



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2013) 2068 final

Strasbourg, 10 December 2013

MINUTES

of the 2068th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 4 December 2013

(morning)

PV(2013) 2068 final

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Single sitting: Wednesday 4 December 2013 (morning)

The sitting opened at 9.10 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	
Mr TAJANI	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr REHN	Vice-President	
Mr POTOČNIK	Member	
Mr PIEBALGS	Member	
Mr BARNIER	Member	
Ms VASSILIOU	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	
Ms GEORGIEVA	Member	
Mr OETTINGER	Member	
Mr HAHN	Member	Items 1 to 12 (in part)
Ms HEDEGAARD	Member	
Mr FÜLE	Member	
Mr ANDOR	Member	
Mr MIMICA	Member	

Absent:

Baroness ASHTON	High Representative/ Vice-President
Mr ŠEMETA	Member
Mr DE GUCHT	Member
Ms DAMANAKI	Member
Ms MALMSTRÖM	Member
Mr CIOLOŞ	Member
Mr BORG	Member

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

Mr BANNERMAN	Adviser in Baroness ASHTON's Office	
Mr SADAUSKAS	Chef de cabinet to Mr ŠEMETA	
Mr BENGTSOON	A member of Mr DE GUCHT's staff	
Ms CHRISTOPHIDOU	Chef de cabinet to Ms DAMANAKI	Item 12 (in part)
Ms ÅSENIUS	Chef de cabinet to Ms MALMSTRÖM	
Mr HAEUSLER	Chef de cabinet to Mr CIOLOŞ	
Ms DARMANIN	Chef de cabinet to Mr BORG	

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	
Ms AHRENKILDE HANSEN	Commission Spokeswoman	
Mr SOBRAL	Deputy Chef de cabinet to the PRESIDENT	Item 12 (in part)

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

1. AGENDAS

(OJ(2013) 2068/FINAL; SEC(2013) 608/2)

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) 2068)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 2 December.

3. MINUTES OF 2067TH MEETING (27 NOVEMBER)

The Commission held over approval of the minutes of its 2067th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2013) 150)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 29 November (RCC(2013) 150).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Ordinary legislative procedure

(point 1.2 of the IRG record)

Dossiers at Parliament first reading

- 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) 630.

- Harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (Directive) – WEILER report – 2012/0283 (COD)

The Commission approved the line set out in SI(2013) 623.

- Multiannual funding for the action of the European Maritime Safety Agency in the field of response to pollution caused by ships and to marine pollution caused by oil and gas installations (Regulation) – TAYLOR report – 2013/0092 (COD)

The Commission approved the line set out in SI(2013) 633 and /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) 628/2.

- 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) 641/2.

- Deposit guarantee schemes (Directive – recast) – SIMON report – 2010/0207 (COD)

The Commission approved the line set out in SI(2013) 643.

- Specific requirements regarding statutory audit of public-interest entities (Regulation) / Amendment of Directive 2006/43/EC on statutory audits of annual accounts and consolidated accounts (Directive) – KARIM reports – 2011/0359 (COD) / 2011/0389 (COD)

The Commission approved the line set out in SI(2013) 629.

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

The Commission approved the line set out in SI(2013) 646/2.

- Initiative of the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Estonia, the Kingdom of Spain, the Republic of Austria, the Republic of Slovenia and the Kingdom of Sweden for a Directive of the European Parliament and of the Council regarding the European Investigation Order in criminal matters (Directive) – MELO report – 2010/0817 (COD)

The Commission approved the line set out in SI(2013) 639.

- Amendment of Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them with Regulation (EC) 1272/2008 on classification, labelling and packaging of substances and mixtures (Directive) – ESSAYAH report – 2013/0062 (COD)

The Commission approved the line set out in SI(2013) 644.

- Freezing and confiscation of proceeds of crime in the European Union (Directive) – MACOVEI report – 2012/0036 (COD)

The Commission approved the line set out in SI(2013) 624/2.

- Amendment of Regulation (EC) 443/2009 to define the modalities for reaching the 2020 target to reduce CO2 emissions from new passenger cars (Regulation) – ULMER report – 2012/0190 (COD)

The Commission approved the line set out in SI(2013) 649 and /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) 615/3.

