



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2013) 2069 final

Brussels, 18 December 2013

MINUTES
of the 2069th meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 10 December 2013
(afternoon)

PV(2013) 2069 final

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Single sitting: Tuesday 10 December 2013 (afternoon)

The sitting was opened at 13.05 by Ms REDING, President BARROSO being absent.

Present:

Ms REDING	Vice-President
Mr ALMUNIA	Vice-President
Mr TAJANI	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr PIEBALGS	Member
Ms VASSILIOU	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
Ms MALMSTRÖM	Member
Mr CIOLOŞ	Member

Absent:

Mr BARROSO	President
Baroness ASHTON	High Representative/ Vice-President
Mr KALLAS	Vice-President
Ms KROES	Vice-President
Mr REHN	Vice-President
Mr POTOČNIK	Member
Mr BARNIER	Member
Mr ŠEMETA	Member
Mr DE GUCHT	Member
Ms GEOGHEGAN-QUINN	Member
Mr BORG	Member
Mr MIMICA	Member

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

Ms CASTAGNOLI	Adviser in Baroness ASHTON's Office
Ms WOOD	A member of Ms KROES's staff
Mr NEALE	A member of Mr POTOČNIK's staff
Mr RIEKELES	A member of Mr BARNIER's staff
Mr BULCKE	A member of Mr DE GUCHT's staff
Ms DEWAR	A member of Ms GEOGHEGAN-QUINN's staff
Mr KANDOLF	Deputy Chef de cabinet to Mr BORG
Ms ANDRASSY	Deputy Chef de cabinet to Mr MIMICA

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Adviser in the PRESIDENT's Office
Mr ROMERO REQUENA	Director-General, Legal Service
Mr VANDERSTEEN	Deputy Director-General (acting), DG Communication
Mr GRAY	Commission Spokesperson Service
Ms BENÍTEZ SALAS	Bureau of European Policy Advisers
Mr SELMAYR	Chef de cabinet to Ms REDING

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

The Commission paid tribute to M. Nelson Mandela, the first president of the Republic of South Africa and a Nobel Peace Prize winner, who died on 5 December.

Ms REDING asked the Commissioners to observe a one-minute silence in memory of M. Nelson Mandela as a tribute to a great statesman and outstanding personality. The wave of emotion in Africa, Europe and worldwide at the news of his death was testimony to the extent of his influence. His life had been a long journey towards freedom and a tireless fight for tolerance, reconciliation and social justice. He changed the course of history of his people, his country, his continent and the world beyond. Nelson Mandela had left a legacy that would outlive him and remain in the memories and hearts of thousands upon thousands of people for decades. The European Union embodied many of the values he defended, and it was therefore fitting to observe this symbolic minute of silence today as a way of participating in the memorial service taking place at that very moment in Johannesburg, which the PRESIDENT was attending on behalf of the Union and the European Commission.

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1. AGENDAS

(OJ(2013) 2069/FINAL; SEC(2013) 638/2)

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(2013) 2069)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 9 December.

3. APPROVAL OF THE MINUTES AND SPECIAL MINUTES OF THE 2067TH AND 2068TH MEETINGS OF THE COMMISSION (27 NOVEMBER AND 4 DECEMBER)

(PV(2013) 2067; PV(2013) 2067, PART II; PV(2013) 2068; PV(2013) 2068, PART II)

The Commission approved the minutes of its 2067th and 2068th meetings.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2013) 154)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Friday 6 December (RCC(2013) 154).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Horizontal dossier

(point 1.1 of the IRG record)

- Decentralised agencies - Report on the implementation of the common approach between the European Parliament, the Council and the Commission

The Commission approved the line set out in SI(2013) 660 and /2.

ii) Ordinary legislative procedure

(point 1.2 of the IRG record)

Dossiers at Parliament first reading

- Multiannual Financial Framework 2014-2020 – Establishment, as part of the Internal Security Fund, of the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (Regulation) – IACOLINO report – 2011/0368 (COD)

The Commission took note of the information in SI(2013) 653.

- Multiannual Financial Framework 2014-2020 – Establishment, as part of the Internal Security Fund, of the instrument for financial support for External Borders and Visa (Regulation) – MARINESCU report – 2011/0365 (COD)

The Commission took note of the information in SI(2013) 658.

- Multiannual Financial Framework 2014-2020 – Establishment of the European Voluntary Humanitarian Aid Corps (Regulation) – STRIFFLER report – 2012/0245 (COD)

The Commission approved the line set out in SI(2013) 666.

