



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2015) 2127 final

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

Brussels, 3 June 2015

TEXTE EN

MINUTES

of the 2127th meeting of the Commission

held in Strasbourg

(Winston Churchill building)

on Tuesday 19 May 2015

(afternoon)

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Single sitting: Tuesday 19 May 2015 (afternoon)

The sitting opened at 13.17 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	Items 14 (in part) to 16
Ms GEORGIEVA	Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr HAHN	Member	
Ms MALMSTRÖM	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Ms THYSSEN	Member	Items 7 to 16
Mr MOSCOVICI	Member	
Mr STYLIANIDES	Member	
Lord HILL	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Ms CREȚU	Member	Items 1 to 15 (in part)
Ms VESTAGER	Member	
Mr MOEDAS	Member	

Absent:

Mr OETTINGER	Member
Mr MIMICA	Member
Mr ARIAS CAÑETE	Member
Mr AVRAMOPOULOS	Member
Mr HOGAN	Member
Mr NAVRACSICS	Member

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

Mr LEHMANN	A member of Mr OETTINGER's staff
Ms ANDRASSY	Deputy Chef de cabinet to Mr MIMICA
Ms LOBILLO BORRERO	Chef de cabinet to Mr ARIAS CAÑETE
Mr RYAN	A member of Mr HOGAN's staff
Mr BALLESTER	A member of Mr NAVRACSICS's staff

The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT
Mr ROMERO REQUENA	Director-General, Legal Service
Mr PESONEN	Acting Director-General, DG Communication
Mr WINTERSTEIN	Commission Spokesperson's Service
Ms BENÍTEZ SALAS	European Political Strategy Centre
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT
Mr BALTAZAR	A member of the PRESIDENT's staff
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS
Ms JAGER	Chef de cabinet to Ms BULC

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

1. AGENDAS

(OJ(2015) 2127/FINAL; SEC(2015) 221/2)

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(2015) 2127)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 18 May.

3. MINUTES OF 2126TH MEETING OF THE COMMISSION (13 MAY)

The Commission held over approval of the minutes of its 2126th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2015) 42)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Wednesday 13 May (RCC(2015) 42).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue

(point 3.1 of the IRG record)

- Animal health (Regulation) – PAULSEN report – 2013/0136 (COD)

The Commission approved the line set out in SI(2015) 181.

ii) European Parliament dossier – May I part-session

(point 3.2 of the IRG record)

Delegated Regulation:

- Amendment to Regulation (EC) 376/2008 with regard to the obligation to present a certificate for imports of ethyl alcohol of agricultural origin, and repeal of Regulation (EC) 2336/2003 introducing certain detailed rules for applying Council Regulation (EC) 670/2003 laying down specific measures concerning the market in ethyl alcohol of agricultural origin (Commission Delegated Regulation) – 2015/2580 (DEA)

The Commission approved the line set out in SP(2015) 305.

iii) Council dossier

(point 3.3 of the IRG record)

- Technical requirements for inland waterway vessels and repeal of Directive 2006/87/EC – WORTMANN-KOOL report – 2013/0302 (COD)

The Commission approved the line set out in SI(2015) 172.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Non-legislative dossiers

(point 4.1 of the IRG record)

- The role of the European Union in the United Nations Food and Agriculture Organisation (FAO) after the Treaty of Lisbon – Updated Declaration of Competences and new arrangements between the Council and the Commission for the exercise of membership rights of the EU and its Member States

The Commission approved the line set out in SI(2015) 176.

- European Research Area (ERA) – Co-presidency of the European Research Area Committee (ERAC) – Draft Council conclusions

The Commission approved the line set out in SI(2015) 179/2.

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

The Commission approved the line set out in SI(2015) 187.

5. WRITTEN PROCEDURES, EMPOWERMENT ET DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2015) 222 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 11 and 15 May.

5.2. EMPOWERMENT

(SEC(2015) 223 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 11 and 15 May.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2015) 225 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 11 and 15 May, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2015) 226)

The Commission took note of the sensitive written procedures for which the time limit expired between 18 and 22 May.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2015) 227)

ADMINISTRATIVE MATTERS

(PERS(2015) 44)

**6.1. SECRETARIAT GENERAL / DG HUMAN RESOURCES AND
SECURITY / DG NEIGHBOURHOOD AND ENLARGEMENT
NEGOTIATIONS – SUPPORT GROUP FOR UKRAINE**

Pursuant to Article 22 of the Rules of Procedure, which authorises the President to set up specific functions or structures to deal with particular matters and to determine their responsibilities and method of operation, the PRESIDENT took the following decisions of which the Commission took note:

- the mandate of the Support Group for Ukraine would also include the management of the financial assistance to the Ukraine in addition to its current responsibilities;
- once the current jobholder had left, the position of Head of the Support Group for Ukraine would be filled at director level.

