



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2013) 2050 final

Brussels, 26 June 2013

MINUTES
of the 2050th meeting of the Commission
held in Strasbourg
(Winston Churchill) building
on Tuesday 11 June 2013
(afternoon)

PV(2013) 2050 final

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Single sitting: Tuesday 11 June 2013 (afternoon)

The sitting opened at 12.06 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President	
Baroness ASHTON	High Representative/ Vice-President	
Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	
Mr KALLAS	Vice-President	
Ms KROES	Vice-President	
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	Items 1 to 16 (in part)
Mr POTOČNIK	Member	Items 13 to 15, and 16 (in part)
Mr PIEBALGS	Member	
Mr BARNIER	Member	
Mr ŠEMETA	Member	
Ms GEOGHEGAN-QUINN	Member	Items 1 to 16 (in part)
Mr LEWANDOWSKI	Member	Items 1 to 16 (in part)
Ms DAMANAKI	Member	
Ms GEORGIEVA	Member	
Mr OETTINGER	Member	
Mr HAHN	Member	
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	Item 16
Ms MALMSTRÖM	Member	
Mr CIOLOŞ	Member	
Mr BORG	Member	

Absent:

Mr REHN

Vice-President

Ms VASSILIOU

Member

Mr DE GUCHT

Member

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

Ms JERN	A member of Mr REHN's staff	Items 1 to 11 and 13 to 16
Mr HILL	Deputy Chef de cabinet to Ms VASSILIOU	Items 1 to 11 and 13 to 16
Ms PERESSO	A member of Mr DE GUCHT's staff	Items 1 to 11 and 13 to 16

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr VANDERSTEEN	Deputy Director-General (acting), DG Communication	Items 1 to 11 and 13 to 16
Ms AHRENKILDE HANSEN	Commission Spokeswoman	Items 1 to 11 and 13 to 16
Ms SUTTON	A member of the PRESIDENT's staff	Items 1 to 11 and 13 to 16
Mr RAHUOJA	Principal Adviser in Mr KALLAS's office	Items 1 to 11 and 13 to 15
Mr O'DONOHUE	Deputy Chef de cabinet to Ms KROES	Items 1 to 11 and 13 to 16

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

1. AGENDAS

(OJ(2013) 2050/FINAL; SEC(2013) 327/2)

The Commission took note of that day's agenda, as added to by the PRESIDENT at the start of the sitting, and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2013) 2050)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 10 June.

3. APPROVAL OF THE MINUTES OF THE 2048TH AND 2049TH COMMISSION MEETINGS (29 MAY AND 5 JUNE)

The Commission held over approval of the minutes of its 2048th and 2049th meetings for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2013) 83)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 7 June (RCC(2013) 83).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure

(point 1.2 of the IRG record)

- Multiannual Financial Framework 2014-2020 – Common Agricultural Policy – Financing, management and monitoring of the common agricultural policy (Regulation) – LA VIA report – 2011/0288 (COD)

The Commission approved the line set out in SI(2013) 323 and /2.

- Multiannual Financial Framework 2014-2020 – Definition of the rules for participation in the Horizon 2020 Framework Programme for Research and Innovation and for dissemination of the results (Regulation) – EHLEER report – 2011/0399 (COD) / Research and Training Programme of the European Atomic Energy Community (2014-2018) complementing the Horizon 2020 Framework Programme for Research and Innovation (Council Regulation) – SKINNER report – 2011/0400 (NLE) / Horizon 2020 Framework Programme for Research and Innovation (Regulation) – RIERA MADURELL report – 2011/0401 (COD) / Specific programme implementing the Horizon 2020 Framework Programme for Research and Innovation (Council Decision) – CARVALHO report – 2011/0402 (CNS)

The Commission approved the line set out in SI(2013) 306 and /2.

- Multiannual Financial Framework 2014-2020 – Establishment of the Creative Europe Programme (Regulation) – COSTA report – 2011/0370 (COD)

The Commission approved the line set out in SI(2013) 307/2.

- Multiannual Financial Framework 2014-2020 – Establishment of a Programme for the Environment and Climate Action (LIFE) (Regulation) — HAUG report – 2011/0428 (COD)

The Commission approved the line set out in SI(2013) 310/2.

