



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2009)1876 final

Brussels, 10 June 2009

MINUTES
of the 1876th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 3 June 2009
(morning)

PV(2009)1876 final

TABLE OF CONTENTS

Attendance list	5-8
1. AGENDAS (OJ(2009)1876/3; SEC(2009)718/2).....	9
2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2009)1876)	9
3. MINUTES OF 1875TH MEETING (27 MAY) (PV(2009)1875)	10
4. INTERINSTITUTIONAL RELATIONS.....	10
<i>RELATIONS WITH THE COUNCIL</i>	10
5. MONITORING THE APPLICATION OF COMMUNITY LAW	11
5.1. STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST (SEC(2009)739; SEC(2009)738)	11
5.2. STATE AID – HORIZONTAL CASES.....	11
6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	11
6.1. WRITTEN PROCEDURES APPROVED (SEC(2009)721 ET SEQ.).....	11
6.2. EMPOWERMENT (SEC(2009)722 ET SEQ.)	12
6.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2009)723 ET SEQ.).....	12
6.4. SENSITIVE WRITTEN PROCEDURES (SEC(2009)724)	12
7. PROPOSAL FOR A COMMISSION REGULATION ESTABLISHING EMERGENCY MEASURES AS REGARDS PURSE SEINERS FLYING THE FLAG OF [...] [...] [...]OR REGISTERED IN [...] [...] [...], FISHING FOR BLUEFIN TUNA IN THE ATLANTIC OCEAN, EAST OF LONGITUDE 45°W, AND IN THE MEDITERRANEAN SEA (SEC(2009)747 AND /2)	12

8. RELATIONS WITH NON-MEMBER COUNTRIES.....	13
8.1. VISIT TO BRAZIL (BRASILIA AND SÃO PAULO, 17-19 MAY) (SEC(2009)758)	13
8.2. VISIT TO CHINA (SHANGHAI AND BEIJING, 18-22 MAY) (SEC(2009)751).....	13
8.3. VISIT TO RUSSIA (MOSCOW, 27 AND 28 MAY) (SEC(2009)764)	13
9. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COURT OF AUDITORS ON THE SYNTHESIS OF THE COMMISSION'S MANAGEMENT ACHIEVEMENTS IN 2008 (COM(2009)256 TO /4) ANNUAL INTERNAL AUDIT REPORT FOR 2008, DRAWN UP PURSUANT TO ARTICLE 86(3) OF THE FINANCIAL REGULATION (SEC(2009)759) ANNUAL REPORT OF THE AUDIT PROGRESS COMMITTEE FOR 2008 (SEC(2009)348)	14
10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – A SHARED COMMITMENT FOR EMPLOYMENT (COM(2009)257 TO /3)	16
11. TRENDS IN THE MEMBER STATES	20
EUROPEAN PARLIAMENT ELECTIONS (SEC(2009)768).....	20
12. OTHER BUSINESS.....	22
12.1. STATE OF PLAY CONCERNING THE ACTION PROGRAMME ON REDUCING ADMINISTRATIVE BURDENS IN THE EUROPEAN UNION (SEC(2009)760).....	22
12.2. SITUATION OF THE AUTOMOBILE SECTOR IN EUROPE.....	22
13. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2009)720/2)	25
13.1. DG EXTERNAL RELATIONS – APPOINTMENT OF AD15/16 DIRECTOR- GENERAL (PERS(2009)35 TO /4)	25

