



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2012) 2018 final

Brussels, 10 October 2012

MINUTES
of the 2018th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 3 October 2012
(morning)

PV(2012) 2018 final

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Single sitting: Wednesday 3 October 2012 (morning)

The sitting opened at 9.42 with Mr BARROSO, President, in the chair.

Following its ordinary meeting, the Commission met with the Taoiseach, Enda Kenny, accompanied by certain members of the Irish Government.

Present:

Mr BARROSO	President	
Baroness ASHTON	High Representative/ Vice-President	
Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	Items 8 and 9
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr REHN	Vice-President	
Mr POTOČNIK	Member	
Mr PIEBALGS	Member	
Mr BARNIER	Member	
Mr ŠEMETA	Member	
Mr DE GUCHT	Member	
Mr DALLI	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	Items 1 to 9 (in part)
Ms DAMANAKI	Member	
Ms GEORGIEVA	Member	Items 1 to 9 (in part)
Mr OETTINGER	Member	
Mr HAHN	Member	Item 9
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	
Mr CIOLOŞ	Member	

Absent:

Mr TAJANI

Vice-President

Ms VASSILIOU

Member

Ms MALMSTRÖM

Member

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

Ms SUPERTI	Deputy Chef de cabinet to Mr TAJANI
Mr ASIMAKIS	Deputy Chef de cabinet to Ms VASSILIOU
Mr WINDMAR	A member of Ms MALMSTRÖM's staff

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT
Mr HETSCH	Deputy Director-General, Legal Service
Mr VANDERSTEEN	Deputy Director-General (acting), DG Communication
Mr DOENS	Head of the Commission Spokesperson Service
Ms AHRENKILDE HANSEN	Commission Spokeswoman
Mr THEBAULT	Head of the Bureau of European Policy Advisers
Mr SOBRAL	Deputy Chef de cabinet to the PRESIDENT
Mr MORRISON	Chef de cabinet to Baroness ASHTON

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

1. AGENDAS

(OJ(2012) 2018/FINAL; SEC(2012) 550/2)

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

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2012) 2018)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 1 October.

**3. APPROVAL OF MINUTES AND SPECIAL MINUTES OF 2017TH MEETING
(26 SEPTEMBER)**

(PV(2012) 2017; PV(2012) 2017, PART II)

The Commission held over approval of the minutes of its 2017th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

4.1. LEGISLATIVE MATTERS

**i) Multiannual financial framework 2014-2020 – Cohesion policy
legislative package**

(SI(2012) 410 and /2)

The Commission approved the line set out in SI(2012) 410/2.

- ii) **European Union energy-efficiency labelling programme for office equipment and amendment of Regulation (EC) 106/2008 on a Community energy-efficiency labelling programme for office equipment (Regulation) / Conclusion of the Agreement between the Government of the United States of America and the European Union on the coordination of energy-efficiency labelling programmes for office equipment (Council Decision) – KOVÁCS reports – 2012/0049 (COD) / 2012/0048 (NLE)**
(SI(2012) 420)

The Commission approved the line set out in SI(2012) 420.

- iii) **Migration from the Schengen Information System (SIS 1+) to the second-generation Schengen Information System (SIS II) (Council Regulation – recast) – COELHO report – 2012/0033 (NLE)**
(SI(2012) 411)

The Commission approved the line set out in SI(2012) 411.

- iv) **Amendment of Council Decision 2003/17/EC by extending its period of application and by updating the names of a third country and of the authorities responsible for the approval and control of the production (Decision) – DE CASTRO report – 2012/0165 (COD)**
(SI(2012) 412)

The Commission approved the line set out in SI(2012) 412.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

- v) **Programming of Council business**
(SI(2012) 419)

The Commission took note of the information in SI(2012) 419 on the Council meetings between 4 and 17 October.

4.3. RELATIONS WITH PARLIAMENT

vi) Participation by Members of Parliament in international conferences

(SP(2012) 645)

- Thirty-ninth session of the Committee on World Food Security (Rome, 15-20 October)

The Commission agreed to the request to the PRESIDENT from Mr Martin Schulz, President of Parliament, concerning the attendance of four Members of the European Parliament at the above-mentioned meeting as observers in the EU delegation, with a reminder about the procedure to be followed.

