



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2014) 2085 final**

*- English language version of the French text which is authentic -*

Brussels, 21 May 2014

# **TEXTE EN**

## **MINUTES**

**of the 2085<sup>th</sup> meeting of the Commission**

**held in Brussels**

**(Berlaymont)**

**on Wednesday 14 May 2014**

**(morning)**

—

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**Single sitting: Wednesday 14 Mai 2014 (morning)**

The sitting opened at 10.05 with Mr BARROSO, President, in the chair.

Present:

Mr BARROSO	President
Mr ALMUNIA	Vice-President
Ms KROES	Vice-President
Mr PIEBALGS	Member
Mr BARNIER	Member
Ms VASSILIOU	Member
Mr DE GUCHT	Member
Ms GEOGHEGAN-QUINN	Member
Ms DAMANAKI	Member
Ms GEORGIEVA	Member
Mr OETTINGER	Member
Mr HAHN	Member
Mr ANDOR	Member
Ms MALMSTRÖM	Member
Mr CIOLOŞ	Member
Mr BORG	Member

Absent:

Baroness ASHTON	High Representative/ Vice-President
Ms REDING	Vice-President
Mr KALLAS	Vice-President
Mr TAJANI	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr REHN	Vice-President
Mr POTOČNIK	Member
Mr ŠEMETA	Member
Mr LEWANDOWSKI	Member
Ms HEDEGAARD	Member
Mr FÜLE	Member
Mr MIMICA	Member

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

Mr BANNERMAN	Adviser in Baroness ASHTON's Office
Mr BALTAZAR	Acting Chef de cabinet to Ms REDING
Mr MALGAJ	Chef de cabinet to Mr POTOČNIK
Mr SADAUSKAS	Chef de cabinet to Mr ŠEMETA
Mr VIS	Chef de cabinet to Ms HEDEGAARD

The following also sat in:

Mr LAITENBERGER	Chef de cabinet to the PRESIDENT
Mr HETSCH	Deputy Director-General, Legal Service
Mr PAULGER	Director-General, DG Communication
Ms AHRENKILDE HANSEN	Commission Spokeswoman
Ms BENÍTEZ SALAS	Bureau of European Policy Advisers

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

**1. AGENDAS**

**(OJ(2014) 2085/FINAL; SEC(2014) 298/2)**

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(2014) 2085)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 12 May.

**3. MINUTES OF 2084<sup>TH</sup> MEETING (7 MAY)**

The Commission held over approval of the minutes of its 2084<sup>th</sup> meeting for the following week.

**4. INTERINSTITUTIONAL RELATIONS**

**4.1. LEGISLATIVE MATTERS**

- i) Financial regulation applicable to the 11<sup>th</sup> European Development Fund (Council Regulation) – 2013/0320 (NLE)**  
(SI(2014) 199 and /2)

The Commission approved the line set out in SI(2014) 199 and /2.

- ii) Amendment of Council Regulation (EC) 215/2008 on the Financial Regulation applicable to the 10<sup>th</sup> European Development Fund for the implementation of the Bridging Facility – 2014/0003 (NLE)**  
(SI(2014) 202 and /2)

The Commission approved the line set out in SI(2014) 202 and /2.

#### **4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL**

- iii) Programming of Council business**  
(SI(2014) 204)

The Commission took note of the information in SI(2014) 204 on the Council meetings between 15 and 28 May.

### **5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS**

#### **5.1. WRITTEN PROCEDURES APPROVED** *(SEC(2014) 299 ET SEQ.)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 5 and 9 May.

#### **5.2. EMPOWERMENT** *(SEC(2014) 300 ET SEQ.)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 5 and 9 May.



**5.3. DELEGATION AND SUBDELEGATION OF POWERS**  
**(SEC(2014) 301 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 5 and 9 May, as archived in e-Greffe.

