EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2013) 2035 final

Brussels, 27 February 2013

MINUTES

of the 2035th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 20 February 2013

(morning)

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Single sitting: Wednesday 20 February 2013 (morning)

The sitting opened at 9.11 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Baroness ASHTON	High Representative/ Vice-President	Items 1 to 10 (in part)
Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	Items 10 and 11
Mr TAJANI	Vice-President	
Mr REHN	Vice-President	Items 10 (in part) and 11
Mr POTOČNIK	Member	Items 10 and 11
Mr BARNIER	Member	
Ms VASSILIOU	Member	
Mr ŠEMETA	Member	
Mr DE GUCHT	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	Items 1 to 10
Ms DAMANAKI	Member	
Mr OETTINGER	Member	
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	
Ms MALMSTRÖM	Member	Items 1 to 10
Mr CIOLOŞ	Member	
Mr BORG	Member	

Absent:

Mr ŠEFČOVIČ	Vice-President
Mr PIEBALGS	Member
Ms GEORGIEVA	Member
Mr HAHN	Member

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

Mr NOCIAR	Chef de cabinet to Mr ŠEFČOVIČ	
Mr KARHUNEN	Deputy Chef de cabinet to Mr PIEBALGS	
Mr DELPHIN	Chef de cabinet to Ms GEORGIEVA	
Mr GAMBS	Chef de cabinet to Mr HAHN	

The following also sat in:

Mr SOBRAL	Deputy Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PAULGER	Director-General, DG Communication	Items 1 to 10 (in part)
Mr DOENS	Head of the Commission Spokesperson Service	Items 1 to 10 (in part)
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr THEBAULT	Head of the Bureau of European Policy Advisers	Items 10 and 11
Mr KARNITSCHNIG	A member of the PRESIDENT's staff	Items 1 to 10
Mr BANNERMAN	Adviser in Baroness ASHTON's Office	Items 10 (in part) and 11
Mr PESONEN	Chef de cabinet to Mr REHN	
Mr LAHTI	Adviser in Mr REHN's office	Items 10 (in part) and 11
Mr MALGAJ	Deputy Chef de cabinet to Mr POTOČNIK	Items 1 to 10 (in part)
Mr MAMER	Deputy Chef de cabinet to Mr OETTINGER	Items 1 to 10
Mr VIS	Chef de cabinet to Ms HEDEGAARD	Items 1 to 10

Ms ÅSENIUS	Chef de cabinet to Ms MALMSTRÖM	Item 11
Mr DELBEKE	Director-General, DG Climate Action	Items 1 to 10

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

1. AGENDAS
(OJ(2013) 2035/FINAL ; SEC(2013) 103/2)

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(2013) 2035)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 18 February.

3. APPROVAL OF AN ADDENDUM TO THE SPECIAL MINUTES OF THE 2032ND MEETING OF THE COMMISSION (30 JANUARY), AND OF THE MINUTES OF THE 2034TH MEETING (13 FEBRUARY)
(PV(2013) 2032 , PART II)

The Commission approved the addendum to the special minutes of its 2032nd meeting and decided to hold over approval of the minutes of its 2034th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure

<u>Dossiers at Parliament first reading</u>

– Multiannual financial framework 2014-2020 – Common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Council Regulation (EC) 1083/2006 (Regulation) – VAN NISTELROOIJ & KREHL report – 2011/0276 (COD)

The Commission approved the line set out in SI(2013) 60.

– Access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and amendment of Directive 2002/87/EC of the European Parliament and of the Council 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) – KARAS report – 2011/0203 (COD) / 2011/0202 (COD)

The Commission approved the line set out in SI(2013) 61.

– European Union's Civil Protection Mechanism (Decision) – GARDINI Report – 2011/0461 (COD)

The Commission approved the line set out in SI(2013) 57/2.

– 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(2013) 50.

– European Union Programme for Social Change and Innovation (Regulation) – STEINRUCK Report – 2011/0270 (COD)

The Commission approved the line set out in SI(2013) 59.

– Minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (20th individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) – MORIN-CHARTIER Report – 2011/0152 (COD)

The Commission approved the line set out in SI(2013) 52.

– Non-commercial movements of pet animals Regulation) – SCHNELLHARDT Report – 2012/0039 (COD)

The Commission approved the line set out in SI(2013) 53.