Dossier at Council first reading

- Improving the portability of supplementary pension rights (Directive) – OOMEN-RUIJTEN report – 2005/0214 (COD)

The Commission approved the line set out in SI(2013) 645.

ii) Preparation of Parliament's December part-session

(point 1.3 of the IRG record)

Ordinary legislative procedure – 1st reading

- Multiannual Financial Framework 2014-2020 – Establishment for the period 2014 to 2020 of the Justice programme (Regulation) – CLAEYS / BERLINGUER report – 2011/0369 (COD) / Establishment for the period 2014 to 2020 of the Rights and Citizenship programme (Regulation) — GÖNCZ report – 2011/0344 (COD)

The Commission approved the line set out in SP(2013) 854.

- Multiannual Financial Framework 2014-2020 – Union Civil Protection Mechanism (Decision) – GARDINI report – 2011/0461 (COD)

The Commission approved the line set out in SP(2013) 855/3.

- 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 and /2.

- Multiannual Financial Framework 2014-2020 – Instrument for Stability (Regulation) – BÜTIKOFER report – 2011/0413 (COD)

The Commission approved the line set out in SP(2013) 857 and /2.

- Multiannual Financial Framework 2014-2020 – European Neighbourhood Instrument (Regulation) – KUKAN report – 2011/0405 (COD)

The Commission approved the line set out in SP(2013) 858/2 and /3.

- Multiannual Financial Framework 2014-2020 – Instrument for Pre-accession Assistance (IPA II) (Regulation) – ROUČEK report – 2011/0404 (COD)

The Commission approved the line set out in SP(2013) 859, /2 and /3.

- Multiannual Financial Framework 2014-2020 – Partnership Instrument for cooperation with third countries (Regulation) – LÓPEZ-ISTÚRIZ WHITE report – 2011/0411 (COD)

The Commission approved the line set out in SP(2013) 860 and /2.

- Multiannual Financial Framework 2014-2020 – Financing instrument for the promotion of democracy and human rights worldwide (Regulation) – LAMBSDORFF report – 2011/0412 (COD)

The Commission approved the line set out in SP(2013) 861 and /2.

- Multiannual Financial Framework 2014-2020 – European Globalisation Adjustment Fund (2014-2020) (Regulation) – HARKIN report - 2011/0269 (COD)

The Commission approved the line set out in SP(2013) 862.

- Establishment of specific conditions for fishing for deep-sea stocks in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic and repeal of Regulation (EC) 2347/2002 (Regulation) – ARSENIS report – 2012/0179 (COD)

The Commission approved the line set out in SP(2013) 658 and /2.

- Amendment of certain Regulations in the field of fisheries and animal health by reason of the change of status of Mayotte with regard to the Union (Regulation) – FERREIRA report – 2013/0191 (COD)

The Commission approved the line set out in SP(2013) 863 and /2.

- Framework for maritime spatial planning and integrated coastal management (Directive) – MEISSNER report – 2013/0074 (COD)

The Commission approved the line set out in SP(2013) 864 and /2.

- Amendment of Council Regulation (EC) 55/2008 introducing autonomous trade preferences for the Republic of Moldova (Regulation) – WINKLER report – 2013/ 0325 (COD)

The Commission approved the line set out in SP(2013) 865 and /2.

- Amendment of Directive 2003/87/EC clarifying provisions on the timing of auctions of greenhouse gas allowances (Decision) – GROOTE report – 2012/0202 (COD)

The Commission approved the line set out in SP(2013) 866.

- Amendment of certain Directives in the fields of environment, agriculture, social policy and public health by reason of the change of status of Mayotte with regard to the Union (Directive) – GROOTE report – 2013/0192 (COD)

The Commission approved the line set out in SP(2013) 867/2.

Ordinary legislative procedure – 2nd reading – Empowerment

- Common Fisheries Policy (Regulation) – RODUST Report – 2011/0195 (COD)

Under Article 13 of its Rules of Procedure, the Commission empowered Ms DAMANAKI, in agreement with the PRESIDENT and Mr ŠEFČOVIČ and any other members associated, to adopt its opinion on the amendments together with any amended proposal, on the basis of the line set out in SI(2013) 344/2 and /3 as approved by the Commission on 19 June, once Parliament had given its opinion, and transmit them to the Council in accordance with Article 294(7)(c) of the Treaty on the Functioning of the European Union.

