



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2015) 2137 final

Brussels, 16 September 2015

TEXTE EN

MINUTES

**of the 2137th meeting of the Commission
held in Strasbourg
(Winston Churchill)
on Tuesday 8 September 2015 (afternoon)**

PV(2015) 2137 final

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TO BE FINANCED FROM THE 11TH EUROPEAN DEVELOPMENT

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Single sitting: Tuesday 8 September 2015 (afternoon)

The sitting opened at 13.20 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	Items 7 (in part) to 16
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	Items 1 to 16 (in part)
Mr HAHN	Member	Items 1 to 16 (in part)
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSEN	Member	
Mr MOSCOVICI	Member	
Lord HILL	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	Items 1 to 16 (in part)
Ms VESTAGER	Member	

Absent:

Ms GEORGIEVA	Vice-President
Mr ARIAS CAÑETE	Member
Mr STYLIANIDES	Member
Mr HOGAN	Member
Mr MOEDAS	Member

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

Ms LOBILLO BORRERO	Chef de cabinet to Mr ARIAS CAÑETE
Mr GIAKOUMIS	A member of Mr STYLIANIDES's staff
Ms RUEDA-CATRY	A member of Mr HOGAN's staff
Ms DEL BRENNA	Deputy Chef de cabinet to Mr MOEDAS

The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PESONEN	Director-General, DG Communication	
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Ms METTLER	Head of the European Political Strategy Centre	
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	Items 8 to 16
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Items 8 to 16
Ms JUUL-JØRGENSEN	Chef de cabinet to Ms VESTAGER	Item 7
Ms ANDREEVA	Commission Spokesperson's Service	

Secretary: Mr ITALIANER, Secretary-General, assisted by Mr GENISSON, Head of Unit in the Secretariat-General.

The President paid tribute to Mr David Williamson, former Secretary-General of the Commission, who passed away on 30 August 2015.

"It is with great sadness that I learned of the passing away of David Williamson on Sunday 30 August. David Williamson served as Secretary-General of the European Commission from 1987 until his retirement in 1997.

He was a true European, whose years as Secretary-General saw momentous change, as the European Union developed the single market, and set the first steps towards monetary union and enlargement.

He is remembered fondly in the Commission for his calm efficiency, his good sense of humour and his wise advice to Presidents, Commissioners and colleagues.

He was a fine public servant. His wisdom will be missed both in Brussels and the United Kingdom.

My thoughts are with his family, friends and former colleagues."

* * *

1. AGENDAS

(OJ(2015) 2137/FINAL; SEC(2015) 339)

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) 2137)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 7 September.

**3. APPROVAL OF THE MINUTES AND SPECIAL MINUTES OF THE
2136TH MEETING OF THE COMMISSION (22 JULY 2015)**

(PV(2015) 2136; PV(2015) 2136, PART II)

The Commission approved the minutes of its 2136th meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2015) 65)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 4 September (RCC(2015) 65).

It paid particular attention to the following points.

4.1. EARLY WARNING

- i) Data protection agreement between the European Union and the United States of America (Umbrella Agreement)**
(point 2 of the IRG record)

The Commission approved the line set out in SI(2015) 296/3.

4.2. LEGISLATIVE MATTERS

- ii) European Parliament dossiers – July part-session**
(point 3.2 of the IRG record)

Ordinary legislative procedure – Second reading

- Amendment to Council Regulation (EC) 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (Regulation) – JAAKONSAARI report – 2013/0410 (COD)

The Commission took note of the compromise text in SP(2015) 492, further to communication COM(2015) 318, which it had already approved on 24 June.

Empowerment

Under Article 13 of its Rules of Procedure, the Commission empowered Ms GEORGIEVA, in agreement with the PRESIDENT and Mr TIMMERMANS and any other members associated, to adopt its opinion on the amendments together with any amended proposals, on the basis of the line set out in COM(2015) 318 as approved by the Commission on 24 June, once Parliament had given its opinion, and transmit them to the Council in accordance with Article 294(7)(c) of the Treaty on the Functioning of the European Union.

