



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2011)1957 final

Brussels, 4 May 2011

MINUTES
of the 1957th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 20 April 2011
(morning)

PV(2011)1957 final

TABLE OF CONTENTS

Attendance list	4-7
1. AGENDAS (OJ(2011)1957/3; SEC(2011)490/2; SEC(2011)507).....	8
2. WEEKLY MEETING OF CHEFS DE CABINET (SEC(2011)1957)	8
3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1956TH MEETING (13 APRIL) (PV(2011)1956 AND /2; PV(2011)1956, PART II).....	8
4. INTERINSTITUTIONAL RELATIONS.....	9
4.1. LEGISLATIVE MATTERS	9
4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL	9
4.3. RELATIONS WITH THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS, THE EUROPEAN OMBUDSMAN AND NATIONAL PARLIAMENTS.....	9
5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW	10
STATE AID – INDIVIDUAL CASES (SEC(2011)511 AND /2).....	10
6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	10
6.1. WRITTEN PROCEDURES APPROVED (SEC(2011)491 ET SEQ.).....	10
6.2. EMPOWERMENT (SEC(2011)492 ET SEQ.)	10
6.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2011)493 ET SEQ.).....	10
6.4. SENSITIVE WRITTEN PROCEDURES (SEC(2011)494)	10
7. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2011)495/2)	11
7.1. DG ENLARGEMENT – APPOINTMENT OF AD15/16 DIRECTOR-GENERAL	11

7.2. DG HEALTH AND CONSUMERS – LIST OF CANDIDATES FOR THE POST OF EXECUTIVE DIRECTOR OF THE EUROPEAN MEDICINES AGENCY (EMA) (PERS(2010)107 TO /3).....	11
7.3. DG INTERNAL MARKET AND SERVICES – LIST OF CANDIDATES FOR APPOINTMENT AS MEMBERS OF THE JOINT BOARD OF APPEAL OF THE THREE EUROPEAN SUPERVISORY AUTHORITIES FOR THE FINANCIAL SERVICES SECTOR (EUROPEAN SECURITIES AND MARKETS AUTHORITY, EUROPEAN BANKING AUTHORITY, EUROPEAN INSURANCE AND OCCUPATIONAL PENSIONS AUTHORITY).....	12
7.4. DG COMMUNICATION – APPOINTMENT OF AD14 HEAD OF REPRESENTATION	12
7.5. DG EUROPEAID DEVELOPMENT AND COOPERATION – AMENDMENT OF ORGANISATION CHART AND ABOLITION OF A CHIEF ADVISER POST.....	13
7.6. DG BUDGET / SECRETARIAT-GENERAL / DG HUMAN RESOURCES AND SECURITY – APPLICATION OF ARTICLE 47 OF THE FINANCIAL REGULATION TO THE ESTABLISHMENT PLAN FOR STAFF PAID FROM THE RESEARCH AND TECHNOLOGICAL DEVELOPMENT APPROPRIATIONS FOR INDIRECT RESEARCH ACTIONS (COM(2011)234; C(2011)2846).....	13
8. STATEMENT OF ESTIMATES OF THE COMMISSION FOR 2012 – PREPARATION OF THE 2012 DRAFT GENERAL BUDGET OF THE EUROPEAN UNION (SEC(2011)498 AND /2, DOCUMENTS I, II, III, IV AND V; SEC(2011)506).....	14
9. CODE OF CONDUCT FOR COMMISSIONERS (C(2011)2904).....	19
10. POLICY DEBATE ON MIGRATION (SEC(2011)524; SEC(2011)528)	19

Single sitting: Wednesday 20 April 2011 (morning)

The sitting opened at 09.06 hours with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	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 BARNIER	Member	
Ms VASSILIOU	Member	Items 1 to 10 (in part)
Mr ŠEMETA	Member	
Mr DALLI	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	Items 1 to 8
Ms DAMANAKI	Member	
Mr OETTINGER	Member	Items 1 to 10 (in part)
Mr HAHN	Member	
Ms HEDEGAARD	Member	
Mr FÜLE	Member	Items 1 to 10 (in part)
Ms MALMSTRÖM	Member	
Mr CIOLOŞ	Member	