These decisions by the PRESIDENT would take effect on 1 July 2015.

6.2. SECRETARIAT GENERAL / DG HUMAN RESOURCES AND SECURITY / DG NEIGHBOURHOOD AND ENLARGEMENT NEGOTIATIONS / DG BUDGET – ADMINISTRATIVE AND BUDGETARY ARRANGEMENTS FOR THE SUPPORT GROUP FOR UKRAINE

(PERS(2015) 45)

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after having consulted Ms MOGHERINI and Mr HAHN, the Commission decided to:

- keep the maximum number of AD, AST and AST/SC officials working full-time for the Support Group for Ukraine at 30;
- create a Director post – Head of the Support Group for Ukraine (AD14/15) – and authorise the internal publication of the vacancy in

PERS(2015) 45 in accordance with Article 29(1)(a) (i) and (iii) of the Staff Regulations;

- abolish the existing hors classe adviser post.

These decisions would take effect immediately with the exception of the decision concerning the abolition of the hors classe adviser post, which would take effect on 1 December 2015.

- 7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – BETTER REGULATION FOR BETTER RESULTS – AN EU AGENDA
(COM(2015) 215 TO /3; SWD(2015) 110 TO /3; SWD(2015) 111 TO /3; RCC(2015) 43)**
- 8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – PROPOSAL FOR AN INTERINSTITUTIONAL AGREEMENT ON BETTER REGULATION
(COM(2015) 216 AND /2; RCC(2015) 43)**
- 9. COMMUNICATION TO THE COMMISSION – REGULATORY SCRUTINY BOARD – MISSION, TASKS AND STAFF
(C(2015) 3262 AND /2; RCC(2015) 43)**
- 10. DECISION OF THE PRESIDENT OF THE EUROPEAN COMMISSION ON THE ESTABLISHMENT OF AN INDEPENDENT REGULATORY**

SCRUTINY BOARD

(C(2015) 3263 AND /2; RCC(2015) 43)

**11. COMMUNICATION TO THE COMMISSION – THE REFIT PLATFORM –
STRUCTURE AND FUNCTIONING**

(C(2015) 3260 AND /2; RCC(2015) 43)

12. COMMISSION DECISION ESTABLISHING THE REFIT PLATFORM

(C(2015) 3261 AND /2 ; RCC(2015) 43)

**13. COMMUNICATION TO THE COMMISSION – STANDARD
EXPLANATORY MEMORANDUM**

(C(2015) 3264 AND /2 ; RCC(2015) 43)

Mr TIMMERMANS presented the set of proposals and decisions adopted that day on better regulation, one of the political priorities of the present Commission.

He saw these texts as the start of a lasting process in which the Commission would be provided with a range of tools to regulate more effectively. From now on the Commission could use these tools for the entire policy-making cycle and the results would be felt in due course. The main aims were to increase transparency in the decision-making process, to involve stakeholders more closely, to improve the quality of new legislation through better impact assessments of legislative drafts and proposed amendments, to set up a mechanism for ongoing review of the fitness and relevance of existing legislation and to encourage the other European institutions to follow the same approach.

Although he expected this package of proposals to encounter resistance and to be caricatured as an attempt at deregulation, he asked everyone to support it by stressing above all the Commission's determination to do everything it could to

regulate better, in the interests of EU citizens and businesses. He stressed that this new modus operandi would in no way alter the Commission's political objectives, which it would continue to pursue with determination. The idea was not to increase or reduce the quantity of Union rules, nor to water down its social and environmental standards, jeopardise the health of its citizens or undermine fundamental rights, but to achieve with maximum effectiveness the ambitious targets the Union had set itself, while at the same time meeting the highest standards of quality.

He added that the important initiative which the Commission was taking that day not only reflected a clear commitment by the PRESIDENT in his political guidelines but also built on the considerable work done over the last ten or so years by the Secretary-General, Ms Catherine DAY, and her team, which had persistently sought to ingrain in Commission departments the habit of making a constant and systematic effort to improve legislation. Mr TIMMERMANS thanked them warmly for this.

A brief discussion was then held, during which the Commission raised the following main points: (i) its full backing for the package of proposals adopted that day, (ii) the need to explain the reasons behind this initiative, the approach taken and the results expected, (iii) insistence that better regulation was not the same as deregulation, and (iv) emphasis on the specific arrangements laid down for consultation of the social partners in the spirit of Articles 154 and 155 of the Treaty on the Functioning of the European Union (TFEU), which were welcomed as a major step forward.

On this last point Mr TIMMERMANS stressed the importance of involving the social partners in improving legislation and for that purpose to set aside the time needed for full and transparent consultation and information between the social partners themselves.