Ordinary legislative procedure – First reading

- The cloning of animals of the bovine, porcine, ovine, caprine and equine species kept and reproduced for farming purposes (Directive) – MOI and SOMMER report – 2013/0433 (COD)

The Commission approved the line set out in SP(2015) 493 and /2.

Special non-legislative procedure (NLE)

- Provisional measures in the area of international protection for the benefit of Italy and Greece (Council Decision) – KELLER report – 2015/0125 (NLE)

The Commission approved the line set out in SP(2015) 512 and /2.

iii) European Parliament dossier – Parliamentary committees

(point 3.2.2 of the IRG record)

- Union system for supply chain due diligence self-certification of responsible importers of tin, tantalum and tungsten, their ores, and gold originating in conflict-affected and high-risk areas (Regulation) – WINKLER report – 2014/0059 (COD)

The Commission approved the line set out in SP(2015) 504 and /2.

iv) Council dossier

(point 3.3 of the IRG record)

- 21st Conference of the Parties to the United Nations Framework Convention on Climate Change and 11th Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (Paris, 30 November to 11 December).

The Commission took note of the information in SI(2015) 316.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

v) Programming of Council business

(SI(2015) 315; SI(2015) 322)

The Commission took note of the information in SI(2015) 315 and SI(2015) 322 on the Council meetings between 1 and 23 September.

vi) Non-legislative dossiers

(point 4.1 of the IRG record)

- Signature, on behalf of the European Union, and provisional application of the Enhanced Partnership and Cooperation Agreement between the European Union and the Republic of Kazakhstan (Council Decision) – 2015/0110 (NLE)

The Commission approved the line set out in SI(2015) 317.

- Arrangements for additional participatory rights for the European Union within the formal and informal bodies of the United Nations High Commissioner for Refugees (UNHCR)

The Commission took note of the information in SI(2015) 318.

- Commission for the Conservation of Antarctic Marine Living Resources – Weddell Sea

The Commission approved the line set out in SI(2015) 319 and /2.

- UN draft resolution on 'basic principles on Sovereign debt restructuring processes'

The Commission approved the line set out in SI(2015) 321/2.

4.4. RELATIONS WITH PARLIAMENT

vii) Non-legislative dossiers – Preparations for the September I part-session

(point 5.1 of the IRG record)

- The situation of fundamental rights in the European Union (2013-2014)
– FERRARA report – 2014/2254 (INI)

The Commission approved the line set out in SP(2015) 494.

- 30th and 31st annual reports on monitoring the application of EU Law (2012-2013) – CHRYSOGONOS report – 2014/2253 (INI)

The Commission approved the line set out in SP(2015) 496/2 and /3.

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

viii) Relations with national parliaments

(point 6.1 of the IRG record)

- Written answer from Mr Johannes LAITENBERGER, Director-General of the Directorate-General for Competition, to a Latvian Parliamentary Commission of Inquiry

The Commission authorised Mr Johannes LAITENBERGER, Director-General of the Directorate-General for Competition, to submit a written answer to a commission of inquiry of the Latvian Parliament following the line set out in SNP(2015) 40.

- Statement of Mr Marco BUTI, Director-General of DG Economic and Financial Affairs, to the Irish Parliament's Joint Committee of Inquiry (Dublin, 10 September 2015)

The Commission authorised Mr Marco BUTI, Director-General of DG Economic and Financial Affairs, to make a statement to the Irish Parliament's Joint Committee of Inquiry, following the line set out in document SNP(2015) 41.

ix) Action taken on opinions of the Committee of the Regions – April plenary session

(point 6.4.1 of the IRG record)

The Commission approved document SR(2015) 22/2 on the action taken by the Commission on the opinions adopted by the Committee of the Regions during the April session, for transmission to that Committee.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED
(SEC(2015) 340 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 July and 4 September.

