



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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Strasbourg, 19 October 2010

MINUTES
of the 1931st meeting of the Commission
held in Brussels
(Berlaymont)
on Thursday 7 October 2010
(morning)

PV(2010)1931 final

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Single sitting: Thursday 7 October 2010 (morning)

The sitting opened at 8.05 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	Items 8 and 9
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr POTOČNIK	Member	
Mr REHN	Member	Items 1 to 8 (in part)
Mr BARNIER	Member	Items 8 and 9
Ms VASSILIOU	Member	Items 1 to 8
Mr ŠEMETA	Member	
Mr DE GUCHT	Member	Item 8 (in part)
Mr DALLI	Member	
Mr LEWANDOWSKI	Member	
Ms GEORGIEVA	Member	
Mr OETTINGER	Member	Items 1 to 9 (in part)
Mr HAHN	Member	Items 1 to 8 (in part)
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	Items 1 to 8 (in part)
Mr CIOLOŞ	Member	

Absent:

Baroness ASHTON	High Representative/ Vice-President
Mr PIEBALGS	Member
Ms GEOGHEGAN-QUINN	Member
Ms DAMANAKI	Member
Ms MALMSTRÖM	Member

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

Mr BANNERMAN	A member of Baroness ASHTON's staff	
Mr JONES	Chef de cabinet to Mr PIEBALGS	Item 8 (in part)
Mr KARHUNEN	Adviser in Mr PIEBALGS's Office	Items 1 to 8 (in part)
Ms ARNOULD	A member of Mr PIEBALGS's staff	Item 8 (in part)
Mr BELL	Chef de cabinet to Ms GEOGHEGAN-QUINN	Items 1 to 8
Mr MARKOPOULIOTIS	Chef de cabinet to Ms DAMANAKI	
Mr VOLLBRACHT	A member of Ms MALMSTRÖM's staff	

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr DOENS	Head of the European Commission Spokesperson Service	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr THEBAULT	Head of the Bureau of European Policy Advisers	
Mr FRUTUOSO DE MELO	Deputy Chef de cabinet to the PRESIDENT	Items 1 to 8 (in part)
Mr PESONEN	Chef de cabinet to Mr REHN	Item 8 (in part)
Mr VANHEUKELEN	Chef de cabinet to Mr DE GUCHT	Items 1 to 8 (in part)
Mr LEMAÎTRE	Chef de cabinet to Mr LEWANDOWSKI	Items 1 to 8
Mr GAMBS	Chef de cabinet to Mr HAHN	Items 8 (in part) and 9
Ms GAGO	Chef de cabinet to Mr ANDOR	Item 8 (in part)
Mr JOUANJEAN	Director-General, DG Budget	Items 1 to 8
Mr SLEATH	Secretariat-General	Item 8 (in part)

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

1. AGENDAS

(OJ(2010)1931/3; SEC(2010)1108/2)

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(2010)1931 AND /2)

The Commission considered the Secretary-General's report on the weekly meetings of Chefs de cabinet held on Monday 4 October and Thursday 6 October.

**3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1930th MEETING
(29 SEPTEMBER)**

(PV(2010)1930; PV(2010)1930, PART II)

The Commission approved the minutes of its 1930th meeting.

4. INTER-INSTITUTIONAL RELATIONS

(SEC(2010)1088)

The Commission took note of the record of the meeting of the Inter-institutional Relations Group held on Friday 1 October (SEC(2010)1088).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure – Preparation of agreement at first reading

(point 1.2.2 of the IRG record)

- Amendment of the Financial Regulation applicable to the general budget of the European Union, as regards the European external action service (Regulation) –RIVELLINI / GRÄSSLE report – 2010/0054 (COD)

The Commission authorised Mr LEWANDOWSKI to pursue contacts with Parliament and the Council in order to reach agreement at first reading following the line set out in SPI(2010)58.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

ii) Programming of Council business

(SI(2010)252)

The Commission took note of the information in SI(2010)252 on the Council meetings between 7 and 20 October.

iii) Preparations for the Justice and Home Affairs Council (Luxembourg, 7-8 October)

- Comments of the Commission on the US interim final rule on Electronic System for Travel Authorization (ESTA): Travel Promotion Fee and Fee for Use of the System in the framework of a public consultation by the US

The Commission took note of SEC(2010)1191, distributed under the authority of Ms MALMSTRÖM.