- Multiannual Financial Framework 2014-2020 – Programme for the competitiveness of enterprises and small and medium-sized enterprises (2014-2020) (Regulation) – CREUTZMANN report – 2011/0394 (COD)

The Commission approved the line set out in SI(2013) 317.

- Insider dealing and market manipulation (market abuse) (Regulation) - McCARTHY report – 2011/0295 (COD)

The Commission approved the line set out in SI(2013) 320/2.

- Amendment of Directive 2005/36/EC on the recognition of professional qualifications and the Regulation on administrative cooperation through the internal market information system (Directive) – VERGNAUD report – 2011/0435 (COD)

The Commission approved the line set out in SI(2013) 311.

- Award of concession contracts (Directive) – JUVIN report – 2011/0437 (COD)

The Commission approved the line set out in SI(2013) 276/2.

- Public procurement / Procurement by entities operating in the water, energy, transport and postal services sectors (Directives) – TARABELLA reports – 2011/0438 (COD) / 2011/0439 (COD)

The Commission approved the line set out in SI(2013) 312/2.

- Framework for the recovery and resolution of credit institutions and investment firms and amendment of Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC and 2011/35/EU and Regulation (EU) 1093/2010 (Directive) – HÖKMARK report – 2012/0150 (COD)

The Commission approved the line set out in SI(2013) 313/2.

- Markets in financial instruments and amendment of the EMIR Regulation on OTC derivatives, central counterparties and trade repositories (Regulation) / Markets in financial instruments and repeal of

Directive 2004/39/EC (Directive – recast) – FERBER reports –
2011/0296 (COD) / 2011/0298 (COD)

The Commission approved the line set out in SI(2013) 327/3.

- Amendment of Regulation (EC) 1760/2000 as regards electronic identification of bovine animals and deletion of the provisions on voluntary beef labelling (Regulation) / Amendment of Council Directive 64/432/EEC as regards computer databases which are part of the surveillance networks in the Member States (Directive) – AUCONIE reports – 2011/0229 (COD) / 2011/0228 (COD)

The Commission approved the line set out in SI(2013) 314.

ii) Preparation of Parliament's June part-session

(point 1.3 of the IRG record)

Ordinary legislative procedure – 2nd reading / Ordinary legislative procedure –
1st reading

- Establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EC) [...] [establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person] (Regulation) – MACOVEI report – 2008/0242 (COD)

The Commission approved the line set out in SP(2013) 421.

Ordinary legislative procedure – 1st reading

- 'Schengen' package – Establishment of an evaluation mechanism to verify application of the Schengen acquis (Regulation) – COELHO report – 2010/0312 (COD) / Amendment of Regulation (EC) 562/2006 in order to provide for common rules on the temporary reintroduction of border

control at internal borders in exceptional circumstances (Regulation) –
WEBER report – 2011/0242 (COD)

The Commission approved the line set out in SP(2013) 395.

- Annual financial statements, consolidated financial statements and related reports of certain types of undertakings (Directive) – LEHNE report – 2011/0308 (COD)

The Commission took note of the compromise text in SP(2013) 396, further to note SI(2013) 193, which it had already approved on 16 April.

- Amendment of Directive 2004/109/EC on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and Commission Directive 2007/14/EC (Directive) – McCARTHY report – 2011/0307 (COD)

The Commission approved the line set out in SP(2013) 397/2 and took note of the compromise text in SP(2013) 397, further to note SI(2013) 280, which it had already approved on 29 May.

- Fixing an adjustment rate to direct payments provided for in Council Regulation (EC) 73/2009 in respect of calendar year 2013 (Regulation) – CAPOULAS SANTOS report – 2013/0087 (COD)

The Commission approved the line set out in SP(2013) 398 and /2.

Special non-legislative procedure

- Conclusion of the Agreement amending for the second time the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, as first amended in Luxembourg on 25 June 2005 (Council Decision) – CASHMAN report – 2011/0207 (NLE)

The Commission approved the line set out in SP(2013) 385 and /2.

Special legislative procedure

- Amendment of Directive 2006/112/EC on the common system of value added tax as regards a quick reaction mechanism against VAT fraud (Council Directive) / Amendment of Directive 2006/112/EC as regards an optional and temporary application of the reverse charge mechanism in relation to supplies of certain goods and services susceptible to fraud - CASA reports – 2012/0205 (CNS) / 2009/0139 (CNS)

The Commission approved the line set out in SI(2013) 315.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2013) 329)

The Commission took note of the information in SI(2013) 329 on the Council meetings between 13 and 26 June.

