



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2012)2003 final

Brussels, 30 May 2012

MINUTES

of the 2003rd meeting of the Commission

held in Strasbourg

(Winston Churchill building)

on Tuesday 22 May 2012

(afternoon)

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PV(2012)2003 final

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Single sitting: Tuesday 22 May 2012 (afternoon)

The sitting was opened at 13.06 by Ms REDING, President BARROSO being absent.

Present:

Ms REDING	Vice-President	
Mr ALMUNIA	Vice-President	Item 7 (in part)
Mr KALLAS	Vice-President	
Mr TAJANI	Vice-President	Item 7 (in part)
Mr ŠEFČOVIČ	Vice-President	
Mr REHN	Vice-President	Item 7 (in part)
Mr POTOČNIK	Member	
Mr PIEBALGS	Member	
Mr BARNIER	Member	Item 7 (in part)
Mr ŠEMETA	Member	
Mr DE GUCHT	Member	
Mr DALLI	Member	
Ms GEOGHEGAN-QUINN	Member	
Mr LEWANDOWSKI	Member	Items 1 to 7 (in part)
Mr OETTINGER	Member	
Mr HAHN	Member	
Ms HEDEGAARD	Member	
Mr FÜLE	Member	Item 7 (in part)
Mr ANDOR	Member	
Ms MALMSTRÖM	Member	

Absent:

Mr BARROSO	President
Baroness ASHTON	High Representative/ Vice-President
Ms KROES	Vice-President
Ms VASSILIOU	Member
Ms DAMANAKI	Member
Ms GEORGIEVA	Member
Mr CIOLOŞ	Member

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

Mr BANNERMAN	Adviser in Baroness ASHTON's Office
Mr KLEINER	A member of Ms KROES's staff
Mr HILL	A member of Ms VASSILIOU's staff
Mr INOTAI	A member of Ms DAMANAKI's staff
Ms FRANKE	A member of Mr CIOLOȘ's staff

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Adviser in the PRESIDENT's Office
Mr ROMERO REQUENA	Director-General, Legal Service
Mr PAULGER	Director-General, DG Communication
Mr LEWANOWICZ	European Commission Spokesperson Service
Mr THEBAULT	Head of the Bureau of European Policy Advisers
Ms ROUCH	A member of Ms REDING's staff
Ms SOEWARTA	A member of Mr PIEBALGS's staff

Secretary: Mr AYET PUIGARNAU, Director in the Secretariat-General, assisted by Ms BARRIER and Ms COLLOMP, Administrators in the Secretariat-General.

1. AGENDAS

(OJ(2012)2003/2; SEC(2012)317/2)

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

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2012)2003)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 21 May.

3. MINUTES OF 2002ND MEETING (16 MAY)

The Commission held over approval of the minutes of its 2002nd meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2012)53)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group held on Wednesday 16 May (RCC(2012)53).

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

- Administrative cooperation through the Internal Market Information System ('the IMI Regulation') – BIELAN report – 2011/0226 (COD)

The Commission approved the line set out in SI(2012)225.

- Amendment of Directive 1999/32/EC as regards the sulphur content of marine fuels (Directive) – HASSI report – 2011/0190 (COD)

The Commission approved the line set out in SI(2012)204/5.

- 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 took note of the progress in the legislative procedure as described in SI(2012)216.

- Connecting Europe Facility (Regulation) – VĂLEAN / RIQUET / AYALA SENDER report – 2011/0302 (COD)

The Commission took note of the progress in the legislative procedure as described in SI(2012)217.

- Amendment of Council Regulation (EC) 73/2009 as regards the application of direct payments to farmers in respect of the year 2013 (Regulation) – CAPOULAS SANTOS report – 2011/0286 (COD)

The Commission approved the line set out in SI(2012)218 and /3 and authorised Mr CIOLOŞ to pursue contacts with Parliament and the Council in

order to reach agreement at first reading following the line set out in those notes.

ii) Dossier requiring the consent of the European Parliament

(point 1.3 of the IRG record)

- Multiannual Framework for the European Union Agency for Fundamental Rights for 2013-2017 (Council Decision) – ŽDANOKA report – 2011/0431 (APP)

The Commission approved the line set out in SI(2012)224/2.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2012)226)

The Commission took note of the information in SI(2012)226 on the Council meetings between 24 May and 6 June.

4.3. RELATIONS WITH PARLIAMENT

iv) Preparation for the May II part-session

Ordinary legislative procedure – First reading

- General provisions for macro-financial assistance to third countries (Regulation) – KAZAK report – 2011/0176 (COD)

The Commission approved the line set out in SP(2012)378.

- Accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (Regulation – recast) – RIQUET report – 2011/0243 (COD)

The Commission approved the line set out in SP(2012)379.

Non-legislative dossier

- Detailed provisions governing the exercise of the European Parliament's right of inquiry (Regulation of the European Parliament) – MARTIN report – 2009/2212 (INI)

The Commission approved the line set out in SP(2012)190 and /4.

