



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2015) 2132 final**

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

Strasbourg, 7 July 2015

# TEXTE EN

## MINUTES

of the 2132<sup>nd</sup> meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 24 June 2015

(morning)

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**Single sitting: Wednesday 24 June 2015 (morning)**

The sitting opened at 9.51 with Mr JUNCKER, President, in the chair. Items 7 (in part) and 8 were chaired by Mr TIMMERMANS.

**Present:**

Mr JUNCKER	President	Items 1 to 7 (in part)
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	
Ms GEORGIEVA	Vice-President	Items 1 to 7 (in part) and 8
Mr ANSIP	Vice-President	
Mr DOMBROVSKIS	Vice-President	Items 1 to 8 (in part)
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	Items 1 to 8 (in part)
Ms MALMSTRÖM	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	Items 1 to 7 (in part)
Mr STYLIANIDES	Member	
Lord HILL	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	Items 1 to 8 (in part)
Mr NAVRACSICS	Member	
Ms CREȚU	Member	
Ms VESTAGER	Member	Items 1 to 7 (in part)
Mr MOEDAS	Member	Items 1 to 6 (in part)

Absent:

Mr ŠEFČOVIČ

Vice-President

Mr HAHN

Member

Mr MIMICA

Member

Mr HOGAN

Member

(24 June 2015)

*- English language version of the French text which is authentic -*The following sat in to represent absent Members of the Commission:

Mr KARNITSCHNIG	Chef de cabinet to Mr HAHN	Points 7 and 8
Mr BEHRNDT	Chef de cabinet to Mr MIMICA	Points 7 and 8
Mr POWER	Chef de cabinet to Mr HOGAN	Points 7 and 8

The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT	Items 1 to 8 (in part)
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	Items 7 and 8
Mr ROMERO REQUENA	Director-General, Legal Service	Items 1 to 8 (in part)
Mr PESONEN	Acting Director-General, DG Communication	Items 7 and 8
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	Items 7 and 8 (in part)
Ms ANDREEVA	Commission Spokesperson's Service	Items 7 and 8
Ms METTLER	Head of the European Political Strategy Centre	Items 7 and 8 (in part)
Ms BENÍTEZ SALAS	European Political Strategy Centre	Item 8 (in part)
Mr SZOSTAK	A member of the PRESIDENT's staff	Item 7 (in part)
Mr LAHTI	Chef de cabinet to Mr DOMBROVSKIS	Items 7 and 8 (in part)
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Items 7 and 8
Ms SOUKA	Director-General, DG Human Resources and Security	Item 6
Mr ITALIANER	Director-General, DG Competition	Item 6
Mr BARNIER	Special Adviser on European Defence and Security Policy to the PRESIDENT	Item 7 (in part)

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

**1. AGENDAS**

**(OJ(2015) 2132/FINAL; SEC(2015) 275)**

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings. It also took note of the addition to the agenda for that meeting of items 6.1, 6.2, 6.3, 6.4, 6.5 and 8, concerning administrative decisions or information and a draft communication on support for Greece with regard to employment and growth.

**2. WEEKLY MEETING OF CHEFS DE CABINET**

**(RCC(2015) 2132)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 22 June.

**3. MINUTES OF 2131<sup>ST</sup> MEETING OF THE COMMISSION (17 JUNE)**

The Commission held over approval of the minutes of its 2131<sup>st</sup> meeting for the following week.

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

##### **4.1. WRITTEN PROCEDURES APPROVED**

**(SEC(2015) 276 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 June.

##### **4.2. EMPOWERMENT**

**(SEC(2015) 277 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 June.

##### **4.3. DELEGATION AND SUBDELEGATION OF POWERS**

**(SEC(2015) 278 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 15 and 19 June, as archived in Decide.

##### **4.4. SENSITIVE WRITTEN PROCEDURES**

**(SEC(2015) 279)**

The Commission took note of the sensitive written procedures for which the time limit expired between 22 and 26 June.



**5. COMMISSION DECISION ON A PROCEEDING UNDER ARTICLE 101 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION AND ARTICLE 53 OF THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA (CASE AT.39563 – RETAIL FOOD PACKAGING)  
(C(2015) 4336 TO /17; RCC(2015) 56)**

The Commission:

- took note of the opinions of the Advisory Committee on Restrictive Practices and Dominant Positions of 15 and 22 June in C(2015) 4336/5 and /6;
- took note of the draft final report of the Hearing Officer of 9 June in C(2015) 4336/2, together with the final report of the Hearing Officer of 22 June in C(2015) 4336/7;
- adopted in the authentic languages (English, French, German and Italian) the decision in C(2015) 4336/8 finding that the companies to which the decision was addressed had infringed Article 101 of the Treaty on the Functioning of the European Union 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 115 865 000;
- adopted the annexes to the decision set out in C(2015) 4336/9 to /17 in the authentic languages;
- decided to notify each of the companies to which the decision was addressed, in the corresponding authentic language, of decision C(2015) 4336/8 and the annex or annexes relating to that particular company, as set out in C(2015) 4336/9 to /17;

- decided also to notify the Hearing Officer's final report to each of the companies to which the decision was addressed;
- decided that the key parts of the Decision, together with the Advisory Committee's opinions and the Hearing Officer's final report, would be published in the official EU languages in the Official Journal of the European Union (with business secrets and other confidential information removed);
- decided to make the decision (with business secrets and other confidential information removed) accessible on the Internet.

