



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2010)1901 final

Strasbourg, 19 January 2010

MINUTES
of the 1901st meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 13 January 2010
(morning)

PV(2010)1901 final

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Single sitting: Wednesday 13 January 2010 (morning)

The sitting opened at 09.09 hours with Mr Barroso, President, in the chair.

Present:

Mr BARROSO	President	
Baroness ASHTON	High Representative/ Vice-President	
Mr VERHEUGEN	Vice-President	
Mr BARROT	Vice-President	
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	
Ms REDING		Item 8 (in part)
Mr DIMAS		Items 7 and 8
Mr ALMUNIA		
Mr BORG		
Mr POTOČNIK		
Mr REHN		
Mr KOVÁCS		
Ms KROES		
Ms FISCHER BOEL		
Ms FERRERO-WALDNER		
Mr McCREEVY		
Mr ŠPIDLA		
Mr ORBAN		
Ms VASSILIOU		
Mr ŠEMETA		
Mr SAMECKI		
Mr DE GUCHT		
Mr ŠEFČOVIČ		

Absent:

Ms WALLSTRÖM

Vice-President

Mr PIEBALGS

Ms KUNEVA

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

Mr RAMSTEDT	A member of Ms WALLSTRÖM's staff
Mr GARCÍA PORRAS	A member of Mr PIEBALGS's staff
Ms SUKOVA - TOSHEVA	A member of Ms KUNEVA's staff

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr SØRENSEN	Director-General, DG Communication	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr GASPAR	Acting Director-General, Bureau of European Policy Advisers	
Mr FRUTUOSO DE MELO	Deputy Chef de cabinet to the PRESIDENT	
Mr BALDWIN	Adviser in the PRESIDENT's Office	Items 1 to 8 (in part)
Ms MARTÍNEZ ALBEROLA	A member of the PRESIDENT's staff	
Mr STROHMEIER	Chef de cabinet to Ms REDING	Items 1 to 8 (in part)

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

(13 January 2010)

The PRESIDENT announced with regret that Mr Franz-Hermann BRÜNER, Director-General of the European Anti-Fraud Office (OLAF) had died on 9 January after a long illness.

Over a remarkable career Mr BRÜNER had worked as a prosecutor in Berlin and Munich and as head of anti-fraud activities in the Office of the High Representative in Bosnia and Herzegovina, before being appointed head of OLAF in March 2000, a post he held up until his death.

The PRESIDENT paid tribute to a man who for the past ten years had performed his duties with discretion, rigour and commitment and who had made an unceasing contribution to the protection of the European Union's financial interests and the fight against fraud, while at the same time consolidating the department under his charge, OLAF, which had been set up in 1999.

On behalf of the European Commission and in his own name, the PRESIDENT offered his sincere condolences to the family and friends of Mr Franz-Hermann BRÜNER.

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1. AGENDAS

(OJ(2010)1901/3; SEC(2010)7)

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(2010)1901)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 11 January.

**3. APPROVAL OF THE MINUTES AND SPECIAL MINUTES OF THE 1899TH AND 1900TH MEETINGS OF THE COMMISSION (15 DECEMBER 2009 AND 6 JANUARY 2010)
(PV(2009)1899; PV(2009)1899, PART II; PV(2010)1900)**

The Commission approved the minutes of its 1899th and 1900th meetings.

**4. MONITORING THE APPLICATION OF EUROPEAN UNION LAW
STATE AID – INDIVIDUAL CASES – RECAPITULATIVE LIST
(SEC(2010)19/2)**

The Commission adopted the decisions in SEC(2010)19/2.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**5.1. *WRITTEN PROCEDURES APPROVED*
(SEC(2010)9 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 January.