13.2. DG RESEARCH – LIST OF CANDIDATES FOR THE AD14 POST OF EXECUTIVE DIRECTOR OF THE 'IMI' JOINT UNDERTAKING FOR THE IMPLEMENTATION OF THE JOINT TECHNOLOGY INITIATIVE ON INNOVATIVE MEDICINES (PERS(2009)68)	26
13.3. DG HEALTH AND CONSUMERS – EXTENSION OF THE TERM OF OFFICE OF AN AD15 DIRECTOR.....	26
13.4. DG HEALTH AND CONSUMERS – INTERNAL AND INTERINSTITUTIONAL (GRADE AD14/15) AND EXTERNAL (GRADE AD14 – EU-27) PUBLICATION OF A VACANCY NOTICE FOR A DIRECTOR (PERS(2009)70)	27
13.5. APPLICATION FOR PARENTAL LEAVE	27
13.6. ANNUAL ACTIVITY REPORT OF THE EUROPEAN COMMISSION'S MEDIATION SERVICE 2008 (SEC(2009)742).....	27
14. OTHER BUSINESS (CONTINUED FROM ITEM 12).....	27
ACCIDENT INVOLVING AN AIR FRANCE AIRCRAFT	27

Single sitting: Wednesday 3 June 2009 (morning)

The sitting opened at 9.12 in the Jean Monnet room with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Ms WALLSTRÖM	Vice-President	
Mr VERHEUGEN	Vice-President	
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	Items 9 (in part) to 14
Mr ALMUNIA		
Ms GRYBAUSKAITĖ		
Mr POTOČNIK		
Mr FIGEL'		
Mr KOVÁCS		
Ms KROES		
Ms FISCHER BOEL		
Mr ŠPIDLA		
Mr PIEBALGS		Items 9 (in part) to 14
Mr ORBAN		
Ms VASSILIOU		

Absent:

Mr BARROT

Vice-President

Ms REDING

Mr DIMAS

Ms HÜBNER

Mr BORG

Mr REHN

Mr MICHEL

Ms FERRERO-WALDNER

Mr McCREEVY

Ms KUNEVA

Baroness ASHTON

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

Ms JORNA	Chef de cabinet to Mr BARROT	Items 9 (in part) to 14
Mr QUINN	Deputy Chef de cabinet to Mr DIMAS	
Ms CYGAN	Deputy Chef de cabinet to Ms HÜBNER	Items 1 to 9
Ms ROCA ZAMORA	A member of Ms HÜBNER's staff	Items 10 to 14
Mr KOEHLER	Chef de cabinet to Mr BORG	
Ms VERGER	Deputy Chef de cabinet to Mr REHN	
Mr LEVIE	A member of Mr MICHEL's staff	
Mr GUEREND	Deputy Chef de Cabinet to Ms FERRERO-WALDNER	
Mr POWER	Chef de cabinet to Mr McCREEVY	
Mr PETERS	Deputy Chef de cabinet to Baroness ASHTON	

The following also sat in:

Mr VALE DE ALMEIDA	Chef de cabinet to the PRESIDENT	Items 1 to 12
Mr THEBAULT	Deputy Chef de cabinet to the PRESIDENT	Items 11 to 14
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr SØRENSEN	Director-General, DG Communication	
Mr LAITENBERGER	Commission Spokesman	
Mr GASPAR	Acting Director-General, Bureau of European Policy Advisers	
Ms MARTINHO	Chief adviser in the PRESIDENT's Office	Items 10 to 14
Mr PRETO	Chef de cabinet to Mr TAJANI	Items 1 to 9 (in part)
Ms SCHREIBER	Chef de cabinet to Mr ŠPIDLA	Items 1 to 10

(3 June 2009)

Mr VERRUE	Director-General, DG Employment, Social Affairs and Equal Opportunities	Items 1 to 10
Mr SERVOZ	Secretariat-General	Item 10
Mr LEARDINI	Secretariat-General	Item 9

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

The PRESIDENT welcomed Mr Luis ROMERO REQUENA, who was attending his first Commission meeting as Director-General of the Legal Service, and wished him every success in his new duties.

The PRESIDENT also paid tribute to Mr Klaus VAN DER PAS, who had retired after an exceptionally long and varied period of service at the Commission. In the course of his exemplary professional career Mr VAN DER PAS had worked in the press and information service, reaching the post of Commission Spokesman, and held various posts in Members' *cabinets*, most notably in that of President DELORS. He had also made a remarkable contribution to the enlargement process, especially in the negotiations for the accession rounds of 1995, 2004 and 2007. Lastly, the PRESIDENT mentioned Mr VAN DER PAS' duties as Director-General of DG Education and Culture and, most recently, of DG Employment, Social Affairs and Equal Opportunities, where he had helped prepare the communication being tabled for the Commission's approval that day, "A Shared Commitment for Employment". The PRESIDENT warmly thanked Mr VAN DER PAS for his tireless commitment and outstanding contribution to the Commission and extended his best wishes on behalf of all the Members of the Commission.