## **6. ADMINISTRATIVE AND BUDGETARY MATTERS**

**(SEC(2015) 280 AND /2)**

### **ADMINISTRATIVE MATTERS**

**(PERS(2015) 55)**

#### **6.1. MOBILITY OF OFFICIALS IN SENIOR MANAGEMENT POSITIONS**

The PRESIDENT and Ms GEORGIEVA presented the decisions they were proposing to the Commission on the mobility of officials in senior management positions occupying the functions of Director-General, Deputy Director-General and *Hors Classe* Adviser.

The PRESIDENT pointed out that he had wished to take a different approach from that taken on previous occasions, which would consist of three stages. He thanked Ms GEORGIEVA for her outstanding cooperation and total commitment throughout the long and delicate process of preparing this set of decisions, which had made it possible to achieve a balanced and consensual result that met fully the criteria he had set.

The PRESIDENT wished to draw the Commission's attention to four decisions in particular:

- the renewal of the term of office as Head of the Legal Service of Mr Luis ROMERO REQUENA, whose outstanding professional and personal qualities guaranteed the soundness of numerous Commission instruments and positions;
- the creation of a task force in the Secretariat-General in charge of strategic issues related to the UK referendum, which he proposed should be headed by Mr Jonathan FAULL. This was a logical choice given the significant network that Mr FAULL could draw on in the UK, which would be particularly useful for the Commission in the period ahead. Under his authority, Mr FAULL would be entrusted with maintaining regular in-depth contacts with the UK authorities, in close collaboration with Mr TIMMERMANS;
- the appointment of Mr Alexander ITALIANER as Secretary-General of the Commission, replacing Ms Catherine DAY, who would be retiring at her request on 1 September 2015.

He noted the outstanding commitment demonstrated by Ms DAY throughout her career and thanked her for heading the Secretariat-General brilliantly over the last few years and, more specifically, for enabling the new Commission to start its work quickly and effectively. The PRESIDENT paid an emotional tribute to Ms DAY's integrity, loyalty, skills, capacity for work and personal qualities. She had provided him with unwavering support at all times and under all circumstances, even before he took up his post as President.

At the PRESIDENT's invitation, Ms DAY took the floor briefly and explained that her decision was a personal choice, but not one that had been easy to take. She was deeply honoured to have worked, under the PRESIDENT's authority,

for the present Commission, thereby helping to implement the objectives set at the start of the Commission's term of office. She extended general thanks to all the Members and particular thanks to the President and his office for the trust they had placed in her. It had been a huge privilege to work with high-calibre people and to have accomplished ambitious work on the institution's behalf.

The Commission paid a heartfelt tribute to its Secretary-General, with each member thanking her for her valuable advice, her level of commitment, her impressive knowledge and the outstanding quality of her work.

Ms GEORGIEVA presented the other decisions in the 'package', highlighting the framework established by the PRESIDENT for the proposed options, which involved striking the right balance between, on the one hand, retaining a stable platform guaranteeing continuity in the areas where action was needed and, on the other, facilitating a dynamic of change in the areas where this was appropriate. In other words, it was a question of ensuring that the right people were in the right place at the right time, but without moving people for the sake of it, while providing resources so that teams could be renewed and maximum use made of talent.

Ms GEORGIEVA reminded the meeting that the Commission's senior management comprised 33 Directors-General, 36 Deputy Directors-General and 4 *Hors Classe* Advisers. The ultimate result of the proposed decisions would be as follows:

- over half (23) of the Directors-General were being kept on in their current posts;
- 11 Directors-General would change department or be entrusted with other important tasks;

- 8 Deputy Directors-General, two of whom were women, would become directors-general;
- in addition, vacancy notices would soon be published for 3 Director-General posts and 10 Deputy Director-General posts, and further Deputy Director-General posts would be published later on;
- 2 Deputy Director-General posts and 3 *Hors Classe* Adviser posts would be created, while 3 *Hors Classe* Adviser posts would be abolished.

In conclusion, Ms GEORGIEVA stressed that the new senior management team was made up of talented and experienced people, who would work in close collaboration with each of the Members of the Commission in order to achieve the Commission's strategic objectives. At the same time, the reorganisation undertaken that day had not addressed what she considered an unsatisfactory gender balance since, by definition, it had had to be carried out within the existing senior management staff, where women were still under-represented. However, she was determined to make progress on this front during her term of office and to present a new strategy to that end.

During the exchange of views, the Commission examined the following points in particular:

- the action that the Commission could take to promote diversity in its departments by better reflecting the reality of present-day European society, and to foster the emergence of a talent pool;
- the specific work needed in the short and medium term to promote a better gender balance in senior management, to match the efforts initiated for middle management;

- the case for allowing a degree of horizontal fluidity between the European External Action Service (EEAS) and the Commission, with a view to encouraging career development for deserving young officials and ensuring a sustainable promotion system;
- matters relating to the communication of this set of decisions to the public and the media.

Following this exchange of views, the Commission welcomed the balance achieved between the objectives of continuity and change, and gave its backing to all of the proposals, stressing that they made for a strong team with the ability to bring to fruition the priority objectives set for the future of Europe.

