



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2016) 2181 final

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

Brussels, 28 September 2016

TEXTE EN

MINUTES

of the 2181st meeting of the Commission

held in Strasbourg

(Winston Churchill building)

on Tuesday 13 September 2016

(afternoon)

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Single sitting: Tuesday 13 September 2016 (afternoon)

The sitting opened at 13.30 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President
Mr TIMMERMANS	First Vice-President
Ms MOGHERINI	High Representative / Vice-President
Ms GEORGIEVA	Vice-President
Mr ANSIP	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr DOMBROVSKIS	Vice-President
Mr KATAINEN	Vice-President
Mr OETTINGER	Member
Mr HAHN	Member
Ms MALMSTRÖM	Member
Mr MIMICA	Member
Mr ARIAS CAÑETE	Member
Mr VELLA	Member
Mr AVRAMOPOULOS	Member
Ms THYSSEN	Member
Mr MOSCOVICI	Member
Mr STYLIANIDES	Member
Mr HOGAN	Member
Ms BULC	Member
Ms BIENKOWSKA	Member
Ms JOUROVÁ	Member
Mr NAVRACSICS	Member
Ms CREȚU	Member
Ms VESTAGER	Member
Mr MOEDAS	Member

Absent:

Mr ANDRIUKAITIS

Member

The following sat in to represent an absent Member of the Commission:

Ms NOWAK	A member of Mr ANDRIUKAITIS's staff
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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 DEJMEK-HACK	Adviser in the PRESIDENT's Office	Items 1 to 27
Ms ROUCH	Adviser in the PRESIDENT's Office	Items 1 to 26
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	Items 1 to 29
Ms PANZETTI	Chef de cabinet to Ms MOGHERINI	Items 1 to 16
Mr SCHWARZ	Deputy Chef de cabinet to Ms GEORGIEVA	Items 30 to 34
Ms CHAPUIS	A member of Mr ANSIP's staff	Items 17 to 26
Ms HEROLD	A member of Mr OETTINGER's staff	Items 17 to 26
Ms ANDREEVA	Commission Spokesperson's Service	
Ms CALVIÑO	Director-General, DG Budget	Items 30 to 34

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

1. AGENDA

(OJ(2016) 2181/4)

The Commission took note of that day's agenda.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2016) 2181)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Friday 9 September.

3. APPROVAL OF THE MINUTES OF THE 2179TH AND 2180TH MEETINGS OF THE COMMISSION (27 JULY AND 7 SEPTEMBER)

(PV(2016) 2179)

The Commission approved the minutes of its 2179th meeting and decided to hold over approval of the minutes of its 2180th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2016) 107)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 9 September (RCC(2016) 107).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue

(point 3.1 of the IRG record)

- Establishment of an EU common 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 (Regulation) – GUILLAUME report – 2015/0211 (COD)

The Commission approved the line set out in SI(2016) 333 and /2.

ii) European Parliament dossiers – September part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Prospectus to be published when securities are offered to the public or admitted to trading (Regulation) – JEŽEK report (ex - DE BACKER) – 2015/0268 (COD)

The Commission approved the line set out in SP(2016) 564/2.

Non-legislative procedure

- Implementation of the Agreement concluded between the General Confederation of Agricultural Cooperatives in the European Union (COGECA), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises in the European Union (EUROPECHE) of 21 May 2012 as amended on 8 May 2013 concerning the implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation (Council Directive) – LÓPEZ BERMEJO report – 2016/0124 (NLE)

The Commission took note of the motion for a resolution in SP(2016) 534/4, further to note SP(2016) 534/3, which it had already approved on 7 September.

iii) Council dossier

(point 3.3 of the IRG record)

- Further macro-financial assistance for the Hashemite Kingdom of Jordan (Decision) – MAUREL report – 2016/0197 (COD)

The Commission approved the line set out in SI(2016) 338.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2016) 339)

The Commission took note of the information in SI(2016) 339 on the Council meetings between 15 and 28 September.

v) Non-legislative dossiers

(point 4.1 of the IRG record)

- External strategy for effective taxation – List of third countries needing to be assessed by the Union as a priority – COM(2016) 24

The Commission approved the line set out in SI(2016) 331.

- Relations between the European Union and Switzerland – Free movement of people

The Commission took note of the information in SI(2016) 332.

- International Maritime Organisation (IMO) – Council Shipping Working Party – Joint European Union submissions – SWD(2016) 256

The Commission approved the line set out in SI(2016) 335.

- Position to be adopted on the European Union's behalf with regard to certain proposals submitted to the 17th meeting of the Conference of the Parties to the Convention on international trade in endangered species of wild fauna and flora (CITES) (Johannesburg, 24 September to 5 October) (Council Decision) – 2016/0200 (NLE)

The Commission approved the line set out in SI(2016) 337.

4.3. RELATIONS WITH PARLIAMENT

vi) Non-legislative dossier

(point 5.1 of the IRG record)

- Committee of Inquiry into Emissions Measurements in the Automotive Sector (EMIS) – Answer from the Commission to the questions set out in the annex to a letter from Ms VAN BREMPT of 18 July concerning recall programmes and car modification practices

The Commission approved the line set out in SP(2016) 579/2.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2016) 371 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 5 and 9 September.