* * *

1. AGENDAS

(OJ(2009)1876/3; SEC(2009)718/2)

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

2. WEEKLY MEETING OF CHEFS DE CABINET

(SEC(2009)1876)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Friday 29 May.

**3. MINUTES OF 1875TH MEETING (27 MAY)
(PV(2009)1875)**

The Commission held over approval of the minutes of its 1875th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

RELATIONS WITH THE COUNCIL

i) Programming of Council business

(SI(2009)137/2)

The Commission took note of the information in SI(2009)137/2 on the Council meetings between 4 and 17 June.

**ii) Preparations for Council meeting (Economic and Financial Affairs)
(Luxembourg, 9 June) and the meeting of the Permanent Representatives
Committee (COREPER) (3 June)**

(SI(2009)130; SI(2009)135)

- Amendment of Directive 2006/112/EC on the common system of value added tax as regards tax evasion linked to import and other cross-border transactions (Council Directive) – VISSER report – 2008/0228 (CNS)
- Amendment of various provisions of Directive 2006/112/EC on the common system of value added tax (Council Directive) – ROSATI report – 2007/0238 (CNS)

The Commission approved the line set out in SI(2009)130 and SI(2009)135.

5. MONITORING THE APPLICATION OF COMMUNITY LAW

5.1. STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST

(SEC(2009)739; SEC(2009)738)

The Commission adopted the decisions in SEC(2009)739.

5.2. STATE AID – HORIZONTAL CASES

Commission notice on the criteria for the compatibility assessment of training State aid cases subject to individual notification

Commission notice on the criteria for the compatibility assessment of State aid to disadvantaged and disabled workers subject to individual notification

(SEC(2009)719 and /2; SEC(2009)738)

The Commission:

- adopted in principle the notices set out in SEC(2009)719/2;
- under Article 13 of its Rules of Procedure, empowered Ms KROES, in agreement with the PRESIDENT, to formally adopt the notices in all the official languages of the Union and to publish them in the Official Journal of the European Union.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2009)721 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 25 and 29 May.

6.2. EMPOWERMENT**(SEC(2009)722 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 25 and 29 May.

6.3. DELEGATION AND SUBDELEGATION OF POWERS**(SEC(2009)723 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 25 and 29 May, as archived in e-Greffe.

6.4. SENSITIVE WRITTEN PROCEDURES**(SEC(2009)724)**

The Commission took note of the sensitive written procedures for which the time limit expired between 2 and 5 June.

7. PROPOSAL FOR A COMMISSION REGULATION ESTABLISHING EMERGENCY MEASURES AS REGARDS PURSE SEINERS FLYING THE FLAG OF [...] [...]OR REGISTERED IN [...] [...] , FISHING FOR BLUEFIN TUNA IN THE ATLANTIC OCEAN, EAST OF LONGITUDE 45°W, AND IN THE MEDITERRANEAN SEA
(SEC(2009)747 AND /2)

The Commission:

- adopted in principle the Commission Regulation closing the bluefin tuna fishery for purse seiners of certain Member States, as set out in SEC(2009)747;
- decided to empower Mr BORG, in agreement with the PRESIDENT, to determine the Member States concerned and to fix the definitive date(s) of entry into force of the closure(s) on the basis of available information indicating

the definitive trends in quota consumption and Member States' action in response to these;

- agreed that, given the urgency of the situation and the need to take a decision as soon as possible, the available information confirming the probability of the quota being exhausted would be sent to the Legal Service two days before the empowerment was exercised.