- Common organisation of the markets in fishery and aquaculture products (Regulation) – STEVENSON report – 2011/0194 (COD)

Under Article 13 of its Rules of Procedure, the Commission empowered Ms DAMANAKI, in agreement with the PRESIDENT and Mr ŠEFČOVIČ and any other members associated, to adopt its opinion on the amendments together with any amended proposals, on the basis of the line set out in SI(2013) 343/2 and /4 as approved by the Commission on 19 June, once Parliament had given its opinion, and transmit them to the Council in

accordance with Article 294(7)(c) of the Treaty on the Functioning of the European Union.

- Amendment of certain regulations relating to the common commercial policy as regards the procedures for the adoption of certain measures (Regulation) – QUISTHOUDT-ROWOHL report – 2011/0039 (COD)

Under Article 13 of its Rules of Procedure, the Commission empowered Mr DE GUCHT, in agreement with the PRESIDENT and Mr ŠEFČOVIČ and any other members associated, to adopt its opinion on the amendments together with any amended proposals, on the basis of the line set out in SI(2013) 435 as approved by the Commission on 17 July, once Parliament had given its opinion, and transmit them to the Council in accordance with Article 294(7)(c) of the Treaty on the Functioning of the European Union.

- Amendment of certain regulations relating to the common commercial policy as regards the granting of delegated powers for the adoption of certain measures (Regulation) – LEICHTFRIED report – 2011/0153 (COD)

Under Article 13 of its Rules of Procedure, the Commission empowered Mr DE GUCHT, in agreement with the PRESIDENT and Mr ŠEFČOVIČ and any other members associated, to adopt its opinion on the amendments together with any amended proposals, on the basis of the line set out in SI(2013) 434 as approved by the Commission on 17 July, once Parliament had given its opinion, and transmit them to the Council in accordance with Article 294(7)(c) of the Treaty on the Functioning of the European Union.

Special legislative procedure

- Amendment of Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation (Council Directive) - CUTAŞ report – 2013/0188 (CNS)

The Commission approved the line set out in SP(2013) 868.

Special non-legislative procedure

- Conclusion of the Protocol between the European Union and the Kingdom of Morocco setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the two Parties (Council Decision) – FRAGA ESTÉVEZ report – 2013/0315 (NLE)

The Commission approved the line set out in SP(2013) 869.

- Conclusion of the Protocol between the European Union and the Republic of Côte d'Ivoire setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the two Parties (Council Decision) – COTTIGNY report – 2013/0102 (NLE)

The Commission approved the line set out in SP(2013) 870.

- Community system for registration of carriers of radioactive materials (Council Regulation) – KOVÁCS report – 2011/0225 (NLE)

The Commission approved the line set out in SP(2013) 670.

iii) Non-legislative proposals

(point 1.4 of the IRG record)

- Implementation of 11th European Development Fund (Council Regulation) – 2013/0211 (NLE)

The Commission approved the line set out in SI(2013) 631.

- 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)

The Commission approved the line set out in SI(2013) 638.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2013) 642)

The Commission took note of the information in SI(2013) 642 on the Council meetings between 5 and 18 December.

v) Preparations for the Justice and Home Affairs Council (Brussels, 5 and 6 December)

(point 2.3.3 of the IRG record)

- Creation of a European Account Preservation Order to facilitate cross-border debt recovery in civil and commercial matters (Regulation) – BALDASSARE report – 2011/0204 (COD)

The Commission approved the line set out in SI(2013) 636/2.

4.3. RELATIONS WITH PARLIAMENT

vi) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its October I and II part-sessions

(point 3.4.2 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2013) 872 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its October I and II part-sessions.

vii) Presence of Members of the Commission on Thursday afternoons during Parliament's part-sessions in Strasbourg from January to October 2014

(point 3.5 of the IRG record)

The Commission approved document SP(2013) 871 setting out the list of Commission Members to be present on Thursday afternoons during Parliament's part-sessions in Strasbourg from January to October 2014.

4.4. EXTERNAL RELATIONS

viii) Position of the European Union within the Association Council established by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, with regard to the adoption of a Recommendation on the implementation of the EU-Morocco Action Plan implementing the Advanced Status (2013-2017) (Council Decision) – 2013/0107 (NLE) (point 5.1 of the IRG record)

The Commission approved the line set out in SI(2013) 640.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID - INDIVIDUAL CASES

(SEC(2013) 636/2)

The Commission adopted the decisions in SEC(2013) 636/2.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. *WRITTEN PROCEDURES APPROVED*
(SEC(2013) 609 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 25 and 29 November.