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, the Commission adopted the following decisions:

**i) Appointment of Secretary-General of the European Commission**

Mr Alexander ITALIANER was appointed Secretary-General of the European Commission, with effect from 1 September 2015, when Ms Catherine DAY would retire, at her request.

**ii) Creation and abolition of posts**

Creation of the following new posts

- Director-General, Head of the task force 'Strategic Issues related to the United Kingdom Referendum' assigned to the Secretariat-General, reporting directly to the PRESIDENT;
- Deputy Director-General in the Directorate-General for Justice and Consumers;

- Deputy Director-General in the Directorate-General for Neighbourhood and Enlargement Negotiations;
- *Hors Classe* Adviser 'Senior Adviser for Innovation' in the European Political Strategy Centre;
- *Hors Classe* Adviser 'Senior Adviser for Resilience, Humanitarian Aid and Crisis Response' in the European Political Strategy Centre;
- *Hors Classe* Adviser 'Senior Adviser for Sustainable Development' in the European Political Strategy Centre.

Abolition of the following posts

- *Hors Classe* Adviser in the Eurostat Directorate-General;
- *Hors Classe* Adviser in the Directorate-General for Neighbourhood and Enlargement Negotiations, following the retirement of Mr Peter BALAS on 1 December 2015;
- *Hors Classe* Adviser in the Directorate-General for Regional and Urban Policy.

**iii) Transfer of Directors-General in the interest of the service**

- Mr Robert MADELIN, currently Director-General of the Directorate-General for Communications Networks, Content and Technology, was transferred to the post of *Hors Classe* Adviser 'Senior Adviser for Innovation' in the European Political Strategy Centre, with effect from 1 September 2015;
- Mr Stephen QUEST, currently Director-General of the Directorate-General for Informatics, was transferred to the post of Director-General of

the Directorate-General for Taxation and Customs Union, following the retirement of Mr Heinz ZOUREK on 1 January 2016;

- Mr Xavier PRATS MONNE, currently Director-General of the Directorate-General for Education and Culture, was transferred to the post of Director-General of the Directorate-General for Health and Food Safety, with effect from 1 September 2015;
- Mr Claus SØRENSEN, currently Director-General of the Directorate-General for Humanitarian Aid and Civil Protection, was transferred to the post of *Hors Classe* Adviser 'Senior Adviser for Resilience, Humanitarian Aid and Crisis Response' in the European Political Strategy Centre, with effect from 1 September 2015;
- Mr Karl Friedrich FALKENBERG, currently Director-General of the Directorate-General for the Environment, was transferred to the post of *Hors Classe* Adviser 'Senior Adviser for Sustainable Development' in the European Political Strategy Centre, with effect from 1 September 2015;
- M. Jonathan FAULL, currently Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, was transferred to the post of Director-General in the Secretariat-General as Head of the task force 'Strategic Issues related to the United Kingdom Referendum', reporting directly to the PRESIDENT, with effect from 1 September 2015;
- Mr Daniel CALLEJA CRESPO, currently Director-General of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, was transferred to the post of Director-General of the Directorate-General for the Environment, with effect from 1 September 2015;



- Ms Lowri EVANS, currently Director-General of the Directorate-General for Maritime Affairs and Fisheries, was transferred to the post of Director-General of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, with effect from 1 September 2015;
- Mr Joao AGUIAR MACHADO, currently Director-General of the Directorate-General for Mobility and Transport, was transferred to the post of Director-General of the Directorate-General for Maritime Affairs and Fisheries, with effect from 1 September 2015;
- Ms Martine REICHERTS, currently Director-General of the Publications Office of the European Union, was transferred to the post of Director-General of the Directorate-General for Education and Culture, with effect from 1 September 2015; in accordance with Article 10 of Commission Decision 2009/496 of 26 June 2009, the Management Committee of the Publications Office of the European Union must be informed of this Decision.

**iv) Transfer in the interest of the service of Deputy Directors-General to Director-General posts**

- Mr Johannes LAITENBERGER, currently Deputy Director-General in the Legal Service, was transferred to the post of Director-General of the Directorate-General for Competition, with effect from 1 September 2015;
- Ms Monique PARIAT, currently Deputy Director-General in the Directorate-General for Agriculture and Rural Development, was transferred to the post of Director-General of the Directorate-General for Humanitarian Aid and Civil Protection, with effect from 1 September 2015;

- Mr Roberto VIOLA, currently Deputy Director-General in the Directorate-General for Communications Networks, Content and Technology, was transferred to the post of Director-General of the same Directorate-General with effect from 1 September 2015;
- Mr Timo PESONEN, currently Deputy Director-General in the Directorate-General for Communication, was transferred to the post of Director-General of the same Directorate-General, with effect from 1 July 2015;
- Mr Martinus VERWEY, currently Deputy Director-General in the Directorate-General for Economic and Financial Affairs, was transferred to the post of Director-General in charge of the 'Structural Reform Support Service' in the Secretariat-General, with effect from 1 July 2015;
- Mr Olivier GUERSENT, currently Deputy Director-General in the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, was transferred to the post of Director-General of the same Directorate-General, with effect from 1 September 2015;
- Mr Henrik HOLOLEI, currently Deputy Secretary-General in the Secretariat-General, was transferred to the post of Director-General of the Directorate-General for Mobility and Transport, with effect from 1 October 2015;
- Ms Marianne KLINGBEIL, currently Deputy Secretary-General in the Secretariat-General, was transferred to the post of Director-General of the Regulatory Scrutiny Board (RSB) in the same Directorate-General, with effect from 1 July 2015.