Absent:

Baroness ASHTON	High Representative/ Vice-President
Ms REDING	Vice-President
Mr REHN	Member
Mr PIEBALGS	Member
Mr DE GUCHT	Member
Ms GEORGIEVA	Member
Mr ANDOR	Member

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

Mr MORRISON	Chef de cabinet to Baroness ASHTON	Items 1 to 8
Ms PETKOVA	A member of Baroness ASHTON's staff	Item 10
Ms HOFFMANN	Deputy Chef de cabinet to Ms REDING	Items 1 to 8, and 10
Mr LAHTI	A member of Mr REHN's staff	Items 1 to 8, and 10
Ms MELNGAILE	A member of Mr PIEBALGS's staff	Items 1 to 8, and 10
Mr VANHEUKELEN	Chef de cabinet to Mr DE GUCHT	Items 8 (in part) and 10
Ms HRISTCHEVA	A member of Ms GEORGIEVA's staff	Items 1 to 8, and 10
Ms TÖRÖK	Deputy Chef de cabinet to Mr ANDOR	Items 1 to 8, and 10

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr VANDERSTEEN	DG Communication	Items 1 to 8, and 10
Mr DOENS	Head of the Commission Spokesperson Service	Items 1 to 8, and 10
Ms AHRENKILDE HANSEN	Commission Spokeswoman	Items 1 to 8, and 10 (in part)
Mr THEBAULT	Head of the Bureau of European Policy Advisers	Items 1 to 8, and 10 (in part)
Ms MARTÍNEZ ALBEROLA	Adviser in the PRESIDENT's Office	Item 10
Mr KLAUS	A member of the PRESIDENT's staff	Items 1 to 8
Mr COMPTOUR	A member of Ms VASSILIOU's staff	Item 10 (in part)
Mr LEMAÎTRE	Chef de cabinet to Mr LEWANDOWSKI	Items 1 to 8
Mr SLOWIK	A member of Mr LEWANDOWSKI's staff	Item 10
Mr MUSCHEL	Deputy Chef de cabinet to Ms MALMSTRÖM	Item 10
Mr JOUANJEAN	Director-General, DG Budget	Items 1 to 8 (in part)

Mr MANSERVISI

Director-General, DG Home Affairs

Item 10

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

1. AGENDAS

(OJ(2011)1957/3; SEC(2011)490/2; SEC(2011)507)

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(2011)1957)

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

**3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 1956TH MEETING
(13 APRIL)**

(PV(2011)1956 AND /2; PV(2011)1956, PART II)

The Commission held over approval of the minutes of its 1956th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure

Dossier at second reading

- Textile names and related labelling of textile products (Regulation) –
MANDERS report – 2009/0006 (COD)

The Commission approved the line set out in SI(2011)121.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

ii) Programming of Council business

(SI(2011)120)

The Commission took note of the information in SI(2011)120 on the Council meetings between 21 April and 4 May.

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

iii) Relations with the Committee of the Regions – Programming of work for 2011 – List of optional opinions

(SR(2011)10 to /3)

The Commission approved the line set out in SR(2011)10/3 and decided to send the list annexed to that document to the Committee of the Regions.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – INDIVIDUAL CASES

(SEC(2011)511 AND /2)

The Commission adopted the decisions in SEC(2011)511/2.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2011)491 ET SEQ.)

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

6.2. EMPOWERMENT

(SEC(2011)492 ET SEQ.)

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

6.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2011)493 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 April, as archived in e-Greffe.

6.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2011)494)

The Commission took note of the sensitive written procedures for which the time limit expired between 18 and 29 April.

7. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2011)495/2)

ADMINISTRATIVE MATTERS
(PERS(2011)44/2)

7.1. DG ENLARGEMENT – APPOINTMENT OF AD15/16 DIRECTOR-GENERAL

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr FÜLE, the Commission decided to fill the post of Director-General of DG Enlargement by transferring in the interest of the service under Article 7 of the Staff Regulations Mr Stefano SANNINO, currently Deputy Director-General in DG Enlargement.

This decision would take effect on 1 July 2011.

7.2. DG HEALTH AND CONSUMERS – LIST OF CANDIDATES FOR THE POST OF EXECUTIVE DIRECTOR OF THE EUROPEAN MEDICINES AGENCY (EMA)
(PERS(2010)107 TO /3)

The Commission noted the procedure followed, as set out in point 2 of PERS(2011)44/2, and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr DALLI, decided:

- to approve the list of four candidates set out in point 2 of PERS(2011)44/2;
- to consider the list as the Commission proposal under Article 64 of Regulation (EC) 726/2004;
- to ask the Commission Member responsible to communicate the list to the Management Board of the European Medicines Agency.

These decisions would take effect immediately.

7.3. DG INTERNAL MARKET AND SERVICES – LIST OF CANDIDATES FOR APPOINTMENT AS MEMBERS OF THE JOINT BOARD OF APPEAL OF THE THREE EUROPEAN SUPERVISORY AUTHORITIES FOR THE FINANCIAL SERVICES SECTOR (EUROPEAN SECURITIES AND MARKETS AUTHORITY, EUROPEAN BANKING AUTHORITY, EUROPEAN INSURANCE AND OCCUPATIONAL PENSIONS AUTHORITY)

The Commission noted the procedure followed, as set out in point 3 of PERS(2011)44/2, and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr BARNIER, decided:

- to approve the list of 32 candidates recommended by the Commission Member responsible, Mr BARNIER;
- to consider the list as the Commission proposal under Articles 58 and 59 of Regulations (EC) 1093/2010, 1094/2010 and 1095/2010;
- to ask the Commission Member responsible to communicate the list to the Management Boards of the European Securities and Markets Authority, the European Banking Authority, and the European Insurance and Occupational Pensions Authority.

These decisions would take effect immediately.

7.4. DG COMMUNICATION – APPOINTMENT OF AD14 HEAD OF REPRESENTATION

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms REDING, the Commission decided to fill the post of Head of the Commission Representation in Cyprus (DG Communication) by transferring in the interest of the service under Article 7 of the Staff Regulations Ms Androulla KAMINARA, AD14 official and currently Chief Adviser in DG EuropeAid Development and Cooperation.

(20 April 2011)

It also decided to upgrade to director level (AD14/15) the post of Head of the Commission Representation in Cyprus for the duration of Ms KAMINARA's posting.

These decisions would take effect immediately.

**7.5. DG EUROPEAID DEVELOPMENT AND COOPERATION –
AMENDMENT OF ORGANISATION CHART AND ABOLITION OF A
CHIEF ADVISER POST**

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, Mr PIEBALGS and Mr FÜLE, the Commission decided to abolish the post of chief adviser in DG EuropeAid Development and Cooperation, which had become vacant following the transfer under Article 7 of the Staff Regulations of the incumbent, Ms Androulla KAMINARA.

This decision would take effect immediately.

**7.6. DG BUDGET / SECRETARIAT-GENERAL / DG HUMAN RESOURCES
AND SECURITY – APPLICATION OF ARTICLE 47 OF THE
FINANCIAL REGULATION TO THE ESTABLISHMENT PLAN FOR
STAFF PAID FROM THE RESEARCH AND TECHNOLOGICAL
DEVELOPMENT APPROPRIATIONS FOR INDIRECT RESEARCH
ACTIONS
(COM(2011)234; C(2011)2846)**

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, Mr KALLAS, Ms KROES, Mr TAJANI, Ms VASSILIOU, Ms GEOGHEGAN-QUINN, Mr LEWANDOWSKI and Mr OETTINGER, the Commission decided:

- to approve the communication to the European Parliament and the Council in COM(2011)234 and to adopt the draft Commission decision in C(2011)2846;
- to approve the changes without budgetary impact to the establishment

(20 April 2011)

plan for staff paid from the research and technological development appropriations for 2011, as detailed in the draft decision in C(2011)2846, in the absence of duly justified objections by the budgetary authority within three weeks of notification;

- to authorise the Director-General of DG Budget to send to the budgetary authority the above-mentioned communication and draft decision;
- to authorise the Director-General of DG Budget to sign the draft decision on behalf of the Commission if the budgetary authority raised no objections during the notification period;
- to empower Mr LEWANDOWSKI, Member of the Commission responsible for the budget and financial programming, and Mr ŠEFČOVIČ, Member of the Commission responsible for interinstitutional relations and administration, to adopt, in agreement with the PRESIDENT, the implementing measures necessary to prevent over-representation of certain grades in the establishment plan for indirect research actions.

These decisions would take effect immediately.

**8. STATEMENT OF ESTIMATES OF THE COMMISSION FOR 2012 –
PREPARATION OF THE 2012 DRAFT GENERAL BUDGET OF THE
EUROPEAN UNION
(SEC(2011)498 AND /2, DOCUMENTS I, II, III, IV AND V; SEC(2011)506)**

The PRESIDENT thanked Mr LEWANDOWSKI, his cabinet and the departments under his authority for their work, and all the Commission Members for the constructive and collegial atmosphere in which this draft budget had been drawn up.

He began by highlighting the importance not only of the figures but also of the political messages conveyed by the draft budget. In his view the Commission had

acknowledged and taken into account the difficult situation facing the Member States and the people of Europe following the economic and financial crisis.

He stressed that the Commission had to make choices and sacrifices, particularly in relation to its own expenditure. It had done so in an appropriate manner, with an eye too on the proposals for the next multiannual financial framework which it would be presenting at the end of June.

First of all the Commission had ensured adequate funding for expenditure under the Europe 2020 strategy and areas affected by implementation of the Lisbon Treaty, including solidarity-related policies. This funding would be provided within the constraints of the current financial framework, requiring a significant increase in payments in the years at the end of the cycle. He noted that this point would probably have to be explained in more depth.

The PRESIDENT then pointed out that, for the first time, the Commission was proposing to maintain the status quo for its administrative expenditure. This marked a real turning-point which went beyond the freeze on human resources that had been in place for three years. In addition, the Commission had considerably reduced its request for operational appropriations with an overall increase of 3.7% in commitments and 4.9% in payments compared with the 2011 budget.

It was important for the College to give its full support to the proposed draft budget, which was a collective exercise and provided a foretaste of the tougher realities which the Member States were already facing and which would also affect not only the Commission but all European institutions and policies. He therefore asked the Commission Members to endorse this draft and to defend it resolutely.

Mr LEWANDOWSKI prefaced his remarks by pointing out that the statement of estimates of revenue and expenditure which he was tabling with a view to establishing the draft 2012 budget was the fruit of a long and difficult internal process set against a background of strong economic and budgetary constraints.

In this respect it was important to explain clearly the various features of the draft budget, for example the time-lag between commitments and payments. He noted, by

way of comparison, that the European Union budget had increased by 37% in a ten-year period during which the number of Member States had risen to 27, whereas Member States' budgets had grown by an average of over 62% over the same period. As a response to certain criticisms that might be levelled at the Commission, he pointed out that the great majority of Member States had this year adopted budget increases.

The Commission had a twofold responsibility – to apply austerity measures, which included tightening its own belt, and, against the background of the economic crisis, to develop investment in the priority areas identified by the European Council in February 2011, namely research, education, energy and infrastructure, by working to ensure effective implementation of the Europe 2020 strategy and the policies linked to entry into force of the Lisbon Treaty.