**5.2. *EMPOWERMENT*
(SEC(2010)10 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 January.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2010)11 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 4 and 8 January, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2010)12)

The Commission took note of the sensitive written procedures for which the time limit expired between 11 and 15 January.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2010)8)

ADMINISTRATIVE MATTERS

(PERS(2010)2)

**6.1. DG HUMAN RESOURCES AND SECURITY – EXTENSION OF THE
SECONDMENT IN THE INTEREST OF THE SERVICE OF AN
AD15 OFFICIAL**

The Commission took note of the information in point 1 of PERS(2010)2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT, decided to extend to 2 February 2011 the secondment in the interest of the service of Mr Daniel BYK, an AD15 official, to the Ministry of Foreign Affairs of the Grand Duchy of Luxembourg.

This decision would take effect immediately.

6.2. DG HUMAN RESOURCES AND SECURITY – PROGRESS REPORT TO THE COMMISSION ON THE SIMPLIFICATION OF ADMINISTRATIVE PROCEDURES (SEC(2010)31)

The Commission noted the information at point 2 of PERS(2010)2 and, on a proposal from Mr KALLAS, in agreement with the PRESIDENT:

- took note of the interim report in SEC(2010)31; and
- instructed the Member of the Commission responsible for human resources and security to finalise the action being taken to simplify administrative procedures and to implement the measures set out in the above report.

7. RELATIONS WITH NON-MEMBER COUNTRIES

7.1. SIGNATURE OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE EUROPEAN UNION AND IRAQ FOR A STRATEGIC PARTNERSHIP ON ENERGY (BAGHDAD, 18 JANUARY) (SEC(2010)35)

The Commission took note of the information note from Baroness ASHTON and Mr PIEBALGS in SEC(2010)35.

7.2. EARTHQUAKE IN HAITI

At the PRESIDENT's invitation, Mr DE GUCHT, Baroness ASHTON, Mr DIMAS and Mr KALLAS spoke about the serious earthquake that had struck Haiti on Tuesday 12 January. They covered the following points:

- the ongoing contacts with staff on the spot and in particular the Head of the Commission Delegation, and the efforts being made to get in touch as soon as possible with all officials and other staff in the country;

- the immediate mobilisation of €3 million in emergency aid and the need to coordinate humanitarian assistance efforts by the Union and the Member States;
- the scale of the earthquake, which registered 7 on the Richter scale, and the measures taken by France, whose embassy had been affected by the earthquake, and by Italy to prepare the transport of relief and assistance equipment;
- the reopening of the airport at Port-au-Prince and the need for large-scale humanitarian aid, particularly food aid;
- the planned deployment of a team of experts from the European Union as soon as possible.

The PRESIDENT highlighted the need for the European Union and the Commission to show the utmost solidarity with Haiti. He stressed that coordination would be needed both within the Commission, under the guidance of Baroness ASHTON, and then with the Member States and the Council, while fully respecting each partner's areas of responsibility. Finally, he said that he had sent a message of condolences to the Haitian authorities and the Haitian people in his own name and on behalf of the Commission.

The Commission took note of this information.

8. INTERINSTITUTIONAL RELATIONS

RELATIONS WITH THE COUNCIL

i) Programming of Council business

(SI(2010)6)

The Commission took note of the information in SI(2010)6 on the Council meetings between 14 and 27 January.

ii) Meeting of the President of the European Council, the Spanish Prime Minister and the President of the Commission at the launch of the Spanish Presidency of the Council (Madrid, 8 January)

The PRESIDENT reported on the meeting in Madrid on 8 January with the President of the European Council and the Spanish Prime Minister at the launch of the Spanish Presidency of the Council. This meeting, the first of its kind following the entry into force of the Lisbon Treaty, had been marked by a positive spirit of cooperation and mutual understanding with a view to putting the new Treaty into practice and ensuring a smooth institutional transition.

The substance of the discussions had been the preparation of the informal European Council meeting on 11 February, which would focus in particular on the “EU2020” strategy, before the Commission finalised its proposals, and on the follow-up to the UN Climate Change Conference held in Copenhagen on 7-18 December 2009.