**5.4. SENSITIVE WRITTEN PROCEDURES**  
**(SEC(2014) 302)**

The Commission took note of the sensitive written procedures for which the time limit expired between 12 and 16 May.

**6. ADMINISTRATIVE AND BUDGETARY MATTERS**  
**(SEC(2014) 303)**

**ADMINISTRATIVE MATTERS**  
**(PERS(2014) 77)**

**6.1. DG HOME AFFAIRS – APPOINTMENT OF AN AD14/15 DIRECTOR**  
**(PERS(2013) 152 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 of the Internal Security Directorate in DG Home Affairs (PERS(2013) 152).

It took note of the opinions of the Consultative Committee on Appointments of 20 January and 6 February 2014 (PERS(2013) 152/2 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 the PRESIDENT, in agreement with Ms MALMSTRÖM, it then decided to appoint Mr Luigi SORECA to the post.

This decision would take effect on 16 May 2014.

**6.2. DG HUMAN RESOURCES AND SECURITY – SPECIAL ADVISER TO THE COMMISSION  
(PERS(2014) 78)**

The Commission took note of the information in point 2 of PERS(2014) 77 and, on a proposal from the PRESIDENT, decided:

- to appoint Mr Enzo MOAVERO MILANESI as special adviser to Mr BARNIER with responsibility for legal matters relating to the implementation of the internal market;
- to authorise the Director-General of DG Human Resources and Security to adopt the decisions relating to the appointment of a special adviser, during Mr ŠEFČOVIČ's electoral leave, and to implement these decisions by the signature of a contract on behalf of the Authority empowered to conclude contracts of employment.

These decisions would take effect immediately.

**6.3. DG TRANSLATION – LIST OF CANDIDATES FOR THE AD14 POST OF EXECUTIVE DIRECTOR OF THE TRANSLATION CENTRE FOR THE BODIES OF THE EUROPEAN UNION  
(PERS(2013) 149 TO /5)**

The Commission noted the procedure followed, as set out in point 3 of PERS(2014) 77, and, on a proposal from the PRESIDENT, in agreement with Ms VASSILIOU, decided:

- not to establish a proposal under Council Regulation (EC) 2965/94 setting

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up a Translation Centre for the Bodies of the European Union;

- to publish a new vacancy notice for this post;
- to ask Ms VASSILIOU to notify these decisions to the Management Board of the Translation Centre for the Bodies of the European Union.

These decisions would take effect immediately.

**6.4. DG HUMAN RESOURCES AND SECURITY – PUBLICATION OF VACANCY NOTICES FOR THE POSTS OF EUROPEAN DATA PROTECTION SUPERVISOR AND DEPUTY DATA PROTECTION SUPERVISOR  
(PERS(2014) 79)**

The Commission took note of the information in point 4 of PERS(2014) 77 and, on a proposal from the PRESIDENT, decided to authorise the publication of the vacancy notices in PERS(2014) 79, as approved by the Council and Parliament, for the posts of European Data Protection Supervisor and Deputy Data Protection Supervisor.

This decision would take effect immediately.

**6.5. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF THE LIST OF CANDIDATES FOR THE POST OF HEAD OF DELEGATION TO THE SOLOMON ISLANDS AND VANUATU  
(PERS(2014) 80)**

The Commission took note of the information in point 5 of PERS(2014) 77 and, on a proposal from the PRESIDENT, decided to approve the list of candidates in PERS(2014) 80 for the AD9-14/AD12 post of Head of the EU Delegation to the Solomon Islands and Vanuatu, which would serve as a basis for the competent authority of the European External Action Service to make a final appointment.

This decision would take effect immediately.