6.2. *EMPOWERMENT*
(SEC(2013) 610 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 25 and 29 November.

6.3. *DELEGATION AND SUBDELEGATION OF POWERS*
(SEC(2013) 611 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 25 and 29 November, as archived in e-Greffe.

6.4. *SENSITIVE WRITTEN PROCEDURES*
(SEC(2013) 612)

The Commission took note of the sensitive written procedures for which the time limit expired between 2 and 6 December.

6.5. *AD HOC EMPOWERMENT FOR SIGNING, ON BEHALF OF THE COMMISSION, ITSELF ACTING ON BEHALF OF THE EUROPEAN STABILITY MECHANISM, THE AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING WITH CYPRUS (C(2013) 8561)*

The Commission decided to empower Mr REHN, the Member of the Commission responsible for economic and monetary affairs and the euro, in agreement with the PRESIDENT, on its behalf and under its responsibility, to sign, after approval by the Board of Governors of the European Stability Mechanism, the narrow-scope amendments to the memorandum of understanding setting out the detailed economic policy conditions that would from now on be attached to the financial assistance to Cyprus, under the terms set out in C(2013) 8561.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2013) 613/2)

ADMINISTRATIVE MATTERS

(PERS(2013) 150/2)

7.1. *DG HUMAN RESOURCES AND SECURITY – ORGANISATION CHART CHANGES LINKED TO THE DELEGATION OF THE MANAGEMENT OF THE 2014-2020 PROGRAMMES TO EXECUTIVE AGENCIES (SEC(2013) 644)*

The Commission noted the information at point 1 of PERS(2013) 150/2 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, decided:

- to confirm that the principles and decision set out in the Communication of 13 February 2007 on organisation charts of Directorates-General and

Services (SEC(2006) 1702) would apply by analogy to the Executive Agencies, without prejudice to their own established procedures;

- that any further organisation chart changes in 2014 concerning the creation of any seconded head of unit posts required for the setting-up of units and departments in the Executive Agencies up to 2015 would be adopted by simplified written procedure;
- to ask DG Human Resources and Security to report on the organisational development of the Executive Agencies on the occasion of each of the three annual Commission decisions on organisation charts;
- to ask the Secretariat-General, DG Budget and DG Human Resources and Security to assess the efficiency of the organisational set-up in the Executive Agencies in 2015 and to report to the Commission.

**7.1.1. DG AGRICULTURE AND RURAL DEVELOPMENT –
CHANGES TO ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 645)**

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

- to create a seconded head of unit post to allow for the secondment of a head of unit to the Research Executive Agency (REA);
- to adopt the new organisation chart set out in SEC(2013) 645.

These decisions would take effect on 1 January 2014.

**7.1.2. DG COMMUNICATION NETWORKS, CONTENT AND
TECHNOLOGY – CHANGES TO ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 646)**

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

- to create two seconded head of unit posts to allow for the secondment of heads of unit to the Research Executive Agency (REA);
- to adopt the new organisation chart set out in SEC(2013) 646.

These decisions would take effect on 1 January 2014.

**7.1.3. DG EDUCATION AND CULTURE – CHANGES TO ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 647)**

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

- to create a principal adviser post to allow for the secondment of an official to the post of Director of the Education, Audiovisual and Culture Executive Agency (EACEA);
- to create 13 seconded head of unit posts to allow for the secondment of heads of unit to the EACEA, and four seconded head of unit posts to allow for the secondment of heads of unit to the REA;
- to adopt the new organisation chart set out in SEC(2013) 647.

These decisions would take effect on 1 January 2014.

**7.1.4. DG ENERGY – CHANGES TO ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 648)**

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

- to create a net total of one new unit, ‘Economic Analysis and Financial Instruments’ (ENER.4);

- to create two seconded head of unit posts to allow for the secondment of heads of unit to the Executive Agency for Small and Medium-sized Enterprises (EASME, formerly the Executive Agency for Competitiveness and Innovation – EACI), and two seconded head of unit posts to allow for the secondment of heads of unit to the Innovation and Networks Executive Agency (INEA, formerly the Trans-European Transport Network Executive Agency – TEN-T EA);
- to adopt the new organisation chart set out in SEC(2013) 648.

