



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2017) 2202 final

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

Strasbourg, 14 March 2017

TEXTE EN

MINUTES

of the 2202nd meeting of the Commission

held in Brussels

(Berlaymont)

on Tuesday 28 February (afternoon)

and

on Wednesday 1 March 2017 (morning)

—

PV(2017) 2202 final

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

EN

TABLE OF CONTENTS

Attendance list	5-8
1. AGENDAS (OJ(2017) 2202/FINAL; SEC(2017) 108/FINAL)	9
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2017) 2202).....	9
3. APPROVAL OF THE MINUTES OF THE 2200 TH AND 2201 ST COMMISSION MEETINGS (14 AND 22 FEBRUARY) (PV(2017) 2200 AND /2).....	9
4. INTERINSTITUTIONAL RELATIONS (RCC(2017) 21)	9
4.1. LEGISLATIVE MATTERS	10
4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL	11
4.3. RELATIONS WITH PARLIAMENT	13
5. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2017) 113)	13
5.1. DG COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY – APPOINTMENT OF AD14/15 DIRECTOR (PERS(2016) 65 TO /3).....	13
5.2. DG JUSTICE AND CONSUMERS – APPOINTMENT OF AD14/15 DIRECTOR (PERS(2016) 102 TO /3).....	14
5.3. DG ENERGY – APPOINTMENT OF AD14 DIRECTOR.....	14
5.4. DG ENERGY – APPOINTMENT OF AD15 DIRECTOR.....	15
6. WHITE PAPER ON THE FUTURE OF EUROPE – REFLECTIONS AND SCENARIOS FOR THE EU27 BY 2025 (COM(2017) 2025)	15

7. WHITE PAPER ON THE FUTURE OF EUROPE – REFLECTIONS AND SCENARIOS FOR THE EU27 BY 2025 (CONTD.) (COM(2017) 2025 AND /2).....	25
8. FIFTH REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE PROGRESS MADE IN THE IMPLEMENTATION OF THE EU-TURKEY STATEMENT (COM(2017) 204 TO /3; RCC(2017) 19).....	26
9. THIRD PROGRESS REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE PARTNERSHIP FRAMEWORK WITH THIRD COUNTRIES UNDER THE EUROPEAN AGENDA ON MIGRATION (COM(2017) 205 TO /3; RCC(2017) 19)	26
10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND TO THE COUNCIL ON A MORE EFFECTIVE RETURN POLICY IN THE EUROPEAN UNION – A RENEWED ACTION PLAN (COM(2017) 200 AND /2; RCC(2017) 19)	26
11. COMMISSION RECOMMENDATION ON MAKING RETURNS MORE EFFECTIVE WHEN IMPLEMENTING DIRECTIVE 2008/115/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (COM(2017) 1600 TO /4; RCC(2017) 19).....	26
12. SECOND REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE OPERATIONALISATION OF THE EUROPEAN BORDER AND COAST GUARD (COM(2017) 201 AND /2; RCC(2017) 19).....	26

13. TENTH REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE RELOCATION AND RESETTLEMENT OF REFUGEES (COM(2017) 202 TO /3; RCC(2017) 19)	27
14. FIFTH REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE PROGRESS MADE TOWARDS AN EFFECTIVE AND GENUINE SECURITY UNION (COM(2017) 203 AND /2; RCC(2017) 19).....	27
15. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	30
15.1. WRITTEN PROCEDURES APPROVED (SEC(2017) 109 ET SEQ.).....	30
15.2. EMPOWERMENT (SEC(2017) 110 ET SEQ.)	30
15.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2017) 111 ET SEQ.).....	30
15.4. SENSITIVE WRITTEN PROCEDURES (SEC(2017) 112 AND /2)	31

The 2202nd meeting of the Commission was held in two parts:

- Tuesday 28 February 2017 (afternoon)
- Wednesday 1 March 2017 (morning)

First sitting: Tuesday 28 February 2017 (afternoon)

The sitting opened at 17.09 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / 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 VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	
Mr STYLIANIDES	Member	Item 6 (in part)
Mr HOGAN	Member	
Ms BULC	Member	
Mr NAVRACSICS	Member	

Ms CREȚU

Member

Ms VESTAGER

Member

Mr MOEDAS

Member

Absent:

Mr ANSIP	Vice-President
Mr ARIAS CAÑETE	Member
Ms BIENKOWSKA	Member
Ms JOUROVÁ	Member
Sir Julian KING	Member