5.2. EMPOWERMENT

(SEC(2016) 372 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 5 and 9 September.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2016) 373 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 5 and 9 September, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2016) 374/2)

The Commission took note of the sensitive written procedures for which the time limit expired between 12 and 16 September.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2016) 375)

ADMINISTRATIVE MATTERS

(PERS(2016) 87)

SECRETARIAT-GENERAL – CREATION OF THE TASK FORCE FOR THE PREPARATION AND CONDUCT OF THE NEGOTIATIONS WITH THE UNITED KINGDOM UNDER ARTICLE 50 OF THE TREATY ON EUROPEAN UNION, AND ADMINISTRATIVE AND BUDGETARY ARRANGEMENTS

Ms GEORGIEVA presented the PRESIDENT's decision on the creation of the Task

Force for the preparation and conduct of the negotiations with the United Kingdom under Article 50 of the Treaty on European Union. This decision concerned the missions, structure and operating rules of this Task Force, which was placed under the responsibility of Mr Michel BARNIER, who had been appointed as Chief Negotiator on 27 July by decision of the PRESIDENT. Ms GEORGIEVA also presented the draft Commission decision specifying the administrative and budgetary arrangements applicable to the Task Force.

Ms GEORGIEVA said that the Task Force would be responsible for preparing and conducting the negotiations with the United Kingdom, taking into account the framework of its future relations with the European Union. It would coordinate all the Commission's work on all strategic, operational, legal and financial aspects related to the negotiations and would be able to rely on the practical support of all Commission departments.

Ms GEORGIEVA added that as Head of the Task Force, Mr Michel BARNIER would be under the direct authority of the PRESIDENT and would be assisted by an experienced Commission team, in particular by Ms Sabine WEYAND, currently Deputy Director-General of the Directorate-General for Trade, who was appointed as Deputy Chief Negotiator from 1 October 2016. Mr BARNIER would also be advised by a team of Directors-General well-versed in the issues that would be addressed during the negotiations.

Lastly, Ms GEORGIEVA spoke briefly about the administrative and budgetary arrangements concerning the Task Force for the preparation and conduct of the negotiations with the United Kingdom under Article 50 of the Treaty on European Union.

The terms of the decision of the PRESIDENT establishing, in accordance with Article 22 of the Commission's rules of procedure, the Task Force for the preparation and conduct of the negotiations with the United Kingdom under Article 50 of the Treaty on European Union were as follows:

- a new Commission service entitled ‘Task Force for the preparation and conduct of the negotiations with the United Kingdom under Article 50 of the TEU’ (‘Article 50 Task Force’) would be created and placed under the direct authority of the PRESIDENT;
- the ‘Article 50 Task Force’ would have the support of the Secretariat-General for all administrative and budgetary matters and on the assistance of the Legal Service for all legal matters;
- the mission of the ‘Article 50 Task Force’ would be to prepare and conduct the negotiations under Article 50 of the Treaty on European Union and to coordinate the work of the Commission with regard to all strategic, operational, legal and financial issues linked to these negotiations;
- the ‘Article 50 Task Force’ would be headed by a Chief Negotiator reporting directly to the PRESIDENT; this negotiator would be supported by a maximum of two Deputy Chief Negotiators; provision would also be made for a post of Principal Adviser responsible for strategy, coordination and communication, and for three Adviser posts;
- as decided on 27 July, Mr Michel BARNIER would be engaged as Chief Negotiator with effect from 1 October 2016;
- Ms Sabine WEYAND, currently Deputy Director-General of the Directorate-General for Trade, would be seconded to a post of Deputy Chief Negotiator, with effect from 1 October 2016;
- in addition to the Chief Negotiator and the Deputy Chief Negotiator(s), the Article 50 Task Force would be composed of the following persons, including the Principal Adviser and the three Advisers:
 - officials;

- temporary staff within the meaning of Article 2(a) of the Conditions of Employment of Other Servants of the European Communities, should other specialised external expertise be necessary, within the limit of the posts made available to the 'Article 50 Task Force';
 - contract staff;
 - if necessary, special advisers;
 - if necessary, retired agents of the EU institutions;
 - if necessary, seconded national experts;
- in principle, officials would be transferred with their post in the interest of the service, pursuant to Article 7 of the Staff Regulations, to the 'Article 50 Task Force' by their current departments, or would be appointed to a post within the Task Force pursuant to Article 29 of the Staff Regulations; however, the Chief Negotiator could decide, in agreement with the Director-General of the Directorate-General for Human Resources and Security, to second officials occupying organisation chart functions in their current departments to the Task Force in the interest of the service, under Article 37(a) of the Staff Regulations;
 - the Chief Negotiator would be advised by a team of Directors-General who were accustomed to dealing with the issues that would arise during the negotiations; the PRESIDENT would decide on the composition of the team and any changes to it;
 - the PRESIDENT would regularly update the Vice-Presidents of the Commission on progress made by the 'Article 50 Task Force'; he would report to the College of Commissioners at least every two months.