He ended by thanking the Members of the Commission for their support.

Following this discussion, and subject to a final linguistic revision, the Commission:

- approved the Communication in COM(2015) 215/3, for transmission to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments, together with the staff working documents distributed as SWD(2015) 110/3 and SWD(2015) 111/3, the contents of which were noted;
- approved the proposal for an Interinstitutional Agreement on Better Regulation in COM(2015) 216/2, for transmission to Parliament and the Council, and, for information, to the national parliaments;
- adopted the Communication to the Commission in C(2015) 3262/2;
- took note of the decision of the Commission President in C(2015) 3263/2;
- adopted the Communication to the Commission in C(2015) 3260/2;
- adopted the Decision in C(2015) 3261/2;
- adopted the Communication to the Commission in C(2015) 3264/2, and instructed the Directorates-General to use the new standard explanatory memorandum from now on to explain all legislative and non-legislative proposals for adoption by the Council, or by Parliament and the Council (apart from delegated acts, for which the simplified explanatory memorandum would continue to apply).

14. OTHER BUSINESS

14.1. ECONOMIC SITUATION IN GREECE

The Commission took stock of the economic situation in Greece.

14.2. EUROPEAN AGENDA ON MIGRATION

Ms MOGHERINI reported on the significant progress made at the joint meeting of the EU Foreign and Defence Ministers on 18 May and felt that this meeting was good preparation for the Foreign Affairs Council on 22 June.

She reported that the EU ministers had decided to launch an EU naval operation, EU NAVFOR Med, aimed at disrupting the business model exploited by smugglers and other people traffickers in the Mediterranean. This decision, which was one element of the EU's global action framework to address the challenge of migration, would make it possible to officially launch the operational planning of the naval operation. She added that the decision should be considered in parallel with the ongoing deliberations in the UN Security Council on adoption of a specific resolution that would provide a legal framework for EU action in the Mediterranean. She had discussed this recently with the Russian foreign minister, Sergei Lavrov.

Ms MOGHERINI noted that the naval operation itself would be conducted in several phases in accordance with international law. Planning of the operation and the initial phase of surveillance of people smuggling networks in the Southern Central Mediterranean would be launched as soon as possible, while the second and third phases of the operation would work to search, seize and dismantle the smugglers' assets, based on international law and in partnership with the Libyan authorities.

Ms MOGHERINI also reported on the more difficult discussions on sharing

responsibility for the reception of refugees. This issue was having a significant impact on political debate in the Member States, and equally strong exchanges of views could therefore be expected in the EU institutions. However, for the sake of its credibility, she felt it was essential for the EU to shoulder its responsibilities in managing migration flows. The European Agenda on Migration was on the agenda of the Justice and Home Affairs Council of 16 June, at which the Commission's proposed approach might provoke intensive discussions between the Member States.

The PRESIDENT was aware of the complexity of the issues raised by the Commission's proposed European Agenda on Migration. However, he too stressed the need for the EU to take concrete action to bring into play the solidarity between Member States that was one of its fundamental values. He therefore considered it essential for the Commission to confirm its unswerving commitment to the decisions it took unanimously on 13 May and to continue to defend its approach at the forthcoming Council discussions.

The Commission took note of this information.

15. RELATIONS WITH NON-MEMBER COUNTRIES

15.1. PREPARATION OF THE EASTERN PARTNERSHIP SUMMIT IN RIGA (21-22 MAY 2015)

Ms MOGHERINI informed the Commission of the preparations for the Eastern Partnership Summit to be held in Riga on 21-22 May, which was aimed at enhancing economic and political cooperation between the Union and its eastern partners. She began by pointing out that the common standpoint of the 28 Member States concerning the eastern partnership was in

sharp contrast to the differing expectations of the six partnership countries, given that they were at different stages in their relationship with Europe. The Union must therefore try to smooth out differences and to meet expectations. For the group of countries at the most advanced stage of relations (Georgia, Moldova and Ukraine), the most problematic issues on the agenda for discussion concerned visa liberalisation and these countries' European perspective.

Overall, she considered it was essential for the Eastern Partnership Summit to result in adoption of a joint statement giving a positive image of how the Eastern Partnership was working and of its mutually beneficial effects.

Mr HAHN pointed out that specific cooperation arrangements had been set up with Georgia, Ukraine and Moldova – notably by means of the association agreements – that allowed significant progress to be made with these three Eastern Partnership countries. He announced that €200 million from the facility for small and medium-sized enterprises (SME) would be mobilised in these three countries to produce a leverage effect on investment of up to €2 billion, thereby paving the way for the introduction of the agreements.