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

Ms LOONELA	A member of Mr ANSIP's staff
Ms LOBILLO BORRERO	Chef de cabinet to Mr ARIAS CAÑETE
Mr HEDBERG	Deputy Chef de cabinet to Ms BIENKOWSKA
Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ
Ms BELLANDER TODINO	Deputy Chef de cabinet to Sir Julian KING

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 MICHOU	Deputy Secretary-General	
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	
Mr THOLONIAT	Adviser in the PRESIDENT's Office	
Ms SILLAVEE	PRESIDENT's Office	
Ms SALLE	PRESIDENT's Office	
Mr SMULDERS	Chef de cabinet to Mr TIMMERMANS	
Ms CHRISTOPHIDOU	Chef de cabinet to Mr STYLIANIDES	Items 1 to 6 (in part)
Ms ANDREEVA	Commission Spokesperson's Service	
Ms PETKOVA	Commission Spokesperson's Service	
Mr SMITH	Commission Spokesperson's Service	

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

1. AGENDAS

(OJ(2017) 2202/FINAL; SEC(2017) 108/FINAL)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2017) 2202)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 27 February.

3. APPROVAL OF THE MINUTES OF THE 2200TH AND 2201ST COMMISSION MEETINGS (14 AND 22 FEBRUARY)

(PV(2017) 2200 AND /2)

The Commission approved the minutes of its 2200th meeting and decided to hold over approval of the minutes of its 2201st meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2017) 21)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 24 February (RCC(2017) 21).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue

(point 3.1 of the IRG record)

- Establishment of a Union programme to support specific activities enhancing the involvement of consumers and other financial services end-users in Union policy making in the field of financial services for the period of 2017-2020 (Regulation) – LAMBERTS / FORD report – 2016/0182 (COD)

The Commission approved the line set out in SI(2017) 65/3.

ii) European Parliament dossier – March I part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Information exchange mechanism with regard to intergovernmental agreements and non-binding instruments between Member States and third countries in the field of energy and repeal of Decision 994/2012/EU (Decision) – KRASNODEBSKI report – 2016/0031 (COD)

The Commission approved the line set out in SP(2017) 79.

iii) Council dossiers

(point 3.3 of the IRG record)

- Participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (Decision) – SAKORAFA report – 2016/0325 (COD)

The Commission approved the line set out in SI(2017) 61.

- Entry/Exit System to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of the Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes, and amendment of Regulation (EC) 767/2008 and Regulation (EU) 1077/2011 / Amendment of Regulation (EU) 2016/399 as regards the use of the Entry/Exit System (Regulations) – DÍAZ DE MERA GARCÍA CONSUEGRA reports – 2016/0106 (COD) / 2016/0105 (COD)

The Commission approved the line set out in SI(2017) 62/2.

- Implementing enhanced cooperation in the area of financial transaction tax (Council Directive) – 2013/0045 (CNS)

The Commission took note of the information in SI(2017) 64.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2017) 70)

The Commission took note of the information in SI(2017) 70 on the Council meetings between 2 and 15 March.

v) Non-legislative dossiers

(point 4.1 of the IRG record)

- Position to be adopted on behalf of the European Union in the Cooperation Council established under the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States and the Republic of Kazakhstan as regards the working arrangements of the Cooperation Council, the Cooperation Committee,

specialised subcommittees or any other bodies (Council Decision) –
2017/0019 (NLE)

The Commission approved the line set out in SI(2017) 56.

- Agreement between the European Union and the Kingdom of Morocco concerning liberalisation measures on agricultural and fishery products – Follow-up to the judgment of the Court of Justice of the European Union of 21 December 2016 in case C-104/16 P

The Commission approved the line set out in SI(2017) 58.

- International Maritime Organisation (IMO) – Commission Staff Working Document for the Council Shipping Working Party – Joint European Union submissions – SWD(2017) 62 and SWD(2017) 97

The Commission approved the line set out in SI(2017) 66.

- Position to be adopted, on behalf of the European Union, in the sixtieth session of the Commission on Narcotic Drugs on the scheduling of substances under the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol and the Convention on Psychotropic Substances of 1971 (Council decision) – 2017/0026 (NLE)

The Commission approved the line set out in SI(2017) 69.

vi) Preparation for Council meeting (Environment) (Brussels, 28 February)

(point 4.2.2 of the IRG record)

- Amendment of Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments (Directive) – DUNCAN report – 2015/0148 (COD)

The Commission approved the line set out in SI(2017) 57/2.

4.3. RELATIONS WITH PARLIAMENT

vii) Action taken on non-legislative resolutions adopted by Parliament at its November II 2016 part-session

(point 5.6.2 of the IRG record)

The Commission approved documents SP(2017) 128, /2 and /3 on the action taken on the non-legislative resolutions adopted by Parliament at its November II 2016 part-session, for transmission to Parliament.

5. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2017) 113)

ADMINISTRATIVE MATTERS

(PERS(2017) 10)

5.1. DG COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2016) 65 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 Excellence and Science Infrastructure Directorate in DG Communication Networks, Content and Technology (PERS(2016) 65).

The Commission took note of the opinions of the Consultative Committee on Appointments of 10 and 24 November 2016 (PERS(2016) 65/2 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 Mr OETTINGER, in agreement with the PRESIDENT and after consulting Mr ANSIP, it then decided to appoint Mr Thomas SKORDAS to the post.

This decision would take effect on 1 March 2017.

5.2. DG JUSTICE AND CONSUMERS – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2016) 102 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 ‘Criminal Justice’ Directorate in DG Justice and Consumers (PERS(2016) 102).

It took note of the opinions of the Consultative Committee on Appointments of 26 October and 8 December 2016 (PERS(2016) 102/2 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 Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms JOUROVÁ, and also Mr TIMMERMANS, Mr DOMBROVSKIS and Mr KATAINEN, it decided to appoint Ms Alexandra JOUR-SCHROEDER to the post.

This decision would take effect on 1 March 2017.

5.3. DG ENERGY – APPOINTMENT OF AD14 DIRECTOR

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr ARIAS CAÑETE, and also Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Mechthild WÖRSDÖRFER, currently Director of the ‘Energy Policy’ directorate in

DG Energy, to the post of Director of the ‘Renewables, Research and Innovation, Energy Efficiency’ Directorate in the same DG.

This decision would take effect on 1 April 2017.

5.4. DG ENERGY – APPOINTMENT OF AD15 DIRECTOR

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr ARIAS CAÑETE, and also Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Megan RICHARDS, currently Chief Adviser in DG Communication Networks, Content and Technology, to the post of Director of the ‘Energy Policy’ directorate in DG Energy.

This decision would take effect on 1 April 2017.

6. WHITE PAPER ON THE FUTURE OF EUROPE – REFLECTIONS AND SCENARIOS FOR THE EU27 BY 2025 (COM(2017) 2025)

The PRESIDENT opened the discussion on the draft White Paper on the future of Europe, which was a follow-up to the policy debate held the previous week. He had announced this document during his State of the Union speech in September 2016 and it was now a question of analysing the content of the paper before formally adopting it.

He reported that during the preparation of the White Paper he had personally been in contact with all the European Heads of State or Government to inform them of his intentions and canvas their opinions. He pointed out that the draft being submitted to the College, deliberately written in a non-bureaucratic style, did not aim to express

the Commission's vision of Europe in 2025. He explained that he had chosen to propose scenarios for the Union of 27 by 2025 and to invite the general public, civil society, the governments and parliaments of the Member States and the European institutions to join a vast debate. He said that he would draw the first conclusions from that public debate in September during his next State of the Union speech, that he would ask the Members of the Commission to coordinate an exercise in collective thinking in the medium term based on the discussion papers the Commission would publish by the end of June on the social dimension, globalisation, the Economic and Monetary Union, defence and the Union's finances. Internally, he envisaged a prior discussion of the views of the Commission Members and of his State of the Union speech at a Commission seminar, on a date still to be determined.

He presented the five scenarios proposed, pointing out that it was entirely possible and probable that following the public debate, a scenario that mixed various elements of the five scenarios presented in the White Paper would be chosen.

The PRESIDENT indicated that he would present the content of the White Paper to the European Parliament on Wednesday 1 March at 15.00, also with a view to the celebration of the 60th anniversary of the Treaty of Rome on 25 March in the Italian capital in the presence of 27 of the Union's Heads of State or Government.

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

- the full support of the Members of the Commission for the White Paper, which was welcomed for its simplicity, general balance and tone that was accessible enough to stimulate a major debate in the Member States and among the general public about the future of Europe;

- a reminder of the European values and history which had led to European integration, as well as the relevance of the diagnosis that were shared by the entire Commission;
- the urgent need for this public debate to involve not only governments but also citizens so that they would take ownership of the future developments of the Union by helping to define its shape and its objectives;
- in this respect, the fact that the process was as important as the results it would bring, insofar as it would make it possible to involve the entire civil society and would strengthen the awareness citizens could have of their common destiny and of Europe as a good place to live;
- the relevance of the approach chosen, which involved proposing different scenarios for the future of the Union and launching a debate across the whole of European society, whatever the origins, interests or political opinions of its members;
- for some, the need for the Commission to represent the general interest and guide the debates by expressly showing the way and by clarifying the consequences of each scenario in order to guarantee an informed debate;
- the importance of considering the consequences of each scenario more explicitly as some did not seem, on the face of it, to be particularly viable, and of explaining that the Union's greatest achievements should not be taken for granted and would have to be defended;
- the need to place European citizens at the heart of the thinking about the future of Europe and to therefore focus on the human aspects of the debate and the advantages that Europe could offer its citizens;