- Multiannual Financial Framework 2014-2020 – Copernicus Programme and repeal of Regulation (EU) 911/2010 (Regulation) – PRODI report – 2013/0164 (COD)

The Commission approved the line set out in SI(2013) 670/2.

- Roadworthiness Package – Periodic roadworthiness tests for motor vehicles and their trailers and repeal of Directive 2009/40/EC (Regulation) – KUHN report – 2012/0184 (COD) / Amendment of Council Directive 1999/37/EC on the registration documents for vehicles (Directive) – SAVISAAR-TOOMAST report – 2012/0185 (COD) / Technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repeal of Directive 2000/30/EC (Regulation) – SEHNALOVÁ report – 2012/0186 (COD)

The Commission approved the line set out in SI(2013) 662.

- Multiannual Financial Framework 2014-2020 – Fund for European Aid to the Most Deprived (Regulation) – COSTELLO report – 2012/0295 (COD)

The Commission approved the line set out in SI(2013) 656.

- 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) 675/4.

- Union programme to support specific activities in the field of financial reporting and auditing for the period 2014-2020 (Regulation) – STOLOJAN report – 2012/0364 (COD)

The Commission approved the line set out in SI(2013) 663.

- Amendment of Council Directives 78/660/EEC and 83/349/EEC as regards disclosure of non-financial and diversity information by certain large companies and groups (Directive) – BALDASSARRE report – 2013/0110 (COD)

The Commission approved the line set out in SI(2013) 668.

- Amendment of Directive 2011/92/EEC on the assessment of the effects of certain public and private projects on the environment (Directive) – ZANONI report – 2012/0297 (COD)

The Commission approved the line set out in SI(2013) 676/2.

- Amendment of Directive 98/70/EC relating to the quality of petrol and diesel fuels and amendment of Directive 2009/28/EC on the promotion of the use of energy from renewable sources (Directive) – LEPAGE report – 2012/0288 (COD)

The Commission approved the line set out in SI(2013) 650.

- Provisions for the management of expenditure relating to the food chain, animal health and animal welfare, and relating to plant health and plant reproductive material, amending Council Directives 98/56/EC, 2000/29/EC and 2008/90/EC, Regulations (EC) 178/2002, (EC) 882/2004 and (EC) 396/2005, Directive 2009/128/EC and Regulation (EC) 1107/2009 and repealing Council Decisions 66/399/EEC, 76/894/EEC and 2009/470/EC (Regulation) – LEBRUN report – 2013/0169 (COD)

The Commission approved the line set out in SI(2013) 659/3.

iii) Preparation of Parliament's December part-session
(point 1.3 of the IRG record)

Ordinary legislative procedure – First reading

- Comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features (Directive) – KLUTE report – 2013/0139 (COD)

The Commission approved the line set out in SP(2013) 896 and /2.

- Multiannual Financial Framework 2014-2020 – Financing instrument for development cooperation (Regulation) – BERMAN report – 2011/0406 (COD)

The Commission approved the line set out in SP(2013) 905 and /2.

- Multiannual Financial Framework 2014-2020 – Common rules and procedures for the implementation of the Union's instruments for external action (Regulation) – BROK report – 2011/0415 (COD)

The Commission approved the line set out in SP(2013) 856/3, further to note SP(2013) 856 and /2, which it had already approved on 4 December.

- Multiannual Financial Framework 2014-2020 – Exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles 2020' programme) (Regulation) – MCINTYRE report – 2011/0449 (COD)

The Commission approved the line set out in SP(2013) 913.

- Union action for the European Capitals of Culture for the years 2020 to 2033 (Decision) – SCURRIA report – 2012/0199 (COD)

The Commission approved the line set out in SP(2013) 914.

iv) Non-legislative procedure

(point 1.4 of the IRG record)

- Multiannual Financial Framework 2014-2020 – Union support for the nuclear decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia (Council Regulation) – CHICHESTER report –

2011/0363 (NLE)

The Commission approved the line set out in SI(2013) 651/2.

- Fishing opportunities for 2014 for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters (Council Regulation) – 2013/0366 (NLE)

The Commission approved the line set out in SI(2013) 654/2.

- Fishing opportunities for 2014 for certain fish stocks and groups of fish stocks applicable in the Black Sea (Council Regulation) – 2013/0405 (NLE)

The Commission approved the line set out in SI(2013) 655.

- Amendment of Decision 2007/198/Euratom establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (Council Decision) – 2013/0295 (NLE)

The Commission approved the line set out in SI(2013) 664.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

v) Programming of Council business (SI(2013) 673)

The Commission took note of the information in SI(2013) 673 on the Council meetings between 12 and 25 December.