5.2. EMPOWERMENT
(SEC(2015) 341 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 July and 4 September.

5.3. DELEGATION AND SUBDELEGATION OF POWERS
(SEC(2015) 342 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 20 July and 4 September, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2015) 343)

The Commission took note of the sensitive written procedures for which the time limit expired between 7 and 11 September.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2015) 344)

ADMINISTRATIVE MATTERS

(PERS(2015) 76)

**6.1. DG HUMAN RESOURCES AND SECURITY – PROCEDURAL RULES
APPLICABLE TO THE PUBLICATION OF POSTS OF DEPUTY
DIRECTOR-GENERAL, APPROVAL OF THE CORRESPONDING
VACANCY NOTICES AND DETERMINING PUBLICATION DATES**

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, the Commission decided to authorise the Member of the Commission responsible for budget and human resources to adopt decisions, in agreement with the PRESIDENT, on the internal and interinstitutional publication of posts of Deputy Director-General, to approve the corresponding vacancy notices and to fix the date on which they were to be published.

This decision would take effect immediately.

**6.2. DG HEALTH AND FOOD SAFETY – LIST OF CANDIDATES FOR THE
AD15 POST OF EXECUTIVE DIRECTOR OF THE
EUROPEAN MEDICINES AGENCY (EMA)**

(PERS(2015) 10 TO /4)

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Mr ANDRIUKAITIS and Mr KATAINEN, the Commission decided:

- to approve the list of two candidates, presented in alphabetical order, set out in point 2 of PERS(2015) 76, for the post of Executive Director of the European Medicines Agency (EMA), and to consider this list as the Commission proposal;
- to ask Mr ANDRIUKAITIS, the Member of the Commission responsible for health and food safety, to communicate this decision and the list of candidates to the Management Board of the European Medicines Agency.

These decisions would take effect immediately.

7. COMMISSION DECISION CONCERNING A PROCEEDING UNDER ARTICLE 8 (2) OF COUNCIL REGULATION (EC) 139/2004 ON THE CONTROL OF CONCENTRATIONS BETWEEN UNDERTAKINGS AND ARTICLE 57 OF THE EEA AGREEMENT (CASE M.7278 – GENERAL ELECTRIC / ALSTOM)
(C(2015) 6179 TO /4 ; RCC(2015) 64)

Ms VESTAGER presented to the Members of the Commission the decision to approve the acquisition of *Alstom's* "energy" side by *General Electric (GE)*, subject to compliance with the commitments made by the parties, following a long and detailed investigation by her departments, which had begun in January.

She said that this operation would bring together two of the largest players in the electricity generation equipment sector, and pointed out the considerable sums involved in the transaction (€12.5 billion). *Alstom* would relinquish its activities in the nuclear and wind-energy sectors, its hydro-electric and coal-fired plants, and electricity transmission equipment. In the case of most of these assets the Commission's departments did not find any restriction of competition, as the activities of *Alstom* and *GE* were complementary and did not overlap.

In the high-performance gas turbine sector, however, the merger of assets owned by *GE* and *Alstom* did raise competition issues. *GE* and *Alstom* were in fierce

competition on this already very concentrated market; between them they represented over 50% of the market, leading to complaints from numerous European electricity companies. If nothing was done, Ms VESTAGER noted that, according to the Commission's analysis, there was a serious risk that *Alstom* would abandon some of its activities in the high-performance gas turbine sector, reducing the number of suppliers of such equipment and probably triggering an increase in prices.

Ms VESTAGER said that at the end of the negotiations *GE* had therefore agreed to divest *Alstom's* gas turbine activities to the Italian company *Ansaldo*, which was already active in the sector although it was not a major player. By increasing its activities in this sector, *Ansaldo* would be able to strengthen its position on this market and take over the role formerly played by *Alstom*.

She also stressed three important aspects of the decision that was being proposed for adoption. Firstly, it proved to companies looking for growth opportunities that Europe was still open to investment from abroad, provided that such investment complied with European competition rules. Secondly, the present merger control decision illustrated the Commission's ability to guarantee effective competition in a market that had a direct impact on the cost of electricity. She pointed out in this connection that European energy suppliers would be able to continue to choose the most appropriate technology from a selection of high-performance, innovative and efficient gas turbines when building power stations and when selecting subcontractors to service their equipment, which would lead in turn to cheaper and cleaner electricity for European consumers and businesses.