- the relevance of the courses of action and the non-binding instruments that, taking the example of the Erasmus programme, had proven their effectiveness at the service of the citizens and given extra resonance to the European project;
- the case for placing more emphasis on the fight against climate change and sustainable development as fundamental engines of development in the Union;
- the suggestion that some areas of the text should be clarified with regard to the current and future division of responsibilities for monitoring State aid;
- the importance of feeding the debate, which would kick-off with discussion papers on the big political questions such as Europe's social dimension, globalisation, economic and monetary policy, defence and the Union's finances between now and the end of June; in this respect, the need for the College to continue its discussions at seminars dedicated to these different aspects, as suggested by the PRESIDENT;
- the need to present the White Paper as the start of a process of reflexion open to all of society and, to this end, to explain what the European Union was, what it did and what it could do in future;
- the fact that the future of the Union could not be reduced to a question of 'more or less Europe', but must rest on a vision and aspirations shared by the Member States and citizens;
- the need to tackle the failings for which the Union was routinely criticised, in order to enable it to meet citizens' expectations and in this sense justify the financial resources it would require;
- the desire to put across the message that the Union should not be seen as a vehicle of globalisation, but as an instrument that could be used to manage globalisation by giving Member States the means collectively to influence the decisions taken on the international stage;

- the danger that some of the proposed scenarios would heighten concerns among certain Member States about the emergence of a multi-speed Europe, undermining the principle of strict equality between EU Member States.

The PRESIDENT thanked the meeting for this rich and instructive debate, the main points of which would be incorporated into a revised version of the White Paper that would be tabled for adoption. He asked Members wishing to submit drafting suggestions to pass them on to him as soon as possible so that the final document could be translated into all EU languages that night.

He returned to the method underlying this White Paper, comprising (i) the previous week's policy debate, (ii) the various options put forward that day for in-depth analysis in the Member States, without singling out one preferred option, in order to allow a debate that was as wide-ranging and free as possible, but presenting the consequences of each scenario, (iii) the discussion papers the Commission would present before the end of June to further enrich the debate – on Social Europe, globalisation, Economic and Monetary Union, defence and the financial future of the Union, and (iv) the initial conclusions he would be taking from the public debate in order to clarify the direction the Commission wanted to see the European Union take in the future. He reminded Members that it was not a matter of setting out a political action programme for the next two or three years, but of looking ahead to 2025.

Essentially, the whole point of looking ahead to 2025 was to plot a course, taking into account the pressing challenges facing the Union, such as its demographic decline and loss of economic power compared with the rest of the world. For this reason he stressed the need, in his view, to convince Europeans – and first and foremost the younger generation – that it was in their interests to commit to Europe for the sake of their own future.

* * *

The first session closed at 19.04.

Second sitting: Wednesday 1 March 2017 (morning)

The second sitting opened at 10.19 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Ms MOGHERINI	High Representative / Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	Items 8/14 (in part) and 15
Mr HAHN	Member	
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	
Sir Julian KING	Member	

Absent:

Mr TIMMERMANS

First Vice-President

Ms BIEŃKOWSKA

Member

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

Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS
-----------	--

Mr HEDBERG	Deputy Chef de cabinet to Ms BIENKOWSKA
------------	--

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 MICHOU	Deputy Secretary-General
-----------	--------------------------

Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT
----------------------	--

Mr SHOTTER	Chief adviser in the PRESIDENT's Office	Items 8 to 14
------------	---	---------------

Mr THOLONIAT	Adviser in the PRESIDENT's Office	Item 7
--------------	-----------------------------------	--------

Mr GRASSI	Adviser in the PRESIDENT's Office	Items 8/14 (in part)
-----------	-----------------------------------	----------------------

Ms SILLAVEE	PRESIDENT's Office	
-------------	--------------------	--

Ms PANZETTI	Chef de cabinet to Ms MOGHERINI	Items 7 to 14
-------------	---------------------------------	---------------

Mr BANNERMAN	Expert in Mr KATAINEN's Office	Items 7 to 15
--------------	--------------------------------	---------------

Mr HAGER	Chef de cabinet to Mr OETTINGER	Items 7 and 8/14 (in part)
----------	---------------------------------	-------------------------------

