



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2013) 2055 final

Brussels, 24 July 2013

MINUTES

**of the 2055th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 17 July 2013
(morning)**

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Single sitting: Wednesday 17 July 2013 (morning)

The sitting opened at 9.05 with Mr BARROSO, President, in the chair. The ordinary meeting was followed by an informal Commission meeting.

Present:

Mr BARROSO	President
Ms REDING	Vice-President
Mr ALMUNIA	Vice-President
Mr KALLAS	Vice-President
Ms KROES	Vice-President
Mr TAJANI	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr POTOČNIK	Member
Mr PIEBALGS	Member
Ms VASSILIOU	Member
Mr ŠEMETA	Member
Ms GEOGHEGAN-QUINN	Member
Mr LEWANDOWSKI	Member
Ms DAMANAKI	Member
Mr HAHN	Member
Mr FÜLE	Member
Mr ANDOR	Member
Ms MALMSTRÖM	Member
Mr CIOLOŞ	Member
Mr BORG	Member
Mr MIMICA	Member

Absent:

Baroness ASHTON	High Representative/ Vice-President
Mr REHN	Vice-President
Mr BARNIER	Member
Mr DE GUCHT	Member
Ms GEORGIEVA	Member
Mr OETTINGER	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
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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 DOENS	Head of the Commission Spokesperson Service
Ms AHRENKILDE HANSEN	Commission Spokeswoman

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

1. AGENDAS

(OJ(2013) 2055/FINAL; SEC(2013) 413/2)

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) 2055)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 15 July.

**3. APPROVAL OF THE MINUTES OF THE 2053RD AND 2054TH
COMMISSION MEETINGS (2 JULY AND 10 JULY)**

(PV(2013) 2053; PV(2013) 2054)

The Commission approved the minutes of its 2053rd meeting and decided to hold over approval of the minutes of its 2054th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

- i) Multiannual Financial Framework 2014-2020 – Definition of the rules for participation in the Horizon 2020 Framework Programme for Research and Innovation and for dissemination of the results (Regulation) – EHLEER report – 2011/0399 (COD) / Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020 Framework Programme for Research and Innovation (Council Regulation) – SKINNER report – 2011/0400 (NLE) / Horizon 2020 Framework Programme for Research and Innovation (Regulation) – RIERA MADURELL report – 2011/0401 (COD) / Specific programme implementing the Horizon 2020 Framework Programme for Research and Innovation (Council Decision) – CARVALHO report – 2011/0402 (CNS)
(SI(2013) 428 to /3)**

The Commission approved the line set out in SI(2013) 428/2 and /3.

- ii) Improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures (Directive) – KRATSA-TSAGAROPOULOU report – 2012/0299 (COD)
(SI(2013) 430)**

The Commission took note of the information in SI(2013) 430.

- iii) Amendment of certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures (Regulation) – QUISTHOUDT-ROWOHL report –**

2011/0039 (COD)

(SI(2013) 435)

The Commission approved the line set out in SI(2013) 435.

- iv) Amendment of certain regulations relating to the common commercial policy as regards the granting of delegated powers for the adoption of certain measures (Regulation) – LEICHTFRIED report – 2011/0153 (COD)**

(SI(2013) 434)

The Commission approved the line set out in SI(2013) 434.

- v) Amendment of Council Regulation (EC) 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (Regulation) – FJELLNER report – 2011/0310 (COD)**

(SI(2013) 433)

The Commission approved the line set out in SI(2013) 433.

- vi) Amendment of Regulation (EC) 294/2008 establishing the European Institute of Innovation and Technology (Regulation) – LAMBERTS report – 2011/0384 (COD) / Strategic Innovation Agenda of the European Institute of Innovation and Technology (Decision) – MATIAS report – 2011/0387 (COD)**

(SI(2013) 429)

The Commission approved the line set out in SI(2013) 429.