The PRESIDENT also reported that the participants had agreed that from now on it was necessary to concentrate on citizens' priorities rather than institutional matters, to coordinate the positions and strategies of the two presidencies over the next six months and to implement far-reaching responses to the current economic situation in a spirit of close cooperation, while preserving the Commission's independence in accordance with the Treaty of Lisbon. He underlined the importance given by the Spanish Presidency of the Council both to economic issues and foreign affairs, since the challenges posed by the economic crisis and by enlargement provided an opportunity to make the Union more ambitious and stronger.

He reminded the meeting of the Council Presidency's key priorities, namely finalisation of the “EU2020” strategy, relations between the Union and Latin America and implementation of the Treaty of Lisbon, to all of which the Commission must lend its support.

With regard to the preparation and implementation of the new “EU2020” strategy, it was important to make sure that the distribution of powers established by the Treaty of Lisbon was respected. This distribution gave the Commission the

monopoly of initiative for the proposals submitted by it to the Council, and the European Parliament must be fully involved in the process. It was for this reason that certain detailed implementing measures, such as the integrated guidelines, should not be finalised until later, for example at the next June European Council, in order to give the Parliament time to prepare its contribution.

In conclusion, he spoke approvingly of the positive mood that had prevailed at the meeting, which marked the configuration of the new institutions under the new Treaty, the chief aim of the Council and European Council Presidencies being to establish a working arrangement on this new basis. He emphasised that the Commission must support these reconfiguration efforts, which would have significant consequences in the future, pointing out where necessary the Commission's role in accordance with the spirit and the letter of the Treaty of Lisbon.

The PRESIDENT also told the meeting that, subject to the results of the process leading to the appointment of the new Commission, an official visit by the Commission to the Spanish Presidency of the Council was planned for 1 February.

The Commission then held an exchange of views, covering the following points in particular:

- the political sensitivity, in certain Member States, of the issue of economic governance highlighted by the Spanish Presidency of the Council and, in this context, the impact of certain translation problems in the media;
- concerning European economic governance with a view to addressing the economic and financial crisis, the need for a partnership approach and for more efficient coordination of economic policies, with due observance of the powers at different levels under the Treaty of Lisbon, guaranteeing the exercise of the Commission's budgetary surveillance powers on the one hand and, on the other, appropriate ownership by the Member States;
- the importance the new Spanish presidency of the Council attaches to the holding of an EU-Latin America summit next May in Madrid and to closer

bilateral relations between the Union and certain Latin American countries, particularly with regard to free trade agreements;

- in the context of the bilateral agreements currently being negotiated with certain Latin-American countries, a reminder of the need for the Commission to take into account the different sensitivities, particularly in the European Parliament, while fully completing the negotiation process, including in the case of Colombia.

In reply to these comments, the PRESIDENT stressed the need, which had been stated by the Spanish Presidency of the Council, for the Union and the Commission to adopt an ambitious position as regards economic policy and coordination in the face of the crisis. He reminded the meeting of the terms of Article 121 of the Treaty on the Functioning of the European Union, which clearly defines economic surveillance powers. However, he recognised that it was important to continue the debate on the economic governance of the Union, particularly in the European Council, as regards greater coordination of economic policies, implementation of a genuine economic policy while respecting the powers at the different levels, and the launch of a strong economic strategy for the Union. He felt sure that the Commission had a role to play in fostering a partnership approach in this area and stressed the need for stronger coordination to tackle a crisis which had highlighted economic interdependencies at both world and European level. The key message that had come out of the Madrid meeting was the need to strengthen the European dimension of the response to the economic crisis.

The PRESIDENT also reminded the meeting that as regards the conclusion of bilateral agreements, the Commission must fully assume its responsibilities and make every effort to ensure the positive outcome of the current negotiations while taking due account of the sensitivities that may be expressed on this matter, in particular in the European Parliament. He pointed out that Ms FERRERO-WALDNER was to make a visit in Latin America next week, which undoubtedly could move towards the signing of these agreements scheduled at the summit in May in Madrid.

The Commission took note of this information.

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The meeting closed at 10.05