Thirdly, Ms VESTAGER added that the solution proposed would preserve European know-how and allow *Ansaldo* to innovate, building on the work carried out by *Alstom*. She stressed the importance of this particularly positive aspect of the decision, given that the technological development of high-performance gas turbines helped to meet EU energy and climate policy goals. She pointed out that this type of gas turbine was not only the most efficient, cleanest and most flexible fossil-fuel power generation technology but also provided an important complement to renewable energy generation by enabling gas-fired power stations to make up for

any shortfall and provide non-stop energy.

Having taken note of this information, the Commission:

- took note of the opinion of the Advisory Committee on Concentrations of 31 August in C(2015) 6179/2;
- took note of the final report of the Hearing Officer of 1 September in C(2015) 6179/3;
- adopted, in the authentic language (English), the decision set out in C(2015) 6179, declaring the notified operation compatible with the common market and with operation of the Agreement on the European Economic Area subject to full compliance with the commitments made, as set out in document C(2015) 6179;
- decided to notify the decision set out in C(2015) 6179 to the firm concerned, together with the final report of the Hearing Officer and the opinion of the Advisory Committee;
- decided that the key parts of the decision, together with the Advisory Committee's opinion and the Hearing Officer's report, would be published in the official languages of the Union 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.

8. JOINT COMMUNICATION FROM THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE EUROPEAN UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – ADDRESSING THE REFUGEE CRISIS IN EUROPE

– THE ROLE OF EU EXTERNAL ACTION

(JOIN(2015) 40 AND /2 ; RCC(2015) 66)

- 9. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A CRISIS RELOCATION MECHANISM AND AMENDING REGULATION (EU) 604/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 26 JUNE 2013 ESTABLISHING THE CRITERIA AND MECHANISMS FOR DETERMINING THE MEMBER STATE RESPONSIBLE FOR EXAMINING AN APPLICATION FOR INTERNATIONAL PROTECTION LODGED IN ONE OF THE MEMBER STATES BY A THIRD-COUNTRY NATIONAL OR A STATELESS PERSON**

(COM(2015) 450 TO /3 ; RCC(2015) 66)

- 10. PROPOSAL FOR A COUNCIL DECISION ESTABLISHING PROVISIONAL MEASURES IN THE AREA OF INTERNATIONAL PROTECTION FOR THE BENEFIT OF ITALY, GREECE AND HUNGARY**

(COM(2015) 451 TO /3 ; RCC(2015) 66)

- 11. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A COMMON EU LIST OF SAFE COUNTRIES OF ORIGIN FOR THE PURPOSE OF DIRECTIVE 2013/32/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON COMMON PROCEDURES FOR GRANTING AND WITHDRAWING INTERNATIONAL PROTECTION, AND AMENDING DIRECTIVE 2013/32/EU**

(COM(2015) 452 AND /2 ; RCC(2015) 66)

- 12. COMMUNICATION FROM THE COMMISSION ON AN EU ACTION PLAN ON RETURN**

(COM(2015) 453 TO /3 ; RCC(2015) 66)

- 13. COMMISSION RECOMMENDATION ESTABLISHING A COMMON "RETURN HANDBOOK" TO BE USED BY MEMBER STATES' COMPETENT AUTHORITIES WHEN CARRYING OUT RETURN RELATED TASKS**
(C(2015) 6250 ; RCC(2015) 66)
- 14. COMMUNICATION FROM THE COMMISSION ON PUBLIC PROCUREMENT RULES IN CONNECTION WITH THE CURRENT ASYLUM CRISIS**
(COM(2015) 454 ; RCC(2015) 66)
- 15. DRAFT COMMISSION DECISION ON THE ESTABLISHMENT OF A EUROPEAN UNION EMERGENCY TRUST FUND FOR STABILITY AND ADDRESSING ROOT CAUSES OF IRREGULAR MIGRATION AND DISPLACED PERSONS IN AFRICA**
(C(2015) 6251 TO /3 ; RCC(2015) 66)
- 16. DRAFT COMMISSION DECISION ON A SPECIAL MEASURE TO CONTRIBUTE TO THE EU EMERGENCY TRUST FUND FOR STABILITY AND TO COMBAT THE ROOT CAUSES OF IRREGULAR MIGRATION AND DISPLACED PERSONS IN AFRICA, TO BE FINANCED FROM THE 11TH EUROPEAN DEVELOPMENT FUND**
(C(2015) 6252 TO /3; RCC(2015) 66)