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

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

(SC(2012) 31; SC(2012) 32 to /3)

- Eleventh meeting of the Conference of the Parties to the Convention on Biological Diversity (Hyderabad, 8-19 October)

The Commission agreed to the request to the PRESIDENT from Mr Staffan Nilsson, President of the European Economic and Social Committee, concerning the attendance of one Member of the European Economic and Social Committee at the above-mentioned meeting as an observer in the EU delegation, with a reminder about the procedure to be followed.

- United Nations Climate Change Conference (Doha, 26 November to 7 December)

The Commission agreed to the request to the PRESIDENT from Mr Staffan Nilsson, President of the European Economic and Social Committee, concerning the attendance of three Members of the European Economic and Social Committee at the above-mentioned meeting as observers in the EU delegation, with a reminder about the procedure to be followed.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – INDIVIDUAL CASES

(SEC(2012) 557/2)

The Commission adopted the decisions in SEC(2012) 557/2.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2012) 545 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 24 and 28 September.

6.2. EMPOWERMENT

(SEC(2012) 546 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 24 and 28 September.

6.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2012) 547 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 24 and 28 September, as archived in e-Greffe.

6.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2012) 548 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 1 and 5 October and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on 1 October.

**7. JOINT COMMUNICATION FROM THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE EUROPEAN UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – EU SUPPORT FOR SUSTAINABLE CHANGE IN TRANSITION SOCIETIES
(JOIN(2012) 27 TO /3; SWD(2012) 282 AND /2; RCC(2012) 96)**

The Commission approved the joint communication in JOIN(2012) 27/3, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to national parliaments, together with the joint staff working document distributed as SWD(2012) 282/2, the contents of which were noted.

8. COMMISSION COMMUNICATION TO PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE

**COMMITTEE OF THE REGIONS – SINGLE MARKET ACT II -
TOGETHER FOR NEW GROWTH
(COM(2012) 573 TO /3; RCC(2012) 94)**

In the context of this dossier, the PRESIDENT announced that a policy debate would be held on all aspects of intellectual property at the Commission meeting on 5 December. Ms KROES welcomed this initiative, while regretting that reform of European legislation on copyright, which she supported, was not included among the twelve key actions set out in the Single Market Act II. She intended to attach a statement on this matter to the special minutes of the present Commission meeting. Mr BARNIER pointed out that the Commission was pursuing step by step the strategy it had embarked on to gradually put in place a single market in intellectual property rights by presenting concrete proposals on each aspect in turn.

Following this brief exchange the Commission:

- approved the communication in COM(2012) 573/3, subject to inclusion of the drafting change made at the meeting to the second paragraph of key action No 6 (*Access to finance*) on page 9 of the English-language version of the above document:

“Smart, sustainable and inclusive growth critically depends on the availability of finance over an extended time horizon. Action has already been taken at EU level to foster long-term investment in the real economy, notably the provision of financing through EU financial instruments and the European Investment Bank^[1], the Europe 2020 Project Bond Initiative^[2] and the

^[1] Since the beginning of the financial crisis in 2008, the European Investment Bank has provided € 40 billion of financing to more than 210,000 SMEs. European Commission Communication: "An action plan to improve access to finance for SMEs"; COM(2011)870final.

^[2] The aim of the Europe 2020 Project Bond Initiative is to attract institutional investors to the capital market financing of infrastructure projects. In July 2012, the EU launched a pilot phase of the EU-EIB Project Bond Initiative.

Commission action plan to improve access to finance for SMEs, combining financial and regulatory measures. As a contribution to the discussions in the European Council on growth and jobs, the Commission undertook a targeted reprogramming exercise with Member States to use structural funds for improving the access of SMEs to finance, which is also a key element for the next financing period. The Commission additionally announced a review of the impact of new bank capital requirements resulting from the implementation of the new Basel III standards in certain key areas, such as SME financing.”;

- decided to transmit the communication to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

9. RELATIONS WITH NON-MEMBER COUNTRIES

RECENT DEVELOPMENTS IN EXTERNAL POLICY

The PRESIDENT introduced the debate on recent developments in external policy by referring briefly to the information notes he had sent to the Commission Members on the European Union’s summits with South Africa and China on 18 and 20 September respectively.