**v) Transfer in the interest of the service of an *Hors Classe* Adviser to a post of Deputy Director-General**

Ms Katarina MATHERNOVA, currently *Hors Classe* Adviser in the Directorate-General for Regional and Urban Policy, was transferred to the post of Deputy Director-General in the Directorate-General for Neighbourhood and Enlargement Negotiations, with effect from 1 September 2015.

**vi) Closure of the selection procedure for a post of Deputy Director-General**

Closure of internal selection procedure COM/2014/593 for the post of Deputy Director-General in the Joint Research Centre, without an appointment being made.

**vii) Publication of vacancy notices for the posts of Director-General and Deputy Director-General**

Director-General posts

- internal, interinstitutional and external publication of the post of Director-General of the Directorate-General for Justice and Consumers;
- internal and interinstitutional publication of the post of Director-General of the Publications Office of the European Union; in accordance with Article 10 of Commission Decision 2009/496 of 26 June 2009, the Management Committee of the Publications Office of the European Union should be informed of this decision;
- internal publication of the post of Director-General of the Directorate-General for Interpretation.

Deputy Director-General posts

- internal publication of a post of Deputy Director-General in the Directorate-General for Agriculture and Rural Development (vacancy following the transfer of Ms Monique PARIAT);
- internal publication of a post of Deputy Director-General in the Directorate-General for Communications Networks, Content and Technology (vacancy following the transfer of Mr Roberto VIOLA);
- internal publication of a post of Deputy Director-General in the Directorate-General for Communication (vacancy following the transfer of Mr Timo PESONEN);
- internal publication of a post of Deputy Director-General in the Directorate-General for Economic and Financial Affairs (vacancy following the transfer of Mr Martinus VERWEY);
- internal publication of a post of Deputy Director-General in the Directorate-General for Financial Stability, Financial Services and Capital Markets Union (vacancy following the transfer of Mr Olivier GUERSENT);
- internal publication of a post of Deputy Secretary-General in the Secretariat-General (vacancy following the transfer of Ms Marianne KLINGBEIL);
- internal, interinstitutional and external publication of a post of Deputy Secretary-General in the Secretariat-General (vacancy following the transfer of Mr Henrik HOLOLEI);
- internal publication of a post of Deputy Director-General in the Directorate-General for Justice and Consumers;

- internal publication of a post of Deputy Secretary-General in the Secretariat-General;
- internal publication of a post of Deputy Director-General in the Legal Service.

The Commission empowered Ms GEORGIEVA, in agreement with the PRESIDENT, after consulting the Vice-Presidents and Members of the Commission directly involved, to adopt the vacancy notices relating to the aforementioned posts and ensure their publication (internal and/or interinstitutional and/or external) under Article 29(1a)(i) and (iii), and/or (1b) and/or (2) of the Staff Regulations.

She also empowered Ms GEORGIEVA, in agreement with the PRESIDENT, to decide the date of publication of the vacancy notices for these posts. Other vacancy notices for the posts of Deputy Director-General would also be published as appropriate.

All candidates for any of these functions who will be invited for an interview with the Consultative Committee on Appointments, will have to attend, prior to this interview, a one-day assessment centre run by external consultants.

#### **viii) Derogation from the legal retirement age for an official**

In the interest of the service and further to his request, Mr Matthias RUETE, Director-General of the Directorate-General for Migration and Home Affairs, was authorised, under Article 52 of the Staff Regulations, to remain in service past his statutory retirement age until 31 August 2016.

#### **ix) Other decisions**

By derogation from the Commission Decision of 26 May 2004 (C(2004) 1891/2), officials transferred from a senior management post to an

*Hors Classe* Adviser post in this mobility exercise would retain their management step for a period not exceeding 12 months. These *Hors Classe* Adviser posts would be abolished upon the departure of the post's holder.

Following these decisions, the Commission's organisation chart now contained 92 posts corresponding to the Director-General function group, of which 40 were Director-General posts, 47 Deputy Director-General posts, and 5 *Hors Classe* Adviser posts.

Also following these decisions, the number of women holding Director-General posts had increased by one, bringing the total number of women to seven, including the post of Head of the European Strategic Policy Centre.

## **6.2. SECRETARIAT-GENERAL – APPOINTMENT OF DIRECTOR**

The Commission, on a proposal from Ms GEORGIEVA in agreement with the PRESIDENT, decided to fill the post of Director of the 'Institutional and Administrative Policies' Directorate in the Secretariat-General, by transferring in the interest of the service, under Article 7 of the Staff Regulations, Ms Paraskevi MICHOU, currently Director of the 'Civil Justice' Directorate in the Directorate-General for Justice and Consumers.

This decision would take effect on 1 October 2015.

## **6.3. DG COMMUNICATION – APPOINTMENT OF HEADS OF REPRESENTATION**

The Commission took note of the closure of the selection procedures for the Head of Representation posts in Slovenia and in the Netherlands, without making an appointment.