4.3. RELATIONS WITH PARLIAMENT

iv) Participation of Members of Parliament in international conferences

(point 3.6 of the IRG record)

- United Nations special event to follow up efforts made towards achieving the Millennium Development Goals (New York, 25 September 2013)

The Commission agreed to the request to the PRESIDENT from Mr Martin Schulz, President of Parliament, concerning the attendance of nine 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.

- Diplomatic conference to conclude a treaty to facilitate access to published works by visually impaired persons and persons with print disabilities (Marrakesh, 17-28 June 2013)

The Commission approved the line set out in SP(2013) 414 and agreed to the request to Mr BARNIER from Mr Klaus-Heiner Lehne, Chairman of the JURI Committee of the European Parliament, concerning the attendance of a Member of the European Parliament at the above-mentioned meeting as an observer in the EU delegation, with a reminder about the procedure to be followed.

4.4. EXTERNAL RELATIONS

- v) Commission Communication ‘Rules for the Financial Management of the Common Foreign and Security Policy Missions’**
(point 5.1 of the IRG record)

The Commission approved the line set out in SI(2013) 316.

- vi) Recommendation for a Council Decision authorising the European Commission to participate, on behalf of the EU, in the negotiations for an international convention of the Council of Europe to combat the manipulation of sports results**
(point 5.2 of the IRG record)

The Commission approved the line set out in SI(2013) 318/2.

- vii) World Trade Organisation – conclusion of the protocol amending the agreement on government procurement (Council Decision) – SCHOLZ report – 2013/0086 (NLE)**
(point 5.3 of the IRG record)

The Commission approved the line set out in SI(2013) 319/2.

- viii) Recommendation for a Council Decision authorising the opening of negotiations on a comprehensive trade and investment agreement, called Transatlantic Trade and Investment Partnership, between the European Union and the United States of America (TTIP)**
(point 5.4 of the IRG record)

The Commission approved the line set out in SI(2013) 324/2.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2013) 328 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 3 and 7 June.

5.2. EMPOWERMENT

(SEC(2013) 329 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 3 and 7 June.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2013) 330 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 3 and 7 June, as archived in e-Greffe.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2013) 331 TO /3)

The Commission took note of the sensitive written procedures for which the time limit expired between 10 and 14 June and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on 10 June.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2013) 332/2)

ADMINISTRATIVE MATTERS
(PERS(2013) 90/2)

6.1. DG INFORMATICS – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2013) 80 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director, ‘Resources and Logistics’, in DG Informatics (PERS(2013) 80).

It took note of the opinions of the Consultative Committee on Appointments of 22 and 30 May (PERS(2013) 80/2 and /3).

The Commission proceeded to compare the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, it then decided to appoint Mr Bernard MAGENHANN to the post.

This decision would take effect on 16 June 2013.

6.2. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2013) 31 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director, ‘HR Core Processes 1: Career’, in DG Human Resources and Security (PERS(2013) 31).

It took note of the opinions of the Consultative Committee on Appointments of 7 March and 10 April (PERS(2013) 31/2 and /3).

The Commission proceeded to compare the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On

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a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, it then decided to appoint Mr Christian LEVASSEUR to the post.

This decision would take effect on 16 July 2013.

**6.3. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF
AD14/15 DIRECTOR
(PERS(2013) 32 TO /4)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director, ‘Shared Resource Services’, in DG Human Resources and Security (PERS(2013) 32 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 7 March and 10 April (PERS(2013) 32/3 and /4).

The Commission proceeded to compare the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, it then decided to appoint Mr Matthias WILL to the post.

This decision would take effect on 1 September 2013.

**6.4. DG AGRICULTURE AND RURAL DEVELOPMENT – TERMINATION
OF SELECTION PROCEDURE FOR AN AD14/15 DIRECTOR POST,
INTERNAL AND INTERINSTITUTIONAL PUBLICATION (GRADE
AD14/15) AND EXTERNAL PUBLICATION (GRADE AD14 – EU-27) OF
A VACANCY NOTICE FOR THAT POST
(PERS(2013) 29 TO /3; PERS(2013) 92)**

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Mr CIOLOŞ, the Commission decided:

- to terminate the internal selection procedure COM/2013/169 for the post of Director, ‘Direct support, management of market measures, promotion’, in DG Agriculture and Rural Development, without making

an appointment;

- to authorise the internal, interinstitutional and external publication under Article 29(1)(a)(i) and (iii), (1)(b) and (2) of the Staff Regulations of the vacancy notice for that post, as set out in PERS(2013) 92.