He then reported on developments in and around the UN General Assembly in New York the previous week and the various discussions and meetings he had taken part in, together with the President of the European Council, Mr Herman Van Rompuy, and Baroness ASHTON, Mr PIEBALGS, Ms GEORGIEVA and Ms HEDEGAARD. He mentioned his meetings with the UN Secretary-General, Mr Ban Ki-moon, the new President of the World Bank, Mr Jim Yong Kim, the President of Brazil, Ms Dilma Rousseff, and the President of Libya, Mr Mohamed Yousef El-Magariaf. He also said that he had represented the European Union at the first high-level UN meeting on the rule of law, on 24 September, where he had reiterated Europe’s commitment to this principle in

both its internal affairs and its external relations.

Apart from the case of Iran, which was a serious cause for concern, the discussions in New York had focused mainly on Syria, where the humanitarian situation continued to deteriorate, with 30 000 dead, 285 000 refugees and 1.2 million people internally displaced. The PRESIDENT would be going to Jordan later in the week to visit one of the Zaatari refugee camps and to draw the international community's attention to the fate of the people who were flocking there. He took the opportunity to thank Ms GEORGIEVA for her efforts to keep the humanitarian question at the heart of the international debate.

The PRESIDENT would also be going to Malta to attend the '5+5 Dialogue' summit on 5 and 6 October, which would bring together five EU Member States (Spain, France, Italy, Malta and Portugal) and five countries from the other side of the Mediterranean: Algeria, Libya, Morocco, Mauritania and Tunisia. He would take the opportunity at this summit to reiterate the European Union's support for the movement of political change in the Arab countries, a message he had also clearly conveyed to the new Egyptian President, Mr Mohamed Morsi, on the latter's visit to Brussels a few weeks earlier, and to the Tunisian Prime Minister, Mr Hamadi Jebali, the day before. At the same time, he would also stress Europe's expectations as regards the governments that had emerged from the Arab spring, namely an unwavering commitment to the principles of democracy and the rule of law.

Finally, the PRESIDENT informed the Members of the Commission most closely concerned of his intention to organise a strategic debate on relations with Russia and ways of overcoming the current bilateral difficulties, ahead of the summit between the European Union and Russia due to be held in Brussels on 21 December, which could be followed in Spring 2013 by a meeting between the Members of the Commission and the Russian Government.

Baroness ASHTON then presented her analysis of the events connected with the UN General Assembly in New York. She stressed the driving role played by the European Union in the discussions and referred to the approach that had been adopted focusing on horizontal themes ranging from energy to water and including

education and climate protection, coupled with a global approach to the strategies implemented. She mentioned in particular the resilience initiative launched by Europe to help the countries of the Sahel region, for example, to tackle the problems of hunger and poverty. She welcomed the fact that the European Union's external policy thus played to its strengths, in particular its links with developing countries and regional organisations, and its experience in humanitarian operations and external security missions.

As regards Russia, she agreed with the PRESIDENT on the need for the Commission to carry out an in-depth analysis and define a European strategic approach to a partner with whom dialogue was not always easy.

She then reported briefly on the new political situation created by the parliamentary elections in Georgia on 1 October, and the period of comparative political uncertainty that could ensue in the months before the Presidential election, due in Spring 2013.

In the case of Iran, Baroness ASHTON referred to the '3+3' meeting of foreign ministers, i.e. between the French, British and German ministers and their Chinese, Russian and American counterparts, which she had chaired a few days before, with a view to breathing new life into the international negotiations. She also spoke of the close political contacts there had been with Iran's neighbours.

She concluded her contribution by calling on interested Members of the Commission to participate in the work of the EU-Egypt task force which she co-chaired with the Egyptian President. She explained that this was meant to provide a framework in Europe and the Arab world for mobilising civil society, the institutional players and the private partners who could together contribute to the economic development and stability of Egypt, a country whose importance on the political stage in the Middle East went without saying.

In the course of the ensuing debate the following main points were raised:

General questions

- the support expressed by all the Commission Members for the action taken by the High Representative of the European Union for Foreign Affairs and Security Policy and by the European External Action Service;
- the importance for the European Union of seeking ‘natural’ allies who shared the same core democratic values; in this context, the suggestion that there should be a move towards the conclusion of a free trade agreement between the European Union and the United States; furthermore, the value of forging alliances and strategic partnerships based on economic considerations and common interests, particularly with regard to energy and resources;
- consequently, the benefit for the European Union of launching a debate on the risks that could be involved in its defence of the multilateral approach, which might be at the expense of its relations with the major powers;
- the need for the European Union to have information at its disposal on the source of foreign investment in the EU and, in this context, to establish its strategic assets;
- the advisability of promoting a European defence industrial policy;

