



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2016) 2159 final

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Brussels, 23 March 2016

TEXTE EN

MINUTES

of the 2159th meeting of the Commission

held in Brussels

(Berlaymont)

on 2 March 2016

(morning)

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Single sitting: Wednesday 2 March 2016 (morning)

The sitting opened at 9.48 with Mr JUNCKER, President, in the chair. It was adjourned at 10.55 and resumed at 11.04. The discussion of item 17 was chaired in part by Ms MOGHERINI.

Present:

Mr JUNCKER	President	Items 1 to 17 (in part)
Mr TIMMERMANS	First Vice-President	Items 1 to 12
Ms MOGHERINI	High Representative / Vice-President	
Ms GEORGIEVA	Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr OETTINGER	Member	Items 1 to 16 (in part)
Mr HAHN	Member	Items 1 to 17 (in part)
Mr MIMICA	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	Items 1 to 17 (in part)
Ms THYSSEN	Member	Items 1 to 16 (in part)
Mr MOSCOVICI	Member	Items 1 to 14/15 (in part)
Mr STYLIANIDES	Member	Items 1 to 14/15 (in part)
Mr HOGAN	Member	Items 1 to 13
Lord HILL	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	Items 1 to 17 (in part)
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	Items 1 to 12

Ms VESTAGER

Member

Mr MOEDAS

Member

Absent:

Mr KATAINEN

Vice-President

Ms MALMSTRÖM

Member

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

Ms HARDEMAN	Deputy Chef de cabinet to Mr KATAINEN	Items 10 to 17
Ms ÅSENIUS	Chef de cabinet to Ms MALMSTRÖM	Items 10 to 17

The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT	Items 1 to 10/11/12 (in part) and 13 to 17
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	Items 10 to 17
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PESONEN	Director-General, DG Communication	Items 10 to 17
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	Items 10 to 16
Mr WINTERSTEIN	Commission Spokesperson's Service	Item 17
Ms METTLER	Head of the European Political Strategy Centre	Items 10 to 17
Ms KRAMER	Director of Coordination and Administration in the PRESIDENT's Office	Items 10/11/12 (in part)
Mr SHOTTER	Adviser in the PRESIDENT's Office	Items 10/11/12 (in part)
Mr DELVAUX	Adviser in the PRESIDENT's Office	Items 10/11/12 (in part), 16 and 17
Mr SZOSTAK	Adviser in the PRESIDENT's Office	Item 17
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	Items 10 to 16
Mr PETROCELLI	A member of Ms MOGHERINI's staff	Item 17
Mr VINČIŪNAS	Chef de cabinet to Mr ANDRIUKAITIS	Item 16
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Items 10 to 12
Ms CHRISTOPHIDOU	Chef de cabinet to Mr STYLIANIDES	Items 10 to 12

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Mr POWER	Chef de cabinet to Mr HOGAN	Items 14 to 17
Ms MICHOU	Deputy Secretary-General	Items 10 to 12
Ms BERTAUD	Commission Spokesperson's Service	Items 10 to 12

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

1. AGENDAS

(OJ(2016) 2159/FINAL; SEC(2016) 113/FINAL)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings. It also took note of the addition of item 13.6 (on an administrative decision) to the agenda of that meeting, and of the addition of a proposal for a decision under item 9.2, an issue which was discussed in restricted session.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2016) 2159)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 29 February.

3. MINUTES OF THE 2158TH MEETING (24 FEBRUARY)

The Commission held over approval of the minutes of its 2158th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2016) 26)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 26 February (RCC(2016) 26).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue meetings

(point 3.1 of the IRG record)

- Accessibility of public sector bodies' websites (Directive) – CHARANZOVÁ report – 2012/0340 (COD)

The Commission approved the line set out in SI(2016) 54/2.

- Activities and supervision of institutions for occupational retirement (Directive – recast) – HAYES report – 2014/0091 (COD)

The Commission approved the line set out in SI(2016) 69/2.

ii) European Parliament dossier – March part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – Second reading

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

The Commission took note of the compromise text in SP(2016) 126, further to communication COM(2015) 638, which it had already approved on 15 December.

Empowerment

Under Article 13 of its Rules of Procedure, the Commission empowered Mr ANDRIUKAITIS, in agreement with the PRESIDENT, Mr TIMMERMANS and Mr KATAINEN and any other members associated, to adopt its opinion on the amendments together with any amended proposals, on the basis of the lines set out in COM(2015) 638 as approved by the

Commission on 15 December, 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

- Amendment of Regulation (EU) 1308/2013 and Regulation (EU) 1306/2013 as regards the aid scheme for the supply of fruit and vegetables, bananas and milk in educational establishments (Regulation) – TARABELLA report – 2014/0014 (COD)

The Commission approved the line set out in SP(2016) 127 and took note of the compromise text attached to that document.

