



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2012)2000 final

Brussels, 16 May 2012

MINUTES
of the 2000th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 2 May 2012
(morning)

PV(2012)2000 final

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Single sitting: Wednesday 2 May 2012 (morning)

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

Present:

Mr BARROSO	President	
Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	Items 6 and 7
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr REHN	Vice-President	Items 1 to 6 (in part)
Mr POTOČNIK	Member	
Mr BARNIER	Member	Items 1 to 5
Ms VASSILIOU	Member	
Mr ŠEMETA	Member	
Mr DE GUCHT	Member	
Mr DALLI	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	
Ms DAMANAKI	Member	
Ms GEORGIEVA	Member	
Mr OETTINGER	Member	
Mr HAHN	Member	
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	
Mr CIOLOŞ	Member	

(2 May 2012)

Absent:

Baroness ASHTON

High Representative/
Vice-President

Mr PIEBALGS

Member

Ms MALMSTRÖM

Member

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

Mr CEBALLOS BARÓN	A member of Baroness ASHTON's staff	
Ms SOEWARTA	A member of Mr PIEBALGS's staff	
Ms ÅSENIUS	Chef de cabinet to Ms MALMSTRÖM	Items 6 and 7

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PAULGER	Director-General, DG Communication	
Mr DOENS	Head of the Commission Spokesperson Service	Items 6 (in part) and 7
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr SCHINAS	Bureau of European Policy Advisers	
Mr KARNITSCHNIG	A member of the PRESIDENT's staff	Items 6 and 7
Ms SCHREIBER	Deputy Chef de cabinet to Mr BARNIER	Items 6 and 7
Mr KÖHLER	Chef de cabinet to Mr OETTINGER	Item 6
Mr VIS	Chef de cabinet to Ms HEDEGAARD	Item 6
Mr MÜLLER	A member of Ms HEDEGAARD's staff	Item 6

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

The PRESIDENT opened the meeting, underlining its highly symbolic nature since it was the 2000th meeting of the European Commission in its current configuration, which had emerged following the amalgamation of the executive bodies of the three original communities: the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community (Euratom). This amalgamation had taken effect on 1 July 1967, under the presidency of Mr Jean REY. He said that a document on the founding fathers of Europe had been handed out to the Commission Members to mark this important occasion, quoting one of them, Jean Monnet: “Nothing is possible without people. Nothing lasts without institutions”.

The PRESIDENT recalled the historic changes which had punctuated the forty-five years since the first meeting of the single Commission, changing the face of Europe. Under the sway of European integration, the number of Member States had increased constantly over the decades, from 6 in 1967 to 27 at the moment. They included countries previously in the grip of totalitarian regimes in both southern and eastern Europe, but which now formed part of an area of freedom and democracy, and a continental-wide European Union with a population of over half a billion people.

As for the Commission itself, the PRESIDENT welcomed the growing number of women among its ranks, pointing out that the first women Commissioners had been Christiane SCRIVENER and Vasso PAPANDREOU in 1989, and that the first woman Commission Vice-President had been Loyola DE PALACIO in 1999. It was a matter of personal pride to him that he had, during his first term of office in 2004, appointed the first female First Vice-President of the Commission, Margot WALLSTRÖM. He was also delighted to see that a number of women now occupied managerial posts in the Commission, right up to the highest level, namely the post of Secretary-General.

The PRESIDENT then turned to a fundamental aspect that had remained unchanged since the outset, despite the turbulence experienced: the key role played by the Commission in European integration. He called on the Commission Members to face up to the challenges of the current and undoubtedly the most serious economic crisis that Europe had ever experienced by continuing the work of the founding fathers and proving themselves worthy of their heritage.

Lastly, the PRESIDENT thanked all the Commission staff for their dedicated service in shaping the future of European integration.

He ended by asking the Commission Members to take part in a “family photo” and a visit to the exhibition organised at the Berlaymont to celebrate this 2000th meeting. The policy debate on the agenda would then be held, after which His Majesty King Albert II, King of the Belgians, would arrive for lunch with the Commission Members.

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1. AGENDA

(OJ(2012)2000/3)

The Commission took note of that day's agenda.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2012)2000)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Friday 27 April.

3. APPROVAL OF THE MINUTES OF THE 1998TH MEETING OF THE COMMISSION (18 APRIL) AND THE MINUTES OF THE 1999TH MEETING (25 APRIL)

(PV(2012)1998)

The Commission approved the minutes of its 1998th meeting and decided to hold over for one week approval of the minutes of its 1999th meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2012)43)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Thursday 26 April (RCC(2012)43).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

- i) Financial rules applicable to the annual budget of the Union (Regulation) – GRÄSSLE / RIVELLINI report – 2010/0395 (COD)**
(point 1 of the IRG record)

The Commission approved the line set out in SI(2012)158 and /2.

