulatory agencies –
General guidelines**

(point 1.1.1 of the record)

The Commission approved the line set out in SI(2011)94/2.

**ii) Withdrawal of pending proposals: 2011 exercise – Publication of the
list of proposals withdrawn in the *Official Journal of the European
Union***

(point 1.3 of the record)

The Commission decided to conclude the 2011 exercise for the withdrawal of pending proposals by confirming its decision to withdraw the 23 proposals referred to in the Annex to its work programme for 2011 and to publish this list in the *Official Journal of the European Union*, following the line set out in SI(2011)97.

iii) Preparation of the April part-session of Parliament

(point 1.5 of the record)

Ordinary legislative procedure – Codecision – 1st reading

- Minimum standards on procedures in Member States for granting and withdrawing international protection (Directive - recast) – GUILLAUME report - 2009/0165 (COD)

The Commission approved the line set out in SP(2011)2932.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2011)102)

The Commission took note of the information in SI(2011)102 on the Council meetings between 7 and 20 April.

4.3. RELATIONS WITH PARLIAMENT

v) Preparation of the April part-session of Parliament – Oral questions

(point 3.4 of the record)

- H-107/11, H-108/11, H-110/11, H-111/11, H-112/11, H-114/11, H-115/11, H-116/11, H-117/11, H-119/11, H-121/11, H-122/11, H-124/11, H-127/11, H-128/11 (jointly with H-150/11), H-129/11, H-130/11, H-131/11, H-132/11, H-134/11, H-135/11, H-136/11, H-137/11, H-138/11, H-139/11, H-140/11, H-142/11, H-144/11, H-145/11, H-146/11, H-147/11, H-148/11, H-149/11, H-151/11, H-152/11, H-153/11

The Commission approved the draft answers set out in SP(2011)2651 to /4, following the agreement reached between the Chefs de cabinet on certain draft supplementary answers and draft answers as set out in SP(2011)2651/5 and /6.

- vi) Action taken on non-legislative resolutions adopted by Parliament at its January 2011 part-session**
(point 3.5.2 of the record)

The Commission approved the documents SP(2011)2858 and /2 on the action taken on the non-legislative resolutions adopted by Parliament at its January part-session, for transmission to Parliament.

4.4. RELATIONS WITH THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS, THE EUROPEAN OMBUDSMAN AND NATIONAL PARLIAMENTS

- vii) Relations with the European Economic and Social Committee – Programming of work for 2011 – List of optional opinions**
(point 4.3 of the record)

The Commission approved the approach set out in SC(2011)12 and decided to forward the annexed list to the European Economic and Social Committee.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – INDIVIDUAL CASES
(SEC (2011)452; SEC(2011)441)

The Commission adopted the decisions in SEC(2011)452.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. *WRITTEN PROCEDURES APPROVED*

(SEC(2011)406 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 28 March and 1 April.

6.2. *EMPOWERMENT*

(SEC(2011)407 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 28 March and 1 April.

6.3. *DELEGATION AND SUBDELEGATION OF POWERS*

(SEC(2011)408 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 28 March and 1 April, as archived in e-Greffe.

6.4. *SENSITIVE WRITTEN PROCEDURES*

(SEC(2011)412 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 4 and 8 April and of the 'finalisation' written procedures initiated following the weekly meetings of Chefs de cabinet on 28 March and 4 April.

6.5. GENERAL EMPOWERMENT FOR THE ADOPTION OF EURATOM REPORTS FOR THE REVIEW MEETINGS UNDER THE CONVENTION ON NUCLEAR SAFETY AND THE JOINT CONVENTION ON THE SAFETY OF SPENT FUEL MANAGEMENT AND ON THE SAFETY OF RADIOACTIVE WASTE MANAGEMENT (SEC(2011)436 AND /2)

The Commission granted the general empowerment as set out in SEC(2011)436 to the Member of the Commission responsible for energy for the adoption, on behalf of the Commission and under its responsibility, of decisions approving Euratom reports for the review meetings under the Convention on Nuclear Safety and the Joint Convention.

**7. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2011)413)**

**ADMINISTRATIVE MATTERS
(PERS(2011)40)**

**7.1. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF AD15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2010)96 TO /7)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii), 29(1)(b) and 29(2) of the Staff Regulations for the post of Deputy Director-General in DG Economic and Financial Affairs (PERS(2010)96 to /4 and /7).

It took note of the opinions of the Consultative Committee on Appointments of 27 January and 15 March (PERS(2010)96/5 and /6).

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

This decision would take effect on 1 September 2011.

**7.2. DG INFORMATION SOCIETY AND MEDIA – APPOINTMENT OF
AD14/15 DIRECTOR
(PERS(2011)22 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director ‘Information and Communication Technologies (ICT) addressing societal challenges’ in DG Information Society and Media (PERS(2011)22).

