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SECRETARIAT-GENERAL

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MINUTES

of the 2021st meeting of the Commission

held in Strasbourg

(Winston Churchill building)

on Tuesday 23 October 2012

(afternoon)

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RESULTS OF THE 11TH MEETING OF THE CONFERENCE OF THE PARTIES TO THE UNITED NATIONS CONVENTION ON BIOLOGICAL DIVERSITY (HYDERABAD, 8-19 OCTOBER).....24

Single sitting: Tuesday 23 October 2012 (afternoon)

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

Present:

Mr BARROSO	President	
Ms REDING	Vice-President	
Ms KROES	Vice-President	
Mr TAJANI	Vice-President	
Mr REHN	Vice-President	
Mr POTOČNIK	Member	
Mr PIEBALGS	Member	
Mr BARNIER	Member	
Ms VASSILIOU	Member	
Mr ŠEMETA	Member	
Mr DE GUCHT	Member	Items 1 to 11/12 (in part)
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	Items 1 to 11/12 (in part)
Mr OETTINGER	Member	
Mr HAHN	Member	
Mr FÜLE	Member	Items 1 to 12
Mr ANDOR	Member	
Ms MALMSTRÖM	Member	
Mr CIOLOŞ	Member	

Absent:

Baroness ASHTON	High Representative/ Vice-President
Mr ALMUNIA	Vice-President
Mr KALLAS	Vice-President
Mr ŠEFČOVIČ	Vice-President
Ms DAMANAKI	Member
Ms GEORGIEVA	Member
Ms HEDEGAARD	Member

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

Mr CEBALLOS BARÓN	A member of Baroness ASHTON's staff	
Mr SZAPIRO	A member of Mr ŠEFČOVIČ's staff	Items 1 to 11/12 (in part)
Mr INOTAI	A member of Ms DAMANAKI's staff	
Mr CHAIBI	A member of Ms GEORGIEVA's staff	
Mr MÜLLER	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 PAULGER	Director-General, DG Communication	
Mr GRAY	European Commission Spokesperson Service	
Mr SCHINAS	Bureau of European Policy Advisers	
Ms MARTÍNEZ ALBEROLA	Adviser in the PRESIDENT's Office	Items 1 to 12
Mr SELMAYR	Chef de cabinet to Ms REDING	Items 1 to 12
Ms PARI	A member of Mr LEWANDOWSKI's staff	Items 1 to 10

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

1. AGENDAS
(OJ(2012) 2021/FINAL; SEC(2012) 586/2)

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) 2021)

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

3. APPROVAL OF THE MINUTES AND SPECIAL MINUTES OF THE 2019th MEETING OF THE COMMISSION (10 OCTOBER) AND THE MINUTES OF THE 2020th MEETING (17 OCTOBER)
(PV(2012) 2019; PV(2012) 2019, PART II AND /2; PV(2012) 2020)

The Commission approved the minutes of its 2019th and 2020th meetings.

4. INTERINSTITUTIONAL RELATIONS
(RCC(2012) 102)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 19 October (RCC(2012) 102).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure
(point 1.2 of the IRG record)

Dossiers at Parliament first reading

– Multiannual Financial Framework 2014-2020 – Implementation and exploitation of European satellite navigation systems (Regulation) – 'Galileo' – MARINESCU report – 2011/0392 (COD)

The Commission approved the line set out in SI(2012) 448/4.

– 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) – the 'two-pack' – GAUZÈS / FERREIRA reports – 2011/0385 (COD) / 2011/0386 (COD)

The Commission took note of the information in SI(2012) 453.

– Access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms – Amendment of Directive 2002/87/EC on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate

(Directive) / Prudential requirements for credit institutions and investment firms (Regulation) – CRD IV – KARAS reports – 2011/0203 (COD) / 2011/0202 (COD)

The Commission approved the line set out in SI(2012) 449/2.