- ii) Withdrawal of pending proposals: 2012 exercise – Publication of the list of proposals withdrawn in the *Official Journal of the European Union***
(point 2 of the IRG record)

The Commission decided to conclude the 2012 exercise for the withdrawal of pending proposals by confirming its decision to withdraw the 16 proposals referred to in the Annex to its work programme for 2012 and to publish this list in the *Official Journal of the European Union*, following the line set out in SI(2012)160/2.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

- iii) Programming of Council business**
(SI(2012)172)

The Commission took note of the information in SI(2012)172 on the Council meetings between 3 and 16 May.

- iv) Draft conclusions of the Economic and Financial Affairs Council concerning the use of available revenue to support action on the climate in developing countries (Brussels, 15 May 2012)**
(point 5.3 of the IRG record)

The Commission approved the line set out in SI(2012)173 and /2.

4.3. EXTERNAL RELATIONS

- v) **Decisions concerning the signing of Framework Agreements on Partnership and Cooperation Agreements between the European Union and its Member States, of the one part, and the Republic of the Philippines, the Socialist Republic of Vietnam and Mongolia, of the other part (Council Decisions) – 2010/0241 (NLE) / 2010/0340 (NLE) / 2011/0052 (NLE)**
(point 5.2 of the IRG record)

The Commission approved the line set out in SI(2012)169.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED **(SEC(2012)261 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 April.

5.2. EMPOWERMENT **(SEC(2012)262 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 April.

5.3. DELEGATION AND SUBDELEGATION OF POWERS **(SEC(2012)263 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 23 and 27 April, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2012)264)

The Commission took note of the sensitive written procedures for which the time limit expired between 30 April and 4 May.

6. POLICY DEBATE ON THE INDIRECT IMPACT OF LAND-USE CHANGE – MINIMISING THE RISK OF LAND-USE CHANGE EMISSIONS RELATED TO BIOFUELS

(SEC(2012)280; RCC(2012)45)

Opening the policy debate on addressing the indirect impact on greenhouse gas emissions of land-use change related to biofuel production, the PRESIDENT stressed that this was a technically highly complex and politically highly sensitive issue which had been the subject of urgent requests by Parliament and the Council.

He noted that land-use change related to biofuel production was linked to an increase in greenhouse gas emissions, which would have a negative impact on the climate. In the face of this specific challenge he called for the measures adopted to be based on the precautionary principle.

However, it was very difficult to quantify the negative impact at this stage, and taking this factor into account would have various consequences both on EU renewable energy targets, a key component of which were biofuels, and on European industry, agriculture, food security and, probably, trade between Europe and certain third countries.

Presenting the main points of the dossier, Mr OETTINGER reminded the meeting that the Council and Parliament had asked the Commission to address this issue.

Two key points to be borne in mind were the EU's overall energy and climate policy target of increasing the consumption of renewable energy to 20% by 2020 (10% in the transport sector) and the fact that the EU criteria concerning the

sustainability of biofuels were very strict.

What was needed now was to stimulate the development of new generations of biofuels to replace fossil fuels, since these were polluting energy sources and reserves were dwindling. It was also important to cut land use for the production of first-generation biofuels where the production of these fuels was reducing land for forestry and farming and indirectly generating significant greenhouse gas emissions.

He pointed out that the debate also had an ethical dimension. Since first-generation biofuels were produced from food and fodder crops, the use of these crops for energy affected the ability to meet world food demand and exerted pressure on international commodity prices.

Mr OETTINGER said that the three options proposed to the Commission included a prudent and rigorous compromise solution accompanied by technical measures guaranteeing the quality of biofuels and helping to meet the EU's sustainable development target. In conclusion, he stressed the importance of taking the right decision, in view of the economic and environmental consequences, the global nature of the fuel market, the impossibility of excluding imports from certain non-EU countries and the need to take into account the requirements of both industry and farming. At the same time, he emphasised that the 2009 European Directive on the promotion of the use of energy from renewable sources must continue to serve as the general framework for action in Europe.

Ms HEDEGAARD agreed with Mr OETTINGER and pointed out that even if biofuels were not the solution to all the problems, sustainable biofuels should be one of the instruments available to governments and the European Union in the fight against climate change.

She pointed out that some kinds of biofuel were better than others in terms of indirect land-use change greenhouse gas emissions. She felt that a European biofuels industry was necessary and should be developed, bearing in mind the adverse effects associated with land-use change. In this context, she stressed the importance of sustainable biofuels for the transport sector.