- Indices of consumer prices and repeal of Regulation (EC) 2494/95 (Regulation) – GUALTIERI report – 2014/0346 (COD)

The Commission approved the line set out in SP(2016) 128 and took note of the compromise text attached to that document.

- Establishment of a framework on market access to port services and financial transparency of ports (Regulation) – FLECKENSTEIN report – 2013/0157 (COD)

The Commission approved the line set out in SP(2016) 129 and /2.

- Procedural safeguards for children suspected or accused in criminal proceedings (Directive) – CHINNICI report – 2013/0408 (COD)

The Commission took note of the compromise text in SP(2016) 130, further to note SI(2015) 479, which it had already approved on 9 December.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2016) 71)

The Commission took note of the information in SI(2016) 71 on the Council meetings between 3 and 16 March.

iv) Non-legislative dossiers

(point 4.1 of the IRG record)

- *Afghanistan country fiche on migration*

The Commission approved the line set out in SI(2016) 66 and /3.

- Position to be adopted, on behalf of the European Union, at the Seventh Session of the Intergovernmental Negotiating Committee on mercury and at the first meeting of the Conference of the Parties to the Minamata Convention on Mercury with regard to the provisional and subsequent final adoption of the guidance referred to in its Article 8(8) and (9) (Council Decision) – 2016/0008 (NLE)

The Commission approved the line set out in SI(2016) 70.

4.3. RELATIONS WITH PARLIAMENT

v) Results of the February II part-session of Parliament

(SP(2016) 121/2)

The Commission took note of the information on Parliament's part-session held in Brussels on 24 and 25 February, set out in SP(2016) 121/2.

vi) Action to be taken on Parliament's legislative resolutions and other resolutions of a legal nature

(SP(2016) 142)

The Commission decided to empower the Commission Members responsible for the sectors in question, in agreement with the PRESIDENT and Mr TIMMERMANS and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2016) 142, drawn up following the February II part-session of Parliament, the contents of which were noted.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2016) 114 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 and 26 February.

5.2. EMPOWERMENT

(SEC(2016) 115 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 and 26 February.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2016) 116 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 22 and 26 February, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2016) 117)

The Commission took note of the sensitive written procedures for which the time limit expired between 29 February and 4 March.

6. PROPOSAL FOR A COUNCIL REGULATION ON JURISDICTION, APPLICABLE LAW AND THE RECOGNITION AND ENFORCEMENT OF DECISIONS IN MATTERS OF MATRIMONIAL PROPERTY REGIMES (COM(2016) 106 TO /3; RCC(2016) 28)

7. PROPOSAL FOR A COUNCIL REGULATION ON JURISDICTION, APPLICABLE LAW AND THE RECOGNITION AND ENFORCEMENT OF DECISIONS ON THE PROPERTY CONSEQUENCES OF REGISTERED PARTNERSHIPS (COM(2016) 107 TO /3; RCC(2016) 28)

8. PROPOSAL FOR A COUNCIL DECISION AUTHORISING ENHANCED COOPERATION IN THE AREA OF JURISDICTION, APPLICABLE LAW AND THE RECOGNITION AND ENFORCEMENT OF DECISIONS ON THE PROPERTY REGIMES OF INTERNATIONAL COUPLES, COVERING BOTH MATTERS OF MATRIMONIAL PROPERTY REGIMES AND THE PROPERTY CONSEQUENCES OF REGISTERED PARTNERSHIPS (COM(2016) 108 TO /3; RCC(2016) 28)

The Commission:

- adopted the proposal for a Council Regulation set out in COM(2016) 106/3 for transmission to Parliament, the Council and the European Economic and Social

Committee and to the national parliaments;

- adopted the proposal for a Council Regulation set out in COM(2016) 107/3 for transmission to Parliament, the Council, the European Economic and Social Committee and to the national parliaments;
- adopted the proposal for a Council Decision set out in COM(2016) 108/3 for transmission to Parliament and the Council and, for information, to the European Economic and Social Committee and the national parliaments;

9. OTHER BUSINESS

9.1. BUDGET IMPLEMENTATION AT 31 DECEMBER 2015

(INFO(2016) 11)

The Commission took note of the information note from Ms GEORGIEVA in INFO(2016) 11.