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

iv) Participation by Members of the Committee of the Regions and of the European Economic and Social Committee in international conferences

(point 4.2 of the IRG record)

- 16th Conference of the Parties to the United Nations Convention on Climate Change (Cancún, 29 November to 10 December)

The Commission decided to approve the requests to the PRESIDENT, set out in SC(2010) 27 and SR(2010) 22 respectively, from Mr Mario Sepi, President of the European Economic and Social Committee, and Ms Mercedes Bresso, President of the Committee of the Regions, concerning the participation of three Members of the Economic and Social Committee and three Members of the Committee of the Regions at the above conference, with a reminder about the procedure to be followed.

- 10th Conference of the Parties to the United Nations Convention on Biological Diversity (Nagoya, 18 to 29 October)

The Commission decided to approve the request to the PRESIDENT, set out in SR(2010)21, from Ms Mercedes Bresso, President of the Committee of the Regions, concerning the participation of three Members of the Committee of the Regions at the above meeting, with a reminder about the procedure to be followed.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. *WRITTEN PROCEDURES APPROVED*

(SEC(2010)1110 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 27 September and 1 October.

5.2. *EMPOWERMENT*

(SEC(2010)1111 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 27 September and 1 October.

5.3. *DELEGATION AND SUB-DELEGATION OF POWERS*

(SEC(2010)1112 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and sub-delegation procedure between 27 September and 1 October, as archived in e-Greffe.

5.4. *SENSITIVE WRITTEN PROCEDURES*

(SEC(2010)1113 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 4 and 8 October and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on 4 October.

**5.5. DELEGATION OF POWERS IN THE FIELD OF THE ENVIRONMENT
– ADOPTION OF MEASURES TO IMPLEMENT DIRECTIVE 98/83/EC
ON THE QUALITY OF WATER INTENDED FOR HUMAN
CONSUMPTION
(SEC(2010)1184 AND /2)**

The Commission decided to delegate powers to the Director-General for the Environment for the adoption, on behalf of the Commission and under its responsibility, of certain measures to implement the Directive on the quality of water intended for human consumption, in accordance with the terms set out in SEC(2010)1184.

**6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND
SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS –
TAXATION OF THE FINANCIAL SECTOR
(COM(2010)549 TO /5; SEC(2010)1166 TO /3; SEC(2010)1167 AND /2)**

The Commission approved the communication in COM(2010)549/5 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 paper distributed as SEC(2010)1166/2 and /3, the contents of which were noted.

**7. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL INTRODUCING EMERGENCY AUTONOMOUS
TRADE PREFERENCES FOR PAKISTAN
(COM(2010)552 TO /5; SEC(2010)1180)**

The Commission adopted the proposal for a Regulation set out in COM(2010)552/5

for transmission to the European Parliament and the Council and, for information, to the national parliaments.

8. POLICY DEBATE ON THE BUDGET REVIEW

The PRESIDENT introduced the policy debate on the budget review, noting that this subject, one of the most important of the present Commission's term of office, had been discussed at length during the seminar in September. He touched briefly on the points on which consensus had been reached at the seminar and which consequently did not need to be examined in the debate that day. These were 1) to factor in the changes introduced by the Lisbon Treaty, 2) to take the Europe 2020 strategy as the reference point and 3) to be constantly looking for ways of optimising the Commission's initiatives.

He asked the Members of the Commission to comment on two or three specific aspects of the informal document circulated the previous evening which they felt were particularly relevant, to enable Mr LEWANDOWSKI and himself to complete the draft text which would be submitted for approval at the meeting on 19 October.

Mr LEWANDOWSKI gave a brief presentation of the timetable for the exercise and the political and inter-institutional context, particularly as regards the future discussions with the European Parliament.

