



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2012)1992 final

Brussels, 7 March 2012

MINUTES
of the 1992nd meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 29 February 2012
(morning)

PV(2012)1992 final

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Single sitting: Wednesday 29 February 2012 (morning)

The sitting opened at 9.10 with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Baroness ASHTON	High Representative/ Vice-President	
Ms REDING	Vice-President	
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr REHN	Vice-President	
Mr POTOČNIK	Member	
Mr BARNIER	Member	Items 6 and 7
Ms VASSILIOU	Member	Items 1 to 7 (in part)
Mr ŠEMETA	Member	
Mr DALLI	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	Items 1 to 7 (in part)
Ms DAMANAKI	Member	
Ms GEORGIEVA	Member	Items 1 to 7 (in part)
Mr OETTINGER	Member	Items 1 to 7 (in part)
Mr HAHN	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	
Ms MALMSTRÖM	Member	
Mr CIOLOȘ	Member	

Absent:

Mr ALMUNIA	Vice-President
Mr KALLAS	Vice-President
Ms KROES	Vice-President
Mr PIEBALGS	Member
Mr DE GUCHT	Member
Ms HEDEGAARD	Member

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

Mr LORIOT	Deputy Chef de cabinet to Mr ALMUNIA
Ms CHAPUIS	A member of Mr KALLAS's staff
Mr WHELAN	Chef de cabinet to Ms KROES
Ms SOEWARTA	A member of Mr PIEBALGS's staff
Mr HOFFMEISTER	Deputy Chef de cabinet to Mr DE GUCHT
Mr VIS	Chef de cabinet to Ms HEDEGAARD

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	Items 1 to 6 (in part) and 7 (in part)
Mr CABRAL	Adviser hors classe in the PRESIDENT 's Office	Items 6 (in part) and 7 (in part)
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PAULGER	Director-General, DG Communication	Items 1 to 6 (in part)
Mr DOENS	Head of the Commission Spokesperson Service	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr SCHINAS	Bureau of European Policy Advisers	
Ms VANNINI	Adviser in the PRESIDENT's Office	Items 1 to 6
Ms SUTTON	A member of the PRESIDENT's staff	Item 7
Mr MALGAJ	Deputy Chef de cabinet to Mr POTOČNIK	Items 1 to 6

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

1. AGENDAS

(OJ(2012)1992/3; SEC(2012)132/2)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2012)1992)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 27 February.

3. MINUTES OF THE 1991ST MEETING (22 FEBRUARY)

The Commission held over approval of the minutes of its 1991st meeting for the following week.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2012)133 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 and 24 February.

4.2. EMPOWERMENT
(SEC(2012)134 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 and 24 February.

4.3. DELEGATION AND SUBDELEGATION OF POWERS
(SEC(2012)135 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 20 and 24 February, as archived in e-Greffe.

4.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2012)136 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 27 February and 2 March and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on 20 February.

4.5. GENERAL EMPOWERMENT TO ADOPT, IN THE FRAMEWORK OF FISHERIES PARTNERSHIP AGREEMENTS, CERTAIN DECISIONS RELATED TO FISHING ACTIVITIES OF EU FISHING VESSELS INSIDE THIRD COUNTRIES' WATERS
(C(2012)1304)

The Commission granted the Member of the Commission responsible for fisheries and maritime affairs the general empowerment set out in C(2012)1304 to adopt, on its behalf and under its responsibility, certain decisions in the framework of fisheries partnership agreements related to fishing activities of EU fishing vessels inside third countries' waters.

5. OTHER BUSINESS

BUDGET IMPLEMENTATION AT 31 DECEMBER 2011

(INFO(2012)16 TO /4)

The Commission took note of the information note from Mr LEWANDOWSKI in INFO(2012)16/4.

6. POLICY DEBATE ON PREPARATIONS FOR THE UNITED NATIONS CONFERENCE ON SUSTAINABLE DEVELOPMENT – RIO+20 (RIO DE JANEIRO, 20-22 JUNE)

(SEC(2012)156 AND /2; INFO(2012)9)

The PRESIDENT opened the debate, on the basis of the background note of 27 February and the information note of 14 February, distributed under the authority of Mr POTOČNIK and Mr PIEBALGS, explaining that the aim was to help define the precise position to be taken by the European Union at the United Nations Conference on Sustainable Development (Rio+20) in Brazil on 20-22 June. He reminded the meeting that the challenge of this major international event was to secure a new international political commitment to sustainable development, in particular by boosting the green economy.

He presented the three major issues for debate. These were (i) the position the Commission wished to adopt in the current negotiations on sustainable development goals; (ii) the alliances the European Union must try to forge in order to ensure the success of its position; and (iii) the question of financing, and in particular the role of Official Development Assistance.