10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – BACK TO SCHENGEN – A ROADMAP

(COM(2016) 120 TO /3; RCC(2016) 31)

11. COMMUNICATION FROM THE COMMISSION TO THE COUNCIL ACCOMPANYING THE PROPOSAL FOR A COUNCIL REGULATION ON THE PROVISION OF EMERGENCY SUPPORT WITHIN THE EU

(COM(2016) 116 AND /2; RCC(2016) 30/2)

**12. PROPOSAL FOR A COUNCIL REGULATION ON THE PROVISION OF EMERGENCY SUPPORT WITHIN THE UNION
(COM(2016) 115 A /3; RCC(2016) 30/2)**

The PRESIDENT proposed that the Commission examine the communication and the proposal for a Council Regulation on the provision of emergency support within the EU, together with the communication on a roadmap to restore the normal functioning of the Schengen Area, which would be adopted that week by finalisation written procedure. He believed that these documents formed a coherent whole and marked a step forward in Europe's response to the refugee crisis.

Mr STYLIANIDES then presented the proposal to provide emergency humanitarian support within the Union, which was justified by the fact that the situation had worsened significantly following the sudden mass arrival of refugees in some Member States, starting with Greece, and the simultaneous reintroduction of controls at some internal borders. He emphasised that this was not direct budgetary support for Member States, but humanitarian assistance intended for those within the Union who needed it. It would therefore result in contracts with EU partners on the ground (UN agencies, international organisations and NGOs) to address basic necessities, i.e. food, first aid, shelter and drinking water.

Given the severity of these needs, he explained that the proposal would be examined by the Council as a matter of urgency. He also asked that all Members of the Commission support him in his efforts to obtain the political endorsement of the European Parliament, even though the Parliament was not required to give a formal opinion on the proposal. He explained that, once it was adopted by the Council, the proposal would have to be accompanied by an emergency amending budget.

Ms GEORGIEVA fully supported this proposal, which she considered necessary. As regards financing, she explained that she would indeed propose an amendment to the 2016 budget on 9 March to create a new budget line, with an initial allocation of appropriations, to be devoted to emergency humanitarian assistance in

Member States. This measure would allow funds to be mobilised quickly, without having to ask the budgetary authority for additional financing. However, she did not rule out the possibility that a supplementary and amending budget might have to be submitted later in 2016.

She also pointed out that, given the approach chosen for the adoption of the new regulation, the Parliament would not be formally involved. She therefore suggested emphasising the urgency with which the Commission intended to put forward a solution and building support for it.

On this point, the PRESIDENT announced that he had come to an agreement the day before with the President of the European Parliament, Martin Schulz, that he and Mr STYLIANIDES would send him a joint letter that day explaining the humanitarian emergency currently affecting certain Member States. He added that Mr Schulz would send this letter the following day to the Conference of Presidents of the European Parliament. More generally, he explained that the Parliament wished to amend its Rules of Procedure to allow it, where warranted, to apply an emergency procedure to future decisions.

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

- full support for the initiative taken to authorise the provision of emergency humanitarian support within the Union and thereby allow help to be given to refugees who needed it, and, more generally, to victims of other types of disasters;
- the need for a budget allocation as quickly as possible so as to implement the measures in the Commission's proposal without delay;
- a proposal to stipulate clearly in the Structural Fund regulations that the management of the refugee crisis was a priority; some good examples of

projects financed by such funds; the usefulness of working with the regions and involving civil society in the action required to foster the integration of refugees;

- a proposal to include measures in support of refugees in other programmes aimed at Member States, for example in the field of rural development.

Mr TIMMERMANS then presented the Commission's communication proposing a roadmap that precisely defined the actions to be taken to implement all of the decisions already adopted on the management of the refugee crisis. He stressed that the main goal of this roadmap was to restore a fully functioning Schengen Area by the end of the year, following a schedule and a specific set of steps. He explained that this process addressed three specific priorities.

Firstly, it aimed to ensure that Greece remedied the serious shortcomings identified in the protection of its external borders by implementing the recommendations adopted by the Council and the Commission to this end. Although primary responsibility for Greece's borders lay with the Greek authorities, the Commission, EU Agencies and other Member States should nonetheless significantly increase their assistance to ensure effective control over the Union's external borders. The roadmap clearly indicated what was expected of the Greek government, beginning with an action plan on the implementation of the recommendations made to it, which it should submit on 12 March. Mr TIMMERMANS also emphasised the need to adopt, without delay, the Commission's proposal to create a European Border and Coast Guard to allow it to become operational by the summer and restore confidence in the effectiveness of the EU's external border controls, which was a prerequisite for the lifting of the controls reintroduced on some of the EU's internal borders.