These decisions would take effect immediately.

**6.5. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF HEAD OF EUROPEAN UNION DELEGATION
(PERS(2012) 121 AND /2)**

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, the Commission decided to approve, under Article 95(2) of the Staff Regulations, the proposal to transfer in the interest of the service Mr Mihai STUPARU, an AD12 official and currently Head of the European Union Delegation in Syria, to the post of Head of the European Union Delegation in the United Arab Emirates (AD9-AD14/AD12) and thus to allow the competent authority of the European External Action Service to take the final decision on that transfer.

This decision would take effect immediately.

**7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – TOWARDS A EUROPEAN HORIZONTAL FRAMEWORK FOR COLLECTIVE REDRESS
(COM(2013) 401 AND /2; RCC(2013) 80)**

The Commission approved the Communication in COM(2013) 401/2, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

**8. COMMISSION RECOMMENDATION ON COMMON PRINCIPLES FOR INJUNCTIVE AND COMPENSATORY COLLECTIVE REDRESS MECHANISMS IN THE MEMBER STATES CONCERNING VIOLATIONS OF RIGHTS GRANTED UNDER UNION LAW
(C(2013) 3539 AND /2; RCC(2013) 80)**

The Commission adopted the recommendation set out in C(2013) 3539/2, for publication in the *Official Journal of the European Union*.

**9. NOTICE FROM THE COMMISSION ON QUANTIFYING HARM IN ACTIONS FOR DAMAGES BASED ON BREACHES OF ARTICLE 101 OR 102 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION
(C(2013) 3440; SWD(2013) 205; RCC(2013) 80)**

The Commission:

- adopted the Notice in C(2013) 3440;
- took note of the staff working document distributed as SWD(2013) 205;
- decided to publish them in the *Official Journal of the European Union* in order to inform the Member States and interested parties;
- authorised its publication as soon as possible on the website of DG Competition, pending its publication in the *Official Journal of the European Union*.

10. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON CERTAIN RULES GOVERNING ACTIONS FOR DAMAGES UNDER NATIONAL LAW FOR INFRINGEMENTS OF THE COMPETITION LAW PROVISIONS OF THE MEMBER STATES AND OF

THE EUROPEAN UNION

(COM(2013) 404; SWD(2013) 203; SWD(2013) 204; SEC(2013) 333; RCC(2013) 80)

The Commission adopted the proposal for a Directive in COM(2013) 404, for transmission to Parliament, the Council, the Economic and Social Committee and the national parliaments, together with the impact assessment and the summary thereof in staff working documents SWD(2013) 203 and SWD(2013) 204, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Directive, as set out in SEC(2013) 333.

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – ACTION PLAN FOR A COMPETITIVE AND SUSTAINABLE STEEL INDUSTRY IN EUROPE

(COM(2013) 407 TO /3; SEC(2013) 340; RCC(2013) 78)

The Commission approved the Communication in COM(2013) 407/3, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

13. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – ACCELERATING THE IMPLEMENTATION OF THE SINGLE EUROPEAN SKY

(COM(2013) 408 AND /2; RCC(2013) 81)

14. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE IMPLEMENTATION OF THE SINGLE EUROPEAN SKY (RECAST)

(COM(2013) 410 AND /2; SWD(2013) 206; SWD(2013) 207; SEC(2013) 335; RCC(2013) 81)

15. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATION (EC) 216/2008 IN THE FIELD OF AERODROMES, AIR TRAFFIC MANAGEMENT AND AIR NAVIGATION SERVICES

(COM(2013) 409 AND /2; RCC(2013) 81)

By way of an introduction, the PRESIDENT thanked Mr KALLAS for this set of measures under the “Single European Sky 2+” package which constituted an essential pillar in the priorities presented by the Commission in the context of the Single Market Act II and the Strategy for Growth and Jobs. The aim of these proposals was to speed up and reinforce the application of existing measures in order to end the current fragmentation of air traffic management in Europe and improve efficiency. The cost of fragmentation and inefficiencies was estimated at roughly EUR 5 billion each year, with serious implications for passengers and companies, and the European economy as a whole.