These decisions would take effect on 1 January 2014.

7.1.5. DG ENTERPRISE AND INDUSTRY – CHANGES TO ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 649/2)

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

- to create a seconded head of unit post to allow for the transfer in the interest of the service under Article 7 of the Staff Regulations and the subsequent secondment of an official to the post of Director of the Executive Agency for Small and Medium-sized Enterprises (EASME, formerly the Executive Agency for Competitiveness and Innovation – EACI);
- to create four seconded head of unit posts to allow for the secondment of heads of unit to EASME, and three seconded head of unit posts to allow for the secondment of heads of unit to the Research Executive Agency (REA);
- to adopt the new organisation chart set out in SEC(2013) 649/2.

These decisions would take effect on 1 January 2014.

**7.1.6. DG ENVIRONMENT – AMENDMENT OF THE ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 650)**

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

- to create a post of seconded head of unit to enable the secondment of a head of unit to the Executive Agency for Small and Medium-sized Enterprises (EASME, formerly the Executive Agency for Competitiveness and Innovation – EACI);
- to adopt the new organisation chart set out in SEC(2013) 650.

These decisions would take effect on 1 January 2014.

**7.1.7. DG MARITIME AFFAIRS AND FISHERIES – AMENDMENT OF THE ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 651)**

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

- to create a post of seconded head of unit to enable the secondment of a head of unit to the Executive Agency for Small and Medium-sized Enterprises (EASME, formerly the Executive Agency for Competitiveness and Innovation – EACI);
- to adopt the new organisation chart set out in SEC(2013) 651.

These decisions would take effect on 1 January 2014.

7.1.8. DG MOBILITY AND TRANSPORT – AMENDMENT OF THE ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 652)

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

- to create nine seconded head of unit posts to enable the secondment of heads of unit to the Innovation and Networks Executive Agency (INEA, formerly the Trans-European Transport Network Executive Agency – TEN-T EA);
- to adopt the new organisation chart set out in SEC(2013) 652.

These decisions would take effect on 1 January 2014.

7.1.9. DG RESEARCH AND INNOVATION – AMENDMENT OF THE ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 653)

On a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT and Ms GEOGHEGAN-QUINN, the Commission decided:

- to abolish the directorates DDG2.C ‘Research and Innovation’ and DDG1.M ‘Management Operational Support – Framework Programme’;
- to create a new directorate DDG1.J, establishing the new Common Support Centre for ‘Horizon 2020’ which would constitute a fully-fledged directorate of the Research and Innovation Directorate-General, where it would be located, and to transfer, in the interests of the service, under Article 7 of the Staff Regulations, Mr Franco BISCONTIN to the post of director of the directorate; the Common Support Centre would be made up of five units, of which four already existed within the Research and Innovation

Directorate-General; Mr Joaquín PÉREZ ECHAGUE, currently head of unit within the Communications Networks, Content and Technology Directorate-General, would be transferred, in the interests of the service, to the post of head of unit of the 'Common Services for Business Processes' Unit and Mr Martin BOHLE, currently head of unit within the Research and Innovation Directorate-General, would be transferred, in the interests of the service, to the post of head of unit of the 'Common Service for Horizon 2020 Information and Data' Unit;

- to create a post of principal adviser;
- to abolish a total of seven units;
- to create three seconded head of unit posts to enable the secondment of heads of unit to the Executive Agency for Small and Medium-sized Enterprises (EASME, formerly the Executive Agency for Competitiveness and Innovation – EACI), two seconded head of unit posts to enable the secondment of heads of unit to the Innovation and Networks Executive Agency (INEA, formerly the Trans-European Transport Network Executive Agency – TEN-T EA), seventeen seconded head of unit posts to enable the secondment of heads of unit to the European Research Council Executive Agency (ERCEA) and six seconded head of unit posts to enable the secondment of heads of unit to the Research Executive Agency (REA);
- to adopt the new organisation chart set out in SEC(2013) 653.

These decisions would take effect on 1 January 2014.

**7.1.10. DG HEALTH AND CONSUMERS – AMENDMENT OF THE ORGANISATION CHART
(SEC(2013) 644; SEC(2013) 654)**

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

- to create three seconded head of unit posts to enable the secondment of heads of unit to the Consumer, Health and Food Executive Agency (CHAFEA, formerly the Executive Agency for Health and Consumers – EAHC);
- to adopt the new organisation chart set out in SEC(2013) 654.