The PRESIDENT thanked the Members for their contributions to the preparation of the State of the Union speech which he would be delivering to the European Parliament the next day. Much of it would be devoted to the way in which the European Union intended to respond to the unprecedented refugee crisis, or in other words the package of measures being presented for examination by the Commission that day.

Mr TIMMERMANS said that the current refugee crisis represented a historic challenge for the Union. Migration – a politically sensitive issue – remained an area

that fell largely within the competence of the Member States, but was also a problem which could not be effectively tackled by national measures alone. The Commission had a key role to play here, not least as regards communication, and for this reason it was important to agree on a coordinated collective position.

He considered that the Commission had adopted the right approach as part of its European Agenda on Migration, approved in May, when it proposed a compulsory system for relocating refugees based on a distribution key among Member States. This approach had prompted a vigorous but necessary debate in the Member States and between the EU institutions. In his view, the example currently being set by Germany in accepting refugees confirmed the relevance of this approach.

He believed that the relocation measures proposed were vital to help Italy and Greece, and now Hungary, and demonstrated the European Union's practical support for those Member States. The system for distributing refugees by country had been adjusted in the present package to respond more fairly to specific situations. He highlighted in particular the strictly exceptional nature of the provision whereby a Member State facing a temporary crisis could be provisionally exempted from accepting refugees for a limited period of time, while still fully respecting fundamental rights.

Mr TIMMERMANS also emphasised the need to strike the right balance between solidarity and responsibility in order to ensure that the European Union's migration policy achieved its objectives. Under the heading of 'responsibility' he mentioned the measures aimed at strengthening external border controls, ensuring systematic fingerprinting on arrival, promoting the return of illegal migrants, better targeting of development aid and support for the efforts of neighbouring countries such as Lebanon and Jordan in order to identify candidates for asylum before they resorted to smugglers or human traffickers.

Mr AVRAMOPOULOS remarked that the package of measures being proposed marked a new and important stage in the implementation of the European Agenda on Migration. He noted that the political climate had moved on considerably since May, with the arrival of large numbers of refugees in Greece and Hungary, in

particular, and the emotions aroused by the images published in the media. Several Member States had expressed their willingness to accept more refugees. At the same time, the challenges to be tackled had increased because of the scale of the current crisis.

He cited the example of certain Heads of State or Government who had anticipated the Commission's proposals by making announcements on accepting refugees and had acknowledged the limitations of a purely voluntary approach. He stressed the role that the Commission had to play to coordinate the action taken by the Member States and avoid any unwanted knock-on effects.

Mr AVRAMOPOULOS hoped that at the extraordinary meeting of the Justice and Home Affairs Council on 14 September the Member States would be able to support the Commission's latest proposals so that rapid progress could be made on deploying temporary relocation measures for 120 000 refugees. The introduction of a permanent relocation mechanism, however, would take longer, because it would have to be adopted under the codecision procedure.

On a more general level, he said that solidarity and responsibility had to go hand in hand where refugee admissions were concerned. Several Member States were linking relocation and the creation of hotspots for the initial processing of asylum applications in the countries most exposed to the flows of migrants. He noted the progress made in this area. He also felt that the Commission had demonstrated its support for the Member States throughout the summer by providing emergency financial aid to Greece, France, Hungary and Austria and by mobilising technical assistance by the European agencies. At the same time, the Commission had stepped up its monitoring of the effective implementation of European legislation and had opened several infringement proceedings.