- vii) Establishment of the European Voluntary Humanitarian Aid Corps (Regulation) – STRIFFLER report – 2012/0245 (COD)**

(SI(2013) 386 and /2)

The Commission approved the line set out in SI(2013) 386 and /2.

viii) Multiannual Financial Framework 2014-2020 – Establishment of the Creative Europe Programme (Regulation) – COSTA report – 2011/0370 (COD)

(SI(2013) 427)

The Commission approved the line set out in SI(2013) 427.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

ix) Programming of Council business

(SI(2013) 425)

The Commission took note of the information in SI(2013) 425 on the Council meetings between 18 and 31 July.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2013) 414 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 8 and 12 July.

5.2. EMPOWERMENT

(SEC(2013) 415 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 8 and 12 July.

5.3. *DELEGATION AND SUBDELEGATION OF POWERS*
(SEC(2013) 416 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 8 and 12 July, as archived in e-Greffe.

5.4. *SENSITIVE WRITTEN PROCEDURES*
(SEC(2013) 417)

The Commission took note of the sensitive written procedures for which the time limit expired between 15 and 19 July.

5.5. *AD HOC EMPOWERMENT CONCERNING THE ROLE PLAYED BY THE COMMISSION IN THE MONITORING OF CONDITIONALITY ASSOCIATED WITH THE FINANCIAL SUPPORT TO GREECE PROVIDED BY THE EURO AREA MEMBER STATES*
(C(2013) 4605)

The Commission decided to empower Mr REHN, the Member of the Commission responsible for economic and monetary affairs and the euro, in agreement with the PRESIDENT, on its behalf and under its responsibility, to prepare, negotiate with the Greek authorities and sign, after approval by the lending Member States, the limited amendments to the memorandum of understanding setting the detailed policy conditions attached to the loan. These amendments were consistent with Council Decision 2011/734/EU as amended and the terms set out in C(2013) 4605.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2013) 418)

ADMINISTRATIVE MATTERS
(PERS(2013) 103)

6.1. DG DEVELOPMENT AND COOPERATION - EUROPEAID –
APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2013) 28 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, Sustainable Growth and Development, in DG Development and Cooperation (PERS(2013) 28 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 12 April and 16 May (PERS(2013) 28/3 and /4).

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

This decision would take effect on a date to be determined.

6.2. DG HOME AFFAIRS – APPOINTMENT OF AN AD14/15 DIRECTOR
(PERS(2013) 39 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, Migration, Asylum, in DG Home Affairs (PERS(2013) 39).

It took note of the opinions of the Consultative Committee on Appointments of 2 and 23 May (PERS(2013) 39/2 and /3).

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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 MALMSTRÖM, it then decided to appoint Mr Laurent MUSCHEL to the post.

This decision would take effect on 16 September 2013.

6.3. DG HUMAN RESOURCES AND SECURITY – PUBLICATION OF THE VACANCY NOTICE FOR THE FUNCTIONS OF EUROPEAN DATA PROTECTION SUPERVISOR AND DEPUTY DATA PROTECTION SUPERVISOR

(PERS(2013) 104)

The Commission took note of the information set out in point 3 of document PERS(2013) 103 and, on a proposal from Mr ŠEFČOVIČ in agreement with the PRESIDENT, decided to authorise the publication, in accordance with Council Regulation (EC) 45/2001, of the vacancy notice in PERS(2013) 104, as approved by the Council and the European Parliament on 18 June and 2 July, respectively, for the posts of European Data Protection Supervisor and Deputy Data Protection Supervisor.

This decision would take effect immediately.

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – BETTER PROTECTION OF THE UNION'S FINANCIAL INTERESTS – SETTING UP THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE AND REFORMING THE EUROPEAN UNION AGENCY FOR CRIMINAL JUSTICE COOPERATION (EUROJUST)

(COM(2013) 532 TO /3; RCC(2013) 108)

- 8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – IMPROVING THE GOVERNANCE OF THE EUROPEAN ANTI-FRAUD OFFICE AND REINFORCING PROCEDURAL SAFEGUARDS IN INVESTIGATIONS – A STEP-BY-STEP APPROACH TO ACCOMPANY THE ESTABLISHMENT OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE**
(COM(2013) 533; RCC(2013) 108)
- 9. PROPOSAL FOR A COUNCIL REGULATION ON THE ESTABLISHMENT OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE**
(COM(2013) 534 TO /3; SWD(2013) 274; SWD(2013) 275; SEC(2013) 422; RCC(2013) 104; RCC(2013) 108)
- 10. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE EUROPEAN UNION AGENCY FOR CRIMINAL JUSTICE COOPERATION (EUROJUST)**
(COM(2013) 535; RCC(2013) 104; RCC(2013) 108)