The Commission decided to fill the posts of Head of the following Representations by transferring in the interest of the service under Article 7 of

the Staff Regulations:

- Mr Zoran STANCIC, currently Deputy Director-General in charge of Directorates A, C, E and H at the Directorate-General for Communications Networks, Content and Technology (CNECT.DDG1), to the post of Head of the Representation in Slovenia, with effect from 1 January 2016;
- Mr Peter BEKX, currently Director of the ‘International Economic and Financial Relations, Global Governance’ Directorate at the Directorate-General for Economic and Financial Affairs, to the post of Head of the Representation in the Netherlands, with effect from 1 September 2015.

By derogation from the Commission Decision on middle management staff (C(2008) 5028), as amended by Commission Decision of 10 September 2009 (PV(2009) 1885), establishing that Head of Representation posts are fixed at middle management level, the Commission decided to upgrade the post of Head of Representation in Slovenia to the level of Deputy Director-General (AD15/16) and the post of Head of Representation in the Netherlands to the level of Director (AD14/15) for the duration of the assignment of these officials.

Furthermore, the Commission took note of certain decisions on the posts of Head of the following Representations:

- Ms Sari ARTJOKI was appointed to Head of the Representation in Finland, following an internal selection procedure, with effect from 1 September 2015;
- Mr Jörg WOJAHN was appointed to Head of the Representation in Austria, following an internal selection procedure, with effect from 1 September 2015;

- internal publication of the vacancy notice for the post of Head of Representation in Spain, which was fixed at middle management level;
- internal publication of the vacancy notice for the post of Head of Representation in Poland, which was fixed at middle management level;
- internal publication of the vacancy notice for the post of Head of Representation in Italy, which was fixed at middle management level;
- internal publication of the vacancy notice for the post of Head of Representation in the Grand Duchy of Luxembourg, which was fixed at middle management level.

#### **6.4. SECRETARIAT-GENERAL – AMENDMENT OF ORGANISATION CHART**

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, the Commission decided that:

- a new service ‘Task Force for Strategic Issues related to the UK Referendum’ would be set up within the Secretariat-General; the Task Force would report directly to the PRESIDENT and would also support the work of Mr TIMMERMANS on these issues; the mandate of the Task Force would run until the end of December 2017 unless the PRESIDENT decided otherwise;
- the Task Force would first be in charge of coordinating the work of the Commission on all strategic issues related to the UK ahead of the Referendum; the Task Force would in a later phase be in charge of overseeing the Commission's input in relation to information activities in the run-up to the UK Referendum;



- the post of Head of the ‘Task Force for Strategic issues related to the UK Referendum’ would be at Director-General level;
- in addition to the post of Director-General, the Task Force would initially have the following posts: six AD officials and two AST officials; officials on the Task Force would be directly assigned from the Secretariat-General or seconded (placed at the disposal) by their department of origin which would be given temporary compensation from the redeployment pool; all officials would return to their department of origin at the end of their secondment;
- all staff assigned to the new service and occupying posts listed in the organisation chart would, for the purposes of the secondment, be transferred to Adviser, Principal Adviser or Principal Administrator posts in their DG of origin; these posts would be created temporarily and abolished after the departure of the job holder;
- the Task Force could rely on policy support from across the Commission, in particular from the Legal Service and DGs ECFIN, FISMA and EMPL; the Task Force would work in close collaboration with DG COMM and, more particularly, with the Commission's Spokesperson's Service and the Representation in the UK;
- opportunities offered by the ‘Active Senior Programme’ might be used, if necessary.

This decision would take effect on 1 September 2015.

**6.5. COMMUNICATION TO THE COMMISSION ON THE EUROPEAN  
POLITICAL STRATEGY CENTRE – MISSION, TASKS AND  
ORGANISATION CHART**

**(C(2015) 4462)**

The Commission took note of the PRESIDENT's decision as set out in C(2015) 4462. It also took note of the PRESIDENT's decision to designate Mr Pawel SWIEBODA, currently Principal Adviser at the European Political Strategy Centre, to the post of Deputy Head of that Centre.

These decisions would take effect on 1 July 2015.

**6.6. ACTIVITIES OF A MEMBER OF THE COMMISSION AFTER  
LEAVING OFFICE**

**(C(2015) 4257)**

The Commission adopted the decision set out in C(2015) 4257.

The Commission decided that the activity planned by the former Member of the Commission, Ms Máire GEOGHEGAN-QUINN, to chair, at the invitation of the Irish authorities, a review team on gender equality in Irish higher education institutions was compatible with Article 245(2) of the Treaty on the Functioning of the European Union (TFEU).

The Commission instructed the Secretary-General to inform Ms GEOGHEGAN-QUINN of this decision.

## **7. INTERINSTITUTIONAL RELATIONS**

### **(RCC(2015) 55)**

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 19 June (RCC(2015) 55).

It paid particular attention to the following points.

#### **7.1. HORIZONTAL ISSUES**

- i) Amendment of Regulation (EU, EURATOM) 966/2012 on the financial rules applicable to the general budget of the Union (Regulation) – GRÄSSLE report – 2014/0180 (COD)**

The Commission approved the line set out in SI(2015) 259 and /2.