The terms of the draft decision on the administrative and budgetary arrangements for the Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 of the Treaty on European Union were as follows:

- the post of chief negotiator would be created at Director-General level and filled at grade AD16; the posts of deputy chief negotiator would be created at Deputy Director-General level; the posts of chief negotiator and deputy chief negotiator would be filled either by secondment in the interest of the service or by engagement pursuant to Article 2(c) of the Conditions of Employment of Other Servants of the European Communities;
- a post of principal adviser responsible for strategy, coordination and communication, and three adviser posts would be created;
- the PRESIDENT would authorise the ceilings applicable to staff numbers in the various staff categories and the organisation chart of the Task Force;
- the 'Article 50 Task Force' would rely on the practical support provided by all the Directorates-General and services of the Commission and would work in close cooperation in particular with the Secretariat-General and the Legal Service;
- the 'Article 50 Task Force' would have access to all the Commission resources it would need to perform its tasks; to that end, each Directorate-General and service would designate a single point of contact to assist the Task Force in identifying the specific resources required;
- the 'Article 50 Task Force' could establish direct functional relations with certain staff of the Commission Directorates-General and services;
- if necessary, staff could be made available to the 'Article 50 Task Force' temporarily, for a maximum period of six months; staff could be made available in this way by decision of the chief negotiator, in agreement with the PRESIDENT, informing the Directorate-General for Human Resources and Security and after consulting the Directorate-General concerned; staff made available in this way would not count in the ceilings applied to staff numbers in

the various staff categories referred to above;

- by derogation from the current Commission rules, listed below, and to ensure the rapid creation and efficient operation of the 'Article 50 Task Force', the PRESIDENT would be authorised to depart, where necessary, from certain provisions of Commission Decisions, including provisions on publication, selection, justification for using temporary staff, maximum duration of employment, advisers, grading, minimum length of employment with the current employer in the case of seconded national experts, fees paid to special advisers, maximum period since retirement and restrictions with regard to assignments or tasks and remuneration in the case of retired officials: (i) Commission Decision C(2008) 6866 of 12 November 2008 laying down rules on the secondment to the Commission of national experts and national experts in professional training, as amended; (ii) Commission Decision C(2011) 1264 of 2 March 2011 on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b of the said Conditions, as amended; (iii) Commission Decision C(2013) 9049 of 16 December 2013 on policies for the engagement and use of temporary agents; (iv) Commission Decision C(2004) 1597/6 of 28 April 2004 on the maximum duration for the recourse to non-permanent staff in the Commission services, as amended; (v) Commission Decision C(2013) 9037 of 16 December 2013 on outside activities and assignments; (vi) Communication SEC(2006) 1702 of 13 February 2007 on organisation charts of Commission DGs and services; (vii) Commission Decision C(2007) 6655 of 19 December 2007 on the rules on special advisers to the Commission; (viii) Commission Decision C(2016) 3214 of 7 June 2016 concerning the function of adviser; and (ix) Commission Decision C(2013) 8979 of 16 December 2013 on types of post and post titles;
- the PRESIDENT would decide on further arrangements for the 'Article 50 Task

Force', whether administrative or related to the budget or staff.

On a proposal from the PRESIDENT, the Commission agreed to take note of the PRESIDENT's decision establishing, pursuant to Article 22 of its Rules of Procedure, the Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom in accordance with Article 50 of the Treaty on European Union, and to adopt the decision on the administrative and budgetary arrangements for its establishment and operation by finalisation written procedure, the deadline for which was set at 9.00 on Wednesday 14 September 2016 (PE/2016/6409).

- 7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN CENTRAL BANK, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – STRENGTHENING EUROPEAN INVESTMENTS FOR JOBS AND GROWTH – TOWARDS A SECOND PHASE OF THE EUROPEAN FUND FOR STRATEGIC INVESTMENTS AND A NEW EUROPEAN EXTERNAL INVESTMENT PLAN
(COM(2016) 581 AND /2)**
- 8. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATIONS (EU) 1316/2013 AND (EU) 2015/1017 AS REGARDS THE EXTENSION OF THE DURATION OF THE EUROPEAN FUND FOR STRATEGIC INVESTMENTS AS WELL AS THE INTRODUCTION OF TECHNICAL ENHANCEMENTS FOR THAT FUND AND THE EUROPEAN INVESTMENT ADVISORY HUB
(COM(2016) 597 AND /2; SWD(2016) 297; SWD(2016) 298)**

9. **PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATION (EC, EURATOM) No 480/2009 ESTABLISHING A GUARANTEE FUND FOR EXTERNAL ACTIONS**
(COM(2016) 582)
10. **PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DECISION 466/2014/EU GRANTING AN EU GUARANTEE TO THE EUROPEAN INVESTMENT BANK AGAINST LOSSES UNDER FINANCING OPERATIONS SUPPORTING INVESTMENT PROJECTS OUTSIDE THE UNION**
(COM(2016) 583 AND /2)
11. **REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE MID-TERM REVIEW OF THE APPLICATION OF THE DECISION 466/2014/EU AS REGARDS THE EU GUARANTEE TO THE EUROPEAN INVESTMENT BANK AGAINST LOSSES UNDER FINANCING OPERATIONS SUPPORTING INVESTMENT PROJECTS OUTSIDE THE UNION**
(COM(2016) 584; SWD(2016) 294; SWD(2016) 295)
12. **REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON 2015 EIB EXTERNAL ACTIVITY WITH EU BUDGETARY GUARANTEE**
(COM(2016) 585; SWD(2016) 296)
13. **PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE EUROPEAN FUND FOR SUSTAINABLE DEVELOPMENT (EFSD) AND ESTABLISHING THE EFSD GUARANTEE AND THE EFSD GUARANTEE FUND**
(COM(2016) 586 AND /2)