<u>Dossier at Council first reading</u>

– Common organisation of the markets in fishery and aquaculture products (Regulation) – STEVENSON report – 2011/0194 (COD)

The Commission approved the line set out in SI(2013) 51 and /2.

ii) Dossier requiring the consent of the European Parliament

– Multiannual Financial Framework 2014-2020 – Establishing for the period 2014-2020 the programme ‘Europe for Citizens’ (Council Regulation) – TAKKULA Report – 2011/0436 (APP)

The Commission approved the line set out in SI(2013) 63.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business
(SI(2013) 62)

The Commission took note of the information in SI(2013) 62 on the Council meetings between 21 February and 6 March.

iv) Reopening of negotiations concerning a comprehensive air transport agreement between the European Union and the Federative Republic of Brazil

The Commission approved the line set out in SI(2013) 48.

4.3. RELATIONS WITH PARLIAMENT

v) Action taken on non-legislative resolutions adopted by Parliament at its November part-session
(SP(2013) 110 and /2)

The Commission approved, for transmission to Parliament, documents SP(2013) 110 and /2 on the action taken on the non-legislative resolutions adopted by Parliament at its November part-session.

vi) Action taken on legislative opinions and non-legislative resolutions adopted by Parliament at its December part-session
(SP(2013) 111)

The Commission approved, for transmission to Parliament, document SP(2013) 111 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its December part-session.

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

vii) Action taken on opinions of the European Economic and Social Committee – Third quarter 2012
(SC(2013) 8 and /2)

The Commission approved document SC(2013) 8/2 on the action taken by the Commission on the opinions adopted by the European Economic and Social Committee during the third quarter of 2012, for transmission to that Committee.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – INDIVIDUAL CASES
(SEC(2013) 113/2)

The Commission adopted the decisions in SEC(2013) 113/2.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED
(SEC(2013) 104 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 11 and 15 February.

6.2. *EMPOWERMENT (SEC(2013) 105 ET SEQ.)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 11 and 15 February.

6.3. *DELEGATION AND SUBDELEGATION OF POWERS (SEC(2013) 106 ET SEQ.)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 11 and 15 February, as archived in e-Greffe.

6.4. *SENSITIVE WRITTEN PROCEDURES (SEC(2013) 107)*

The Commission took note of the sensitive written procedures for which the time limit expired between 18 and 22 February.

6.5. *DELEGATION OF POWERS RELATING TO DECISIONS CONCERNING THE CONFIDENTIAL TREATMENT OF INFORMATION REQUIRED UNDER THE TERMS OF ARTICLE 20(3) OF REGULATION (EC) 1935/2004 ON MATERIALS AND ARTICLES INTENDED TO COME INTO CONTACT WITH FOOD (C(2013) 965)*

The Commission decided to delegate to the Director-General responsible for Health and Consumers the power to adopt, on behalf of the Commission and under its responsibility, decisions determining the information, submitted as part of an authorisation procedure or of a renewal procedure of authorisations, referred to in Regulation (EC) 1935/2004 and in Commission Regulation (EC) 282/2008, to be kept confidential in accordance with Article 20(3) of Regulation (EC) 1935/2004, in line with the criteria set out in C(2013) 965.

7. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2013) 108)

ADMINISTRATIVE MATTERS
(PERS(2013) 35)

7.1. DG INFORMATICS – APPOINTMENT OF AD15/16 DIRECTOR-GENERAL (PERS(2013) 17 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-General, DG Informatics (PERS(2013) 17 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 7 and 12 February 2013 (PERS(2013) 17/3 and /4).

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

This decision would take effect on 1 March 2013.

7.2. OFFICE FOR THE ADMINISTRATION AND PAYMENT OF INDIVIDUAL ENTITLEMENTS – TEMPORARY POSTING AS DIRECTOR

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, the Commission decided, under Article 7(2) of the Staff Regulations, to grant a temporary posting as Director of the Office for the administration and payment of individual entitlements to Mr Giuseppe SCOGNAMIGLIO, currently Head of the Accident and Sickness Insurance Unit in that Office, from 1 March 2013 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.