He highlighted the very considerable efforts made by the Commission in its draft budget, in particular the discipline imposed on its own administrative spending. Nevertheless, given future uncertainties, certain margins for manoeuvre had to be kept for external action under heading 4 of the multiannual financial framework.

He then described briefly how the political priorities were to be reflected in budgetary terms – in both commitments and payments – in order to help relaunch growth, investment and employment in Europe and to honour legal obligations.

Mr LEWANDOWSKI ended his presentation by highlighting the importance of the forthcoming discussions with the budgetary authority and the need for appropriate and targeted communication through the media.

The Commission then held an exchange of views which focused on the following aspects:

- satisfaction at the statement of estimates that had been presented, as it took into account the difficult political, economic and budgetary situation facing the Member States which would now also have to be applied to the European institutions;

- the importance of mounting a proper communication campaign based on facts and figures, containing detailed arguments and adopting a didactic approach;
- a reminder of how the European budget differed from national budgets;
- the multiannual nature of the projects to be funded at European level, which was sometimes hard to reconcile with an annual approach to commitments and payments;
- the importance of sound budget implementation and a reminder in this context of the forthcoming Court of Auditors' report;
- the need to maintain existing Community policies, while modernising them in line with current needs and realities, and a request that this matter be discussed at the forthcoming Commission seminar;
- the importance of ensuring that the Council adopt the Commission proposal aimed at improving the effectiveness of spending in the Member States by introducing an annual management declaration;
- the need to apply the freeze on the Commission's administrative spending fairly across departments when allocating resources, taking due account of actual workload.

The PRESIDENT thanked Mr LEWANDOWSKI for his presentation and the other Commission Members for their contributions. He was convinced of the quality of the proposed draft budget and, for the purposes of effective communication, asked everyone to help present it and defend it in their respective Member States, vis-à-vis members of the government, their own political groups and public opinion. He felt that sound arguments could be put forward and that it was important to try to curb the effects of demagoguery and populism wherever possible by taking a didactic and rational approach to the debate.

Given the contribution which the European budget made to Member States, regions and universities and the repeated requests by governments for the EU to take on

more areas of responsibility, which, he stressed, had a financial cost, he hoped that the Member States would lend greater support to the EU budget.

The PRESIDENT wound up the debate by noting that all the Commission Members agreed on the statement of estimates, which formed the basis of the draft 2012 budget, and by reminding them all of the importance of the forthcoming discussions on the next multiannual financial framework.

The Commission took note of the results of the debate and conclusions and:

- adopted the statement of estimates as set out in documents I, II, III (parts 1 and 2), IV and V, distributed as SEC(2011)498/2, as a basis for drawing up the draft general budget of the European Union for the 2012 financial year;
- took note of the activity statements attached to document I in SEC(2011)498/2;
- authorised Mr LEWANDOWSKI, Member of the Commission with responsibility for the budget and financial programming, to send to the European Parliament and Council, for their information, documents I, II, III (parts 1 and 2) and IV in the three procedural languages, together with the activity statements annexed to document I;
- empowered Mr LEWANDOWSKI, Member of the Commission with responsibility for the budget and financial programming, in agreement with the PRESIDENT, to finalise documents I, II, III (parts 1 and 2), IV and V, distributed as SEC(2011)498/2, to convert documents I, II, III (parts 1 and 2) and IV into the corresponding volumes of the draft budget, taking into account the outcome of the meeting of the Advisory Committee on Own Resources on 17 May, and to send them to the European Parliament and the Council and, for information, to the national parliaments;
- empowered Mr LEWANDOWSKI, Member of the Commission with responsibility for the budget and financial programming, in agreement with the PRESIDENT, to consolidate the draft budget in accordance with Article 314(1) of the Treaty on the Functioning of the European Union, on the basis of the

information provided by the other institutions about their own statements of estimates.