Secondly, the proposed roadmap aimed to end the 'wave-through' approach and ensure that Member States refused entry to the EU to migrants not seeking asylum and those who did not qualify as refugees. He pointed out that stricter enforcement of the entry conditions into the EU would probably lead to an increase in the

number of migrants stranded in Greece. He therefore felt it essential that the cooperation established between the EU and Turkey under their Joint Action Plan should help reduce the number of migrants arriving in Greece. He explained that the high-level meeting of European leaders with Turkey on 7 March would review the progress made in this area and that an evaluation report would be adopted on Friday, alongside the report on the implementation of visa liberalisation with Turkey.

He underlined that, in the meantime, it was essential for the EU to provide emergency support to Greece to allow it to receive refugees with the assistance of NGOs present on the ground. Finally, he pointed out the importance of applying the refugee relocation scheme in other Member States in order to alleviate the migration pressure on Greece.

Thirdly, he explained that the roadmap also recommended reviewing the rules and procedures established by the Schengen system concerning the reintroduction of external border controls. Article 26 of the Schengen Borders Code provided for a coordinated approach where the overall functioning of the Schengen Area was put at risk as a result of serious shortcomings relating to external border controls. The roadmap stated that this mechanism would be implemented in May, should the shortcomings identified remain. In this case, the controls would be targeted and proportionate and would only relate to the requisite parts of the internal borders, for a period limited to six months. He explained that these measures were not intended to punish Member States, but to promote concerted action and prevent the adoption of unilateral measures.

Mr TIMMERMANS ended his presentation by stressing that the proposed roadmap did not contain any new measures, but was justified by the Member States' slow rate of progress in implementing the measures already adopted which, taken together, would enable the migration crisis to be effectively managed within the framework of the rules and procedures laid down by the Schengen system.

Mr AVRAMOPOULOS also highlighted the urgency of the situation, with a rapid

increase in the number of refugees stuck in Greece and along the Balkan route and worsening reception conditions in a region already under considerable pressure from migration.

Against this background he stressed the need to make immediate and practical progress in relocating refugees and providing emergency humanitarian aid to relieve the pressure on Member States facing an influx of asylum seekers. It was also important rapidly to identify funding to increase support for the Member States most seriously affected by the migration crisis and to continue providing assistance from the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund, while also ensuring complementarity of funding in order to provide a more effective response.

Mr AVRAMOPOULOS explained that the roadmap tabled for adoption that day aimed to help the Schengen area to function normally once again. Although the Schengen rules and procedures had on the whole been respected, there had been no coordinated approach. Thus the reintroduction of controls by some Member States at the Union's internal borders had systematically been notified to the Commission, which had been able to assess them, but the introduction of such exceptional measures was not viable in the long term, either economically or politically, and a coordinated approach should be restored by the end of 2016 at the latest.

He noted that if the Commission and the Council were to decide to reintroduce checks at some of the Union's internal borders for a period of six months, as mentioned by Mr TIMMERMANS, this would be part of a coordinated approach that would be accompanied by other aid measures for the Member States concerned. He also said that the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) would undoubtedly be issuing a new call for contributions from the Member States once Greece had assessed its needs in the action plan it was due to present on 12 March.

As for the new Border and Coast Guard, he felt that the Member States needed to plan for its creation and to start at once to prepare to pool the necessary resources. It was important at the same time to apply the joint action plan agreed with Turkey, drawing on the support of NATO to reduce the flow of migrants to Greece.

Mr AVRAMOPOULOS wound up his presentation on a positive note by referring to the recent return to Turkey of a first group of around 300 illegal migrants who had travelled through Turkey. This was a practical step forward on which to build.

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

- the need to use the instruments of cross-border cooperation that existed within the European Union in order to promote a coordinated approach to controlling the internal borders;
- the importance of securing progress on certain aspects of managing the migration crisis in order to dispel the apparent sense of powerlessness and to encourage the Member States to continue to implement the package of measures already adopted;
- the vital importance of securing the Union's external borders and the fact that failure to do so would leave the Union vulnerable and might jeopardise some of the fundamental achievements of European integration;
- questions about the strategy to be adopted as regards the flow of migrants from Libya, given the current absence of any counterpart in the country with which the European Union could establish formal cooperation;
- the need to consider in the medium term launching infringement proceedings against Member States that failed to apply the measures adopted;
- the importance of negotiating readmission agreements between the Union and

the migrants' countries of origin in order to make the policy of returning illegal migrants more effective and to prevent Member States from concluding such agreements on a bilateral basis;

- in this context, the need to work with the European External Action Service (EEAS) to negotiate readmission agreements with a number of third countries, particularly Morocco;
- in the longer term, the case for considering the creation of a European army as the only viable means of ensuring the security of the Union as a whole.