These decisions would take effect on 1 January 2014.

**7.2. COMMISSION DECISION ON THE OPERATING RULES FOR THE COMMON SUPPORT CENTRE FOR THE ‘HORIZON 2020’ FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION 2014-2020
(COM(2013) 8751 AND /2)**

The Commission took note of the information in point 2 of PERS(2013) 150/2 and, on a proposal from Mr ŠEFČOVIČ, in agreement with the PRESIDENT, Ms GEOGHEGAN-QUINN and Mr LEWANDOWSKI, decided:

- to adopt in principle the decision on the rules by which the Common Support Centre for the ‘Horizon 2020’ Framework Programme for Research and Innovation 2014-2020 would operate, set out in C(2013) 8751 and /2;
- to empower Mr ŠEFČOVIČ, the member of the Commission in charge of administration, to adopt formally, in agreement with the PRESIDENT, Ms GEOGHEGAN-QUINN and Mr LEWANDOWSKI, the above-

mentioned decision after updating it to take account of the adoption of the following three acts, namely: (i) the Regulation of the European Parliament and of the Council establishing the 'Horizon 2020' Framework Programme for Research and Innovation 2014-2020; (ii) the Regulation of the European Parliament and of the Council laying down the rules for participation in the 'Horizon 2020' Framework Programme for Research and Innovation 2014-2020; and the rules for the dissemination of results, as well as (iii) the Commission Decision establishing a Common Support Centre for the 'Horizon 2020' Framework Programme.

7.3. TRANSFER OF POSTS FOR THE SETTING UP OF THE COMMON SUPPORT CENTRE FOR THE 'HORIZON 2020' FRAMEWORK PROGRAMME FOR RESEARCH AND INNOVATION 2014-2020 (SEC(2013) 655/2)

The Commission took note of the information in point 3 of document PERS(2013) 150/2 and adopted the decisions in SEC(2013) 655/2 on the transfer of a number of posts in the 'Research Family' DGs to the Common Support Centre of the 'Horizon 2020' Framework Programme for Research and Innovation 2014-2020.

These decisions would take effect on 1 January 2014.

**8. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 101 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND ARTICLE 53 OF THE EEA AGREEMENT (*CASE AT.39914 – EURO INTEREST RATE DERIVATIVES*)
(C(2013) 8512 A /7; RCC(2013) 153)**

The Commission:

- took note of the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions of 29 November in C(2013) 8512/4;
- took note of the final report of the Hearing Officer of 29 November in C(2013) 8512/5;
- adopted in the authentic language (English) the decision in C(2013) 8512/7 finding that the companies to which the decision was addressed had infringed Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the Agreement on the European Economic Area, requiring the parties to put an end to the infringements immediately and imposing on some of these companies fines totalling EUR 1 042 749 000.
- decided that the decision in C(2013) 8512/7 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 to publish the decision on the internet (with business secrets and other confidential information removed).

**9. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 101 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND ARTICLE 53 OF THE EEA AGREEMENT (*CASE AT.39861 – YEN INTEREST RATE DERIVATIVES*)
(C(2013) 8602 TO /7; RCC(2013) 153)**

The Commission:

- took note of the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions of 29 November in C(2013) 8602/4;
- took note of the final report of the Hearing Officer of 29 November in C(2013) 8602/5;
- adopted in the authentic language (English) the decision in C(2013) 8602/7 finding that the companies to which the decision was addressed had infringed Article 101 of the Treaty on the Functioning of the European Union and Article 53 of the Agreement on the European Economic Area, requiring the parties to put an end to the infringements immediately and imposing on some of these companies fines totalling EUR 669 719 000;
- decided that the decision in C(2013) 8602/7 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 to publish the decision on the internet (with business secrets and other confidential information removed).

10. PROPOSAL FOR A COUNCIL RECOMMENDATION ON A QUALITY FRAMEWORK FOR TRAINEESHIPS

(COM(2013) 857 TO /3; SWD(2013) 495 AND /2; SWD(2013) 496; SEC(2013) 635; RCC(2013) 152)

The Commission adopted the proposal for a Council Recommendation in COM(2013) 857/3 for transmission to the Council and, for information, to the European Parliament, 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 papers SWD(2013) 495/2 and SWD(2013) 496, respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board on the above proposal for a Council Recommendation, as set out in SEC(2013) 635.