- 14. COMMISSION DECISION ON THE INDIVIDUAL MEASURE FOR A CONTRIBUTION TO THE EFSD GUARANTEE FUND TO BE FINANCED FROM THE 11TH EUROPEAN DEVELOPMENT FUND
(C(2016) 5918 DRAFT)**
- 15. COMMISSION DECISION ON THE INDIVIDUAL MEASURE ‘CREATION OF AFRICA INVESTMENT PLATFORM’ AND REPEALING DECISION C(2015) 5210
(C(2016) 5917 DRAFT)**
- 16. DRAFT COMMISSION IMPLEMENTING DECISION AMENDING IMPLEMENTING DECISION C(2016)3436 FINAL ON THE NEIGHBOURHOOD INVESTMENT FACILITY, PART OF THE EUROPEAN NEIGHBOURHOOD WIDE ACTION PROGRAMME 2016 TO BE FINANCED FROM THE GENERAL BUDGET OF THE EUROPEAN UNION
(C(2016) 5837 DRAFT)**

The President asked Mr KATAINEN and Ms MOGHERINI to present the two flagship proposals for a set of initiatives aimed at reinforcing the investment plan for Europe that the Commission had launched in 2014. These were the proposal to extend the duration of the European Fund for Strategic Investments, increase its financial capacity and consolidate its strengths, and the proposal to set up a new European external investment plan in order to promote investment in Africa and in the Union neighbourhood so as to strengthen the partnerships that the EU had concluded with the countries of those regions and contribute to achieving its strategic objectives in external policy.

Mr KATAINEN presented the proposal for a regulation submitted to the Commission to launch a second phase of the European Fund for Strategic Investments. The aim of the proposal was to double the Fund's duration and financial capacity in order to provide the necessary security for project promoters

and allow the Fund, whose success was established after a year in operation, to continue its activities.

The European Fund for Strategic Investments made it possible to implement a greater number of concrete projects and help achieve the objectives in the fields of energy, transport and small and medium-sized enterprises, thereby bringing the Union closer to business and citizens.

The proposed extension was based on solid foundations. Much had been achieved since the current Commission had launched the investment plan in 2014, when this ambitious and innovative project, particularly its *modus operandi*, had been received with scepticism.

He announced that, after a highly successful first year, the European Fund for Strategic Investments was already set to mobilise €116 billion in 26 Member States, benefiting over 200 000 small and medium-sized enterprises, out of the €315 billion for the initial period (2015 to 2018). He therefore proposed doubling the Fund allocation and, to this end, bringing it up to €500 billion of investments at least until 2020, the last year of the current multiannual financial framework.

On the basis of these results, the SME window of the European Fund for Strategic Investments had already been boosted in July by a transfer of €500 million of the EU guarantee from the infrastructure and innovation window. Furthermore, the Commission proposed to enhance the social dimension of the Fund by increasing the total amount of the financial instruments supporting social enterprises and microfinancing from €193 million to €1 billion, the objective being to mobilise total investments of around €3 billion.

Mr KATAINEN explained that the aim was thus to reinforce the European Fund for Strategic Investments by focusing more on three points, namely (i) the concept of financial additionality set out in the fund rules, which would make it possible to mobilise an increased volume of private funding and to finance a greater number of

sustainable and cross-border projects, notably in relation to the ambitious objectives of the Agreement concluded in Paris at the 21st Conference of the parties to the UN Convention on Climate Change in December 2015, (ii) a more balanced geographical distribution by facilitating combination with the European Structural and Investment Funds, providing blended financing with the Connecting Europe Facility and supplying technical assistance on the ground, and (iii) more transparency in the decision-making process, with the publication of the decisions of the Investment Committee on the use of the EU guarantee.

As regards the volume of the Fund, the Member States could contribute to it if they wanted to go beyond the objective set, since they could even allocate their structural funds to it.

Lastly, he pointed out that the Member States should implement the reforms aimed at removing the barriers to investment and improving the investment climate, which was the aim of the third pillar of the Investment Plan for Europe. He stressed that they would be helped in this by the Communication on the Capital Markets Union from the PRESIDENT, Mr DOMBROVSKIS and himself, the main points of which would be presented by Mr DOMBROVSKIS (see item 27 of these minutes).

He concluded his presentation by warmly thanking the members of the Commission who had contributed to this set of proposals, which marked a new milestone in the Investment Plan for Europe. He invited them to communicate the success of this Plan throughout the Union.

Taking the floor, Ms MOGHERINI was pleased to be able to present that day a set of proposals designed to give the investment plan an external component. She stressed the importance, consistency and robustness of these proposals and pointed out that they followed the same logic as the internal component, which was why they were being proposed jointly.