8. RELATIONS WITH NON-MEMBER COUNTRIES

8.1. *VISIT TO BRAZIL (BRASILIA AND SÃO PAULO, 17-19 MAY)* (SEC(2009)758)

The Commission took note of the information note from Mr FIGEL' in SEC(2009)758.

8.2. *VISIT TO CHINA (SHANGHAI AND BEIJING, 18-22 MAY)* (SEC(2009)751)

The Commission took note of the information note from Ms FISCHER BOEL, distributed as SEC(2009)751.

8.3. *VISIT TO RUSSIA (MOSCOW, 27 AND 28 MAY)* (SEC(2009)764)

The Commission took note of the information from Ms VASSILIOU in SEC(2009)764.

**9. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COURT OF AUDITORS ON THE SYNTHESIS OF THE COMMISSION'S MANAGEMENT ACHIEVEMENTS IN 2008
(COM(2009)256 TO /4)**

**ANNUAL INTERNAL AUDIT REPORT FOR 2008, DRAWN UP PURSUANT TO ARTICLE 86(3) OF THE FINANCIAL REGULATION
(SEC(2009)759)**

**ANNUAL REPORT OF THE AUDIT PROGRESS COMMITTEE FOR 2008
(SEC(2009)348)**

The PRESIDENT presented the summary report of the Commission's management achievements in 2008, pointing out that it offered the opportunity to take stock of the work done since 2004 with a view to obtaining a positive statement of assurance, and noting that the recent, very constructive meeting with the Court of Auditors had recognised the real progress made. He felt that the summary report illustrated how the Commission was continuing to consolidate its control systems. He noted that particular attention had been paid to the reservations expressed by the Directorates-General and that an overall improvement was evident, in particular in numerical terms; most reservations essentially concerned questions that were not under direct Commission control since they related to the Member States and to beneficiaries.

He highlighted the main policy conclusions drawn in the summary report such as the need to strike the correct balance between reducing errors and creating excessive obstacles – i.e. the question of the tolerable risk of error –, the call to the Member States to produce voluntary statements on the use of Community funds, and the need to continue efforts to obtain a positive statement of assurance.

He also mentioned a number of areas that required particular attention, above all (1) cohesion policy, where actions under shared management continued to produce the highest rate of errors; consequently, the Commission would have to report on the

measures taken to prevent such situations and maintain a consistent approach if payments to the Member States concerned had to be suspended; (2) research and the need to step up efforts to achieve a level of risk of residual error below the 2% threshold; and (3) external relations, with the question of implementation of the framework agreements signed with a number of UN agencies. He underlined the importance of being vigilant in these sensitive sectors and of continuing efforts to ensure that control and audit systems were able to cope with the challenges encountered. He noted that action was also needed in certain other specific fields, in particular cross-cutting questions concerning interoperability of IT systems and respect for intellectual property.

The PRESIDENT ended his introduction by stressing the importance of sound financial management for the Commission's image and reputation, and, in particular during the European Parliament elections, of being fully aware of the need to do everything to demonstrate the Commission's determination to consolidate the progress already made in this field.

Mr KALLAS introduced the summary report by pointing out that he was in the process of opening the next budget discharge exercise, and that a coherent view of the Commission's action had to be presented to the public and to the European Parliament. He recalled the Commission's commitment to present an honest, transparent, realistic and credible report that would bear detailed scrutiny by the Court of Auditors and the relevant bodies in the European Parliament. He welcomed the report, which he felt was exhaustive, substantial and consistent with previous reports and with the annual reports from the Directorates-General, whose findings and concerns it faithfully reflected. He thought that the document gave a realistic picture of what had been achieved on reservations and recoveries and an objective view of how the Commission had met its commitments in this area. He drew attention to the data on losses arising from waivers of recoveries, which were well below the figures bandied about in the media. He concluded by saying that he was convinced of the quality and objectivity of the summary report.

Ms GRYBAUSKAITĖ thanked all departments for their contribution to the summary report, which she felt was of the highest quality.