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE WORK OF THE TASK FORCE MEDITERRANEAN

(COM(2013) 869 AND /2)

The Commission approved the communication in COM(2013) 869/2, for transmission to the European Parliament and the Council and, for information, to the national parliaments.

12. RELATIONS WITH THIRD COUNTRIES

THIRD EASTERN PARTNERSHIP SUMMIT (VILNIUS 28 AND 29 NOVEMBER 2013) (INFO(2013) 111)

The PRESIDENT reported on the Eastern Partnership Summit in Vilnius on 28 and 29 November. Referring to the information note issued on this subject, he said that he would focus mainly on the political aspects of the meeting's outcome.

The previous week's summit had been a milestone in implementation of the Eastern Partnership. Although it had not been a total success for the European Union, as not all the objectives had been met, he felt it worth highlighting a significant set of deliverables: the association agreements and deep and comprehensive free trade agreements initialled with Georgia and Moldova and the visa facilitation agreement signed with Azerbaijan. He also welcomed the common position adopted by the Member States of the Union at the Vilnius Summit notwithstanding the diversity of their respective approaches and political sensitivities, particularly since all the Heads of State or Government had taken part.

However, the PRESIDENT regretted that, in spite of the significant progress made by Ukraine in meeting the benchmarks and criteria laid down by the Union on the path to an association and free trade agreement, the authorities of that country, faced with pressure from Russia and a difficult economic climate, had decided not to sign the agreement. Although the Ukrainian President, Mr Viktor Yanukovich, had indicated his willingness to reach an agreement, he had insisted on various conditions which the PRESIDENT deemed unacceptable, for instance that Russia should play a part in the negotiations. He also mentioned the talks he had held the previous day with the Ukrainian President, who had expressed an interest in pursuing the negotiations. The PRESIDENT had replied that the Commission was willing to discuss ways of facilitating implementation of the agreement but would not engage in re-negotiation. With regard to the demonstrations that had taken place

when it emerged that the agreement would not be signed, he had reminded Mr Yanukovych that Europe attached great importance to respect for fundamental freedoms, and suggested that it was in his government's interest to engage in dialogue with the opposition and all members of Ukrainian civil society to find a political solution to the current situation.

Leaving these difficulties aside, the PRESIDENT felt that Europe should bear in mind the advantages that closer ties with the Union could bring Ukraine in the medium and long term. However, closer ties would mean difficult and brave decisions by the Ukrainian authorities.

Turning to the agreements to be signed with Georgia and Moldova, the Union should be ready to deploy support measures for those countries. He alluded in particular to the Commission's recent proposal to lift the visa requirement for Moldovan citizens, which would send a strong signal not just to Moldovans, but also to the citizens of all Eastern Partnership countries. He welcomed positive developments in the ongoing process with Azerbaijan and reviewed a number of energy-related issues. He noted the joint statement that Armenia had signed with the Union with a view to enhancing bilateral relations in so far as this was compatible with its obligations under the Eurasian customs union. The PRESIDENT ended by noting encouraging developments in relations with Belarus.

Turning to the Union's relations with Russia, the PRESIDENT listed four elements that should be borne in mind, namely (i) that it was in the interest of the Union, which had a political vision of an open European continent and did not wish to see a zero sum game between competing blocs, to focus on the advantages - for Russia as well - of the Eastern Partnership, with a view to promoting free movement of persons and goods, (ii) that the sovereign aspirations and legitimate choices of the Eastern Partnership countries should be supported, (iii) that any violation of the Helsinki agreements and, accordingly, the right of each country to decide freely on its foreign and trade policy, was unacceptable, and (iv) that the EU should continue to develop its relations with Russia in areas of common interest, such as trade, security and other global issues. It would be a good thing if the Member States adopted a more coherent approach to Russia. The Commission had a role to play in

defining this approach through the policies for which it was responsible, particularly competition and the single market.

The PRESIDENT ended by noting that helping to create a stable, democratic and open neighbourhood was one of the main challenges facing the Union. Although this was a task that would take time to achieve, it was undeniably one which reflected the course of history.

Mr FÜLE added that the fact that almost all the EU Heads of State or Government had attended the Vilnius Summit reflected the importance that all parties attached to relations with the Eastern Partnership countries. The focus was on promoting long-term transformation and enabling these countries to see through the necessary structural reforms. He also touched on the broader political context of the Partnership, namely relations between the European Union and Russia and, in particular, the announcement that a Eurasian customs union would be set up in 2015.