– Specific tasks conferred on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (Council Regulation) / Amendment of Regulation (EU) 1093/2010 establishing a European Supervisory Authority (European Banking Authority) as regards its interaction with Council Regulation (EU) …/… conferring specific tasks on the European Central Bank concerning policies relating to the prudential supervision of credit institutions (Regulation) – THYSSEN / GIEGOLD reports – 2012/0242 (CNS) / 2012/0244 (COD)

The Commission took note of the information in SI(2012) 463/2.

– Amendment of Regulation (EC) 1060/2009 on credit rating agencies (Regulation) – DOMENICI report – CRA III – 2011/361 (COD)

The Commission approved the line set out in SI(2012) 452/3.

– Annual financial statements, consolidated financial statements and related reports of certain types of undertakings (Directive) – LEHNE report – 2011/0308 (COD)

The Commission approved the line set out in SI(2012) 434.

– Safety of offshore oil and gas prospection, exploration and production activities (Regulation) – BELET report – 2011/0309 (COD)

The Commission approved the line set out in SI(2012) 439/2.

ii) Preparations for October I and II part-sessions of Parliament
(point 1.3 of the IRG record)

Ordinary legislative procedure – First reading

– Amendment of Council Regulation (EC) 1225/2009 on protection against dumped imports from countries not members of the European Community (Regulation) – MOREIRA report – 2012/0145 (COD)

The Commission approved the line set out in SP(2012) 693.

Non-legislative procedure

– Conclusion of an additional Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States of the one part, and the State of Israel, of the other part, on an Agreement between the European Community and the State of Israel on Conformity Assessment and Acceptance of Industrial Products (ACAA) (Council Decision) – MOREIRA report – 2009/0155 (NLE)

The Commission approved the line set out in SP(2012) 661 and /2.

iii) Enhanced cooperation in the area of the creation of unitary patent protection (Regulation) – RAPKAY report – 2011/0093 (COD)
(point 1.4 of the IRG record)

The Commission approved the line set out in SI(2012) 461/2.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business
(SI(2012) 458)

The Commission took note of the information in SI(2012) 458 on the Council meetings between 25 October and 7 November.

4.3. RELATIONS WITH PARLIAMENT

v) Preparations for October I and II part-sessions of Parliament
(point 3.1 of the IRG record)

Non-legislative dossiers

– General budget of the European Union for the financial year 2013 – all sections – LA VIA and VAUGHAN report – 2012/2092 (BUD)

The Commission approved the line set out in SP(2012) 701, authorised the Member of the Commission with responsibility for the budget to take all the necessary initiatives with a view to reconciling the positions of the European Parliament and the Council in accordance with Article 314(5) of the Treaty on the Functioning of the European Union, and empowered the Member of the Commission with responsibility for the budget, in agreement with the PRESIDENT, to propose, where necessary, in the context of the conciliation procedure, a decision on mobilising the flexibility instrument.

– Agenda for Change: the future of EU development policy – GOERENS report – 2012/2002 (INI)

The Commission approved the line set out in SP(2012) 703 and /2.

– European Semester for economic policy coordination: implementation of 2012 priorities – GAUZÈS report – 2012/2150 (INI)

The Commission approved the line set out in SP(2012) 704 and /3.

– Annual report on the activities of the European Ombudsman 2011 – MAZZONI report – 2012/2049 (INI)

The Commission approved the line set out in SP(2012) 716.

4.4. EXTERNAL RELATIONS

vi) Establishment of an EU Platform for Blending in External Cooperation and Development – Follow-up to Decision 1080/2011/EU of the European Parliament and of the Council
(point 5.1 of the IRG record)

The Commission approved the line set out in SI(2012) 456/2.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED (SEC(2012) 587 ET SEQ.)