The Commission then held a brief discussion, during which it highlighted the quality of the document as testament to the attention devoted by departments to financial management and the efforts made during its five-year term to improve the quality of financial management and to obtain a positive statement of assurance. It also stressed the importance of tabling a proposal on the tolerable risk of error and the sensitive nature of the cross-cutting dimension of specific analyses concerning certain Member States.

The PRESIDENT acknowledged the sensitive nature of certain aspects of the summary report, which nonetheless had to provide a response to all the concerns expressed by the Court of Auditors and the relevant bodies in the European Parliament.

On a proposal from the PRESIDENT, the Commission agreed that the summary report set out in document COM(2009)256/3 would be adopted by the 'finalisation' written procedure, the deadline for which was Monday 8 June 2009 (PE/2009/4065).

**10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – A SHARED COMMITMENT FOR EMPLOYMENT
(COM(2009)257 TO /3)**

The PRESIDENT introduced the communication on "A shared commitment for employment", which he and Mr ŠPIDLA were presenting to the Commission for approval. He spoke of the devastating consequences of the global economic downturn on the employment situation and retraced the history of the crisis, which had its origins in the financial sector but had gradually spread to the rest of the economy and was having an ever greater impact on society.

He noted the rapid rise in unemployment and the decline in the living standards of

the households affected and said that intensive efforts would be needed over a prolonged period to bring employment back to its pre-crisis level.

The situation called for a decisive European response that was swift and properly targeted, demonstrating the Commission's ability to help the Member States to alleviate the worst effects of the crisis on ordinary people.

The PRESIDENT noted that the European economic recovery plan presented by the Commission in November 2008 and its communication to the European Council in the spring had already highlighted the crucial role of employment in the strategy to alleviate the crisis.

The Commission's efforts entered a new stage with the communication being tabled that day, which drew on the results of the Employment Summit of 7 May to present detailed and specific proposals.

He began by mentioning the European Union's direct contribution to efforts to retrain the workforce, via the European Social Fund, which were already affecting 9 million people. Member States would be exempt from the requirement to match this contribution via cofinancing in 2009 and 2010.

He then turned to the proposal to set up a microfinance facility, in partnership with the European Investment Bank, to promote the creation of new jobs in new businesses.

Finally he highlighted the communication's proposals for young people and stressed the importance of giving them access to the training and jobs they needed, by implementing strategies to reduce the number of early school-leavers, providing rapid access to training or work for the young unemployed and promoting apprenticeships.

The PRESIDENT believed that all of these measures together should create job opportunities for young people, help to maintain workers in their jobs, while offering them training and assistance in finding new posts, and provide rapid support for those who have lost their jobs.

He stressed that the Commission could not act alone and that a political commitment at the highest level, coupled with implementation nationally and locally, were needed to ensure that these measures achieved their full potential. Hence the need for a "shared commitment for employment" to strengthen cooperation between the EU, the Member States and the social partners, with the ultimate aim of mobilising all efforts in pursuit of the common goal of alleviating the social cost of the economic crisis.

The PRESIDENT concluded by citing the need to keep up the pressure towards this goal and reminding the Members that the Lisbon Strategy post-2010 would be an opportunity to reaffirm employment's place at the very heart of the European strategy for economic recovery.

Mr ŠPIDLA began by praising the exemplary cooperation between the departments and Members' offices during the preparation of the communication.

He, too, spoke of the rapid rise in unemployment and stressed the importance of the Commission making the best possible use of the albeit limited means at its disposal.

He particularly stressed (1) the positive side of partial unemployment, which could be used for retraining purposes while avoiding long-term unemployment; (2) the measures specifically aimed at young people, for example to reduce the number of early school-leavers and promote apprenticeships, in order to prevent long-term unemployment, which posed an even greater risk for young people; (3) the need to provide proper measures to accompany the restructuring that would have to take place; and (4) the essential role of the social partners and the value of social dialogue.

Mr ŠPIDLA believed that the strategy being presented was sufficiently dynamic and was articulated and targeted in such a way as to tackle the crisis and prepare for a future in which the labour market would look very different.