9. CODE OF CONDUCT FOR COMMISSIONERS (C(2011)2904)

Following a brief presentation by the PRESIDENT and Mr ŠEFČOVIČ of the revised draft and outcome of the consultations with the European Parliament concerning it, the Commission, after holding a debate, adopted the Code of Conduct for Commissioners set out in C(2011)2904, which replaces with immediate effect the code of conduct adopted in 2004 (SEC(2004)1487/2).

10. POLICY DEBATE ON MIGRATION (SEC(2011)524; SEC(2011)528)

The PRESIDENT launched the policy debate by recalling the main objectives of the communication on migration to be submitted to the Commission shortly for approval.

He hoped that the debate would focus on strengthening the European Union's capacity to combat illegal immigration, the governance of the Schengen system and, lastly, the need to devise a legal immigration policy for the longer term.

Ms MALMSTRÖM presented the objectives of the draft communication which would be on the agenda of the Commission meeting on 4 May, placing them in the context of the current crisis and in the broader context of immigration policy. As a result of this communication, the policy debate should focus on all key priorities for both the short and longer terms.

Describing the objectives pursued in terms of reinforcing external border controls and governance of the Schengen area to ensure more effective prevention and

management of immigration, she referred to the measures on return and the negotiation of readmission agreements.

She also underlined the value of facilitating legal immigration for the skilled in order to cope with demographic developments and labour market needs in Europe.

The Commission then held an in-depth debate during which the following points were raised: the importance of distinguishing between the current crisis and a more global and long-term approach to immigration issues, the need for a balance between strict control of illegal immigration and respect for fundamental rights and European values, the need to develop solidarity in the EU and the importance of good communication on issues relating to migration.

The PRESIDENT thanked Ms MALMSTRÖM for her presentation and the other Commission Members for their contributions to the debate. It had emerged from the discussions that there was widespread agreement with and support for the approach outlined by Ms MALMSTRÖM. He asked her to take account of the conclusions of this meeting when adapting the draft communication for approval by the Commission on 4 May.

A consensus had emerged to the effect that the Commission should present proposals aimed at strengthening the EU's capacity to deal with illegal immigration issues and, in particular, enhancing Frontex's resources for working more effectively with non-EU countries and carrying out external border controls.

The PRESIDENT also took note of the Commission's agreement on the need to speed up reform of European asylum arrangements. The Commission would review its proposals in order to promote the emergence of a compromise likely to be accepted by the European Parliament and the Council.

In relation to solidarity between Member States, implementation of existing mechanisms should be clarified and their scope extended in urgent situations resulting from the mass arrival of asylum-seekers in one Member State. The Commission would reflect further on this subject and would continue its discussions with Member States on possible ways of implementing solidarity in a more

horizontal way, based on precise criteria which should trigger predefined solidarity mechanisms.

As for the governance of the Schengen system, the limitations of which had been highlighted by recent events, the Commission would present new governance proposals.

The PRESIDENT also felt that the Commission should in future support legal immigration policies based on a precise evaluation of needs in Europe in order to develop a more rational approach that could remedy shortcomings in the labour market and contribute to solving the demographic problems facing Europe, as set out in the Europe 2020 strategy. The Commission should, however, assess and analyse in depth ways of achieving these objectives and decide on the right time to put forward proposals in this respect and in relation to the integration of legal immigrants.

It was important to distinguish properly between legal and illegal immigration, and to combat the latter. European citizens needed reassurance on security matters, while a didactic approach should be adopted when replying to legitimate questions, in line with European values and thinking.

Lastly, he considered that conditionality should be an important element in the EU's relations with neighbouring countries, in particular with a view to concluding readmission agreements, which were the basic tools for combating illegal immigration. To this end he hoped that such agreements would become an integral part of "packages" that might also contain elements coming under other policies such as those on visas or partnerships for mobility.

The draft communication presented by Ms MALMSTRÖM would be adjusted in the light of this debate and would then be discussed with a view to approval at the Commission's meeting on 4 May.

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

*

* *

The Commission's other discussions on certain agenda items are recorded in the special minutes.

*

* *

The meeting closed at 12.32 hours.