The PRESIDENT turned to several specific aspects of this matter. First, he said that security remained an absolute priority, which was why it was proposed that the independence of national supervisory authorities should be strengthened, a proposal backed up by the experience of the International Civil Aviation Organisation (ICAO) in this respect. While respecting Member States’ powers in relation to matters of internal organisation, he felt that, since the measures taken in the past had not yielded the expected results, full organisational and budgetary separation should be looked at.

Similarly, opening up support services to competition would improve the overall efficiency of the aviation sector while creating new business opportunities. The

proposal also provided for different operating models and avoided making privatisation compulsory.

Mr KALLAS started by pointing out that the Communication and legislative proposals presented that day were a follow-up to the 2004 and 2009 European Single Sky legislative packages, one of the prime objectives of which was to strengthen the internal market in air navigation services. He explained that the measures proposed that day were intended to modernise the European air traffic management framework, which had to cope continuously with limited capacity. This affected the competitiveness of the European aviation sector. The measures proposed included reinforcing functional air blocks and the underlying performance scheme, extending the tasks and powers of the European Network Manager, stricter requirements as regards the independence of national supervisory authorities and greater liberalisation of the market in terms of support services.

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

- support for all the measures presented in order to reinforce the competitiveness of the European aviation sector, reduce prices for passengers and air space users, and enhance safety;
- in particular, broad support for full legal separation of the national supervisory authorities as proposed, which should enable them to perform their tasks under optimum conditions; several questions, however, about the scope of this measure and the possibility of devising a functional separation mechanism that would leave a greater margin of discretion on a case by case basis without affecting efficiency;
- widespread support also for opening up support services to competition, but recognition of the importance of examining the specific procedures involved, and of the need to communicate clearly the measures recommended by the Commission in this context; some questions, nevertheless, about the proposed liberalisation of this market as some of these services concerned essential functions and management model decisions should be left in the hands of

Member States; concern to ensure coherence with similar measures taken by the Commission in other areas.

Mr KALLAS replied to these comments by saying that, given that the soft law approach followed by the Commission to date had not resulted in the expected developments, the saturation problems and the costs borne by the air traffic management sector in Europe were still very significant, undermining the sector's competitiveness at international level. He referred in particular to the ICAO's considerable experience in this domain, which pointed to a direct link between the independence of supervisory activities and safety. He emphasised the fact that it should be possible to take the necessary measures in a structured way during the transitional period which would last until 2020. As for the opening up of support services to competition, this same approach regarding the provision of services on a competitive basis had been taken by the Commission in several other domains and in no way forced Member States to privatise these services.

The PRESIDENT wound up the debate by confirming that opening up support services to competition would not involve any obligation to privatise these services, which would in any case be incompatible with the Treaty. Based on the discussion held that day, he urged the Members when communicating on this matter to present the issues at stake very clearly, taking account of the various sensitivities. He noted the very broad support expressed by the Commission Members for the measures proposed that day, which corresponded to one of the key strategies of the Single Market Act II.

Following this discussion the Commission:

- approved the Communication in COM(2013) 408/2 for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments;
- adopted the proposal for a Regulation in COM(2013) 410/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together

with the impact assessment and the summary thereof in staff working documents SWD(2013) 206 and SWD(2013) 207, the contents of which were noted;

- took note of the opinion of the Impact Assessment Board on the above proposal for a Regulation, as set out in SEC(2013) 335;
- adopted the proposal for a Decision set out in COM(2013) 409/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

**16. POLICY DEBATE – BOOSTING GROWTH AND JOBS IN EUROPE –
TOWARDS A SINGLE TELECOMS MARKET
(SEC(2013) 320/2; RCC(2013) 75)**

The PRESIDENT applauded the decision by the President of the European Council, Mr Herman Van Rompuy, to convene a series of thematic meetings to discuss specific policies and their contribution to growth. The theme of the European Council in October would be the digital agenda, innovation and the development of the telecommunications sector.