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

- v) **Relations with the European Economic and Social Committee – Programming of business for 2012 – List of optional referrals**
(point 3.1 of the IRG record)

The Commission approved the line set out in SC(2012)19/2 and decided to send the list annexed to that document to the European Economic and Social Committee.

4.5. EXTERNAL RELATIONS

- vi) **World Intellectual Property Organisation (WIPO) Diplomatic Conference on the Protection of Audiovisual Performances (Beijing, 20 to 26 June)**
(point 4.1 of the IRG record)

The Commission approved the line set out in SI(2012)219.

- vii) **Adoption of the draft EU position on the negotiations on ‘Recommended good practices for effective counterterrorism practice in the criminal justice sector’ in the Global Counterterrorism Forum (GCTF)**
(point 4.3 of the IRG record)

The Commission approved the line set out in SI(2012)199 and /2.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID – HORIZONTAL DOSSIER

Guidelines on certain state aid measures in the context of the greenhouse gas emission allowance trading scheme post 2012

(C(2012)3230 to /3; SWD(2012)130 (parts 1 to 7); SWD(2012)131; SEC(2012)308; RCC(2012)52)

The Commission:

- adopted the guidelines set out in C(2012)3230/3;
- decided to publish them in the Official Journal of the European Union in order to inform the Member States and interested parties;
- authorised their publication as soon as possible on the website of DG Competition, pending publication in the Official Journal of the European Union;
- took note of the impact assessment, the summary thereof and the opinion of the Impact Assessment Board in SWD(2012)130 (parts 1 to 7), SWD(2012)131 and SEC(2012)308;
- agreed that the Member of the Commission responsible for competition would present a report in 2014 on the application of the new guidelines in 2013.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2012)318 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 14 and 18 May.

6.2. EMPOWERMENT

(SEC(2012)319 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 14 and 18 May.

6.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2012)320 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 14 and 18 May, as archived in e-Greffe.

6.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2012)321)

The Commission took note of the sensitive written procedures for which the time limit expired between 21 and 25 May.

6.5. DELEGATION OF POWERS CONCERNING DECISIONS TO REFUSE THE REGISTRATION OF PROPOSED CITIZENS' INITIATIVES AS PROVIDED FOR IN REGULATION (EU) 211/2011 ON THE CITIZENS' INITIATIVE

(C(2012)3416)

The Commission decided to delegate to the Secretary-General the power to adopt, on the Commission's behalf and under its responsibility, decisions to refuse the registration of proposed citizens' initiatives in accordance with

Article 4(3) of Regulation (EU) 211/2011, according to terms laid down in C(2012)3416.

7. COMMUNICATION TO THE COMMISSION – RIO+20 – ENSURING SUSTAINABLE DEVELOPMENT FOR GENERATIONS TO COME (SEC(2012)325 TO 3)

Ms REDING opened the discussion on the Communication to the Commission in the run-up to the United Nations Rio+20 conference on sustainable development, to be held in Brazil on 20 to 22 June, by asking Mr POTOČNIK and Mr PIEBALGS to describe the main political challenges of this conference, the results the European Union could expect from it and the progress in the preparatory work. The main purpose of the exchange of views following these presentations was to single out a series of messages that the Commission as a whole could convey in its forthcoming communications on the matter.

Mr POTOČNIK presented the Communication, recalling the various stages that had culminated in the definition of the strategies it contained.

Referring to the discussions held at the recent G8 meeting on the need for stable economies and growth stimulation, he said that the forthcoming Rio de Janeiro conference provided an opportunity to promote inclusive green growth and job creation at world level. In this connection he highlighted the enormous economic and job-creation potential of renewable energy sources and energy efficiency, sustainable agriculture, management of natural resources and the transition to a recycling society, issues that would probably also be broached at the G20 meeting to be held in Mexico just before the Rio conference.

This Communication contained examples of goals and targets for the key natural resources underpinning a green economy: (i) sustainable energy (ii) water, (iii) land and ecosystems, (iv) oceans and (v) resource efficiency including waste. These targets were now broadly recognised as essential for sustainable growth and formed

“vital pillars” since they were closely linked to food security, poverty eradication and social development.

The emphasis on these five domains would cover all sustainable development aspects and give every country a means of generating economic growth, creating jobs and combating poverty, while preserving the key natural resources on which economies depended. Any progress in these areas would also bolster the efforts on climate change, which was one of the main horizontal challenges facing sustainable development.

Mr POTOČNIK said that these targets were an indication and an example of what the European Union would like to see agreed at the Rio conference. They were based on existing international agreements and on the Europe 2020 strategy, in particular the roadmap on energy efficiency, and concerned a number of emerging issues which were becoming increasingly important and required global action. These targets were already the subject of existing policies in the EU, but the intention now was to make them an issue for the international community, since they might be used in order to draft sustainable development targets at the end of the conference.

It was not possible to predict how many of these proposals would actually be adopted by international partners, given the diverse signals received so far, however they would set the Rio conference on the right course to achieve progress in the transition to a green global economy.