He thanked all of his colleagues for their input on this initiative, which he believed sent a positive signal for the economy and the labour market in the current crisis.

The Commission then held a discussion during which the following aspects were mentioned:

- the importance of the synergies between portfolios and programmes, and particularly the crucial role of education and training in relation to employment policy;
- the need to increase support for young entrepreneurs;
- the progress made under the French Council Presidency in recognising that job mobility should be the rule rather than the exception and the need to build on this;
- the importance in this context of the European Qualifications Framework for education and lifelong learning, which would be launched in 2010;
- the need when presenting the communication to highlight the use of the European Social Fund to support economic recovery, the proposed creation of a microfinance instrument for the microenterprises that were one of the strengths of the European economy, and the value of the EURES service for job-seekers;
- uncertainty about the wisdom of mentioning the Posted Workers Directive in the communication;
- the possibility of linking the goal of promoting renewable energy with the aim of creating better quality jobs;
- the predominantly national dimension of education and training policies, but at the same time the common challenges they faced, the ongoing reforms in many Member States and the need to consider a possible European contribution to these reforms, given their long-term implications for employment;
- the very great importance of the financing initiatives proposed under the European Social Fund, which were particularly valuable for certain Member States;

- the fact that two state aid guidelines were also being presented that day: one on state aid to training, the other on aid to disadvantaged and disabled workers, which clarified the criteria for assessing such aid and allowed Member States to provide financial incentives to promote the employment of such workers (see item 5.2 of these minutes).

After this discussion, the PRESIDENT called on all Members to contribute to the presentation of the communication and to publicise the Commission's efforts in the employment field in response to the concerns of the European public. He concluded by stressing that the Commission would continue to examine the possibilities available at European level for action in matters of social policy that was compatible with the subsidiarity principle.

Subject to the deletion of the phrase "*and consider a specific target for continuous vocational education and training*" in the text box in section 2.2 on page 9 of the English version, the Commission approved the communication in COM(2009)257/3 for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and to the national parliaments.

11. TRENDS IN THE MEMBER STATES

EUROPEAN PARLIAMENT ELECTIONS

(SEC(2009)768)

Ms WALLSTRÖM presented the main points in the periodic information note on the latest trends observed in the Member States, referring in particular to various aspects of the European Parliament election campaign under way, the issues raised, the predicted outcome and the expected turnout based on the most recent polls. The Commission and the European Parliament were engaged in major information and communication work in a bid to raise public awareness of the issues at stake in these elections; in this connection she thanked the Commission Members for their participation and readiness to help. Lastly, she underlined the need for the

Commission Members to exercise caution when commenting on the outcome of the elections, explaining that her department and the Secretariat-General were currently preparing, in liaison with the Commission representations, a briefing paper that could be used for comments.

The PRESIDENT noted that the European elections would start on Thursday 4 June in two Member States and would continue until Sunday 7 June in the others, with the results being published from Sunday evening after the last polling stations had closed. The European Parliament was organising an election party on 7 June, the programme for which had been sent by the Secretariat-General to each Commission Member. He asked the Commission Members to inform his Cabinet and the Secretariat-General whether they would be in Brussels on Sunday 7 June and whether they intended to take part in the various events organised for the occasion.

The PRESIDENT said that the Secretariat-General and the Directorate-General for Communication would collate the data as it became available on the evening of 7 June and would inform the Commission Members of the initial projections. It was for the European Parliament, the MEPs elected and political groups and parties to comment on the outcome: the Commission and its Members should exercise the utmost caution in this respect.

The turnout for these elections was important. The most recent figures pointed to a relatively positive trend in voter intentions in this respect, but Commission Members should also be very careful when commenting on this aspect which was essentially the remit of the European Parliament.

Any comments made by Commission Members on the evening of 7 June should be carefully weighed and should concern general aspects relating to the course of the elections and voter participation. The PRESIDENT was preparing a statement jointly with Ms WALLSTRÖM which would be issued on the evening of 7 June.