#### **7.2. LEGISLATIVE MATTERS**

- ii) Trilogue meetings**

(point 3.1 of the IRG record)

- Amendment of Regulation (EC) 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure and Regulation (EC) 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (Regulation) – GERINGER DE OEDENBERG report – 2013/0403 (COD)

The Commission approved the line set out in SI(2015) 239/2.

- Amendment of Regulation (EC) 1007/2009 on trade in seal products (Regulation) – BUŞOI report – 2015/0028 (COD)

The Commission approved the line set out in SI(2015) 249/2 and /3.

- Establishment of a programme on interoperability solutions for European public administrations, businesses and citizens (ISA2) (Decision) – ZORRINHO report – 2014/0185 (COD)

The Commission approved the line set out in SI(2015) 250/2.

- Insurance mediation (Directive – recast) – LANGEN report – 2012/0175 (COD)

The Commission approved the line set out in SI(2015) 251/2.

- European Union Agency for Law Enforcement Cooperation and Training (Europol) and repeal of Decisions 2009/371/JHA and 2005/681/JHA (Regulation) – DÍAZ DE MERA GARCÍA CONSUEGRA report – 2013/0091 (COD)

The Commission approved the line set out in SI(2015) 252.

**iii) European Parliament dossier – June II part-session**

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- European Fund for Strategic Investments and amendment of Regulations (EU) 1291/2013 and (EU) 1316/2013 (Regulation) – FERNANDES / BULLMANN report – 2015/0009 (COD)

The Commission took note of the compromise text in SP(2015) 396/2, further to note SI(2015) 221/2, which it had already approved on 3 June.

**iv) Council dossier**

(point 3.3 of the IRG record)

- Recommendation for a Council Decision to authorise the opening of negotiations for an agreement between the EU and Mexico for the transfer and use of Passenger Name Record (PNR) data to prevent and combat terrorism and other serious transnational crime

The Commission approved the line set out in SI(2015) 253.

**7.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL**

**v) Programming of Council business**

(SI(2015) 266)

The Commission took note of the information in SI(2015) 266 on the Council meetings between 25 June and 8 July.

**vi) Preparation of the European Council (Brussels, 25 and 26 June 2015)**

(point 4.2.3 of the IRG record); SI(2015) 254 to /3)

***European defence and security policy***

The PRESIDENT opened the discussion on preparations for the European Council of 25 and 26 June, pointing out that he would not be able to stay until the end because of the meeting with the Greek Prime Minister, Alexis Tsípras, scheduled for mid-day, at which the Managing Director of the International Monetary Fund (IMF), Christine Lagarde, and the President of the European Central Bank (ECB), Mario Draghi, would be among those present, in order to reach an agreement that could be ratified by the Heads of State or Government.

Firstly, as regards the proposal for a European Agenda on Migration, to which he alluded briefly, the PRESIDENT stated that he would vigorously defend to the European leaders the proposals as adopted by the Commission, and asked Mr TIMMERMANS to inform Parliament of this intention when he was there that afternoon.

The PRESIDENT then invited Mr BARNIER to sit at the Commission's table to report on the ongoing discussions on the development of a European defence policy; these discussions assisted the contribution that the Commission could make to the European Council's work on this subject. He reminded the Commission that he had appointed Mr BARNIER, a former Vice-President of the Commission and a Member of the Institution for two terms, as Special Adviser for the European defence and security policy in February in order to benefit from his wide experience of these matters. He said that Mr BARNIER had consulted over fifty experts and political decision-makers before setting out a long-term vision for a future European defence and security policy and drawing up ambitious proposals.

Ms MOGHERINI spoke warmly of the close cooperation she had enjoyed with Ms BIEŃKOWSKA and Mr BARNIER over the previous six months in order to prepare a contribution that would be tabled at the discussion of Heads of State or Government on security and defence at this forthcoming meeting of the European Council.

She considered that it was better to encourage a pragmatic approach, based on the instruments provided for in the Treaties, and practical measures, than to engage in an ideological debate. She also pointed out that the EU had recently shown that it was capable of organising, in only two months, a military operation in the Mediterranean aimed at thwarting migrant smugglers, which demonstrated the practical effectiveness of concrete decisions.

On the more specific matter of the Commission's role in the development of a common defence policy, Ms MOGHERINI stressed the importance of stepping up the work on the question of investment in the defence industry, which was one of the aspects to which the Commission could bring significant added value. She felt that, fundamental policy questions aside, the benefits of greater industrial cooperation between the Member States were clear.

Ms BIENKOWSKA raised the importance of the industry aspects of the development of a common defence policy and the need to end the fragmentation of the European market. In this connection she welcomed the recent launch of research programmes in the field of common security and defence policy.

Mr BARNIER thanked the PRESIDENT for his invitation to take part in the College's discussions on the future of the European defence policy.

In Mr BARNIER's view, the Union was facing three security and defence crises: (i) a geopolitical crisis involving the emergence of a large number of crises on the Eastern and Southern borders of Europe, (ii) an industrial and budgetary crisis which was mainly due to the almost 10% reduction in the defence budgets of the 28 Member States over the past ten years and their individual efforts to maintain an independent defence capability, and lastly (iii) a political crisis, since the prospect of the development of a European defence policy was enshrined in the Treaties.

