



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 12 March 2012**

**7421/12**

**STAT 7  
FIN 174**

**“I/A” ITEM NOTE**

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**From:** Secretariat  
**To:** Coreper/Council  
**Subject:** Request from the Council to the Commission to apply the provisions of Article 10 of Annex XI to the Staff Regulations with regard to the annual adjustment of the remuneration and pension of the officials and other servants of the European Union for the year 2012  
- adoption

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1. In December 2010, the Council invited COREPER to review annually by the end of January the actual economic and social situation within the EU in order to assess whether a request to the Commission shall be made in order to apply the provisions of Article 10 of Annex XI of the Staff Regulations (document 17946/10 ADD 1 STAT 46 FIN 749).
2. At its meetings on 15-16 February and 6-7 March 2012, the Working Party on the Staff Regulations examined whether such a request under Article 241 TFEU should be made as regards the next annual adjustment of remunerations and pensions, to be decided before the end of 2012 on the basis of document 6269/12 STAT 3 FIN 81.

3. As a result of the examination, all delegations agreed on a draft request from the Council to the Commission to apply the provisions of Article 10 of Annex XI to the Staff Regulations with regard to the 2012 annual adjustment, as set in the Annex.
  
  4. In view of the above, COREPER is requested to invite the Council to adopt, as an A-item at one of its next sessions, the request as set out in the Annex to this document.
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**Request from the Council to the Commission to apply the provisions of Article 10 of Annex XI to the Staff Regulations**

THE COUNCIL

RECALLS that the interpretation of the exception clause of Article 10 of Annex XI of the Staff Regulations as regards the adjustment of remunerations and pensions of officials and other servants with effect from 1st July 2011 is currently the subject of proceedings before the European Court of Justice.

NOTES that the economic and social situation within the EU continues to give rise to concern.

REQUESTS therefore the Commission, in conformity with Article 241 TFEU, to monitor closely the evolution of the economic and social situation as well to present, on the basis of Article 10 of Annex XI of the Staff Regulations, a report assessing whether, in the light of objective data supplied by the Commission, there is a serious and sudden deterioration in the economic and social situation within the EU and to submit appropriate proposals whenever that is case, but in any case in time for the European Parliament and the Council to examine and adopt them before the end of 2012.

REQUESTS the Commission, in addition to the data used in its 2011 report to take into account, *inter alia*, the number of Member States with an ongoing excessive deficit procedure.