It took note of the opinions of the Consultative Committee on Appointments of 28 February and 24 March (PERS(2011)22/2 and /3).

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 Ms KROES, it then decided to appoint Mr Paul TIMMERS to the post.

This decision would take effect on 16 April 2011.

**7.3. DG HEALTH AND CONSUMERS – LIST OF CANDIDATES FOR THE
POST OF PRESIDENT OF THE COMMUNITY PLANT VARIETY
OFFICE
(PERS(2010)167 AND /2)**

Having noted the procedure followed, as set out in point 3 of PERS(2011)40, the Commission, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr DALLI, decided:

- to approve the list of three candidates, presented in alphabetical order, set out in point 3 of PERS(2011)40;
- to consider this list as the Commission proposal under Article 43 of Regulation (EC) No 2100/94;

- to ask Mr DALLI to communicate this list to the Council.

These decisions would take effect immediately.

7.4. DG HEALTH AND CONSUMERS – LIST OF CANDIDATES FOR THE POST OF ALTERNATE CHAIRMAN OF THE BOARD OF APPEAL OF THE COMMUNITY PLANT VARIETY OFFICE (PERS(2011)27)

Having noted the procedure followed, as set out in point 4 of PERS(2011)40, the Commission, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr DALLI, decided:

- to approve the list of three candidates, presented in alphabetical order, set out in point 4 of PERS(2011)40;
- to consider this list as the Commission proposal under Article 47 of Council Regulation (EC) No 2100/94;
- to ask Mr DALLI to communicate this list to the Council.

These decisions would take effect immediately.

7.5. DG HUMAN RESOURCES AND SECURITY – SPECIAL ADVISERS TO COMMISSION MEMBERS – 1 APRIL 2011 TO 31 MARCH 2012 (PERS(2011) 41)

The Commission took note of the information in point 5 of PERS(2011)40 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, decided:

- to authorise Mr ŠEFČOVIČ to adopt the list of special advisers to Commission Members set out in PERS(2011)41;
- to authorise the Director-General for Human Resources and Security to implement that decision by signing contracts of employment on behalf of the authority empowered to conclude contracts of employment.

The decision was backdated to take effect on 1 April 2011.

**7.6. *DG EUROPEAID DEVELOPMENT AND COOPERATION /
DG ENLARGEMENT / DG HUMANITARIAN AID AND CIVIL
PROTECTION (ECHO) / SERVICE FOR FOREIGN POLICY
INSTRUMENTS / DG TRADE – COMMISSION STAFF IN EUROPEAN
UNION DELEGATIONS***

The Commission took note of the information in point 6 of PERS(2011)40 and decided to create a task force to carry out a study on the number and distribution of Commission staff in European Union delegations. This task force would consist of representatives of DG EuropeAid Development and Cooperation, DG Humanitarian Aid and Civil Protection (ECHO), DG Enlargement, DG Trade, the Service for Foreign Policy Instruments, the Secretariat-General, DG Budget and DG Human Resources and Security. The European External Action Service would be associated with work on the study, as would other Commission DGs and services that had staff in delegations. The task force would be chaired by DG EuropeAid Development and Cooperation, which would also have the task of drawing up the initial report. The study would cover in particular the staff of that DG in the delegations but, in the same context, it would also look at the specific situation of other DGs in the RELEX family, including DG Humanitarian Aid and Civil Protection (ECHO), DG Enlargement, DG Trade, and the Service for Foreign Policy Instruments. The final report would be submitted to the Secretary-General by 1 November 2011 at the latest and would present conclusions on a gradual redistribution of Commission staff in the delegations in order to meet more fully the objectives of the Commission and the European Union in general and to ensure effective management of the funds available. The report would also serve as a guide for decision-making by the different players involved, in particular for the appointing authority in the rotation exercise for 2012 and subsequent years.

This decision would take effect immediately.

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS - AN EU FRAMEWORK FOR NATIONAL ROMA INTEGRATION STRATEGIES UP TO 2020

(COM(2011)173 TO /4; SEC(2011)426)

The Commission approved the communication in COM(2011)173/4 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. GREEN PAPER ON THE EU CORPORATE GOVERNANCE FRAMEWORK

(COM(2011)164 TO /4; SEC(2011)402)

The Commission approved the Green Paper in COM(2011)164/4 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

10. OTHER BUSINESS

LATEST ECONOMIC DEVELOPMENTS

The PRESIDENT introduced the item relating to recent economic developments. He referred to the informal meeting of Economic and Finance Ministers to be held in Budapest on 7-9 April, the results of the stress tests conducted in the banking sector in Ireland and published by the Irish authorities the previous week and the informal G20 seminar on the international monetary system held a few days earlier in China.