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

5.2. EMPOWERMENT (SEC(2012) 588 ET SEQ.)

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

5.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2012) 589 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 October, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES (SEC(2012) 590 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 22 and 31 October and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on 22 October.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2012) 591)

ADMINISTRATIVE MATTERS
(PERS(2012) 111)

6.1. DG COMMUNICATION / SPOKESPERSON SERVICE – EXTENSION OF CONTRACTS OF TEMPORARY STAFF ASSIGNED TO THE SPOKESPERSON SERVICE

The Commission took note of the information at point 1 of PERS(2012) 111 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms REDING, decided to derogate from the Commission decisions set out in C(2004) 1597/5 and /6 and to extend until the end of the present Commission's term of office the contracts of thirteen temporary staff members assigned to the Spokesperson Service under Article 2(b) of the Conditions of employment applicable to other servants of the European Union, without organizing a selection procedure.

This decision would take effect immediately.

6.2. DG HUMAN RESOURCES AND SECURITY – LAUNCHING OF 2012 PROMOTION EXERCISE FOR SENIOR MANAGEMENT STAFF

The Commission took note of the decision of the PRESIDENT and Mr ŠEFČOVIČ, adopted in accordance with the provisions of the Commission Decision of 10 May 2007 on the system of promotion of senior management staff (SEC(2007) 605) concerning the launch of the 2012 promotion exercise based on the following criteria: the target promotion rate would be around 15% of eligible officials, the posts concerned would be those of Director or equivalent (AD14/15) and Director-General or equivalent (AD15/16), the exercise would last from October 2012 to March 2013, the eligibility conditions would have to be met on 31 December 2012 at the latest

and the promotions would take effect on 1 January 2013.

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMMISSION WORK PROGRAMME 2013
(COM(2012) 629 AND /2)

The Commission approved the Communication in COM(2012) 629/2 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – TOWARDS A COMPREHENSIVE EUROPEAN FRAMEWORK FOR ONLINE GAMBLING
(COM(2012) 596 TO /3; SWD(2012) 345 AND /2; RCC(2012) 101 AND /2)

The Commission approved the Communication in COM(2012) 596/3 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments, together with the staff working document distributed as SWD(2012) 345/2, the contents of which were noted.

9. PROPOSAL FOR A COUNCIL DECISION AUTHORISING ENHANCED COOPERATION IN THE AREA OF FINANCIAL TRANSACTION TAX (COM(2012) 631 AND /2)

The Commission adopted the proposal for a Council Decision set out in COM(2012) 631/2 for transmission to Parliament and the Council and, for information, to the national parliaments.

10. DRAFT AMENDING BUDGET No 6 TO THE GENERAL BUDGET 2012 - GENERAL STATEMENT OF REVENUE AND STATEMENT OF EXPENDITURE BY SECTION (SECTION III – COMMISSION) (COM(2012) 632; SEC(2012) 608; INFO(2012) 93; RCC(2012) 106)

The PRESIDENT thanked Mr LEWANDOWSKI for the balanced proposal that he had prepared with a view to tabling an amending budget concerning, in particular, nearly nine billion euros in additional payment appropriations.

He was aware of the difficulty of the exercise, which sought to meet as far as possible the payment needs of the programmes financed by the EU budget to the end of the year and hence reduce arrears, at the same time taking account of the prevailing political and economic realities. Against this background, it was for the Members of the Commission to show solidarity and take a collective position in order to obtain, on that basis, the best possible outcome from the trilogue with Parliament and the Council that would take place at the beginning of November and before the negotiation on the multiannual financial framework 2014-2020 had been finalised at the end of November.

He recognised the difficulties that the proposal implied for Mr HAHN and Mr ANDOR, given the size of the funds for which they were responsible, but took the view that it was precisely for this reason that they should be fully involved in the collective effort. In this context, he stressed the importance of being well aware of the reality of the present political situation and pointed out that in three weeks the

European Council would have to reach an agreement on the overall amount of the next multiannual financial framework.

He concluded by noting that it was for the Commission to show responsibility and realism, in particular given the general context of budget discipline, and that all Members of the Commission had to contribute to what was a collective effort.