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS: TOWARDS SOCIAL INVESTMENT FOR GROWTH AND COHESION – INCLUDING IMPLEMENTING THE EUROPEAN SOCIAL FUND 2014-2020 (COM(2013) 83 AND /2; SWD(2013) 38 AND /2; SWD(2013) 39; SEC(2013) 40; SWD(2013) 41 AND /2; SWD(2013) 42; SWD(2013) 43; SWD(2013) 44 AND /2; RCC(2013) 16)

9. COMMISSION RECOMMENDATION: INVESTING IN CHILDREN TO BREAK THE VICIOUS CIRCLE OF INEQUALITY (C(2013) 778 AND /2; RCC(2013) 16)

The Commission:

- approved the communication in COM(2013) 83/2, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to national parliaments, together with the staff working documents distributed as SWD(2013) 38/2, SWD(2013) 39, SWD(2013) 40, SWD(2013) 41/2, SWD(2013) 42, SWD(2013) 43 and SWD(2013) 44/2;

- adopted the recommendation set out in COM(2013) 778/2 and decided to transmit it, for information, to Parliament, the Council, the Economic and Social Committee, the Committee of the Regions and the national parliaments;

– decided to publish this recommendation in the Official Journal of the European Union in order to inform the Member States and interested parties.

10. POLICY DEBATE ON AN ENERGY AND CLIMATE FRAMEWORK FOR 2030
(SEC(2013) 112; RCC(2013) 17)

The PRESIDENT launched the policy debate on a policy framework for climate and energy up to 2030 which would enable the current framework, due to expire in 2020, to be extended beyond that time.

He explained the reasons for this debate. First, it would be useful now for decision-makers (economic operators and investors) to have some degree of predictability and regulatory stability to enable them to take decisions involving major investments over long periods of time which would have an impact on the European Union’s energy choices for several decades. Then there was the positive effect that defining a clear climate and energy policy outlook would have, in a delicate economic context and rapidly-changing energy situation, on competitiveness, jobs and growth in Europe. Lastly, the negotiations on the new global climate agreement should be concluded at the end of 2015. The Union must continue to be active and ambitious in these negotiations while at the same time adopting a realistic approach in order to rally the main greenhouse gas-producing countries behind these efforts to combat climate change.

He suggested, therefore, focusing the main debate on several substantive issues, namely (i) a discussion on the role of the quantified targets in order to steer the climate and energy framework as simply and efficiently as possible, and on the relations between these targets; (ii) ways and means, based on this framework, to enhance the competitiveness of the European economy, for instance by focusing on the important issue of energy prices; and (iii) a review of the effectiveness of the set of policy instruments available at both national and European levels and their impact on the internal energy market, for instance in relation to taxation and support for renewable energy sources, in order to draw on these lessons in the forthcoming proposals for 2030.

As for the follow-up, the PRESIDENT said that the guidelines that emerged from this debate would be used as a basis by the Commission to prepare a green paper for publication at the end of March which would launch consultations and an initial series of contacts with Member States, at the same time as an in-depth impact analysis.

Once all these initiatives had been carried out, the Commission would be in a better position to decide whether it wanted legislative proposals or whether the outcome of this work should be set down in a white paper. In any case, what was important at this stage was that the Commission should chart a policy course rather than take concrete decisions.

Ms HEDEGAARD presented the main issues to be taken into account in the medium and long term from the European Union's point of view and pointed out the importance of a successful move towards a low carbon economy.

The most urgent challenges included energy dependence and the significance of net fossil fuel imports in the European trade balance.

With or without a climate policy, the second main challenge concerned energy costs which were set to rise because of the increase in fossil fuel prices and, in particular, the cost of replacing old infrastructure.

As regards employment, another Union priority, Ms HEDEGAARD underlined the fact that "green" jobs were withstanding the crisis well and that five million jobs could be created in Europe by 2020 in the energy efficiency and renewable energy sectors alone.

Turning to international policy developments, Ms HEDEGAARD was pleased that other countries were increasingly following the Union's example of setting quantified targets, although there were wide divergences between countries when it came to implementation. Some regions of the world were catching up very quickly in terms of investments, particularly in renewable energy.

Winding up her presentation, Ms HEDEGAARD said that she personally was in favour of binding quantified targets, which would have the effect of 'Europeanising' the Union's action on climate and energy, which was already one of the Commission's successes since the launch of the first package of measures in 2007 and 2008. She was also in favour of developing the emissions trading system (ETS) in order to improve certain aspects of the way in which it operated.

Mr OETTINGER followed up this presentation by providing more detail on the energy aspects of the policy framework for 2030. He began by stressing that the energy sector must be able to take a long-term view. It was therefore vital for the Union to follow up its 2020 strategy and to work on its vision of a European energy policy that maintained continuity, so as to make up the delays in certain areas and complete the internal market.