Mr REHN presented the general economic situation. He confirmed that the beginning of the year had seen continued economic recovery in the European Union and that there were some positive signs on the employment front, although he emphasised that the situation varied greatly from one Member State to another. He pointed to the renewed increase in inflation in the EU as a whole and in the euro area and the international uncertainty caused by current events in Japan and North Africa.

These economic developments must be viewed in the context of the measures approved at the last European Council (which provided the Union with a sound set of instruments for strengthening economic governance and encouraging recovery), the examination of the six legislative proposals by the European Parliament, and the European Council in June. Also for June, he mentioned the plans to be submitted by the Member States for restructuring or recapitalising the European banks undergoing stress tests.

It was essential for these tests to be rigorous and uniform to ensure the credibility of the new supervisory architecture put in place by the Union. This would be one of the discussion topics for the next informal meeting of the Economic and Finance Ministers at the end of the week.

With regard to the situation in Ireland, the Irish authorities had published the results of the stress tests on their banks and presented a three-part strategy: significant recapitalisation (EUR 24 billion), a reduction in the size of the banking system and reorganisation/consolidation. All these measures had been approved by the Commission, the European Central Bank and the International Monetary Fund. Given the rigour of the tests, the measures put in place by Ireland should put a stop to losses in the banking sector and thus remove a significant cause for uncertainty and enable the country's "risk premium" to be reduced in time.

While there were significant recapitalisation needs, they remained unequivocally within the financing limits of the existing instruments and reform programme. The Irish public debt would therefore remain viable if the planned budgetary adjustment was implemented strictly. He referred also to the start, in Dublin that day, of the first

joint review mission of the Commission, the European Central Bank and the International Monetary Fund which was due to conclude in ten days' time with an agreement with the Irish authorities on a detailed action plan to implement the strategy for the banking sector.

Mr REHN turned next to the current political uncertainties and economic difficulties in Portugal. He regretted that the ambitious budget reform programme proposed by the outgoing government had not been approved, and reported on developments in recent days - the upward revision of debt and government deficit figures, the downgrading of Portuguese sovereign debt rating and the rise in market interest rates to unsustainable levels. In conclusion, he reminded the meeting of the political timetable in Portugal, with legislative elections at the beginning of June and the appointment of a new government at the end of that month.

As regards Greece, he explained that although the implementation of the budgetary consolidation and structural reform programme was viewed increasingly negatively by the public, there could be no doubt of the government's commitment to the necessary reforms. He reaffirmed the Commission's support for the position of the Greek authorities, who intended to meet their debt servicing obligations fully. Three factors had recently reinforced the viability of the Greek debt: the fall in interest rates, the extension of debt servicing deadlines as part of the support mechanism for Greece, and the government's ambitious privatisation plans. The Commission's next review mission in Athens could take place at the beginning of May.

Turning lastly to the G20 seminar in Nanjing (China) the previous week on the reform of the international monetary system, he said that the discussions had given the participants the opportunity to present their analysis of the situation and the reforms to be undertaken. One of the weaknesses of the current system was the issue of worldwide liquidity and its volatility. However, the chief difficulty related to the structural weaknesses of the adjustment mechanisms under the current system. One of the main topics discussed was how to enlarge the special drawing rights basket in order to better reflect the worldwide economic situation, with the possibility of gradually adding the Chinese renminbi. Mr REHN ended by saying that no conclusion had been drawn from this seminar and that the debate on the reform of

the international monetary system would be continued in preparation for the G20 summit in November in Cannes.

During a brief discussion, the Commission also mentioned the following matters:

- a reminder of the improvements made to the stress tests in the banking sector since they were first implemented, and the success of the tests recently carried out in Ireland;
- questions concerning the stress tests and their methodology and a reminder that in order to ensure the efficiency and usefulness of these tests, it was important to incorporate real hypotheses into the simulations, to subsequently make a proper assessment of refinancing needs and any necessary renegotiations, and to draw up individual restructuring plans;
- the desirability of reviewing the role of the credit rating agencies and a reminder that proposals on this issue would shortly be submitted to the Commission for adoption;
- with regard to the future reform of the international monetary system, the importance of the discussions at the high-level G20 seminar held in Nanjing;
- regarding the future restructuring of the banking sector in certain Member States, a reminder of the questions that might be raised concerning competition and compliance with the relevant EU regulations;
- questions about the procedure for the setting of interest rates by the European Central Bank;
- a mention of certain statistics relating in particular to the situation of the European economic sectors and generally confirming recovery in some of these sectors in most Member States.

Replying to the questions and comments, Mr REHN spoke first of the independence of the European Central Bank, and the uncertainties of the international situation, which might have effects on inflation levels in the euro area. At this stage the non-

standard measures taken in favour of the euro area Member States that were the most vulnerable or where growth was the slowest were continuing.

He confirmed the importance of the questions relating to reform of the international monetary system discussed in Nanjing with a view to restructuring world imbalances.