Alongside the question of greenhouse gas emissions, she mentioned the related risks of additional pressures on agricultural markets and higher prices for certain products, the ethical dimension, and the potential threat to biodiversity.

Ms HEDEGAARD stressed, therefore, that it was best to adopt the precautionary principle, given that the second or third-generation biofuels produced from straw, waste or algae were pioneering products that should be firmly supported.

She felt that the compromise proposal on the table would send a clear signal to the markets and producers to stimulate innovation and investment and thus promote the production of second-generation biofuels and improve the efficiency of first-generation biofuels, while allowing industry time to adapt.

The Commission then held a discussion in which the following aspects were highlighted: general support for the goal of securing the transition to biofuel production within the framework of sustainable development and, to that end, of promoting the switch to second and third-generation products, the need for thorough scientific research into the impact of indirect emissions, the need to take into consideration in the overall calculation the emissions generated by the co-products of biofuel production, the importance of providing regulatory stability for businesses that had invested for biofuel production, the question of employment in this sector, the importance of ensuring that the chosen option was compatible with the rules of the World Trade Organisation, the feeling that the Commission's strong commitment to tackling climate change could not allow it to ignore an element that had become a decisive factor in the calculation of greenhouse gas emissions, the need for a decision that stimulated innovation, the need to bear in mind the crucial question of the repercussions of biofuel production for developing countries, world food prices and wide-scale deforestation, the need to apply the precautionary principle and distinguish clearly between biofuels according to their proven impact and support only production that was climatically sustainable and ethically defensible, *inter alia* through state aid policy, the wider question of the impact of all new energy sources and their real cost-effectiveness, and the need to act quickly to promote discussion at international level on the greenhouse gas emissions attributable to land-use change.

The PRESIDENT thanked Ms HEDEGAARD and Mr OETTINGER for their work in preparing this debate and in managing to put forward a compromise option. In view of the different opinions expressed in the debate, he felt that more work was needed before a formal decision could be adopted on how to take into account in a proposal the indirect land-use change emissions related to biofuels, in order to define a predictable framework for this sector in future.

He stressed that, given the cross-cutting nature of this issue, it was important that the Commission Members most concerned be closely involved in the further preparatory work, under the coordination of the PRESIDENT's office and the Secretariat-General, so that the proposals drawn up were as comprehensive and balanced as possible. He said that before the summer the Commissioners would be asked once again to discuss and decide which legislative option to choose. It was important that they assumed full collective ownership of whichever option was chosen, so that it could then receive the full backing of the Commission.

The Commission took note of the results and conclusions of the policy debate and of the note from Mr OETTINGER and Ms HEDEGAARD in SEC(2012)280.

7. RELATIONS WITH NON-MEMBER COUNTRIES

SITUATION IN UKRAINE

The PRESIDENT briefly informed Commission Members of his decision not to accept, in the prevailing circumstances, the invitation extended by the Ukrainian authorities relating to the EURO 2012 European football championship. This position should be upheld not just by the PRESIDENT but by all Commission Members. He stressed that this refusal should not be viewed as a boycott, something which only the teams participating could decide upon, but that the Commission could not, for the time being, entertain the idea of attending sporting events in the country, in view of its concerns, in particular relating to the conditions of imprisonment of Ms Yulia Timoshenko and, consequently, respect for human rights,

for as long as progress had not been made on this point. He confirmed that established sectoral policy contacts should, nevertheless, be maintained.

The Commission gave its full support to this decision and also noted:

- the clear, strong message already addressed to Ukraine and the time-limit of mid-May for the country to adopt the measures necessary to show its respect for human rights;
- the importance of encouraging contacts with the country and of promoting its democratic development;
- the conditions applying to the signing of an association agreement with the country;
- the case for considering an in-depth debate on relations with Ukraine;
- the hope that the line adopted on this matter would be followed by all Member States and the European Parliament in order to provide a show of unity;
- the importance of Ukraine with respect to energy supplies.

The PRESIDENT referred to the need to distinguish between relations in general between the European Union and Ukraine and the issue of Commission Members attending sporting events there, while admitting that they were linked. He said that he was prepared to consider a debate on relations with Ukraine, a highly complicated subject in view of the energy supply issue, while noting that there was already a well defined and agreed Union policy with respect to the country.

He drew attention to the fragile situation in Ukraine, but also to the political damage that would result from the Members of the Commission attending sporting events in the country, the need for an appropriate position in condemning human rights violations and the likely difficulty, nevertheless, of ensuring that this line was followed by all Member States. Finally, he noted that the European Union sought

closer relations with Ukraine, but, for its part, Ukraine had to fulfil a number of necessary conditions.

The Commission took note of these points.

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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 11.17.