Mr AVRAMOPOULOS noted that in addition to the short-term measures the package proposed included certain structural elements to prevent the European asylum system from being swamped by unfounded applications. In this connection, the establishment of a common list of safe countries of origin would help Member States to combat abuses more effectively.

He pointed out that only 40% of return decisions were enforced every year, which was why the proposed European action plan contained a series of measures to strengthen the effective application of this important part of migration policy and to increase the rate of returns.

In addition to the current proposals, the European Union should, in his view, get ready to act on four fronts, namely (i) the integration of migrants, an area where the Union had few powers but could provide financial support to Member States and encourage the exchange of good practice, (ii) enhanced cooperation with third countries, including the establishment of multi-purpose access centres and new initiatives to develop legal immigration channels in the European Union, (iii) improved surveillance along the EU's external borders, which would be the subject of a new proposal next year on smart borders and the examination of ambitious solutions such as the creation of a European coastguard system, and (iv) in addition to the emergency measures, the formulation of a package of ambitious asylum measures focusing on the revision of the Dublin Regulation (establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person), which was currently under review.

On the subject of communication, he noted that public and media attention was focusing on the relocation aspects and he believed it was important for the Commission to highlight the other measures which it was equally vital to implement in the interests of effectively managing migratory flows in Europe.

In conclusion, Mr AVRAMOPOULOS thanked the Members for their support and the Commission departments for their excellent work which had enabled this package of important measures to be prepared to such tight deadlines.

Ms MOGHERINI took the floor and referred to the international challenges involved in the Union's actions to remedy the refugee crisis. The Union's capacity to mount a united response to defend fundamental rights on its territory and on the international stage was of the utmost importance. She therefore welcomed the

presentation of a set of measures that constituted a coherent, balanced and comprehensive European response to the complex issues raised by migration and by the current increase in the number of refugees.

As regards the external policy dimension of this set of measures, she referred to the communication submitted to the Commission and reported the substantial agreement on the key principles of the approach taken, namely close cooperation with the countries of origin and transit, and enhanced support to these countries in cooperation with the African Union and the Union's other international partners.

She dwelt first on the proposal to create an EU Emergency Trust Fund for stability and to combat the root causes of irregular migration and displaced persons in Africa. This fund, worth €1.8 billion, would benefit the countries in the Sahel, Lake Chad, the Horn of Africa and North Africa with a view to promoting their resilience, economic development and security, thereby tackling the root causes of the destabilisation that was giving rise to migration and forced displacement.

Concerning the Communication on a European action plan regarding returns, she advocated the need to promote effective implementation of the EU's policy on returns and the conclusion of readmission agreements with third countries for migrants who were not authorised to remain in EU territory, with full respect for their fundamental rights. She agreed that this was an important aspect of the European Agenda on Migration, which called for a comprehensive approach, and complemented the emergency measures proposed in relation to the current refugee crisis.

Regarding the Proposal for a Regulation establishing a common European Union list of safe countries of origin, she believed that there was likely to be consensus among the Member States on the suggestion that this list should include the seven candidate countries for accession to the Union. This proposal was based on the fact that these countries complied with the 'Copenhagen criteria' on democracy, the rule of law and the protection of fundamental rights underpinning the status of accession candidates. Inclusion in the list of safe countries of origin would not affect the right of a national of one of those countries to submit an individual request for asylum in

Europe, to be examined on a case-by-case basis.

She confirmed her support for the proposed relocation measures, which, by definition, entailed the participation of all the eligible Member States. The possibility of suspending this participation and replacing it with compensatory measures could be envisaged only in a situation judged on objective criteria to be an exceptional emergency, and for a limited duration.

She ended by referring to the extraordinary Justice and Home Affairs Council to be held on 14 September, and mentioned in particular that she might raise the issue of setting up reception and first reception facilities ('hotspots') outside EU territory, an idea already suggested by certain Member States.

More generally, she noted the knock-on effect of the European Agenda on Migration presented by the Commission last May, with a growing number of Heads of State or Government now confirming their willingness to follow the approach based on solidarity and responsibility advocated by the Commission in the Agenda.