This new external investment plan would create the conditions enabling Europeans

to develop their activities and establish themselves in new countries, while providing support for the economies and societies of the partner countries and contributing to the strategic objectives of EU foreign policy, security and international development.

She noted that this plan for investment in third countries would be activated with the involvement of the Member States. She also reported on the ongoing discussions with the Member State finance and development aid ministers.

She highlighted in particular the intelligent mechanism specifically set up to encourage the Member States to contribute to the external investment plan without increasing their budget deficit. To begin with, it was proposed to focus the plan on Africa and the EU neighbourhood and, where appropriate, subsequently extend it to other regions of the world.

She concluded by noting that she would be presenting this new European initiative at the meetings she would be attending at the UN General Assembly, which had opened in New York on 13 September.

In the brief discussion that followed, members raised a specific example of a project financed by the European fund for Strategic Investments in a Member State and stressed its success, particularly in terms of job creation, and the issue of the statistical methodology set out by Eurostat for the accounting for such projects.

The PRESIDENT closed the presentations by warmly thanking Mr KATAINEN, Ms MOGHERINI, Ms GEORGIEVA, Mr HAHN, Mr MOSCOVICI and Mr MIMICA for their contribution to this ambitious set of initiatives, to which he would be referring the following day in his State of the Union speech to the European Parliament.

On a proposal from the PRESIDENT, the Commission took note of these presentations and agreed that the texts mentioned above would be formally adopted by finalisation written procedure, the time limit for which was set at 9.00 hours on

Wednesday 14 September 2016 (PE/2016/6409, PE/2016/6276, PE/2016/6280, PE/2016/6240, PE/2016/6237, PE/2016/6238, PE/2016/6239, PE/2016/ 6281, PE/2016/6332, PE/2016/6330 et PE/2016/6297).

- 17. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – CONNECTIVITY FOR A COMPETITIVE DIGITAL SINGLE MARKET – TOWARDS A EUROPEAN GIGABIT SOCIETY
(COM(2016) 587; SWD(2016) 300)**
- 18. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – 5G FOR EUROPE – AN ACTION PLAN
(COM(2016) 588; SWD(2016) 306)**
- 19. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATIONS (EU) 1316/2013 AND 283/2014 AS REGARDS THE PROMOTION OF INTERNET CONNECTIVITY IN LOCAL COMMUNITIES
(COM(2016) 589 AND /2)**
- 20. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING THE EUROPEAN ELECTRONIC COMMUNICATIONS CODE (RECAST)
(COM(2016) 590 AND /2); SWD(2016) 303; SWD(2016) 304; SWD(2016) 305; SEC(2016) 410)**

- 21. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING THE BODY OF EUROPEAN REGULATORS FOR ELECTRONIC COMMUNICATIONS**
(COM(2016) 591; SWD(2016) 303; SWD(2016) 304; SWD(2016) 305; SEC(2016) 410)
- 22. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – PROMOTING A FAIR, EFFICIENT AND COMPETITIVE EUROPEAN COPYRIGHT-BASED ECONOMY IN THE DIGITAL SINGLE MARKET**
(COM(2016) 592)
- 23. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON COPYRIGHT IN THE DIGITAL SINGLE MARKET**
(COM(2016) 593; SWD(2016) 301; SWD(2016) 302; SEC(2016) 407)
- 24. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL LAYING DOWN RULES ON THE EXERCISE OF COPYRIGHT AND RELATED RIGHTS APPLICABLE TO CERTAIN ONLINE TRANSMISSIONS OF BROADCASTING ORGANISATIONS AND RETRANSMISSIONS OF TELEVISION AND RADIO PROGRAMMES**
(COM(2016) 594; SWD(2016) 301; SWD(2016) 302; SEC(2016) 407; SWD(2016) 308; SWD(2016) 309)
- 25. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE CROSS-BORDER EXCHANGE BETWEEN THE UNION AND THIRD COUNTRIES OF ACCESSIBLE FORMAT COPIES OF CERTAIN WORKS AND OTHER SUBJECT MATTER PROTECTED BY COPYRIGHT AND RELATED RIGHTS FOR THE BENEFIT OF PERSONS WHO ARE BLIND, VISUALLY IMPAIRED**

OR OTHERWISE PRINT DISABLED

(COM(2016) 595)

26. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON CERTAIN PERMITTED USES OF WORKS AND OTHER SUBJECT MATTER PROTECTED BY COPYRIGHT AND RELATED RIGHTS FOR THE BENEFIT OF PERSONS WHO ARE BLIND, VISUALLY IMPAIRED OR OTHERWISE PRINT DISABLED AND AMENDING DIRECTIVE 2001/29/EC ON THE HARMONISATION OF CERTAIN ASPECTS OF COPYRIGHT AND RELATED RIGHTS IN THE INFORMATION SOCIETY
(COM(2016) 596)

Mr ANSIP presented the proposals being tabled that day for reforming the legislation applying to the digital single market, and specifically the legislation on telecommunications and copyright. He highlighted the ambitious nature of these initiatives and thanked the Members of the Commission and the departments that had helped to draft them.