In the case of the telecommunications sector, the subject of that day's debate, the PRESIDENT believed that new ideas and proposals were needed to release the potential of the single market in this field. He cited the progress made by the European Union, based on Commission initiatives, in creating a legal framework for this sector. Unfortunately, however, the telecommunications market remained fragmented along national lines, with all the negative effects this entailed for the industry and consumers alike. The sector could not take advantage of the continent-wide position and market, which limited its size and hampered investment. Moreover, consumers were deprived of competitive prices and breadth of choice.

Looking ahead, he explained that the debate that day was intended to provide clear guidelines on the fundamental principles which would form the basis for the individual proposals to be prepared. Finally, he spoke of the need to reconcile the

complex economic challenges and the political considerations, adding that the Commission had to find ways of maintaining and strengthening competition, consumers' freedom of choice and a predictable framework for investment.

Ms KROES welcomed the fact that the European Council had asked the Commission to propose specific measures to create a genuine single market in information and communication technologies without delay. She stressed the growing importance of the information and telecommunications sector for all activities in manufacturing and services and for society in general. The challenge for Europe was to exploit the sector's full potential and make it a driver of growth.

The challenges facing the telecommunications sector called for a collective European approach in order to counteract the fragmentation caused by the differences in legislation and standards. She would be presenting a package of measures that was both ambitious and realistic, with a view to its adoption before the elections to the European Parliament in 2014. The 2009 legislation would form the backdrop to this package, in order to retain the pragmatic approach and preserve a degree of predictability for investors.

She outlined the main features of the package of measures envisaged: (i) creating an 'EU passport' to ensure that an authorisation to provide services issued to a telecommunications operator in one Member State would be recognised throughout the Union; (ii) giving operators harmonised access to the inputs needed to provide services; and (iii) establishing a single space for consumers with the aim in particular of ensuring net neutrality. There would also be rules on transparency to enable consumers to find out about the terms of the contracts they were being offered by operators.

She also pointed out that the package of measures envisaged should include a recommendation on pricing, which would help to create a stable environment and encourage higher investment in high-speed networks and services.

She concluded her presentation by stressing that the aim was to open the way to genuine European connectivity, which should contribute to the recovery of the

European economy, enable telecommunication companies to ‘think European’ while at the same time enhancing their ability to capture market shares at global level, and allow consumers to benefit from a wider choice.

In the ensuing debate, the Commission referred to the broad support for the principle of establishing a genuine single market in telecommunications, for the realistic approach to be adopted in drafting the forthcoming package of measures, which should draw on the existing legislative framework, and for the proposed timetable. The Commission also debated the level of ambition of the measures to be proposed and their impact, particularly on investment, the conditions of competitiveness and the cost to the final consumer.

Ms KROES thanked the Members of the Commission for their comments and suggestions. She was hoping for the introduction of rules in the telecoms sector that could create common and stable conditions across the Union to ensure competition, encourage investment and stimulate the growth of the European economy. She stressed the need for a well-gauged political approach and an appropriate level of ambition for the planned package of measures, which would enable it to be adopted by the colegislators before the European Parliament election in 2014.

The PRESIDENT thanked the Members of the Commission for their active contribution to the discussion and their support for the broad concept of the single market in telecommunications as presented. The discussion had produced a wide consensus on the need to remove the obstacles to the creation of this market for the benefit of European citizens and to establish a stable regulatory framework conducive to private investment.

With regard to the legislative proposals envisaged by Ms KROES, the PRESIDENT noted the very broad support from the Members of the Commission for the guidelines set out that day, the aim of which was to establish a genuine single market in telecommunications. He stressed the importance of ensuring the political and economic coherence of all the measures, and the need to examine the overall impact for the various stakeholders, and noted that the Commission would receive the formal proposals in good time.

On the sensitive issue of net neutrality, it was imperative that any measure proposed by the Commission in this field be based on a robust impact analysis, including the societal dimension and media pluralism.

The PRESIDENT highlighted the need to refine the analysis of the calculation of network access costs that had already been started in order to properly assess the impact of the proposed approach. The work in the College, which had already begun, should be continued in order to ensure wide ownership and the taking into account of all relevant factors. This working method would enable a set of coherent proposals to be presented for the achievement of the single market in telecommunications in early September, with a view to the European Council in October 2013.

The Commission took note of the results and conclusions of the policy debate and of the background note distributed under the authority of the PRESIDENT and Ms KROES as SEC(2013) 320/2.

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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 14.39.