Mr POTOČNIK placed the Rio conference in its international political and economic context, explaining the various arguments being put forward and the choices to be made, in particular on governance aspects and on the means of implementation. He set out what the Union was hoping for from the conference, namely a global roadmap for a green economy, the outlines of the global

institutional framework required, the active participation of all parties (negotiating States, but also the private sector and civil society), and strengthened international partnerships. He listed the areas of work that had been identified for the European Union – sustainable energy for all, water efficiency, the fight against degradation of land and ecosystems, preservation and sustainable use of the resources of the oceans, and a move to a more resource-efficient and zero waste economy – which corresponded to internal policies already included in the Europe 2020 strategy. Actions should be proposed in these areas based on a set of clearly defined goals. Finally, he spoke about coordination and communication aspects, and the next stages in the negotiations.

Winding up the policy debate, the PRESIDENT thanked Mr POTOČNIK and the other participants and stressed the important and proactive role the European Union in general and the Commission in particular had to play in this key issue, which would help to shape the future of the planet. There was broad support for Mr POTOČNIK and Mr PIEBALGS, but final agreement had not yet been reached on certain lines of action. More emphasis at this stage should be placed on identifying priority themes and operational objectives as pointers for specific measures, as suggested in the information note of 14 February, rather than binding targets. Europe needed to explain its policy of green growth, to make its internal and external action more coherent, and to mount a major campaign to rally support for the cause of sustainable development between now and June.

The PRESIDENT was more than willing to take part, possibly using the opportunity of the next summit of G20 leaders to be held in Mexico on 18 and 19 June. On the subject of alliances, he supported the idea of winning the support of the African countries and least developed countries, while at the same time stressing the need for the European Union to provide the diplomatic impetus and play a highly visible role, with the help of Baroness ASHTON and the European External Action Service, in order to encourage active participation by the major global powers in this exercise.

He concluded the day's debate by announcing that the Commission would hold a second discussion before the Rio conference of June 2012 in order to agree the final

position, taking into account whatever positions emerged from the work of the Danish Council Presidency, the Council and the European Parliament. Speaking for himself and on behalf of the Commission, he assured Mr POTOČNIK of the confidence they placed in him to bring this complex political dossier to a successful conclusion in the best possible conditions.

The Commission took note of the results of the policy debate.

It also noted the background and information notes from Mr POTOČNIK and Mr PIEBALGS, distributed as SEC(2012)156/2 and INFO(2012)9 respectively.

7. INTERINSTITUTIONAL RELATIONS

7.1. LEGISLATIVE MATTERS

- i) Amendment of Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms in their territory (Regulation) – LEPAGE report – 2010/0208 (COD)**
(SI(2012)69)

The Commission approved the line set out in SI(2012)69.

- ii) Amendment of Directive 2004/40/EC on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (18th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (Directive) – MORIN-CHARTIER report – 2012/0003 (COD)**
(SI(2012)70)

The Commission approved the line set out in SI(2012)70.

- iii) Strengthening of economic and budgetary surveillance of Member States experiencing or threatened with serious difficulties with respect to their financial stability in the euro area (Regulation) / Common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area (Regulation) – BOWLES reports – 2011/0385 (COD) / 2011/0386 (COD)**
(SI(2012)71 to /3)

The Commission took note of the information in SI(2012)71 and /3.

- iv) Roaming on public mobile communications networks within the Union (Regulation – recast) – NIEBLER report – 2011/0187 (COD)**
(SI(2012)72)

The Commission approved the line set out in SI(2012)72.

7.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

- v) Programming of Council business**
(SI(2012)73)

The Commission took note of the information in SI(2012)73 on the Council meetings between 1 and 14 March.

- vi) Preparation for European Council (Brussels, 1 and 2 March)**

The PRESIDENT noted with satisfaction that, now that the second programme of assistance to Greece had been approved, the forthcoming European Council would be able to focus mainly on restoring confidence and growth in Europe.

Growth and the European Semester

He stressed that the EU had already agreed on a strategy on growth – Europe 2020; this agreement now had to be followed up by firm commitments and concrete action. In order to restore confidence, which was a prerequisite for

growth, he would remind the Heads of State or Government of their responsibility to breathe new life into efforts to implement the Europe 2020 strategy.

At dinner on Thursday 1 March the Heads of State or Government would devote most of their discussions to the European Semester and on that occasion the Council should give its agreement to the European and national economic policy guidelines for the year ahead.

The PRESIDENT stressed the broad consensus which had now been reached on the draft Council conclusions ratifying the five priorities proposed by the Commission in its Annual Growth Survey. The conclusions should also include a call to Member States to examine more closely the report on macro-economic imbalances presented by the Commission in February.