The Commission then held an in-depth discussion during which the following aspects in particular were raised:

- the general, political and economic background, and the objectives of the budget review, in particular the case for embarking on a strategic debate on the preparation of a general result-oriented framework;
- the objectives and main guiding principles of the European budget, in particular the appropriate length of future multiannual financial frameworks, the importance of ensuring that the European multiannual financial framework

contributed as a matter of principle to the implementation of the EU's objectives, the need to take as the main criterion the added value of expenditure at European level and to have greater flexibility in the European budget, while at the same time guaranteeing good management and predictability;

- the objectives and architecture of European programmes and in particular the importance of ensuring that the political objectives being pursued were generally consistent with the European budget; the concern to ensure that the various programmes pursue multiple objectives in order to enhance their impact, and the need to consider reorganising and reducing the number of programmes so that efforts could be concentrated;
- the link between European and national expenditure, in particular the importance of better coordination of expenditure in order to give funding a bigger impact and help modernise it; the case for introducing conditions that tied in with the objectives of the Europe 2020 strategy and the value of the leverage effect which the European budget could exert on national and regional budgets as well as other sources of funding, including private sources;
- the need to foster a debate on resources covering, on the one hand, Member States' contributions and correction mechanisms and, on the other, possible avenues for new forms of funding to boost own resources.

Mr LEWANDOWSKI thanked the other Commission Members for their contributions. He stressed the differences between the European and national budgets in terms of approach, timetable and political cycles.

The PRESIDENT concluded the policy debate by thanking the Members of the Commission for their contributions. In his view, it was very important to take three factors into account: the economic and budgetary context, the institutional context and the architecture of the budget.

He asked each Commission Member to pass on his or her ideas on the matters raised at the meeting to Mr LEWANDOWSKI by 19 October. In the meantime work would continue in the *cabinets* and directorates-general.

The Commission took note of the results and conclusions of the policy debate.

9. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2010)1109/2)

ADMINISTRATIVE MATTERS
(PERS(2010)139/2)

**9.1. EUROPEAN ANTI-FRAUD OFFICE – LIST OF CANDIDATES FOR
THE POST OF AD15/16 DIRECTOR-GENERAL OF THE EUROPEAN
ANTI-FRAUD OFFICE**
(PERS(2010)24 TO /8)

The Commission took note of the procedure followed, as described at point 1 of document PERS(2010)139/2, and of the opinion of the Supervisory Committee of the European Anti-Fraud Office set out in PERS(2010)24/8, and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr ŠEMETA, decided to:

- confirm the list of six candidates for the post of Director-General of the European Anti-Fraud Office, which was endorsed on 21 September 2010 by written procedure (EP/2010/6507; SEC(2010)1133);
- ask Mr ŠEMETA to send this list to Parliament and the Council.

These decisions would take effect immediately.

**9.2. DG INTERNAL MARKET AND SERVICES – TERMINATION OF THE
SELECTION PROCEDURE FOR AN AD15/16 DEPUTY DIRECTOR-
GENERAL POST**
(PERS(2010)72)

The Commission took note of the information at point 2 of PERS(2010)139/2 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT

and Mr BARNIER, decided to terminate – without making any appointment – internal selection procedure COM/2010/1333 for the post of Deputy Director-General of DG Internal Market and Services.

This decision would take effect immediately.

9.3. *LAUNCH OF THE 2010 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 2010 promotion exercise, based on the following criteria: the target promotion rate would be around 15% of eligible officials, and director or equivalent posts (AD14 to AD15) and director-general or equivalent posts (AD15 to AD16) would be concerned. The eligibility conditions would have to be met on 31 December at the latest and promotions would take effect on 1 January 2011.

9.4. *SECRETARIAT-GENERAL – ACTIVITIES OF A MEMBER OF THE COMMISSION AFTER LEAVING OFFICE (SEC(2010)1179)*

The Commission approved the communication in SEC(2010)1179 concerning the activities planned by Mr SAMECKI after leaving the Commission. It concluded that these activities were compatible with the second paragraph of Article 245 of the Treaty on the Functioning of the European Union.