Mr LEWANDOWSKI highlighted the difficult budgetary situation in the 2012 financial year and felt that, although the negotiations on the multiannual financial framework 2014-2020 were entering their final phase, the proposal that he was tabling was a prudent but robust estimate of what was needed and politically possible to obtain for the 2012 budget.

He noted that the proposal took account of all the requests for payments received by 15 October, and believed that the forecasts provided by the Member States were excessive, adding that prudence was the order of the day when it came to extrapolations concerning the remaining needs to be covered until the end of the year.

He ended his comments by underlining that the amendment for nine billion euros in payment appropriations would result in an increase in the 2012 budget of around 7%, which was a realistic and sound basis for the budget conciliation procedure that the Commission and Parliament would start for the 2013 budget.

Mr HAHN raised the existing constraints in the context of the cohesion policy and noted the political sensitivity of questions surrounding the interruption or delay by the Commission of payments to the Member States.

He also highlighted the need for the Commission, and for each of its Members, to state and repeat to the Governments and representatives of the Member States that the European Commission was acting consistently and reasonably, and that the current economic difficulties could be overcome only if all the procedures were followed and if every level played by the rules, independently of questions of finance.

Mr ANDOR supported Mr HAHN's comments and pointed out that, on the basis of the current proposal, only one third of the financing needs of the European Social Fund could be covered. He stressed the negative effects with regard to the needs of the Member States, for example in the areas of youth, training, education and employment.

He closed his comments by pleading for a sound set of arguments in favour of the proposal and felt that the relevance of the proposal would be greatly diminished if, by any chance, there were to be a further amending budget before the end of the year.

Mr LEWANDOWSKI replied to a number of questions and comments. He laid particular emphasis on the balanced approach being proposed, which concerned all the Structural Funds, and noted the carryovers to the 2012 budget of certain commitments from the 2011 budget.

The PRESIDENT concluded by noting the agreement of all the Members of the Commission on the proposal tabled and again highlighted the importance of providing full support, both individually and collectively, to Mr LEWANDOWSKI.

The Commission adopted the draft amending budget set out in COM(2012) 632 for transmission to Parliament and the Council, and, for information, to the national parliaments.

It also took note of the background paper and information note from Mr LEWANDOWSKI in SEC(2012) 608 and INFO(2012) 93 respectively.

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS - GENDER BALANCE IN BUSINESS LEADERSHIP: A CONTRIBUTION TO SMART, SUSTAINABLE AND INCLUSIVE GROWTH (COM(2012) 615 AND /2; RCC(2012) 104)

12. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON IMPROVING THE GENDER BALANCE AMONG NON-EXECUTIVE DIRECTORS OF COMPANIES LISTED ON STOCK EXCHANGES AND RELATED MEASURES
(COM(2012) 614 TO /3; SWD(2012) 348; SWD(2012) 349 AND /2; SEC(2012) 592; RCC(2012) 104)

The PRESIDENT briefly introduced the discussion on the communication and the proposal for a directive aimed at improving the gender balance on the non-executive management boards of European undertakings listed on stock exchanges. He particularly welcomed the fact that the Commission could hold an in-depth policy discussion on this very important matter.

Ms REDING began her presentation by pointing out that the principle of setting a binding gender balance target for non-executive management boards, which was at the heart of the Commission's initiative, was a controversial subject on which views were very diverse and strongly divided. However, she noted with satisfaction the positive basis for what she trusted would be a constructive debate today, namely the Commission's full commitment to the fundamental value of gender equality, which was moreover enshrined in the Treaty on European Union, and the need to make a more determined effort to improve the gender balance in the corporate world and on European management boards, given that over 85% of board members were men.

Ms REDING recognised that where opinions differed most was on the best way of improving the current situation. The debate had shifted to the much more nuanced ground of the best means of achieving a shared objective.