Turning to certain key aspects of the Vilnius Summit, he briefed the meeting on the preparations that had been undertaken for Ukraine. He began with a reference to the Foreign Affairs Council Declaration of December 2012, which had called on Ukraine to make progress on three specific areas, namely electoral law reform, selective justice and implementation of the reforms jointly agreed in the Association Agenda. The report submitted to the Foreign Affairs Council on 21 October 2013 had confirmed that almost all these objectives had been met, although some difficulties remained in the area of selective justice. He ended by recalling the weeks and days in the run-up to the Eastern Partnership Summit and the high-level talks which had taken place, and expressed his regret that Ukraine had persisted in its determination to postpone concluding an association agreement with the Union.

With regard to how to resolve the current stalemate, Mr FÜLE supported the possibility mooted by the PRESIDENT of concluding an association agreement with Ukraine later, while stressing that the terms already negotiated between the European Union and the Ukraine would have to be strictly complied with.

Mr FÜLE then referred to the association agreements with Moldova and Georgia, including the establishment of deep and comprehensive free trade areas, which had been initialled at the Vilnius Summit. While welcoming the progress made by Moldova in moving closer to common European values under a reformist government, he highlighted the work that the country still had to do to strengthen its democratic institutions and the usefulness for the Union of supporting its efforts. In the case of Georgia, he noted in particular the harmonious transition that had followed the presidential elections in October and that the country had started the process of democratic reforms. In relation to both countries, he stressed the idea of establishing at once, at the level of the Foreign Affairs Council, a sort of road map to provide a framework for the effective implementation of the association agreements once they had been signed.

Lastly, he noted the significant change under way in Azerbaijan, which had opened the door to the signing of the facilitation agreement with this country at the Summit, although that did not prevent the Union from continuing to insist very clearly on the progress that had to be accomplished in terms of respect for human rights, the rule of law and fundamental freedoms. Regarding Azerbaijan's openness to organise, together with the other countries of the Eastern partnership, a sectorial dialogue on energy matters in general and on energy security in particular, he wishes to follow it up by establishing the appropriate contacts. During the brief discussion which followed, the Commission raised the following main points:

- the broad support in the College for the approach adopted by the Union with regard to Ukraine; the advisability of holding to a position of principle and not getting dragged into a bidding contest;
- the promotion of the European Union's fundamental principles and values, which were still very relevant and attractive to neighbouring countries, as illustrated by the Ukrainian demonstrators; the need for the Union to send a very firm message to the Ukrainian government about the protection of the opposition's rights and to express the Union's support for the Ukrainian people;
- the case for flagging up the impact of European construction within the Union

in the current political context, in particular in view of the way it was perceived by European public opinion;

- the importance of taking account of the current geopolitical and strategic stakes in the analysis that guided the Union in the conduct of the Eastern Partnership; the advisability, in particular, of taking into account all of the dimensions of the strategy followed by Russia; the case for bearing in mind the medium-term perspective, not taking solely a short-term view; the interest in better explaining the benefits offered by the European perspective; the importance of supporting the Eastern Partnership countries in their reform efforts, but also of being open about the brave decisions expected of them;
- the suggestion, in the case of Ukraine, of perhaps reviewing the link between the conditions for granting future Union macro-financial support and the conditions for the release of credits laid down by the International Monetary Fund (IMF);
- the strategic importance of energy policy and security of supply in the Eastern Partnership and the advisability of a detailed analysis of all the factors before deciding on one course of action or another;
- questions about the role played by the different European institutions under the Eastern Partnership.

The PRESIDENT closed the discussion by returning to the issue of energy, in respect of which he felt that the Member States should devise a common approach. It was also important for Europe to examine new scenarios to respond to energy supply issues by holding a dialogue with Russia and Ukraine. The modernisation of energy networks in Ukraine was of strategic importance for that country and for Europe.

The PRESIDENT wound up by calling on Baroness ASHTON, Mr REHN and Mr FÜLE, and their respective departments, to work together with himself and the Secretariat-General on macroeconomic assistance to Ukraine.

The Commission took note of these observations and of the PRESIDENT's briefing note in INFO(2013) 111.

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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 10.32.