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

- confirmation of the Commissioners' full support for this second set of measures proposed in line with the European Agenda on Migration, which reflected the Commission's determination to set up a comprehensive scheme and, as regards refugees, to promote an approach based on solidarity and responsibility;
- broad support, too, for the specific emergency measures proposed to tackle the current crisis brought about by a significant influx of refugees into European territory; emphasis of the validity of the approach recommended by the Commission since the spring; praise for the PRESIDENT's initiative and political will in this matter;
- as regards the emergency relocation mechanism, the appropriateness of the arrangements proposed to give the Union the means of providing a swift and

united response to the mass influx of refugees on its territory; endorsement of the specific measures designed to support the Member States facing the most serious situations; support for the proposed distribution key, which took into account still more objectively the diverse situations of the different EU Member States;

- a reminder that the possibility of suspending participation in the relocation mechanism for a limited period was an exceptional measure, and support for establishing strict conditions for doing so as provided for in the text submitted to the Commission for consideration; some requests for clarification of certain aspects of the proposal, particularly as regards movement within the Schengen area;
- as to how to communicate the set of proposed measures, the vital importance of sending messages that were both clear and nuanced on this complex and sensitive issue; in this context, the need to highlight the two sets of measures making up the package (emergency measures on the one hand and, on the other, a number of instruments to be used in the medium or longer term);
- the impact of the images circulated and the role of certain political leaders in the significant mobilisation of civil society and the proliferation of citizen initiatives in support of the refugees, particularly in recent weeks; despite this, a reminder of the need to continue to combat untruths and false associations of ideas in the public debate; the need to place the real number of refugees in perspective, since this number was very low indeed in the context of the EU's total population;
- a caution against the volatility of public opinion and a reminder of the need to continue to explain the situation objectively and raise public awareness of the challenges and root causes of the influx of refugees and their fundamental right to asylum, which was at the heart of European values;
- the Commission's responsibility to focus the debate on the vision of the future of Europe, a process that was to be viewed in the broader context of other current social upheavals such as digitisation or globalisation;

- with regard to the external policy dimension, support for the proposed actions and instruments; as regards the Trust Fund for stability and addressing the root causes of migration in Africa, a reminder of the need to mobilise all the external policy instruments, and the aim of substantially reinforcing the Member States' contributions to development aid in this context; furthermore, the need for appropriate communication of this issue to the Union's African partner countries, particularly in the run-up to the conference in Valletta in November;
- at the same time, the role to be played by the Union in mobilising all efforts to find a lasting solution to the main conflicts in the Middle East, particularly in Syria and Libya; Europe, with its experience of generating peace and stability, had a unique responsibility in that respect;
- in particular, the option of setting up, in the longer term, protected areas with first reception facilities for refugees in third countries nearer to the conflict zones should be considered, as should the longer-term prospects for the refugees housed there and the implications for asylum policy and the requisite resources;
- resettlement was a key aspect of the Union's overall response; on a more general note, mention was made of the interaction of the proposed measures with other arrangements envisaged or proposed under the European Agenda on Migration and, in particular, external border controls;
- in some Member States the Commission initiatives had sparked public debate and increased awareness of refugees arriving in Europe; political support and objective information were needed; care should be taken to ensure full implementation of EU rules on the protection and reception of asylum seekers;
- emphasis should be placed on integrating refugees; various aspects of integration were highlighted – social integration, economic integration, the labour market, etc.; within that context, existing instruments and resources should be mobilised; support was also expressed for the right to healthcare to be included in the fundamental rights that should apply to all refugees in the EU;

- it was important to highlight the positive contribution that could be made by migrants to a European society and labour market with an ageing population; a working group could be set up to examine these aspects over the longer term and the solutions that migration could provide to the challenges facing Europe.

Mr AVRAMOPOLOUS thanked the Members of the Commission for their wide-ranging support for the proposals put forward, which were based on solidarity and responsibility.