As regards the industrial crisis in particular, he observed that Germany, France, Italy and the United Kingdom were currently in a position to mobilise only 50% of their fighter planes, and that Union solidarity covered only 10% of the cost of the missions deployed by the EU. He pointed out lastly that,

despite spending the equivalent of more than half the American defence budget, the EU had only a tenth of the US's defensive capability.

He also pointed out that European defence policy could be strengthened and made more credible by building on the European pillar of NATO (the North Atlantic Treaty Organisation).

Returning to the European Council meeting of 25 and 26 June, Mr BARNIER felt that the speed with which the EU had set up naval operations in the Mediterranean to combat the trafficking of migrants had been a major success which would pave the way for the implementation of an important aspect of the European Agenda on Migration proposed by the Commission. He went on to say that while the Heads of State or Government would certainly examine certain specific aspects of a future defence policy, such as hybrid threats, technological research and development, the development of military capacity, or the current review of the European Agenda on Security, they would probably not discuss the sensitive issue of burden sharing or institutional questions, for example with a view to permanent structured cooperation as provided for by Article 42(6) of the Treaty on European Union (TEU).

However, he believed a major debate on the future of European defence strategy was essential and unavoidable, whether as a result of a political decision or prompted by the need to tackle some crisis. Whatever the circumstances, it was important for the Commission to be prepared and to develop a four axes strategy.

The first was the development of a common response to the new hybrid threats by strengthening the Union's capacities in cybersecurity, cloud computing and the control of strategic assets, particularly in the media sector, and bringing together all the expertise available in Europe.



The second was the development of an industrial policy covering public procurement, investment in research and key technologies, European arms contracts and the exploitation of dual-use technologies, given that the Commission, in his view, should be coordinating a future industrial strategy for the European Union in the defence sector.

In the third place he supported the creation of a regulatory and fiscal framework conducive to closer cooperation between the Member States on the main horizontal issues. This would involve, for example, an exemption from VAT or the provision of other tax incentives for transnational projects in the defence sector, the use of the European Fund for Strategic Investments (EFSI) and exploitation of the flexibility provided by the Stability and Growth Pact. These horizontal priorities included combating people smuggling and human trafficking, the creation of a European coastguard system and strengthening the EU's civil protection capabilities.

Finally, in fourth place, he mentioned space as a very important area for which the Commission was responsible and where the European dimension would undeniably have an added value.

The PRESIDENT thanked Mr BARNIER for his presentation and said that work would continue on the analysis of the common defence policy. He regarded this policy as a crucial obligation for the European Union.

During the discussion which followed, the Commission raised the following main points:

- the vital contribution which a common defence policy would make to the development of a political union;
- the consensus within NATO in favour of strengthening the European Union's defence capabilities;

- in the area of cybersecurity, the need to understand the evolution and nature of the hybrid threats which Europe had to tackle;
- the need for Member States to share defence capabilities in order to avoid costly duplication at a time of budget cuts; the case for fully developing the potential of dual-use technologies;
- in this context, the importance of promoting the creation of a single defence market;
- for some, the fact that military capability was not always the best instrument of defence, hence the need to adopt a broader approach and to include the civilian aspects of the defence of the European Union;
- the desire expressed by Mr AVRAMOPOULOS to take part in the strategic analysis being conducted by Ms MOGHERINI, Ms BIENKOWSKA and Mr BARNIER.

Ms MOGHERINI stressed that as far as cooperation within NATO was concerned there was agreement that any reinforcement of the European pillar of the Atlantic Alliance would directly contribute to the reinforcement of NATO as a whole. The development of a common European defence policy would enhance national defence capabilities, while at the same time helping to rebalance the burden within NATO.

In her view, the economic, budgetary and strategic situation of the Union militated in favour of developing a common defence policy, which was the only way for the Europe to exercise some control over the crises looming on its borders and to make its voice heard on the international stage. However, she stressed the importance of respecting the sharing of responsibilities between the Member States and the Commission in matters of defence policy. She recommended that the Commission focus its efforts on the aspects within

its competency and which are fundamental for the development of a European defence policy such as industrial aspects.

Mr BARNIER, for his part, highlighted the importance of the fact that the High Representative of the Union for Foreign Affairs and Security Policy was also a Vice-President of the European Commission, thereby ensuring close coordination between the Member States and the Commission on the questions that arose in connection with the development of a common defence policy. He endorsed Ms MOGHERINI's view that the Commission had to establish its credibility in the field of defence policy by making full use of all its powers.

Mr TIMMERMANS spoke of the difficulty of involving all Member States in the development of an industrial strategy in the defence sector, given that only some of them had an aerospace and defence industry. A balanced approach therefore needed to be developed to reflect the different positions of the Member States, some of which were still reluctant to open up their national market.

However, the cuts in the Member States' defence budgets left them with no alternative but to integrate their defence industries and capabilities, and the Union would have to devise some creative solutions to make this happen. He also reiterated the need to promote a more European perception of the challenges of the common defence policy and to encourage closer cooperation between Member States to respond to the common threats facing Europe.

The Commission took note of this information.

It also took note of the information in SI(2015) 254/3 on the Migration roadmap.

***Economic situation in Greece***

The Commission reviewed the latest developments in Greece's economic situation.