He noted that after the European Council, in April, each Member State would have to draw up its own national reform programme; these would serve as a basis for the Commission to propose draft national recommendations, which would be put to the European Council for agreement in June.

This meant there was no need for the upcoming European Council to go into the detail of national measures, which would be decided later. The PRESIDENT wanted discussion to focus on the reforms to encourage growth that were planned or already under way at European level; the basis for this would be a working document which he himself had prepared together with the President of the European Council, Mr Herman Van Rompuy.

He also said that he would be reporting to the European Council on the action taken by the Commission to follow up the decisions adopted on 30 January, in particular the measures taken by the action teams which the Commission had set up with the eight Member States with the highest rates of youth unemployment.

The PRESIDENT felt that there was a failure to realise and/or recognise what had been done and what was being done at European level. He referred here

to the letter of 20 February from twelve Heads of Government, which made no mention at all of the Europe 2020 strategy. In his reply of 27 February, a copy of which had been sent to every Member of the Commission, he had set out in clear and simple terms what the Commission was doing and what it had already accomplished in all the areas mentioned by the twelve Heads of Government, with particular reference to the Europe 2020 strategy and the measures proposed in the Annual Growth Survey.

He stressed that, on a number of these issues, such as the European patent, the reduction in administrative burdens and implementation of energy liberalisation, the main obstacles to any progress lay with the Member States themselves.

The need to press ahead on these various fronts had been stated in the conclusions of previous European Councils. This time he intended to ask the European Council to urge Member States to support the pilot scheme on bonds for European projects, so that it could be launched as soon as possible.

At the same time he noted that there was a gap between the results of the European Council and those at ministerial level, which was causing a growing sense of frustration among a number of Heads of State or Government and in the Commission itself.

The PRESIDENT ended his discussion of this topic by saying that he would be highlighting some of these inconsistencies at the forthcoming European Council and that he would encourage its members to take resolute, tangible measures, while stressing that the contribution made by the Heads of Government in their letter needed to be followed up by action and results on the ground.

Institutional matters

As well as the debate on growth, which he hoped would figure prominently at the European Council, the PRESIDENT noted that a number of institutional matters would also have to be covered. On the morning of Friday 2 March the

Member States directly concerned would sign the Treaty on Stability, Coordination and Governance within Economic and Monetary Union.

Before dinner on Thursday Mr Van Rompuy's term of office as President of the European Council would be renewed for two and a half years and, for the first time, a President of the euro summit would be appointed by the euro-area Heads of State or Government: it had already been agreed that this function could be performed simultaneously by the President of the European Council.

The PRESIDENT did not know at this stage whether the question of the accession of Romania and Bulgaria to the Schengen area would be discussed formally, given the serious and persistent concerns of certain Member States on this subject. Nevertheless, he restated the Commission's position, which was very clear, namely that the conditions had been met for expanding this area free of internal border controls.

Enlargement and external relations

The PRESIDENT hoped that the European Council would be able to reach a favourable conclusion concerning Serbia, given the very positive developments concerning Kosovo, which opened the way for a decision granting Serbia candidate country status. On this point he asked Baroness ASHTON and Mr FÜLE to explain in particular the circumstances surrounding the unexpected move by Romania to block this decision at the General Affairs Council meeting the previous day.

On Friday morning the European Council would briefly discuss external relations, including the preparation of major upcoming international meetings – in particular the 'Rio+20' summit, to be held in Rio de Janeiro, Brazil, and the G20 summit in Los Cabos, Mexico, in June – and, possibly, an assessment of the two recent bilateral summits between the EU and India and China respectively.

Turning to the question of the southern Mediterranean, which was also on the agenda of the European Council, the PRESIDENT recalled the speed with

which the Commission had put in place an aid strategy for the countries in the region, immediately after the ‘Arab spring’. He hoped that this aid would now be implemented just as quickly. On the subject of Syria, he noted that a ‘Friends of Syria’ meeting had been held in Tunis on Friday 24 February, attended by Baroness ASHTON.

European Stability Mechanism

The PRESIDENT noted that this time there would not be a euro area summit in the margins of the European Council and that, despite the commitment to revisit in March the question of the financing of the European Stability Mechanism, it did not seem advisable to discuss it now, given the debate under way in Germany and the PSI operation to write off part of the Greek debt held by private creditors, banks and investment funds, which would end on 8 March.

He felt that the decisions in this field would be taken later in March and that if the positive developments continued, the question could ideally be dealt with at Eurogroup level.