Lastly, the PRESIDENT confirmed that a briefing paper which could be used by Commission Members would be drafted for 7 June.

The Commission took note of this information and of the note from Ms WALLSTRÖM in SEC(2009)768.

12. OTHER BUSINESS

12.1. STATE OF PLAY CONCERNING THE ACTION PROGRAMME ON REDUCING ADMINISTRATIVE BURDENS IN THE EUROPEAN UNION (SEC(2009)760)

The Commission took note of the information note from the PRESIDENT and Mr VERHEUGEN in SEC(2009)760.

12.2. SITUATION OF THE AUTOMOBILE SECTOR IN EUROPE

Mr VERHEUGEN reported on the meeting held on Friday 29 May concerning the future of General Motors' subsidiaries in Europe which he and Ms KROES had attended together with ministers responsible for the automobile sector. A first meeting of the same kind had been held on 13 March.

He reviewed the emergency measures agreed between various stakeholders to keep the European subsidiaries of General Motors (namely Opel, Vauxhall and Saab) in operation, and stressed that the Commission's objective was to safeguard European interests and ensure the best possible coordination between Member States. Highlighting the main issues raised at the meeting on 29 May, for instance the compatibility of the national emergency measures with the current rules on the internal market, state aid and competition, he said that the participants had agreed to establish an information and coordination structure to deal with these issues.

Mr VERHEUGEN confirmed that the Commission would look very carefully into all competition and state aid matters raised in relation not only to the

emergency aid granted to the European subsidiaries of General Motors and but also to the follow-up measures and possible additional intervention by Member States. The Commission would also ensure that the aid granted to these subsidiaries did not lead to distortions of competition. Drawing attention to the European and international dimensions, he underlined the risk of an excessively interventionist approach by the governments of both Member States and non-EU countries. Inappropriate support would weaken rather than strengthen the European car industry.

The crisis at General Motors and other car manufacturers was also caused by structural over-capacity. He referred to the Communication "Responding to the crisis in the European automotive industry" approved by the Commission at its meeting on 25 February, stressing that this sector must resolve its structural problems and improve its competitiveness and the sustainability of its products.

Ms KROES agreed with Mr VERHEUGEN's comments and rounded off the presentation by referring in particular to the emergency measures from the point of view of competition and state aid.

At this stage, the emergency measures did not seem to pose a problem since the aid was initially designed simply to separate the European subsidiaries from their American parent company and to rescue them from its bankruptcy proceedings. Moreover, this aid was covered by the provisions of the temporary Community framework for state aid measures.

Ms KROES felt, however, that the Commission should look very closely at the next phase when decisions would be taken concerning the future structure of General Motors' former subsidiaries, particularly if additional restructuring aid was to be granted that was not covered by the temporary Community framework. The Commission would see to it that the current rules were respected as the objective must be to combat protectionist tendencies and adopt effective measures that would strengthen the automotive sector on a sustainable, long-term basis.

She considered that the mechanism agreed at the meeting on 29 May would help ensure that the Commission's coordination with Member States and the other stakeholders involved would be effective; however she did not rule out the possibility of the Commission exercising its powers in the area of state aid should this prove necessary to prevent a subsidy race.

During a brief exchange of views, the Commission expressed its support for the views put forward and underlined the importance of solidarity between Member States and compliance by all the players and stakeholders with the rules in force on state aid and competition.

The PRESIDENT concluded the exchange by thanking Mr VERHEUGEN and Ms KROES for their work. The Commission would monitor developments closely and, in this context, would ensure that Member States and stakeholders complied with the rules on State aid and the internal market. He reminded the meeting of the provisions in the temporary Community framework for state aid measures and confirmed the objectives set out in the Communication on "Responding to the crisis in the European automotive industry" which were designed to guarantee an enduring dynamic, competitive and sustainable European car industry.

The Commission took note of this information.

13. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2009)720/2)

ADMINISTRATIVE MATTERS

(PERS(2009)69)

13.1. DG EXTERNAL RELATIONS – APPOINTMENT OF AD15/16 DIRECTOR-GENERAL

(PERS(2009)35 TO /4)

The Commission had before it an application under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director-General of DG External Relations (PERS(2009)35 and /2).