Ms MOGHERINI explained that the negotiation of readmission agreements by the Union would require a Council mandate, and even if such agreements were negotiated by the Commission they would have to be implemented by the national administrations in the Member States.

She also thought it highly likely that new migration routes would open up over the next few months, particularly in the central part of the Mediterranean basin. She therefore felt that a long-term strategic vision was needed for managing the migration crisis.

The PRESIDENT replied to the accusations of inaction levelled against the Commission by stressing the extent to which the institution had been responsive, devising and proposing a coherent and increasingly comprehensive set of measures to deal with the crisis. These measures had been adopted by Member States that were now reluctant to implement them. He reminded the meeting that over 130 000 migrants had crossed the Mediterranean since the beginning of the year; this figure alone showed the extent of the work that still had to be done to tackle the current situation.

On a proposal from the PRESIDENT, the Commission agreed that the Communication 'Back to Schengen', currently set out in COM(2016) 120/3, would

be formally approved by finalisation written procedure, the deadline for which was set at 10.00 on Friday 4 March (PE/2016/1480).

The Commission also:

- approved the Communication accompanying the proposal for a Council Regulation on the provision of emergency support within the Union, set out in COM(2016) 116/2, for transmission to the Council and, for information, to the European Parliament and the national parliaments;
- adopted the proposal for a Council Regulation, set out in COM(2016) 115/3, for transmission to the Council and, for information, to the European Parliament and the national parliaments.

13. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2016) 118 TO /3)

ADMINISTRATIVE MATTERS

(PERS(2016) 18 TO /3)

13.1. SECRETARIAT-GENERAL / REGULATORY SCRUTINY BOARD – APPOINTMENT OF CHAIR AT AD15/16 DIRECTOR-GENERAL LEVEL

(PERS(2015) 105 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Chair of the Regulatory Scrutiny Board (PERS(2015) 105 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 26 January and 9 February (PERS(2015) 105/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from the PRESIDENT, and after consulting Mr TIMMERMANS and Ms GEORGIEVA, it then decided to appoint Ms Anne BUCHER to the post.

This decision would take effect on 1 March 2016.

**13.2. DG COMPETITION – APPOINTMENT OF AN AD15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2015) 128 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of mergers in DG Competition (PERS(2015) 128).

The Commission took note of the opinions of the Consultative Committee on Appointments of 12 and 27 January (PERS(2015) 128/2 and /3).

The Commission proceeded to consider the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Ms VESTAGER, as well as Mr ANSIP, Mr ŠEFČOVIČ and Mr KATAINEN, it decided to appoint Mr Carles ESTEVA MOSSO to the post.

This decision would take effect on 16 March 2016.

**13.3. DG ENVIRONMENT – APPOINTMENT OF AD15/16 DEPUTY
DIRECTOR-GENERAL
(PERS(2015) 117 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General, ‘Coordination of Resource-Efficiency Policies and Instruments’, in DG Environment (PERS(2015) 117).

It took note of the opinions of the Consultative Committee on Appointments of 28 January and 9 February (PERS(2015) 117/2 and /3).

The Commission proceeded to compare the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Mr VELLA, as well as Mr ŠEFČOVIČ and Mr KATAINEN, it decided to appoint Ms Joanna DRAKE to the post.

This decision would take effect on 16 March 2016.

**13.4. DG INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMEs – APPOINTMENT OF AN AD15/16 DEPUTY
DIRECTOR-GENERAL
(PERS(2015) 125 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General with responsibility for Directorates E, G and H in DG Internal Market, Industry, Entrepreneurship and SMEs (PERS(2015) 125).

The Commission took note of the opinions of the Consultative Committee on Appointments of 12 and 27 January (PERS(2015) 125/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Ms BIENKOWSKA, as well as Mr ANSIP, Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, it decided to appoint Ms Irmfried SCHWIMANN to the post.

This decision would take effect on 16 March 2016.

13.5. DG TRADE – APPOINTMENT OF AN AD15/16 DEPUTY DIRECTOR-GENERAL

(PERS(2015) 118 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General with responsibility for Directorates E, F, G and H in DG Trade (PERS(2015) 118).