He stressed once again the need for proper preparation of the stress tests in the banking sector so as to enable Member States to implement the appropriate bank restructuring and recapitalisation measures where necessary, pointing out that this matter would be addressed at the informal meeting of economic and finance ministers.

He wound up by noting that in order to tackle the crisis fully and appropriately, it was important at the same time to address the issues relating to sovereign debt and the situation in the banking sector.

The Commission took note of this information.

11. RELATIONS WITH NON-EU COUNTRIES

11.1. THE SITUATION IN COTE D'IVOIRE (SEC(2011)466)

Ms GEORGIEVA referred to the deteriorating humanitarian situation in Côte d'Ivoire in the past few days, in particular the population movements with the resulting human crises and destabilising effects on neighbouring countries, together with the upsurge in violence in the country, mainly affecting civilians. Foreign nationals, in particular Europeans, had been asked to go to several camps guarded by the French military.

She pointed out that both parties had been publicly asked to respect and protect civilians, and raised several questions about the scope of the United Nations mandate. Lastly, she referred to the financial aid provided by the

Commission to the Côte d'Ivoire and to certain neighbouring countries, and the coordination being carried out on the ground.

The PRESIDENT thanked Ms GEORGIEVA, underlining how serious the situation was in Côte d'Ivoire.

The Commission took note of this information and of the note from Ms GEORGIEVA set out in SEC(2011)466.

11.2. THE SITUATION IN TUNISIA

Mr FÜLE referred to the recent visit by himself and Ms MALMSTRÖM to Tunisia, the main aim of which had been to meet the new authorities in order to find out and discuss their priorities, and hence to facilitate the programming of European aid.

The outcome of the discussions with the main transition government ministers had been positive. The talks had mainly concerned the country's practical needs and the potential amount of European financial aid. He thanked the European External Action Service for the support given on this occasion and highlighted the remarkable work accomplished by the EuropeAid Development and Cooperation Directorate-General and the excellent cooperation with Mr PIEBALGS. On the day after their visit, the Tunisian Government had announced a first package of measures to combat unemployment and boost the economy. It also intended to organise a conference shortly in Carthage with economic and financial circles in order to examine ways of galvanising the Tunisian economy.

Mr FÜLE also reported on contacts with civil society, political parties and trade unions, referring to the possibility mentioned by some of establishing a “civic forum”, which would be similar to structures that had existed in certain European countries in the past.

He ended by welcoming the relaunch of the Association Council with Tunisia, which might meet soon in Brussels in a strengthened format chaired by

Baroness ASHTON and probably attended by the Tunisian Ministers of Foreign Affairs, Cooperation and Finance. He hoped that on this occasion the PRESIDENT would be able to receive the Tunisian delegation and that the Commission Members most closely concerned could take part in the meeting in order to emphasise further the importance attached by the EU to the success of the current transition.

Ms MALMSTRÖM said that during her visits to Tunisia and Egypt she had been able to meet the Ministers of Home Affairs from each country and to discuss in particular population movements and migration flows. She also mentioned the possibility of some EU Member States helping these countries to train their new national police forces.

As regards the situation at Libya's borders, many of the people who had arrived in recent weeks had been able to return voluntarily to their countries of origin. She thanked the Directorate-General for Humanitarian Aid and Civil Protection (ECHO), the International Organisation for Migration and the United Nations High Commissioner for Refugees for their support and the action taken.

She felt, however, that solutions would have to be found by the Member States to deal with the refugees likely to remain in Europe. The question of short- and longer-term mobility should be discussed in detail.

In reply to a question by the PRESIDENT, she said that Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, which had been the subject of discussion when she had spoken at the plenary session of the European Parliament on Monday, was intended to resolve the problems posed by extremely serious situations as regards the influx of refugees, which was not yet the case. She considered that there were other options available at this stage, whereby help could be given in a spirit of solidarity to the smaller

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Member States which had to cope with the sudden arrival of large groups of refugees.

The data and figures provided by Ms MALMSTRÖM were confirmed by Ms GEORGIEVA, who welcomed the work of the Commission and the International Organisation for Migration in enabling refugees to return voluntarily to their countries of origin.

During a very brief discussion, the Commission also raised the possibility of discussing population movements and migration at a forthcoming meeting.

The PRESIDENT concluded this item by recalling his recent talks with the new Tunisian Prime Minister, during which he had expressed his own, and the Commission's, renewed support for the country's present transition process and the commitment of the new authorities to justice, democracy and the rule of law. He said that he had mentioned that he might make an official visit to Tunisia, but that this had still to be confirmed. Lastly, he added that during these talks he had raised the question of migration and the need to establish solid, effective partnerships, in particular with the European Union Member States most concerned.

The Commission took note of this information.

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The meeting ended at 14.13 hours.