4.3. EXTERNAL RELATIONS

vi) Recommendation for a Council Decision authorising the opening of negotiations with Iceland, concerning Iceland's participation in the joint fulfilment of the commitments of the European Union, its Member States and Iceland in the second commitment period of the Kyoto Protocol to the United Nations Framework Convention on

Climate Change

(point 5.1 of the IRG record)

The Commission approved the line set out in SI(2013) 672.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

INFRINGEMENTS – CLOSURE DECISIONS

(SEC(2013) 658)

The Commission adopted the decisions in SEC(2013) 658.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2013) 639 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 2 and 6 December.

6.2. EMPOWERMENT

(SEC(2013) 640 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 2 and 6 December.

6.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2013) 641 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 2 and 6 December, as archived in e-Greffe.

6.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2013) 642 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 9 and 13 December and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on 9 December.

6.5. AD HOC EMPOWERMENT REGARDING MEASURES TO BE ADOPTED, IN THE EVENT OF THE COUNCIL'S FAILURE TO ACT, FIXING FOR 2014 THE FISHING OPPORTUNITIES FOR CERTAIN FISH STOCKS AND GROUPS OF FISH STOCKS, APPLICABLE IN EU WATERS AND, FOR EU VESSELS, IN CERTAIN NON EU WATERS
(C(2013) 8991)

The Commission decided to empower Ms DAMANAKI, the Member of the Commission for Maritime Affairs and Fisheries, in agreement with the PRESIDENT, on behalf of and under the responsibility of the Commission, to adopt the measures, in the event of the Council's failure to act, to fix for 2014 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in EU waters and, for EU vessels, in certain non-EU waters, in accordance with the terms laid down in C(2013) 8991.

7. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2013) 643/3)

ADMINISTRATIVE MATTERS
(PERS(2013) 153/2)

7.1. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF LISTS OF CANDIDATES FOR HEAD OF EUROPEAN UNION DELEGATION POSTS
(PERS(2013) 154; PERS(2013) 155)

The Commission took note of the information at point 1 of PERS(2013) 153/2 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, decided to approve the list of candidates in PERS(2013) 154 for the post of Head of the European Union Delegation in the United States (AD15-16/AD15) and the list of candidates in PERS(2013) 155 for the post of Head of the European Union Delegation in Turkey (AD14-15/AD14); these lists would serve as a basis for the competent authority of the European External Action Service to make the final appointments.

This decision would take effect immediately.

7.2. DG HUMAN RESOURCES AND SECURITY – PROPOSALS FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ADJUSTING FOR 2011 AND 2012 THE REMUNERATION AND PENSION OF THE OFFICIALS AND OTHER SERVANTS OF THE EUROPEAN UNION AND THE CORRECTION COEFFICIENTS APPLIED THERETO, FOLLOWING THE JUDGMENT OF THE EUROPEAN COURT OF JUSTICE IN CASE C-63/12 (COM(2013) 895; (COM(2013) 896 AND /2)

The Commission took note of the information at point 2 of PERS(2013) 153/2 and adopted the proposals for a Regulation set out in COM(2013) 895 and COM(2013) 896/2, respectively, for transmission to Parliament and the Council and, for information, to the national parliaments.

7.3. DG BUDGET – COMMUNICATION TO THE COMMISSION ON ALLOCATION OF HUMAN RESOURCES AND DECENTRALISED ADMINISTRATIVE APPROPRIATIONS FOR 2014 (SEC(2013) 671)

The Commission approved the communication distributed as SEC(2013) 671.

8. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 101 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION (CASE AT.39685 – FENTANYL) (C(2013) 8870 TO /8; RCC(2013) 156)

The Commission:

- took note of the opinions of the Advisory Committee on Restrictive Practices and Dominant Positions of 2 and 6 December in C(2013) 8870/4 and /5;
- took note of the final report of the Hearing Officer of 6 December in C(2013) 8870/6;
- adopted, in the authentic language (English), the decision in C(2013) 8870/8 finding that the companies to which the decision was addressed had infringed Article 101 of the Treaty on the Functioning of the European Union, requiring them to put an end to the infringements immediately and imposing on them fines totalling €16 291 000;
- decided that the decision in C(2013) 8870/8 would be notified to the companies concerned, together with the final report of the Hearing Officer;
- decided that the key parts of the decision, together with the Advisory Committee's opinion and the Hearing Officer's final report, would be published in the official languages of the Union in the Official Journal of the European Union (with business secrets and other confidential information removed);
- decided also to publish the decision on the internet (with business secrets and other confidential information removed).

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The meeting closed at 13.11.