Ms MOGHERINI turned to the outlook for increased cooperation on migration with the EU's international partners, possibly within a UN framework. She regarded this as a realistic prospect on condition that the Union demonstrated that it was not just willing but also able to take decisive action.

The Member States should be asked to contribute to the EU trust fund set up for Syria in the first half of the year. Unless it was properly resourced, the fund's real impact on the ground would be seriously compromised.

Lastly, it was important to continue to demonstrate the advantages of a truly multicultural, integrated Europe. While she welcomed the surge of solidarity towards refugees observed in recent weeks in some Member States, the fact remained that the EU would have to play a key role in resolving the refugee crisis and facilitating their integration in the longer term.

Mr TIMMERMANS welcomed the Commission's unanimous support for the proposed package of measures. With regard to the clause which enabled a Member State to have its participation in the relocation scheme suspended in exceptional circumstances and for a limited period of time, he said that its application would have to be strictly circumscribed to ensure that each Member State took its share of responsibility for managing the refugee crisis. It would be for the Commission to look at each individual situation and take a decision.

In the longer term, it would be necessary to overhaul the Dublin regulation, which had not produced the desired results. This would inevitably give rise to political debate in the Member States.

He ended by thanking the Commission departments, and DG Migration and Home Affairs in particular, for the quality of their work and their commitment to preparing a raft of measures which would enable the EU to respond rapidly to the current crisis.

The PRESIDENT thanked Mr TIMMERMANS, Mr AVRAMOPOULOS and Ms MOGHERINI for the work they had done to prepare the proposed measures and their contribution to the day's discussion.

Turning to the proposal to draw up a common EU list of safe countries of origin, he said that this list would not affect the inalienable rights enshrined in the 1951 Geneva Convention on refugee status. He added that, once the list had been adopted, the Union could decide at any time to withdraw from it any country which no longer met the relevant criteria. These criteria were monitored on an ongoing basis as part of progress reports for the enlargement process; if a country were taken off the list, its accession prospects would suffer.

The PRESIDENT stressed that participation in the crisis relocation mechanism was, by definition, mandatory, since the effectiveness and the suitability of the proposed solution were contingent on the mobilisation of genuine European solidarity. It was his heartfelt wish that the Member States would produce a positive response which reflected the historic challenge facing Europe, a response which respected fundamental EU rights, thereby ruling out discrimination of any kind. He confirmed that the non-participation clause was restricted to exceptional circumstances, that the objective conditions were binding and that its duration was limited.

The PRESIDENT argued that refugees arriving in Europe in an emergency situation should be allowed to access the labour market, out of respect for their dignity and also in the interests of social cohesion. Fleeing from a country at war took great courage, determination and initiative, all of which were resources which could benefit the Union.

Replying to a question, he said that as the decision to grant refugee status lay within the remit of individual Member States, it did not entitle the beneficiary to move

freely within the EU.

Lastly, the PRESIDENT confirmed that the Commission would examine the terms of application of the Temporary Protection Directive in due course. However, the Directive could not be activated in the current climate and sending out multiple messages would create confusion around the essential measures proposed here in the immediate context of the refugee crisis. That said, each Member State could decide individually to grant temporary protection to persons seeking refuge on its territory.

The PRESIDENT wound up the discussion by noting the Commission Members' unanimous support for all the proposed measures.

On a proposal from the PRESIDENT, the Commission agreed that the joint communication in JOIN(2015) 40/2, the proposals for a Regulation in COM(2015) 450/3 and COM(2015) 452/2, the proposal for a Decision in COM(2015) 451/3, the communications in COM(2015) 453/3 and COM(2015) 454, the recommendation in C(2015) 6250 and the proposals for a Decision in C(2015) 6251/3 and C(2015) 6252/3 would be adopted by 'finalisation' written procedure, the time limit for which was set at 9.00 am on Wednesday, 9 September (PE/2015/6270, PE/2015/6264, PE/2015/6265, PE/2015/6263, PE/2015/6251, PE/2015/6253, PE/2015/6245, PE/2015/6221 and PE/2015/6223 respectively).

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The meeting closed at 15.35.