With six weeks to go to the Rio+20 conference, Mr POTOČNIK said that it would be useful to highlight the added value of the conference, in particular to make headway with the international action programme to stimulate sustainable growth and development. He presented the spectrum of political positions adopted by the various groups of countries involved, starting with that of the most ambitious group, made up of the European Union and several members of the Organisation for Economic Cooperation and Development (OECD). He then moved on to the position of the United States, referring lastly to the internal divisions in the G77 group, in particular the differences of opinion between India, China and Brazil.

At the least, agreement should emerge from the conference on a common vision and action programme enshrining the principles of the green economy as the reference value for future economic development. As for the European political line, the EU should focus on obtaining agreement on key sustainable growth topics, based on the five areas it had proposed, and on a process and timetable for specific targets. In institutional terms, it was essential to reach agreement at least on reinforcing the United Nations Environment Programme (UNEP) and on the commitment to improve international governance with respect to sustainable development.

Mr POTOČNIK also explained that in the coming weeks the European Union would have to tackle the delicate question of how far the results of the conference would meet the expectations raised. The attempts to secure a reasonable success should be continued up to the last moment, even if this time, unlike at the Copenhagen conference in 2009, the negotiation concerned tentative objectives rather than a legally binding agreement and the implications were therefore less far-reaching. He would welcome an agreement on an operational process that would enable targets to be set in certain areas in order to complete the Millennium Development Goals and define a number of specific achievements. In any case, he stressed that the European Union would not be taking on additional commitments – still less unilaterally – but rather developing the policies it had already introduced.

In conclusion he called on the Commission Members to step up their contacts with the European Union's international partners in order to explain that the purpose of the transition to a green economy was not environmental protection but sustainable development, in the interests of all countries, including the poorest. He encouraged them to send a positive message to convey the idea that this transformation had already been embarked on and was giving rise to social development, and that sectoral policies, for example on climate change, agriculture and fisheries, education, research cooperation and trade, also played a role in contributing to this.

Mr PIEBALGS followed up this presentation with some general policy observations. He began by noting that the agenda for the Rio+20 international conference was the fullest ever proposed in the field of sustainable development, since it combined the three key pillars of world development, environmental

protection and poverty eradication. Given the current state of play of the negotiations, he also pointed out that the political positions, by groups of countries, that were emerging in the run-up to the conference followed the traditional ideological north-south divide. He emphasised the need to prevent the emergence of new coalitions and new sub-groupings within existing alliances, which would make the negotiations even more complex and their outcome even more uncertain.

He said that the only outcome that the European Union could reasonably expect from this highly significant global event would necessarily be a compromise. However, this compromise must be as close as possible to the common position defended by the EU. He explained that the European position was based on a shared view of the world that should be left to future generations and was aimed at maintaining the political ambitions pursued by the Union through its measures to boost sustainable development and growth, in which it acted as a pace-setter and driving force. To illustrate this, he cited the threefold objective ('3 x 20%') adopted for the European energy and climate policy, namely a 20% reduction in greenhouse gas emissions, a 20% improvement in energy efficiency and a 20% share of renewable energy in the European energy mix, as well as changes in the common agricultural policy and the common fisheries policy. By way of an example, in the field of development policy he mentioned the allocation of EUR 2 billion for 2012-2013 managed by the Commission to finance projects relating to the Rio+20 process, and the target of access to 'sustainable energy for all'.

In conclusion, he stressed the essential principle of compliance with commitments and pointed out that the European Union was contributing fully to the achievement of the international objectives agreed upon. He emphasised that at Rio de Janeiro in June the Union must clearly demonstrate its firm convictions and be as ambitious in its goals as possible.

The Commission also briefly considered the following aspects:

- the challenge that would undoubtedly be posed by the Rio+20 conference, and its support for the proactive and ambitious approach proposed by Mr POTOČNIK and Mr PIEBALGS;

- the need to back up the sustainable development objectives that might emerge from the conference by setting indicators of progress other than gross domestic product;
- in order to help people understand the work of the conference and given the wide range of areas covered, the importance of arriving at a limited number of concrete results that were easy to communicate;
- the hope that the conference might mark a paradigm shift away from the traditional north-south divide and, with this in mind, the need to identify a small number of themes on which it was possible to cooperate with a group of progressive developing countries, and to make every effort to establish such cooperation;
- from a funding point of view, the importance of clearly conveying the message that the developed countries would not increase their contribution until the emerging economies also began to contribute;
- the desire to carry on promoting in developing countries an approach that combined the twin priorities of water management and energy in order to develop an agricultural production capacity that could ensure food sovereignty, particularly in Africa;
- on the question of method, the value of setting precise goals combined with deadlines for implementation and intrusive monitoring mechanisms in order to guarantee that the steps taken were effective;
- the key importance for the success of the conference of taking the social dimension into account, given the interest expressed – for example at the meeting of G20 labour and employment ministers – in promoting ‘green jobs’ in both the North and the South.

Winding up the exchange of views, Ms REDING reiterated the importance of adopting a common communications approach that highlighted the Commission’s role as a driving force in sustainable development, and welcomed the excellent spirit

of cooperation that had been shown on this matter.

Following this exchange of views, the Commission took note of the communication set out in SEC(2012)325/3.

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The meeting closed at 13.40.