To take account of these aspects, she had worked in close collaboration with the five Commissioners whose areas of responsibility made them most directly concerned by the proposal, with a view to finding the most balanced compromise possible. She thanked them and their departments and offices for their contribution, as well as the Legal Service, which was also involved in this preparatory phase. There had been many developments in the proposal since the initial draft and she stressed the importance, in her view, of strong support from the Commissioners.

Turning to the substance of the proposal, Ms REDING explained how it had evolved from a strict rule on quotas to a nuanced and balanced tool that took into account the different interests at stake. The main amendments that had been made were (i) restricting the scope of the directive to non-executive directors in order to avoid any interference in the operational management of undertakings; (ii) clarifying the qualification, performance and merit criteria for being appointed a non-executive director; (iii) the formal exemption from the scope of the proposal of small and medium-sized enterprises, even if listed on stock exchanges; (iv) the possibility granted to the Member States to exempt undertakings from the 40% rule if less than 10% of the employees were of the under-represented gender; and (v) insertion of an expiry clause (31 December 2028), since there would be no further need for the directive once a better gender balance had been achieved.

She concluded by saying that the present proposal responded to numerous concerns already voiced. Going beyond the very different situations that existed in the various Member States, the European Parliament had twice invited the Commission to present an important and credible initiative on the issue of gender balance by voting for resolutions in 2011 and 2012 by a large majority and across all political families. She therefore welcomed the debate – in which the Commissioners were invited to take part under the PRESIDENT's direction – on a long-awaited and, in her view, balanced proposal.

During the ensuing debate, the following main aspects were raised:

– a reminder of the Commission Members' unanimous commitment to the equal treatment of men and women, which had been one of the fundamental principles of the European project since its inception; support for the general objective of more balanced participation by men and women in undertakings;

– a reminder of the positive and widely-acknowledged role of the promotion of gender equality, and diversity in the widest sense of the word, in the performance of undertakings; a reference to the welcome growth that a proactive European approach to promote gender balance in non-executive management boards would bring to the EU economy; the need to emphasise the

importance of the broad consensus, which also applied to the business world, from which the Commission benefited in order to continue, despite the crisis, to make legislative proposals on the important issue of gender balance in boardrooms; the opinion that the measures proposed in the directive would not hinder job creation;

– however, questions from other Commission Members as to whether it was the right moment politically and economically for this proposal for a directive, at a time when the Union must convince Europeans of the need for in-depth and in some cases painful economic reforms; doubts, too, about the usefulness of opening a debate on a particularly controversial matter at the present time; the need for the Commission to set out its aims clearly; the importance of taking into account the positions, particularly as regards subsidiarity, not only of the Member States but also of the national parliaments and social partners; questions as to the appropriateness of a proposal that some believed would increase the administrative burden on companies and risk interfering in the way they were run at a time when they faced significant economic challenges and had to increase their competitiveness in view of the crisis;

– the need to propose measures at European level to tackle the imbalance between men and women on company boards and to catch up with certain major economic partners, both of which were structural problems common to all Member States; a reminder of the Commission's constant efforts over many years to advance the cause of equal treatment of men and women by successive European initiatives in the economic, employment and social field;

– on the other hand, doubts as to whether it was appropriate and consistent with the subsidiarity principle for the EU to propose a uniform solution in an area shaped by very different national traditions and political, social and legal systems in the Member States; a warning of difficulties in transposing the proposed directive into national law because of significant differences between Member States in the definition of certain legal concepts, such as the notion of supervisory boards, and the actual situations to which they refer; questions about the justification for limiting the scope of application to the management

boards referred to in the text, and possible follow-up action at a later date;

– the question of the choice of legal instrument for responding to the need for change; some support for the option of binding measures set out in a proposal for a directive, accompanied by sanctions, and for setting a target of 40% of women non-executive directors in EU undertakings, given the inconclusive results achieved with the non-binding measures adopted in the past, such as recommendations and codes of conduct;