The Commission:

- approved the Communications in COM(2013) 532/3 and COM(2013) 533 for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the Court of Auditors, the European Data Protection Supervisor and the national parliaments;
- adopted the proposal for a Council Regulation in COM(2013) 534/3 for transmission to Parliament, the Council, the European Data Protection Supervisor and the national parliaments, and, for information, to the Court of Auditors, the Economic and Social Committee and the Committee of the Regions, together with the impact assessment and the summary thereof in staff

working documents SWD(2013) 274 and SWD(2013) 275, the contents of which were noted;

- also took note of the opinion of the Impact Assessment Board on the above proposal for a Council Regulation, as set out in SEC(2013) 422;
- adopted the proposal for a Regulation in COM(2013) 535 for transmission to Parliament, the Council, the European Data Protection Supervisor and the national parliaments, and, for information, to the Court of Auditors, the Economic and Social Committee and the Committee of the Regions.

11. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

11.1. STATE AID – INDIVIDUAL CASES

(SEC(2013) 423) RCC(2013) 109)

The Commission adopted the decisions in SEC(2013) 423.

11.2. STATE AID – HORIZONTAL DOSSIER

Draft Commission Regulation on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (C(2013) 4448 DRAFT; RCC(2013) 109)

The Commission:

- approved the draft Commission Regulation in C(2013) 4448 draft;
- approved the launching of the public consultation on the above draft Regulation, for publication in the Official Journal of the European Union;
- authorised the Commission Member responsible for competition to follow the procedural steps laid down in Articles 6 and 8 of Council Regulation (EC) 994/98.

11.3. INFRINGEMENTS – URGENT INDIVIDUAL CASES

(SEC(2013) 431)

The Commission adopted the decisions in SEC(2013) 431.

12. RELATIONS WITH NON-MEMBER COUNTRIES

ACCESSION NEGOTIATIONS WITH SERBIA – DRAFT NEGOTIATING FRAMEWORK

(INFO(2013) 67)

Mr FÜLE briefly presented the information note on the draft framework for negotiations between the European Union and Serbia that the European Council had asked the Commission to draw up as soon as possible after the decision, endorsed by the Council on 28 June, to open accession negotiations with Serbia. This decision followed on from the historic agreement reached on 19 April between Serbia and Kosovo, and the Commission's recommendation of 22 April.

On the procedural front, although this draft negotiating framework had not been formally adopted by the Commission, it had been subject to an inter-service consultation and was currently being finalised at cabinet level for transmission to the Council on 22 July.

As regards the substance, the draft framework was in line with established practice and was largely inspired by the similar document approved in June 2012 by the Member States for Montenegro. He emphasised two politically essential points. The first of these was that in line with the 'new approach' in force, the accession negotiations would begin with Chapters 23 and 24 on the foundations of the rule of law – the judicial system and fundamental rights (Chapter 23) and justice, freedom and security (Chapter 24). These chapters would determine the progress of the process.

The second point was that Chapter 35, on 'other issues', now contained the new elements in the conclusions of the General Affairs Council of 25 June. These

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elements made the normalisation of relations between Serbia and Kosovo an essential condition for accession. This chapter, too, would be addressed at the start of the negotiations. In other words, the negotiations would progress normally if, and only if, the process of normalisation of relations between the two parties continued to move forward.

Mr FÜLE ended his presentation by thanking the Commission Members for their support and the cabinets and DGs for their collaboration. He would keep the Commission informed of the progress made on the negotiations with Serbia. The talks aimed at concluding a stabilisation and association agreement with Kosovo were to begin in the autumn.

The PRESIDENT thanked Mr FÜLE for this information and concluded by emphasising that maintaining the momentum of enlargement, as evidenced by these developments, was one of the achievements of this Commission. He was particularly proud of this success, for which all those who had contributed within the Commission deserved credit.

The Commission took note of this information and of Mr FÜLE's note in INFO(2013) 67.

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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 9.17.