He said that setting a binding target for reducing greenhouse gas emissions was both justified and necessary, while pointing out that this target could not be met unless suitable technologies were available.

He was also in favour of binding targets for energy efficiency, but felt that it was too early to broach this question, as the Member States were only just beginning to implement the targets set for 2020.

He recommended that the Commission take a pragmatic approach to the target share of renewables in the Member States' energy consumption in 2030 and adopt policy guidelines that could form the basis for consensus among all 27 governments.

He justified the need for the EU to take firm action to ensure affordable energy costs and painted a complex picture of high oil prices, a United States that was striving for energy self-sufficiency, increasing coal imports in Europe and the lack of a global market in gas and electricity. On this last point, he felt that it was worth looking closely at the possibilities opened up by shale gas and the geopolitical implications of China possibly becoming in time the world leader in the electricity market.

In the course of a wide-ranging discussion, the Commission Members expressed their support for the presentation in the near future of a green paper on the energy and climate framework for 2030, and agreed on the need for a balanced approach combining ambition, pragmatism and a long-term vision, enabling a clear signal to be sent to markets and providing a stable regulatory environment which favoured innovation and investment. They stressed the need to place competitiveness at the heart of the debate, on the basis of a thorough scientific analysis of the current environment and a macroeconomic analysis, to assess various scenarios of quantified targets, whether or not they were binding, and to reconcile the objective of combating climate change with energy security and the creation of a single energy market. They proposed including in the preparation of the framework for 2030 the aspects relating to energy taxation and state aid, and examining ways of improving the emissions trading system. They also stressed the need to gain the support of the other global economic stakeholders for the climate agreement to be concluded at the end of 2015. Lastly, they underlined the need to develop technologies that could contribute to reducing the Union’s energy dependence.

The PRESIDENT noted the general support of the Members of the Commission for launching the work on a framework for 2030, for continuing with the commitments made and for the need to possibly examine new factors before drawing any policy conclusions. He stressed the sensitive nature of the economic context and the importance of looking into the issues of competitiveness, the emergence of shale gas and the substantial differences in energy prices, not only between the European Union and other regions of the world, but also within the Union itself, by examining all the factors included in the composition of prices, in particular taxation and subsidies. He highlighted the importance of linking all this work to the completion of the internal energy market. As regards the ETS, he considered that it was necessary to correct the shortcomings of the system, but added that it was not the sole pillar of the policy in preparation for 2030. As regards the international context, he stressed the importance for the European Union of obtaining greater clarity in relation to the commitments of the international partners and emphasised that the Union must not lose the benefit of the considerable efforts already made.

The PRESIDENT concluded by noting the full support of the College for the need to set up a joint climate and energy framework, for the relevance of using 2030 as a time horizon and for the usefulness of quantified targets for carbon emissions and renewable energies, as well as, possibly, a quantified target for energy efficiency, specifying that no decision had been made at this stage as to whether each of these quantified targets would be binding or optional. More generally, he suggested taking the issues raised in this constructive debate into account in the future framework for 2030.

As regards the process, he pointed out that following the consultation launched with the publication of the green paper at the end of March and on the basis of the detailed impact analysis which would be submitted, the College would decide on the most appropriate course of action.

The Commission took note of the results and conclusions of the policy debate and of the background note distributed under the authority of the PRESIDENT, Mr OETTINGER and Ms HEDEGAARD as SEC(2013) 112.

11. OTHER BUSINESS

LATEST ECONOMIC DEVELOPMENTS

Mr REHN briefly mentioned the agreement concluded that day between the European Parliament and the Council on the legislative proposals on strengthening economic and budgetary surveillance in the euro area (‘two pack’). He welcomed the fact that this new step forward had been taken, stating that it would be a decisive one on the way to a deeper economic and monetary Union. He explained that the factor which enabled this agreement had been the Commission’s declaration, handed out to the Members of the Commission during the meeting, concerning the establishment of a high-level group of experts to examine the feasibility of creating a European Debt Redemption Fund and eurobills. He specified that this group of experts would present its final report at the latest in March 2014, on the basis of which the current Commission would, if necessary, submit proposals before the end of its mandate.

He stated furthermore that on Friday 22 February he would present the Commission’s winter economic forecast, which would for the first time include forecasts for the whole year and for public finances, thanks to enhanced economic surveillance. He briefly reviewed the economic situation in Europe against a backdrop of low growth, increasing unemployment, ongoing fiscal consolidation and the gradual restoration of confidence on the financial markets.

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 12.10.