9.5. *COMMUNICATION TO THE COMMISSION – GETTING THE BEST FROM INFORMATION TECHNOLOGY IN THE COMMISSION*

Mr ŠEFČOVIČ presented the communication he was tabling for the Commission's approval, in agreement with the PRESIDENT, and reminded the meeting of the decision taken in April 2010 to set up a task force to

examine the situation regarding information technology at the Commission. He thanked Mr Martin POWER, the Secretary-General and the members of the task force for their efforts and for helping to obtain results quickly.

He emphasised that the Commission spends EUR 500 million every year on information technology and employs more than 3800 people in the field, managing more than 2500 computer systems. He noted that increased use of information technology had allowed the Commission to improve its efficiency and its interaction with citizens.

Mr ŠEFČOVIČ pointed out that the task force's work had however highlighted the lack of central bodies to coordinate action, discuss strategy and draw conclusions from past experience.

He stressed that IT expenditure was the responsibility of individual departments and that barely 40% of it was paid for from the administrative budget, the rest coming from operational budget lines managed at Directorate-General level. He therefore concluded that there was great potential to use resources more efficiently and to rationalise and harmonise computer systems; by March 2011, he would bring forward a proposal to reduce the number of such systems and, consequently, the human resources dedicated to managing them.

In the shorter term, Mr ŠEFČOVIČ suggested that some of the task force's recommendations should be implemented immediately, such as (i) extending the remit of certain meetings of the ABM Steering Committee to cover IT matters, with participation by representatives of five DGs on a rotating basis, and (ii) setting up an Information Systems Project Management Board, chaired by the Director-General of DG DIGIT, to draw up guidelines on project management at the Commission and to advise DGs on all new IT project proposals over EUR 500 000 and to identify new Commission-wide IT solutions.

He considered that these measures should improve control of information

technology management at the Commission and indicated that convergence plans were under preparation. He concluded by emphasising the importance of encouraging the simplification of procedures and requesting the backing of all of the Members of the Commission to do so.

The Commission then expressed its support for Mr ŠEFČOVIČ's proposal to rationalise and harmonise IT services, stressing:

- the scale and difficulty of the task and the thanks which were due to Mr ŠEFČOVIČ for his efforts now and in the future;
- the importance of ensuring that the Commission does not use open source software which does not protect intellectual property;
- the compliance of the approach with the discussions held by the Audit Progress Committee;
- the possibility of progress and of significant savings as a result of the very specific measures proposed;
- the need to pay heed to the issues of compatibility or interoperability of computer systems, particularly in connection with the setting up of the European External Action Service and the request for information on this point in connection with a future meeting of the External Relations group of Commission Members.

Mr ŠEFČOVIČ emphasised that the initiative would need political support and steering at the highest level. With regard to system compatibility, it was vital to take all the necessary steps to ensure that the External Action Service did not have a new system, and he indicated that he would return to this point in due course. He also confirmed that intellectual property rights would be fully respected.

Following the presentation and the discussion, the Commission took note of the communication and the Task Force Report on information technologies which are the subject of SEC(2010)1182 and /2, and decided as follows:

(7 October 2010)

- to extend the remit of certain meetings of the ABM Steering Committee and rename it the ABM+IT Steering Committee for these occasions, to provide that 5 operational DGs participate in its IT work on a rotating basis;
- to establish a High Level Committee on IT chaired by a deputy Secretary General;
- to establish an Information Systems Project Management Board, chaired by the Director General of DG DIGIT and which secretariat will be assured by the Secretariat-General in order to:
 - examine all new IT project proposals over EUR 500 000;
 - prepare for approval by the High Level Committee on IT guidelines to facilitate the work of DGs on IT project design and management which will be endorsed by the ABM+IT Steering Committee for use by DGs in formulating new IT investments;
 - advise on solutions for DGs' information technology needs;
 - provide early warning to the High Level Committee on IT and, if necessary, the ABM+IT Steering Committee on difficulties encountered with IT projects;
 - advise on training needs for IT project managers.

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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 11.35.