The Commission took note of the opinions of the Consultative Committee on Appointments of 30 April and 14 May (PERS(2009)35/3 and /4).

The Commission proceeded to consider the applicant's qualifications for the post. In this context Mr KALLAS remarked on the exceptional career path and outstanding qualities of Mr João VALE DE ALMEIDA and his experience of international affairs at the highest level. The PRESIDENT highlighted the role played by Mr VALE DE ALMEIDA in the preparation, negotiation and outcome of summits with non-member countries and his work as a 'sherpa', i.e. the PRESIDENT's personal representative, in the G8 and G20.

In the light of the above, the Commission, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms FERRERO-WALDNER, decided to appoint Mr João VALE DE ALMEIDA to the vacant post.

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

13.2. DG RESEARCH – LIST OF CANDIDATES FOR THE AD14 POST OF EXECUTIVE DIRECTOR OF THE ‘IMI’ JOINT UNDERTAKING FOR THE IMPLEMENTATION OF THE JOINT TECHNOLOGY INITIATIVE ON INNOVATIVE MEDICINES (PERS(2009)68)

The Commission took note of the procedure followed, as set out in point 2 of PERS(2009)69, and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT and Mr POTOČNIK, decided:

- to approve the list of four candidates set out in point 2 of PERS(2009)69;
- to consider this list as the Commission proposal;
- to ask Mr POTOČNIK to communicate this list to the Governing Board of the ‘IMI’ Joint Undertaking for the implementation of the joint technology initiative on innovative medicines.

These decisions would take effect immediately.

13.3. DG HEALTH AND CONSUMERS – EXTENSION OF THE TERM OF OFFICE OF AN AD15 DIRECTOR

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms VASSILIOU, the Commission decided to make an exception to the rules on compulsory mobility and to extend beyond seven years the term of office of Mr Michael Colm GAYNOR as Director, Food and Veterinary Office, in DG Health and Consumers until 31 March 2010.

This decision would take effect immediately.

13.4. DG HEALTH AND CONSUMERS – INTERNAL AND INTERINSTITUTIONAL (GRADE AD14/15) AND EXTERNAL (GRADE AD14 – EU-27) PUBLICATION OF A VACANCY NOTICE FOR A DIRECTOR (PERS(2009)70)

On a proposal from Mr KALLAS, in agreement with the PRESIDENT and Ms VASSILIOU, the Commission decided to authorise the publication, under Article 29(1)(a)(i) and (iii), 29(1)(b) and (29)(2) of the Staff Regulations, of the vacancy notice in PERS(2009)70 for the post of Director, Food and Veterinary Office, in DG Health and Consumers.

This decision would take effect immediately.

13.5. APPLICATION FOR PARENTAL LEAVE

The Commission decided to approve the application for parental leave of an AD15 official.

OTHER MATTERS

13.6. ANNUAL ACTIVITY REPORT OF THE EUROPEAN COMMISSION'S MEDIATION SERVICE 2008 (SEC(2009)742)

The Commission took note of the annual activity report of its Mediation Service, distributed as SEC(2009)742.

14. OTHER BUSINESS (CONTINUED FROM ITEM 12)

ACCIDENT INVOLVING AN AIR FRANCE AIRCRAFT

Mr TAJANI gave the Commission Members the latest information concerning the accident on Monday 1 June involving an Air France aircraft flying from Rio de Janeiro to Paris. The relevant Commission departments were in close contact with

(3 June 2009)

the aviation authorities in the countries concerned and were providing technical assistance for the investigations under way. He would be attending an ecumenical service to be held that afternoon in the Cathedral of Notre-Dame in Paris.

The PRESIDENT thanked Mr TAJANI and asked him to represent him and the Commission as a whole at the service. He added that on Monday 1 June he had sent messages of condolences to the French President and the Brazilian President on his own behalf and on behalf of the Commission.

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 11.13.