He noted that the holding of the summit entailed the obligation to obtain results and referred to the importance of visa liberalisation, in particular for Ukraine and Georgia. On this specific point, he stressed that the Commission's assessments indicated that these countries had made significant progress. A positive report could therefore be drawn up on them by the end of the year.

However, Mr HAHN pointed out that there were significant differences between the six Eastern Partnership countries in terms of their European perspective. He emphasised that the nature of this perspective largely determined the pressure that the Union could exert on the partner countries to

encourage them to continue the reforms planned as part of cooperation with the Union and remind them of the need to respect fundamental values.

He also referred to the satisfactory progress made in the EU's bilateral relations with Ukraine, Georgia and Moldova which had resulted in significant advances in terms of energy, transport and administrative reforms.

He explained that, in the case of Azerbaijan, a closer bilateral relationship with the EU could be envisaged, even if the country's geographical proximity to Russia should be taken into account. As regards Armenia, he reminded the Members that it had chosen to join the Eurasian Economic Union (EEU) in 2013 but that it nevertheless wished to continue its cooperation and was considering a new agreement with the European Union which was compatible with its commitments as an EEU member.

In the course of the discussion that followed, the Commission raised the following main points:

- the issue of Eastern Partnership countries' participation in the Eurasian Economic Union, which required in-depth analysis by the EU;
- Russia's acceptance of the Deep and Comprehensive Free Trade Agreement between the EU and Ukraine, which was the result of regular discussions with EU representatives;
- the need to allay Russia's fears of seeing Ukraine grow closer to the EU and to focus on practical measures, in particular in the field of energy;
- the signing, on the margins of the Riga summit, of a protocol of agreement for €1.8 billion of EU macro-financial aid to Ukraine;
- the possibility of a formal request by Moldova for accession to the EU;

- the need for the EU to oppose sound arguments to the criticism that it now offered a less generous European perspective to Ukraine, in particular, than it did before the democratic transition.

Ms MOGHERINI pointed out that this last question was precisely one of the main points on which the Member States had not reached a unanimous agreement. It was therefore desirable to use the last hours of the negotiations to achieve consensus on the future joint statement that would close the Riga summit.

The Commission took note of this information.

15.2. SITUATION IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Against a background of political crisis and of conflict between the main political parties in the past months, Ms MOGHERINI referred to recent events in Kumanovo, in the Former Yugoslav Republic of Macedonia (FYROM), and stressed that their ethnic dimension could become a matter of concern for the whole of the Western Balkans region. She reported on an exchange with the Russian Minister for Foreign Affairs, Sergei Lavrov, who noted that anti-Slavic sentiment in the region was increasing.

On the whole, Ms MOGHERINI feared that a potential inter-ethnic conflict was brewing, which would add to other problems affecting the region. This could lead to the EU changing its approach to the FYROM, including in accession negotiations. She mentioned that these developments were causing concern to some Member States and that they would be discussed at the next Foreign Affairs Council meeting in June.

Mr HAHN, for his part, believed that, in view of its current problems, the FYROM was a good example of the consequences of failing to meet the EU

accession criteria. In his view, this justified reiterating even more clearly in the EU's forthcoming recommendations on the opening of accession negotiations the importance of the country implementing the necessary reforms. He considered that the EU's efforts should first and foremost be directed at promoting in the long term the emergence of a democratic culture in this candidate country. He referred in particular to the wire-tapping scandal and the mass protests it had caused in recent days in the FYROM. Mr HAHN added that the events in Kumanovo, which he referred to as being extremely serious, had at least meant that the main political leaders were forced to start a dialogue with a view to preventing the situation escalating.

He concluded that the situation in the FYROM was subject to increasing scrutiny not only in Europe but also at the international level and that, in the short term, it was important that the ethnic dimension should not worsen the current political deadlock.

During the exchange of views that followed, the Commission mentioned the following points: (i) the political crisis which seemed at the moment to have reached deadlock and the seriousness of the events which had occurred in recent days in the FYROM; (ii) the need to draw attention at the highest EU political level to the situation and to the Western Balkans region in general, and the need for the EU to make a serious political commitment to the region; (iii) the impact of the fact that the disagreement on the country's name between the candidate country and Greece had not been resolved; (iv) the political urgency for the EU to attempt to help de-escalate the situation by calling on the experience of the Bulgarian and Romanian authorities, whose own accession to the EU had been preceded by a similarly difficult path; and (v) the warning about the serious consequences of an inter-ethnic escalation of the conflicts in the country and of the factors for religious confrontation in the region.

The PRESIDENT concluded the exchange by thanking everyone for their contributions and stated that the College would revisit all these important issues in due time.

16. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

INFRINGEMENTS – URGENT INDIVIDUAL CASE

(SEC(2015) 236)

The Commission took note of the decision in SEC(2015) 236.

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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 14.48.