The Commission took note of the opinions of the Consultative Committee on Appointments of 3 and 9 February (PERS(2015) 118/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Ms MALMSTRÖM, as well as Ms MOGHERINI and Mr KATAINEN, it decided to appoint Ms Sabine WEYAND to the post.

This decision would take effect on 1 March 2016.

**13.6. DG AGRICULTURE AND RURAL DEVELOPMENT – APPOINTMENT
OF AN AD15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2015) 116 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General with responsibility for Directorates A and B in DG Agriculture and Rural Development (PERS(2015) 116).

The Commission took note of the opinions of the Consultative Committee on Appointments of 11 and 16 February (PERS(2015) 116/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Mr HOGAN, as well as Mr ŠEFČOVIČ and Mr KATAINEN, it decided to appoint Ms María Angeles BENÍTEZ SALAS to the post.

This decision would take effect on 16 March 2016.

**13.7. DG INFORMATICS – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2015) 114 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the 'Digital Infrastructure Solutions' Directorate in DG Informatics (PERS(2015) 114).

The Commission took note of the opinions of the Consultative Committee on Appointments of 4 and 17 December 2015 (PERS(2015) 114/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and

after consulting Mr OETTINGER, as well as Mr ANSIP and Mr KATAINEN, it decided to appoint Mr Philippe VAN DAMME to the post.

This decision would take effect on 16 March 2016.

**13.8. EUROPEAN ANTI-FRAUD OFFICE – LAUNCH OF PROCEDURE FOR SELECTING AND APPOINTING MEMBERS OF THE SUPERVISORY COMMITTEE OF THE EUROPEAN ANTI-FRAUD OFFICE
(PERS(2016) 19)**

The Commission noted the information in point 7 of PERS(2016) 18/2 and, on a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, decided:

- to approve the procedure for appointing members of the Supervisory Committee of the European Anti-Fraud Office and for nominating alternate members, in line with the procedure followed in 2011;
- to authorise the publication of the call for expressions of interest in PERS(2016) 19;
- to appoint Ms GEORGIEVA, the Member of the Commission responsible for the fight against fraud, as the Commission's representative in the ad hoc high-level group comprising representatives of the three institutions, namely the European Parliament, the Council and the Commission.

These decisions would take effect immediately.

**14. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – THE ROAD FROM PARIS: ASSESSING THE IMPLICATIONS OF THE PARIS AGREEMENT AND ACCOMPANYING THE PROPOSAL FOR A COUNCIL DECISION ON THE SIGNING, ON BEHALF OF THE EUROPEAN UNION, OF THE PARIS AGREEMENT ADOPTED UNDER THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE
(COM(2016) 110 AND /2; RCC(2016) 27)**

**15. PROPOSAL FOR A COUNCIL DECISION ON THE SIGNING, ON BEHALF OF THE EUROPEAN UNION, OF THE PARIS AGREEMENT ADOPTED UNDER THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE
(COM(2016) 62 AND /2; RCC(2016) 27)**

Mr ŠEFČOVIČ briefly recapped the communication and the proposal for a Council decision to sign the agreement concluded in Paris at the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21) in December 2015, which the Commission was adopting that day.

He began by welcoming the outcome of this global meeting, which had brought together 195 Parties. He felt it was a victory for multilateralism, on the one hand, and also the confirmation of the EU's energy strategy, on the other.

He then focused on the three main messages of the initiatives before the Commission that day. First, the Paris agreement gave new impetus to the process started by the EU to initiate its transition to a low-carbon society and economy under the 2030 Climate and Energy Policy Framework. Second, the agreement opened up considerable investment, growth and employment prospects for the EU

by steering the whole world towards a global energy transition, which would benefit its innovative businesses. And, third and last, the agreement produced by COP21 strengthened the case for implementing the Roadmap for the Energy Union by making progress on the ‘decarbonisation’ of transport, the sustainable development of cities, innovation, the social dimension and investment.

Mr ARIAS CAÑETE added that the Paris agreement now had to be signed, ratified and implemented.

On that point, he reminded Members that the EU was already guided by the ambitious conclusions of the October 2014 European Council; it was now on track to reach the target of limiting global warming to less than 2°C above the pre-industrial level, i.e. a 40 % reduction in greenhouse gas emissions, a 27 % share of renewable energy in total energy consumption and a 27 % improvement in energy efficiency by 2030. In the coming months the Commission would present new initiatives to contribute to these targets.