– doubts about the obligation to produce results, with some contributors preferring a more flexible system based on a 'best efforts' obligation instead; doubts about the justification for a system of sanctions and how this would work; the need to avoid presenting a proposal containing too many obligations, which might be viewed as an attack on entrepreneurial freedom and companies' ownership rights, which were fundamental principles of democracy and the rule of law; a warning of the undesirable consequences which the proposal for a directive might have on the number of court cases or the working of the internal market;

– the perception of the imposition of quotas as necessary and worthwhile by some, but by others as a solution of last resort only;

– the suggestion supported by some contributors that instead of the proposal for a directive, some other legally less onerous instruments might be used, such as recommendations, perhaps even accompanied by rendez-vous clauses, or optional measures, such as the adoption of codes of conduct, but without making the overall objective to be attained any less ambitious;

– similarly, again in the interests of a compromise, the suggestion that consideration be given to the possibility of restricting the scope of the 40% quantitative target to public undertakings.

The Director-General of the Legal Service took the floor, at the PRESIDENT's request, and began by pointing out that equality of treatment between men and women had been enshrined in the Treaties since 1957 and confirmed by the Court of

Justice. He felt that, given the grounds and background information set out in the introduction to the proposal, the conditions relating to the subsidiarity principle in Article 5(3) of the Treaty on European Union could be said to apply, and that a case could be made for an initiative based on the provisions of Article 157(3) of the Treaty on the Functioning of the European Union (measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation).

This would be the first time positive discrimination had been introduced at Union level in an area as specific as membership of company boards and such a move was legally defensible under Article 157. However, he referred in this connection to the case law of the Court of Justice, which had ruled that only temporary derogations to help the under-represented gender were acceptable, depending on precise and objective criteria and on condition that it was always possible to depart from them after individual examination of the qualifications of the candidates concerned.

He felt, more generally, that the imposition in the proposal of an obligation to achieve results, with compulsory quotas and sanctions, did not appear to be legally possible, and that, given the specific nature of the subject-matter, only a system based on a best efforts obligation could satisfy the requirements of case law, as the Legal Service had already suggested on a number of occasions during the process of drafting the proposal.

Replying to the other questions raised in the meeting, he considered that the proposed text did, at this stage, envisage compulsory quotas to be applied in order to achieve a target figure, with sanctions for non-compliance. The proposal only affected non-executive directors of the undertakings concerned, but because of the diversity of the systems in operation in the different Member States, it would be for them to make the requisite adjustments when transposing the directive, in order to comply with it.

Ms REDING replied to the questions and comments in the debate and presented alternative wordings that could, in her view, help to secure a consensus on this policy initiative to which she attached high importance.

After an initial discussion of these suggested amendments, the PRESIDENT concluded that more time was needed to examine them. He welcomed the in-depth debate that day and the range of opinions that had been expressed. The Commission had taken the time to discuss this important and politically sensitive dossier and, on the basis of this debate, he noted the Members' agreement to defer the adoption of the two texts to allow time for further reflection, so that they could be resubmitted to the Commission for a decision before the end of November, in the hope of arriving at a consensus.

13. RELATIONS WITH NON-MEMBER COUNTRIES

RESULTS OF THE 11TH MEETING OF THE CONFERENCE OF THE PARTIES TO THE UNITED NATIONS CONVENTION ON BIOLOGICAL DIVERSITY (HYDERABAD, 8-19 OCTOBER)

Mr POTOČNIK reported briefly on the results of the 11th meeting of the Conference of the Parties to the United Nations Convention on Biological Diversity which had been very positive in terms of setting targets for funding for developing countries, based on figures which could be regarded as satisfactory for the European Union and its Member States. He also referred to a number of side agreements that had been reached and concluded that the European Union's firm political commitment had enabled promising results to be achieved and had thus made a decisive contribution to the success of the meeting.

The Commission took note of this information.

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The meeting closed at 15.56.