Greece

With regard to Greece, the PRESIDENT noted the agreement obtained on the second assistance programme and the debt swap operation that was under way between the Greek State and its private creditors (PSI agreement), which had to be finalised by 8 March. However, he took the view that neither of these questions should be dealt with at the European Council.

He concluded by pointing out that in the early afternoon he and the Members of the Commission most directly concerned would meet the Greek Prime Minister, Mr Lucas Papademos, and several members of his Government, with a view to discussing with them the various possible forms of the aid to Greece from the European Union, focusing on the measures needed to make the best possible use of that Member State’s growth potential. He stressed that the scepticism of certain Member States towards Greece had to be overcome

and that it was more important than ever to demonstrate active and practical solidarity, which was the only way of restoring confidence, without which nothing was possible. Finally, he and the Greek Prime Minister would report to the European Council on the current and future structural reforms decided by Greece.

At the invitation of the PRESIDENT, Baroness ASHTON, Mr FÜLE, Mr ŠEFČOVIČ and Mr REHN took the floor on the various agenda items for the European Council.

With regard to enlargement, Baroness ASHTON briefly outlined the events that had led the General Affairs Council on 28 February to address the question of granting the status of candidate country to Serbia. She spelled out the three conditions set in December 2011 that Serbia would have to fulfil, in particular the conclusion of an agreement with Kosovo on a number of issues. In this connection, she welcomed the ensuing positive dialogue, thanks to the action of the different players that had been involved at European and international level, and noted that Serbia had complied fully with the required conditions, which was why the Council intended to adopt the decision to grant it the status of candidate country. Following Romania's announcement at the General Affairs Council the previous evening that it did not support granting that status and drawing attention to the question of the treatment of the Romanian minority living in Serbia, she explained that this position might jeopardise the unanimous confirmation of that status by the Heads of State or Government at the European Council on 1 and 2 March.

Mr FÜLE added that there had been a consensus during the discussions in Council concerning Serbia's status as candidate country, but that at the last moment it had proved impossible on 28 February to adopt the unanimous decision to grant it. He and Baroness ASHTON had attempted to find a compromise solution and that afternoon he would meet the Serbian and Romanian parties in order to seek a positive outcome before the European Council. Nonetheless, due account had to be taken of the sensitive nature for Romania of the issue of the Romanian minority in Serbia, which it had been

raising for a long time. He also referred to the confirmation by the Council of the Commission's intention to initiate a study on the feasibility of a stabilisation and association agreement with Kosovo, and explained the political importance of Serbia and Kosovo moving together towards the European Union.

Mr ŠEFČOVIČ gave an overview of the results of the General Affairs Council, underlining the excellent coordination on this occasion between the Commission and the Cabinet of the President of the European Council on preparing the draft conclusions and the very positive reaction to the PRESIDENT's response to the letter from the twelve Heads of Government referred to above.

With regard to economic and financial questions, Mr REHN noted the various recent meetings of the G20 Finance Ministers and the discussions held there, in particular concerning the situation of Greece and the strengthening of European firewalls, which were linked to the question of increasing the resources of the International Monetary Fund.

Moreover, the situation of the banking sector in Europe had improved somewhat, as had the economic situation of the Member States, and he took the view that the resulting substantial growth potential had to be fully exploited. Finally, he referred to a number of recent developments in Ireland and Spain.

During the exchange of views that followed these presentations, the following main points were raised:

- the Commission's full and wholehearted support for the action of Baroness ASHTON and Mr FÜLE to encourage a compromise at the General Affairs Council, and the European Union's continuing efforts concerning Serbia and Kosovo;
- the importance, in the context of the enlargement of the Union, of not adding new criteria to the conditions initially laid down and of taking

practical steps to ensure the success of current and future negotiations;

- likewise, with regard to granting the status of candidate country to Serbia, a reminder of a number of aspects of the bilateral context that could explain the positions of certain Member States, and the reaffirmation of the need for an accession process that was both sincere and rigorous;
- the desire that any bilateral agreements should not act as an obstacle to the prospects of membership for Serbia and other countries in the region;
- the satisfaction with the wording of the draft conclusions as regards taxation and the importance of continuing to defend the text in the final conclusions of the European Council;
- the positive view in Greece of the PRESIDENT's recent initiatives on that country and, at the same time, the high expectations generated by the meeting between the PRESIDENT and the Greek Prime Minister, Mr Papademos, which was to take place that afternoon, ahead of the European Council;
- finally, with regard to the Rio+20 Conference, the need to develop green growth that was beneficial to the environment, citizens and businesses, and also to determinedly promote, at international level, fair competition and a level playing field between European companies and companies from outside the Union.

The Commission took note of this information.

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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 11.57.