**6.6. SECRETARIAT-GENERAL / DG BUDGET / DG HUMAN RESOURCES  
AND SECURITY – RE-OPENING OF THE EUROPEAN UNION  
DELEGATION IN SOMALIA  
(PERS(2014) 81)**

The Commission took note of the information in point 6 of PERS(2014) 77 and, on a proposal from the PRESIDENT, in agreement with Baroness ASHTON, Mr PIEBALGS, Mr DE GUCHT, Ms GEORGIEVA and Mr FÜLE, decided:

- to agree to the re-opening of the European Union delegation in Somalia, based in Nairobi;
- to take note of the financial statement in PERS(2014) 81, which confirmed the budget neutrality of this measure;
- to note that any decision connected with the above decision to re-open the delegation and relating to the adoption of new organisation charts or amendments to existing ones, and any decision to (re)deploy Commission resources, would have to be taken in accordance with the cooperation procedures put in place by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy and in accordance with internal Commission procedures.

These decisions would take effect immediately.

## 7. RELATIONS WITH NON-MEMBER COUNTRIES

### *SITUATION IN UKRAINE*

In response to a question, the PRESIDENT began by reporting on his bilateral meeting the day before with the Ukrainian Prime Minister, Mr Arseniy Yatsenyuk; this had been followed by a Commission meeting in restricted session, attended by Mr KALLAS, Mr DE GUCHT, Mr OETTINGER, Mr FÜLE, Ms MALMSTRÖM and Mr CIOLOŞ and several members of the Ukrainian Government. Stressing the unprecedented nature of these meetings, the PRESIDENT pointed out that they were an indication of the mutual commitment of the two parties to continuing and stepping up their efforts to seal the political and economic relationship between Ukraine and the European Union.

Following the approval on 30 April by the International Monetary Fund (IMF) of the stand-by arrangement, Mr KALLAS for the Commission and Mr Oleksandr Shlapak, the Ukrainian Finance Minister, had the previous day signed the Memorandum of Understanding on the Macro-Financial Assistance Programme for Ukraine worth €1.6 billion. The PRESIDENT observed that the Commission and the government of Ukraine had also on the same occasion signed the financing agreement on the State Building Contract, worth €355 million, which was intended to support the country's transition. The contract was accompanied by a programme to support civil society, worth €10 million; the first payment of €250 million was due to be made shortly.

The PRESIDENT confirmed the highly favourable impression made at the meeting not only by the Ukrainian Prime Minister, but by all the Ukrainian Ministers present, who had been determined to introduce the reforms needed to stabilise their country and establish closer ties with the European Union. He also reported that the Ukrainian authorities had been grateful for the practical support provided by the

Commission, including the holding of trilateral meetings with Ukraine and Russia on energy, chaired by Mr OETTINGER, and the setting-up of the Support Group for Ukraine in the Commission, under Mr FULE, to provide a direct point of contact for the Ukrainian authorities.

As for the situation on the ground, the PRESIDENT said that, having agreed with his analysis, the Ukrainian Prime Minister had stressed his government's determination to ensure that free and fair Presidential elections were held on 25 May. Mr Yatsenyuk and his government had also repeatedly declared their intention of holding talks with all the regions of Ukraine and all population groups, except for those associated with the destabilisation attempts in the East of the country. The PRESIDENT said that Mr Yatsenyuk had made an important distinction between decentralisation, which the Ukrainian government would support in the context of a national dialogue on constitutional reform, on the one hand, and federalisation, which the Prime Minister felt would be detrimental to the country's interests in the medium and long term.

With regard to the roadmap proposed by the Organization for Security and Co-operation in Europe (OSCE), the PRESIDENT noted the support of Ukraine's leaders for the OSCE's efforts to reduce tension on the ground and stabilise the situation by means of a number of practical measures to be taken under the authority of the Ukrainian government.