With regard to the signature and ratification of the Paris agreement, he noted that an official signing ceremony would take place at the headquarters of the United Nations (UN) in New York on 22 April and stressed the importance of the EU ratifying the agreement as quickly as possible. The agreement would enter into force once it had been ratified by at least 55 Parties accounting for at least 55 % of global greenhouse gas emissions.

This was a mixed agreement; in other words it fell within the scope of the competences shared between the EU and the 28 Member States, the result being that 29 ratification procedures would be needed, which could take time in the national parliaments. He therefore called for rapid ratification by the EU, which would have the benefit of sending a message about European commitment to the climate cause, but also of facilitating the discussions with its international partners in the run-up to COP22, which would take place in Marrakesh in November 2016.

A discussion followed in which Members of the Commission raised the following main points:

- the excellent outcome of COP21 for the world and for the EU, made possible in particular, from the European side, by the quality of the preparation for the conference and the formulation of a common European position, which was testimony to the EU's added value; the need to maintain the unity of the Member States during the implementation phase of the agreement;
- a reminder of the framework for action already set in the EU by the 2030 climate and energy policy strategy, even though achieving some of the targets, in particular the 40 % reduction in greenhouse gas emissions, was likely to be difficult for certain sectors in Europe, for example transport and steel; the desire for a substantive discussion on how to maintain competitiveness in these sectors, in particular by prioritising energy efficiency;
- for others, the need to ensure that there was no impact on the balance achieved of equitable sharing of effort among all industrial sectors in order to avoid the burden being placed on small and medium-sized enterprises (SMEs); the importance in this context of effective anti-dumping and anti-subsidy instruments to protect European industry;
- the wish to know the state of play in the discussions on the carbon tax, bearing in mind that this avenue was being examined by the High Level Group on Own Resources.

Mr ARIAS CAÑETE responded to these comments by stressing, first, that the transition to a low-carbon economy was irreversible. Second, he pointed out that there was no unanimity among the Member States on harmonisation of the carbon tax, which might lead to problems in relation to the World Trade Organisation (WTO). Hence the choice of the emissions trading system (ETS), which, if it worked properly, should not necessitate any additional tax. He concluded by noting

China's intention to set up its own carbon market, which would be a major change.

Mr ŠEFČOVIČ recommended maintaining close contacts with energy-intensive industries, which were voicing their concerns. Taking the example of the steel industry, he pointed out that it was adversely affected by the consequences of a global situation to which a global solution had to be found in order to ensure a level playing field, in particular vis-à-vis China. Canada was applying the carbon tax but it was not experiencing any opposition from industry because of the current low level of energy prices. More generally, he concluded by stressing the importance of maintaining a competitive European industry.

The Commission:

- approved the communication in COM(2016) 110/2 for transmission to Parliament and the Council and, for information, to the national parliaments;
- adopted the proposal for a Council Decision set out in COM(2016) 62/2 for transmission to the Council and, for information, to Parliament and the national parliaments.

16. OTHER BUSINESS (CONTINUED)

DRAFT COMMISSION IMPLEMENTING REGULATION RENEWING APPROVAL OF THE ACTIVE SUBSTANCE GLYPHOSATE PURSUANT TO REGULATION (EC) 1107/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 21 OCTOBER 2009 CONCERNING THE PLACING OF PLANT PROTECTION PRODUCTS ON THE MARKET AND REPEALING COUNCIL DIRECTIVES 79/117/EEC AND 91/414/EEC

Mr ANDRIUKAITIS referred to the meeting document distributed to the Members of the Commission and drew their attention to a decision to be taken by the College

at a later stage, but which would be the subject of a meeting with the Member States under the committee procedure the following Monday 7 March. During that meeting, the Member States would consider whether to give the go-ahead to the renewal of the authorisation of glyphosate, an active substance that had been widely used in herbicides in Europe for many years.

He explained that the European Food Safety Authority (EFSA), the EU agency responsible for scientific assessment, had no objections to renewing the authorisation, either on health or on environmental grounds. He also had every confidence in the stringent procedures in place in the Union. However, he pointed out that the World Health Organisation's (WHO) International Agency for Research on Cancer (IARC) had issued a scientific opinion stating that glyphosate was 'probably carcinogenic'. This opinion had sparked the campaign against the product by non-governmental organisations, which had been relayed by the media in some Member States.

Without bowing to this pressure or to public opinion in certain Member States, Mr ANDRIUKAITIS felt nevertheless that the Commission needed to take account of the sensitive nature of the issue.