These initiatives sought to meet the needs of the public and businesses in terms of connectivity at a time of continuing exponential growth in the digital sector. According to various estimates, the number of objects connected worldwide was expected to increase from 20 billion today to 50 billion in 2025. At the moment, 65 % of European internet users bought products online and 57 % used internet banking, while 19 % of European businesses used cloud computing and 16 % of small and medium-sized enterprises sold their products online. However, there were significant disparities in internet access, and while 71 % of households in the European Union were connected, this was true of only 28 % in rural areas. Similarly, despite the 86 % of European households that had 4G mobile phone coverage, the proportion in rural areas was just 36 %.

Against this background, the EU's aim was to facilitate the development by 2025 of

Gigabit connectivity for sectors such as education, research, health and transport undertakings and infrastructure, which were the main socioeconomic drivers. Over the same period, the Commission was also proposing to develop 5G mobile phone coverage for all urban areas and transport networks, as well as access for all households, whether urban or rural, to ultra-fast broadband of 100 Mbps or more.

Mr ANSIP felt that the proposed measures offered multiple benefits as they would allow highly reliable, instantaneous data transmission between different devices. He welcomed the fact that improved performance would promote the development of state-of-the-art technologies in sectors such as remote surgery, the optimisation of energy consumption, agriculture and traffic management in the transport sector.

These developments would, however, require considerable investment, not least by the private sector, and would have to be backed by better coordination of spectrum assignment, public co-investment and a genuinely competitive internal market.

He estimated that the connectivity goals the Commission had set would require investment of no less than €500 billion over the next decade, the majority of which would come from the private sector. However, estimates pointed to a potential investment shortfall of €155 billion in the long term, meaning that additional or alternative sources of funding would have to be envisaged.

In this connection he mentioned a number of possible ways of incentivising the digital sector, one of which was to develop uninterrupted 5G coverage throughout the Union in order to prevent the fragmentation that had characterised the development of 4G. In order to do so, it was important to improve and strengthen coordination between Member States in order to harmonise assignment deadlines and licence periods. He advocated a European approach with pan-European assignment procedures that would attract investment at EU level.

A second way of promoting funding mentioned by Mr ANSIP was co-investment by rival operators, which would enable the development costs to be shared, risks to be

reduced and economies of scale to be achieved. The proposed new rules related not only to competition for network access but also to competition for investment within these networks. On a more general level, he explained that the revision of the telecommunications legislation, now almost ten years old, was intended to improve predictability and stability in order to enable operators to invest throughout the Union, including in sparsely populated regions. He noted that the principle of connectivity was as important as the other fundamental principles of promoting competition, the internal market and consumer protection.

Thirdly, he insisted that competition between operators must enable everybody to be connected, and the principle of universal service would be applied if the market was unable to ensure internet access for all.

Mr ANSIP then turned to the proposals to modernise copyright law, a matter which aroused strong feelings among Europeans, who wanted cross-border access to their culture in all its richness and diversity. He explained that the proposed reform would increase the content available, in particular by facilitating licensing agreements between TV and radio channels and copyright holders, and, more generally, by adapting European rules to the new digital environment. He believed that although creative output should be robustly protected in Europe, it should not be confined within national borders. This was particularly important in order to improve the scope for creators to receive remuneration. The initiatives proposed therefore sought to create a genuine single market. He stressed that if the European Union failed to create such a market and to ensure that it operated properly, it risked losing its potential for creativity, growth and job creation. He also pointed out that the proposal on the new rights for publishers did not extend to a normal use of hyperlinks, which was a fundamental principle of the functioning of the internet, and that this right did not in any case amount to a 'hyperlink tax'.

Mr OETTINGER agreed that connectivity was a fundamental necessity for Europe's digital future and said that the internet of things, the digital transformation of

industry, cloud computing and big data all required secure connections and universal connectivity providing the highest possible speed and quality. With Europe aiming to lead the world in the deployment of the 5G standard, he felt that it was time to move to a Gigabit society and to ensure that all Europeans, in rural areas and towns alike, had access to an internet connection of the highest quality.

As regards copyright, he explained that the creative industries in the European Union would benefit from the proposed reforms, which would make it possible to meet the challenges of the digital age while offering Europe's consumers the luxury of choosing between a broad range of content. He stressed that the new legislative framework being proposed in the area of copyright was both stimulating and fair and at the same time rewarded investment.

The PRESIDENT thanked Mr ANSIP and Mr OETTINGER for the impressive and ambitious package of proposals being presented that day. These would feature prominently in his speech to Parliament the next day.

On a proposal from the PRESIDENT, the Commission took note of these presentations and agreed that the acts referred to above would be formally adopted by finalisation written procedures, the deadline for which was set at 9.00 on Wednesday 14 September 2016 (PE/2016/6409, PE/2016/6318, PE/2016/6317, PE/2016/6320, PE/2016/6321, PE/2016/6319, PE/2016/6279, PE/2016/6286, PE/2016/6287, PE/2016/6277 and PE/2016/6278).

**27. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN CENTRAL BANK, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – CAPITAL MARKETS UNION – ACCELERATING REFORM
(COM(2016) 601 AND /2)**

Mr DOMBROVSKIS presented the next steps he proposed to take in order to speed up the completion of the Capital Markets Union, the flagship project launched by the Commission in 2015 under its Investment Plan for Europe. The Capital Markets Union was intended (i) to help businesses gain access to more diversified sources of funding than currently available for their development, (ii) to stabilise the European financial system, and (iii) to allow capital to move more freely throughout the Single Market so as to support companies and offer the people of Europe more investment opportunities.