**8. DRAFT COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – A NEW START FOR JOBS AND GROWTH IN GREECE (COM(2015) 400)**

Mr TIMMERMANS presented the draft Communication which the Commission might, where appropriate, adopt soon if, as he hoped, agreement was reached in the coming hours or days between the Greek Government and the Commission, the European Central Bank (ECB) and the International Monetary Fund (IMF).

Mr DOMBROVSKIS explained that the purpose of this draft, produced in agreement with the PRESIDENT, was to combine in one document all the EU financing which Greece could receive during the 2014-2020 programming period in order to boost growth and jobs there. This initiative reflected the political will of the PRESIDENT and the Commission to mitigate the social impact of the crisis in Greece. It was designed to complement the implementation of the structural reform programme expected of the Greek Government, the negotiation of which was still in progress with a view to achieving overall agreement.

He pointed out that, since European financing constituted the main source of investment in Greece, a total of over €35 billion could be granted to Greece over the period 2014-2020, of which over €20 billion would come under the Structural and Investment Funds, €15 billion under the Common Agricultural Policy and some €280 million under the Fund for European Aid to the Most Deprived.

In accordance with the rules in force, these resources were subject to an initial pre-financing rate. Since Greece was suffering from a conspicuous lack of liquidity at the moment, the Greek authorities would not be able to come up with the amounts required and were consequently at risk of not being able to benefit from the investment support available at European level. He therefore proposed raising by seven percentage points the initial pre-financing rate for projects cofinanced under the Cohesion Policy. Explaining the technicalities of the proposal and the method of calculation applied, he pointed out that the increased rate being proposed would mean that extra resources amounting to €1 billion would become available for Greece.

In procedural terms, the envisaged arrangements would require a legislative proposal by the Commission to amend the Common Provision Regulation for the Structural Funds. He confirmed the strict conditions governing this, namely the conclusion of a global political agreement between Greece and its international creditors, and above all the actual implementation of the agreed reforms, a wholehearted commitment to combating corruption and the reform of excessively rigid structures, all of which were essential to ensure a return to stability and confidence in Greece.

On this point, Mr DOMBROVSKIS referred to the recent Commission decision to set up a Structural Reform Support Service which could, if the Greek authorities requested, provide them with assistance in designing and implementing these reforms to enable them to make the best possible use of the Structural Funds. The high-level group which he was chairing had already started work, cooperating closely with the Greek authorities. He recalled the twofold objective of this work, namely to ensure the efficient absorption of the resources that Greece could still receive under the 2007-2013 financial framework, and to see to it that all the legal and administrative conditions for eligibility for the EU Funds under the 2014-2020 financial framework were met without delay. Provided that a global political

agreement was reached, he hoped to complete this work by the end of July.

During the ensuing discussion, the Commission raised the following main points:

- full support for the efforts by the PRESIDENT, Mr DOMBROVSKIS and Mr MOSCOVICI to make use of all options that might not only pave the way for political agreement between the Greek Government and the institutions, but also alleviate the social hardship affecting the people of Greece;
- consequently, backing for the approach proposed in the draft Communication, which listed the measures that the Commission could take to underpin growth and jobs in Greece; emphasis on the strict criteria for eligibility associated with these measures and a reminder that, while at the moment only Greece was eligible, other Member States could, all things being equal, benefit from the same treatment in future;
- insistence on the need to ensure that the financing to be made available was used only for investment purposes; a suggestion that the conditions could be reinforced or that the rules could be applied more strictly in exceptional circumstances; the case for focusing on the actual absorption capacity of the authorities receiving the funds and the risk, in general, that funds designed for investment would be used for other purposes, given the current tight budget constraints; in any case, the fact that the Commission was accountable to the European Parliament and the European Court of Auditors for the proper application of the rules in force;
- in procedural terms, the need to specify clearly the scope and conditions governing the planned measures; a reminder that these measures were intended to ensure optimal use of available resources, and did not constitute additional funding; emphasis on a certain number of similarities as well as differences with regard to the approach proposed by the Commission to speed up implementation

of the Youth Employment Initiative;

- for the 2007-2013 financing period, a reminder of the high absorption level achieved by Greece, namely 90%; the need to use up all the remaining funds before they expired at the end of 2015; the fact, however, that some of the projects proposed for cofinancing under the Cohesion Funds would be getting off the ground only at the end of 2015;
- the usefulness, as shown by experience, of structures established at EU level to help Member States absorb the available funding and introduce structural reforms; in the context of analysing budget management, at both Commission and national levels, the need henceforth to focus more on the quality of expenditure, in terms of the results obtained, than on simply monitoring the expenditure itself.

Mr TIMMERMANS confirmed the need to ensure that the funds which the EU made available to Member States were used for the envisaged purposes. Otherwise, there was a risk of excessive dependence on European funds that could become a pretext for Member States to forgo the structural reforms expected of them.

In this particular case, however, he considered that raising the pre-financing rate would not affect the strict application of the evaluation criteria to the projects proposed for cofinancing. He went on to explain again that the aim was to remedy the lack of liquidity which the Greek authorities were currently facing in order to enable them to benefit from the financial resources available at European level which the country sorely needed to boost investment and soften the social impact of the crisis.

In conclusion, he thanked everybody for their contributions to this politically important Communication.

On a proposal from Mr TIMMERMANS, the Commission agreed that the

Communication set out in COM(2015) 400 could be formally adopted later.

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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 12.14.