During the brief discussion which followed, the Commission raised the following questions: (i) the highly favourable impression made by the Ukrainian Prime Minister and the members of his government in terms of their firm belief in Europe and their constructive approach; (ii) the need, in the coming weeks and months, to back up the clear political support shown by the EU so far with concrete and tangible measures to benefit Ukrainian citizens, and to do everything possible to help make these measures a reality, with due regard for the rules and principles which govern the Commission's actions; (iii) a suggestion that a number of measures taken from different policy areas should be grouped together to make

them more visible to the people of Ukraine, especially the proposed measures in the field of agriculture; (iv) the importance of insisting on reciprocity for some of these measures; (v) support for the high standards expected by the Commission with regard to the programme of institutional and economic reforms in Ukraine and the fight against corruption, in order to preserve the democratic and economic stability and viability of Ukraine in the medium to long term; and lastly, (vi) a reminder of the advisability of maintaining a close watch on the actions and influence of Russia on Ukrainian territory and at its European borders.

The PRESIDENT closed the discussion with a request to the Members of the Commission and their departments to contact the Support Group under the authority of Mr FÜLE to make sure that the measures taken to help Ukraine were consistent and to coordinate the way in which they were presented. He also confirmed the importance placed by the Commission on the implementation of the programme of ambitious reforms agreed with the Ukrainian government, and referred to the conditional approach adopted in relation to the liberalisation of visas, which had led to some degree of progress as observed at the previous day's meeting. He also stressed the importance for the Ukrainian government of deploying all necessary means to enable the remaining chapters of the Association Agreement with the Union, including the Deep and Comprehensive Free Trade Agreement, to be signed as soon as possible after the presidential elections of 25 May.

Lastly, the PRESIDENT said that, as Baroness ASHTON and Mr FÜLE had been unable to attend that day's meeting, the College would return to the situation in Ukraine and relations with Russia and to the question of energy security at a future meeting.

The Commission took note of this information.

## 8. OTHER BUSINESS

### *EUROPEAN ELECTIONS*

Turning to the European elections to be held from 22 to 25 May, the Commission Members considered that the Commission was often the focus of criticism aimed at the Union. They agreed that a common approach should be adopted. As election campaigns and democratic debate naturally led to criticism and controversy, they felt that it would be advisable to respond to attacks in measured terms to avoid needless escalation. The Commission Members regretted, however, the contradictory nature of some of the political criticism levelled at the Commission's work by political groupings which had often approved, or even called for this work in the context of the interinstitutional decision-making process.

They stressed that only the most factual answers should be given in reply to criticism, explaining each initiative and policy, while bearing in mind the different national contexts and pursuing the Commission's long-term strategy of educating citizens to improve understanding of the European decision-making process and the role of each institution.

After the European elections were over, the Commission should still remain mobilised until the last day of its term of office.

The PRESIDENT wound up the debate by highlighting the main points which, in his view, should guide the Commission's approach to the European elections. He referred in particular to one of the overarching ideas in his recent speech on the future of Europe delivered at Humboldt University in Berlin, namely the need to again ask the simple but fundamental question: what do people expect from Europe? No institutional structure could replace the will to act together. He also underlined the importance of not separating debates on national policies from those on European policies as they were intrinsically linked.



In relation to the criticism levelled at the Commission in the run-up to the elections, the PRESIDENT pointed out that it was natural that it should be criticised during political debates because it was a political body. However, he deplored the often unfounded criticism of the Commission by sectors that had traditionally been in favour of European integration, which simply gave more weight to more extreme and Eurosceptic arguments.

He therefore asked the Commission Members to adopt an educational approach and above all to show solidarity, particularly when explaining and defending the current Commission's record. Pointing out that the Commission had stood the test of time in every area and throughout a number of crises, he asked the Commission Members to put forward a balanced position in the debate, in other words to defend its policies without, however, putting the Commission in the forefront of the campaign. Lastly, he urged each Commissioner to play a leading role at Member State level in responding to the criticism levelled at the Commission and in particular to provide sound arguments against the populist discourse hostile to the European idea. In so doing, it was important to take full account of the sometimes very different political contexts in the Member States.

The Commission took note of this information.

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The meeting closed at 11.24.