He believed it more important than ever for the Commission to underline its political will to create more powerful European capital markets so that funding could be channelled down to businesses, thus contributing to the real economy, to growth and to investment. For that reason he proposed, as soon as the first phase of the action plan was complete and the building blocks of the Capital Markets Union were in place, that the EU make rapid progress to make that will a reality.

Mr DOMBROVSKIS therefore called on the co-legislator to finalise the first wave of measures in the action plan, relating to securitisation, access to capital markets and venture capital, before the end of 2016. The second wave would also be ambitious as it would tackle such contentious issues as reforming insolvency schemes and taxation. Further avenues were being explored in relation to other major components of the Capital Markets Union, e.g. individual retirement savings products, financial technologies and sustainable financing.

He wound up his presentation by thanking Mr KATAINEN, with whom he had

worked closely on the preparation of the communication, as well as Ms JOUROVÁ, Mr MOSCOVICI and Mr VELLA.

The PRESIDENT fully supported the initiative, which he would shortly be presenting to the European Parliament.

On a proposal from the PRESIDENT, the Commission took note of the presentation and agreed that the communication in question would be adopted by the finalisation written procedure, the deadline for which was set at 9.00 on Wednesday 14 September 2016 (PE/2016/6409 and PE/2016/6295).

**28. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – ENHANCING SECURITY IN A WORLD OF MOBILITY – IMPROVED INFORMATION EXCHANGE IN THE FIGHT AGAINST TERRORISM AND STRONGER EXTERNAL BORDERS
(COM(2016) 602 AND /2)**

Mr AVRAMOPOULOS presented the communication submitted to the Commission on strengthening the Union's external borders in order to address the consequences of the ongoing migration crisis and on improving the exchange of information so as to tackle terrorism more effectively. The communication set out a number of practical and operational measures to accelerate the implementation of the European Agenda on Migration and the European Agenda on Security, thus paving the way towards a genuine and effective Security Union.

He believed that the future European Border and Coast Guard, the Entry-Exit System, the European Travel Information and Authorisation System and the strengthening of Europol's role in the effective sharing of intelligence and combating document fraud would help secure Europe's borders.

He went into more detail on the political priority of the European Border and Coast Guard, underlining the need to speed up the work currently in progress on bringing the new European Agency into operation and even setting the deadline of 6 October for achieving this. He was therefore stepping up his contacts with all parties concerned and proposed to call on the Member States to ensure that national contributions to the reserve pool of border guards and equipment were ready for immediate use and to fill current shortfalls in response to calls for experts for Frontex operations in Greece, Italy and Bulgaria.

Mr AVRAMOPOULOS wound up his presentation by referring to the proposal that the Commission would shortly be making on setting up a European Travel Information and Authorisation System on similar lines to the American one. He noted that the system would help determine the eligibility of all visa-exempt third country nationals to travel to the Schengen Area, and whether such travel posed a security or migration risk.

The PRESIDENT welcomed the work carried out by Mr AVRAMOPOULOS, together with Mr TIMMERMANS, on this dossier, the results of which would be discussed during his address to the European Parliament on Wednesday.

On a proposal from the PRESIDENT, the Commission took note of the presentation and agreed that the communication in question would be adopted by the finalisation written procedure, the deadline for which was set at 9.00 on Wednesday 14 September 2016 (PE/2016/6409 and PE/2016/6294).

**29. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – BETTER REGULATION – DELIVERING BETTER RESULTS FOR A STRONGER UNION
(COM(2016) 615 AND /2)**

Mr TIMMERMANS presented the communication on better regulation, the main aim of which was to deliver better results for a stronger union. He pointed out that, thanks to the experience gained in recent years, the Commission had solid expertise to offer Member States and citizens with regard to the simplification of legislation. He reminded members that, at the start of his mandate, the current Commission had made it clear that it wanted to change its working methods to focus on matters of direct interest to citizens and major issues that called for action at Union level, while allowing Member States to take responsibility in areas where national action would be more effective.

Focusing on the major issues called for the ability to confront new or urgent situations, mobilising rapidly where circumstances required, as had been the case with the migration crisis and tax evasion. On these issues, the Commission had developed and presented initiatives in record time, drawing on objective analyses of their impact.

Mr TIMMERMANS explained that the proposed communication would allow the PRESIDENT, in his State of the Union address the following day, to report on the progress made and the next steps planned for simplifying legislation to ensure this process would lead to tangible benefits for European citizens, while proposing ways of meeting the key challenges that the EU must address

The communication stressed the importance of defining modern, proportionate rules in order to achieve the stated objectives. This responsibility, which was shared by the three EU institutions, was essential for upholding the rule of law and European values and justified the conclusion of an inter-institutional agreement. In conclusion,

he added that the simplification of legislation was also a key element in ensuring that public administrations and enterprises ran smoothly.

On a proposal from the PRESIDENT, the Commission took note of this information and agreed that the communication referred to above would be formally adopted by finalisation written procedure, the deadline for which was set at 9.00 on Wednesday 14 September 2016 (PE/2016/6409 and PE/2016/6338).

30. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – MID-TERM REVIEW/REVISION OF THE MULTIANNUAL FINANCIAL FRAMEWORK 2014-2020 – AN EU BUDGET FOCUSED ON RESULTS

(COM(2016) 603 AND /2; SWD(2016) 299 AND /2)

31. PROPOSAL FOR A COUNCIL REGULATION AMENDING REGULATION (EU, EURATOM) NO 1311/2013 LAYING DOWN THE MULTIANNUAL FINANCIAL FRAMEWORK FOR THE YEARS 2014-2020

(COM(2016) 604)

32. PROPOSAL TO AMEND THE INTERINSTITUTIONAL AGREEMENT OF 2 DECEMBER 2013 BETWEEN THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION ON BUDGETARY DISCIPLINE, ON COOPERATION IN BUDGETARY MATTERS AND ON SOUND FINANCIAL MANAGEMENT

(COM(2016) 606)

33. PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DECISION (EU) 2015/435 ON THE MOBILISATION OF THE CONTINGENCY MARGIN

(COM(2016) 607)

34. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE FINANCIAL RULES APPLICABLE TO THE GENERAL BUDGET OF THE UNION AND AMENDING REGULATION (EC) 2012/2002, (EU) 1296/2013, (EU) 1299/2013, (EU) 1301/2013, (EU) 1303/2013, EU 1304/2013, (EU) 1305/2013, (EU) 1306/2013, (EU)1307/2013, (EU) 1308/2013, (EU) 1309/2013, (EU) 1316/2013, (EU) 223/2014, (EU) 283/2014, (EU) 652/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AND DECISION 541/2014/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (COM(2016) 605 AND /2)

Ms GEORGIEVA summarised the proposals for the mid-term review/revision of the multiannual financial framework 2014-2020, which followed on from the policy debate held on 27 July and the discussions at the Commission meeting on 7 September.

She began by explaining that the review/revision related to an amount of €12.8 billion, which would be earmarked for the EU's political priorities – growth, jobs (especially for young people), investment and migration. The Commission proposed strengthening these priorities with a further €6.3 billion, on top of €4.6 billion resulting from a technical adjustment of the national cohesion policy envelopes and €1.9 billion in additional expenditure on migration included in the 2017 Draft Budget, giving a total amount of €12.8 billion.

With regard to the allocation of €6.3 billion in fresh appropriations, €2.4 billion would go to further boost growth and jobs via more money for high-performance programmes such as the European Fund for Strategic Investments, the Youth Employment Initiative, the programme for research and innovation ‘Horizon 2020’, the EU programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises (COSME), Erasmus, and the Connecting Europe Facility,

which supported the development of trans-European networks in the fields of transport, energy and digital services. This amount included a sum earmarked for the WiFi4EU project, which aimed to help European local authorities to offer free WiFi terminals to all citizens.

A further €2.5 billion would be used to support the ongoing work in the areas of migration, security and external border control, including the setting up of the European Border and Coast Guard, the EU Agency for Asylum, and the reform of the Dublin Common European Asylum System.

Lastly, she explained that €1.4 billion allocated to the European Fund for Sustainable Development, under the External Investment Plan (see items 7 to 16 of these minutes), would support investments in regions outside the EU to address the root causes of migration, with private partners, while contributing to achieving other development goals in the targeted regions, namely Africa and the Union's neighbourhood.

Ms GEORGIEVA noted that, with the proposed mid-term review/revision, Member States would not have to pay contributions exceeding the commitments they had already made under the multiannual financial framework 2014-2020, since the appropriations would be drawn from some of the budget reserves, such as unallocated margins and special instruments.

Moreover, as part of the same mid-term review/revision, the Commission proposed simplifying the rules governing the award of EU funds to Member States and other beneficiaries, and improving the ability of the EU budget to react quickly and adequately to unforeseen events, by (i) setting up a new European Union Crisis Reserve dedicated to priority expenditure to be funded by decommitted appropriations; (ii) doubling the size of the Flexibility Instrument and the Emergency Aid Reserve; (iii) introducing, for the first time, a 'flexibility cushion' for support outside the EU; and (iv) the possibility of trust funds for emergency or specific actions within the EU.

Ms GEORGIEVA concluded by stressing that the mid-term review/revision was the start – not the end – of a drive to focus even more on results, in order to ensure that every euro from the EU budget was spent as efficiently as possible.

In the brief discussion that followed, the Commission welcomed the fact that the mid-term review/revision of the multiannual financial framework 2014-2020 provided the opportunity to adapt the budget to the current Commission's political priorities and current pressing matters, particularly in the fields of migration, youth employment and investment.

The PRESIDENT thanked Ms GEORGIEVA and her departments for this excellent and important work.

On a proposal from the PRESIDENT, the Commission took note of this information and agreed that the acts referred to above would be formally adopted by finalisation written procedure, the deadline for which was set at 9.00 on Wednesday 14 September 2016 (PE/2016/6409, PE/2016/6298, PE/2016/6309, PE/2016/6307, PE/2016/6306 and PE/2016/6296).

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The meeting closed at 14.38.