The PRESIDENT recommended that the Commission listen to the views expressed by the Member States at the meeting with the experts the following Monday, so as to be properly prepared to take an informed decision in due course. He asked Mr ANDRIUKAITIS to keep the Commission informed of developments, and to specify that the Commission had not yet taken a position, indicating that the position to be taken by the Member States in the context of comitology will be based exclusively on a text prepared by the services.

The Commission took note of this information.

17. POLICY DEBATE ON THE EU GLOBAL STRATEGY ON FOREIGN AND SECURITY POLICY
(SEC(2016) 122; RCC(2016) 29)

At the PRESIDENT's request, Ms MOGHERINI opened the Commission's policy debate on the EU global strategy on foreign and security policy by reminding Members that the strategy in question had been requested by the European Council in June 2015. She explained that it would replace the 2003 strategy prepared under the guidance of the then High Representative, Javier Solana, and would need to be adapted to a world which was undergoing profound change. She noted in particular that the EU was facing a number of new challenges in respect of its internal security. These challenges often stemmed from external crises, the nature of which had evolved significantly.

She underlined that the aim in preparing a new global strategy for external policy was to identify the Union's common interests in this area and the main tools for defending those interests, rather than setting out a list of specific actions for implementation.

Ms MOGHERINI pointed out that the previous strategy had been prepared largely by the Council, while on this occasion the Commission would be closely involved in the exercise, enabling it to take proper ownership of the strategy so that it could then play a full role in its implementation.

She felt it was important for the strategy to be comprehensive, not only from a geographical standpoint, given the direct impact that remote events could have on EU affairs, but also in terms of the issues covered. She considered that every EU policy had an external policy dimension and a specific role to play in projecting the Union on the international stage.

Regarding the Union's external policy priorities, she asked Members to focus on citizens' key concerns and on how each of the Union's policies could feed into the

preparation of the global strategy in the first instance, and into its implementation further down the line. Finally, she stressed the need to develop a long-term teamwork culture, and explained that once the Union's overall strategy had been defined, the specific policy issues relevant for its implementation would need to be identified. As for the means of implementation, she had in mind not only traditional foreign policy instruments, but also the experience and expertise garnered in other areas, i.e. the wealth of know-how available in the EU institutions.

Ms MOGHERINI concluded her presentation by referring, by way of illustration, to the numerous reports produced each year setting out the Union's activities in the field of external relations, be it in development aid, trade or humanitarian assistance. She thought they should be brought together in a single report to better reflect the overall strategy and the holistic approach pursued, and to increase their visibility.

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

- the close link between the Union's interests in terms of security, prosperity and democracy and their external implications and, as a corollary, the importance of the global foreign policy strategy in bolstering the EU's internal policy priorities;
- the lack of unity and cohesion which was undermining the EU's role as a global player;
- the fundamental role of EU development policy in tackling the root causes of the main threats to stability on the international stage;
- the need to develop common tools and to strengthen the links between Union policies, e.g. between development policy and humanitarian aid;
- the importance of education and culture in the management of specific crises, particularly the refugee crisis, and for the long-term development of educated,

democratic societies, helping promote stability and the application of the rules of good governance in international relations;

- the need for a better understanding of a complex, interdependent world, using the Union's key assets in a spirit of pragmatic idealism;
- the specific contribution that the Union could make, given its make-up, to resolving complex problems or conflicts;
- the need to include ocean governance and environmental responsibility in the Union's overall strategy;
- the importance of Member States working together on the international stage, as they did at the climate change negotiations, so that the EU could pull its weight in world affairs;
- the need to take into account the security of the EU's energy supply when developing and implementing the Union's common foreign and security policy;
- the need to look at security in its new guises, be it cyber security, new forms of terrorism or hybrid threats;
- the important role of financial stability for overall stability in international relations and for economic growth across the globe;
- the importance of promoting the role of women in foreign policy in an effort to prioritise peaceful solutions and create a safer world.

Ms MOGHERINI ended the policy debate by noting that the preparation of the EU global strategy on foreign and security policy would require regular input from the Commission departments, as foreseen in the 2016 work programme. A second debate would take place in June. She explained that this process played a useful role in establishing the necessary links between the different EU policies and their respective external dimensions. She also hoped that the Commission would take full

ownership of the strategy to be proposed to the Council.

She expressed her conviction that there was a ‘European way’ of dealing with foreign policy issues and that it was therefore important to examine the specific European added value that the Union could provide to international relations, while making the most of the position already occupied by the EU on the international stage, in terms of trade, development aid and research and innovation - a position which lent it the status of de facto superpower.

The Commission took note of the results and conclusions of the policy debate and of the background note in SEC(2016) 122.

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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 13.20.