Concerning the European Union’s relations with certain countries or regions

- the need for the European Union to monitor political developments in Russia closely and attentively and take a pragmatic and firm attitude towards this country; a reminder of Russia’s approach to its immediate neighbours and the suggestion that the Union strengthen its ties with the countries concerned; a reminder of Russia’s stance in the Syrian conflict and the geopolitical impact that any regime change in Syria would have on it;
- questions concerning certain measures taken by Russia which might conflict with its undertakings as a member of the World Trade Organisation, and concerning the European Union’s reaction to these measures;

- the need for the European Council to set out a common approach with regard to Russia in general and the issue of energy in particular, given the diversity of the approaches taken by the Member States on the basis of their national interests; the desirability for the Commission to take the initiative in such a debate;
- in the approach to bilateral relations with Russia, the need to explain clearly, from the European standpoint, the distinction between matters coming under certain sectoral policies, in particular antitrust investigations, and those pertaining to more general policy considerations;
- a proposal to examine the possible initiatives that might be taken vis-à-vis the countries bordering the Black Sea;
- with regard to the association agreement and the deep and comprehensive free trade agreement between the European Union and Ukraine, a reminder of the satisfactory outcome of the negotiations, with, however, questions about their implementation; in view of the geopolitical context, the need for a pragmatic approach consisting of demonstrating clear support for Ukraine and for its choice to develop closer ties with Europe, without playing down the related difficulties concerning the observance of the principles of democracy in the country;
- a mention of the increased role of the European Parliament in negotiations on international agreements, which the Commission must take into consideration in this context;
- as regards Moldova, the need to promote its political association and closer economic links with the Union, in particular in order to reduce its vulnerability in terms of energy supply; questions on the financial assistance required for this purpose;
- in addition to strengthening bilateral relations with the countries on the southern shore of the Mediterranean, the possibility for the EU to encourage regional cooperation between the countries of the Maghreb and the Mashrek, and the key role it could play in helping to develop common areas of economic and

trade cooperation;

- as regards cooperation with the countries on the southern shore of the Mediterranean, the usefulness and importance of collaborating on specific projects such as those carried out by the International Centre for Advanced Mediterranean Agronomic Studies, which go beyond straightforward technical assistance;
- the need to strengthen relations with the African Union and a reminder of the role played by the Joint Africa-EU Task Force in examining issues relating to trade between Europe and Africa, for instance intellectual property and prevention of counterfeiting;
- doubts about the possibility of finding a political solution to the situation in Syria, and the observation that humanitarian aid was for the moment the only means of intervening; the need to focus efforts on better access to this aid.

Baroness ASHTON replied to the various comments, emphasising in particular the need to discuss in depth the EU's relationship with Russia in the medium term. She supported the suggestions made by some Commission Members on how Europe could help to create a pan-African and pan-Arab market, and on a European measure to help the countries bordering the Black Sea. Referring to the high-level dialogue the EU was engaged in concerning the relationship between Serbia and Kosovo, she praised Mr FÜLE for his dynamic contribution. She ended her comments by referring to political and diplomatic contacts devoted to the Syrian problem and underlining the work carried out by the EU with partners such as the new United Nations-League of Arab States Joint Special Representative for Syria in terms of looking into the considerable reconstruction effort this country would some day need, no doubt for many years to come.

Thanking all the Commission Members for this constructive discussion, the PRESIDENT drew several operational conclusions from it, for instance the forthcoming organisation of a meeting on Russia with the Commission Members concerned, at a date to be fixed shortly, and the idea of exploring ways of

cooperating better with Parliament on relations (in particular trade) with Ukraine.

On a more general political note, he commented that geopolitics and “geo-economics” were increasingly going hand in hand in current world developments and in the management of major international affairs. He urged the European Union to ensure that it had the means to flex political muscle on a par with its economic weight and considerable resources by devising a common global strategic approach to external relations, in close cooperation with the Member States, integrating its policies better and providing all the support required by the European External Action Service.

The PRESIDENT wound down the discussion, proposing that the Commission Members hold a seminar at the start of 2013 on the measures the Commission could take or the levers it could activate, drawing on its global analysis capacity, to contribute to the international work and strategy of the European Union.

The Commission took note of this information and the operational conclusions.

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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 11.27.