Ms ÅSENIUS	Chef de cabinet to Ms MALMSTRÖM	
------------	---------------------------------	--

Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Items 7 to 14
------------	------------------------------------	---------------

(28 February and 1 March 2017)

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

Ms ANDREEVA	Commission Spokesperson's Service	
Mr SMITH	Commission Spokesperson's Service	Item 7
Mr RUETE	Director-General, DG Migration and Home Affairs	Items 7 to 14

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

**7. WHITE PAPER ON THE FUTURE OF EUROPE – REFLECTIONS AND SCENARIOS FOR THE EU27 BY 2025 (CONTD.)
(COM(2017) 2025 AND /2)**

The PRESIDENT presented to the meeting the revised version of the White Paper drawn up on the basis of the previous day's in-depth discussion and the drafting suggestions he had received from various quarters.

He extended his warmest thanks to the teams who had helped in this considerable task, paying a special tribute to the translators, who had worked the previous night to make sure that the White Paper was available in all EU languages that day.

He reminded the meeting that he would be making a speech in Parliament that afternoon in which he would present the White Paper to MEPs. He invited any Members of the Commission who wished to do so to join him in order to emphasise that the Commission was united.

The PRESIDENT concluded by thanking the Members of the Commission for their constructive attitude during the preparation of the White Paper. He also announced his intention of making two or three ordinary Commission meetings into seminars before the summer so as to give the Commission the chance to discuss more freely the preparation of the discussion documents that would be presented until the end of June. He would inform the Members of the Commission of the dates as soon as possible.

At the end of the PRESIDENT's presentation, the Commission adopted the White Paper in COM(2017) 2025/2, subject to final linguistic revision, for transmission to the European Parliament, the European Council, the Council, the Court of Justice of the European Union, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and, for information, to the national parliaments.

8. **FIFTH REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE PROGRESS MADE IN THE IMPLEMENTATION OF THE EU-TURKEY STATEMENT**
(COM(2017) 204 TO /3; RCC(2017) 19)
9. **THIRD PROGRESS REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE PARTNERSHIP FRAMEWORK WITH THIRD COUNTRIES UNDER THE EUROPEAN AGENDA ON MIGRATION**
(COM(2017) 205 TO /3; RCC(2017) 19)
10. **COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND TO THE COUNCIL ON A MORE EFFECTIVE RETURN POLICY IN THE EUROPEAN UNION – A RENEWED ACTION PLAN**
(COM(2017) 200 AND /2; RCC(2017) 19)
11. **COMMISSION RECOMMENDATION ON MAKING RETURNS MORE EFFECTIVE WHEN IMPLEMENTING DIRECTIVE 2008/115/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**
(COM(2017) 1600 TO /4; RCC(2017) 19)
12. **SECOND REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE OPERATIONALISATION OF THE EUROPEAN BORDER AND COAST**

GUARD

(COM(2017) 201 AND /2; RCC(2017) 19)

13. TENTH REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE RELOCATION AND RESETTLEMENT OF REFUGEES

(COM(2017) 202 TO /3; RCC(2017) 19)

14. FIFTH REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL ON THE PROGRESS MADE TOWARDS AN EFFECTIVE AND GENUINE SECURITY UNION

(COM(2017) 203 AND /2; RCC(2017) 19)

Mr AVRAMOPOULOS made a brief presentation of the set of reports and the recommendation on returns that had already been approved and were for adoption by the Commission the following day as part of the implementation of the European Agenda on Migration. The package consisted of (i) the fifth report on the progress made in implementing the EU-Turkey Statement on the reception of refugees, (ii) the third progress report on the partnership framework with third countries, (iii) the communication on a more effective return policy for the European Union, setting out a renewed action plan, (iv) a recommendation on making returns more effective when implementing the Return Directive (2008/115/EC), (v) the second report on the operationalisation of the European Border and Coast Guard, (vi) the tenth report on the relocation and resettlement of refugees, and (vii) the fifth report on the progress made towards an effective and genuine security union, for presentation by Sir Julian KING.

Mr AVRAMOPOULOS began by explaining that the various parts of the package were interdependent and formed a whole that set out the Union's overall strategy for addressing the multiple aspects of the migration issue, both inside and outside the

European Union.

With respect to relocation, the necessary solidarity measure of the overall package, he emphasised the limited progress made, since, to date, only 14% of the total agreed number of refugees had been relocated out of Italy and Greece, although both those Member States remained under significant pressure. He had written a letter that day, together with the Maltese Presidency of the Council, to all the ministers to highlight the importance of relocation and inform them that the issue would be debated at the next Justice and Home Affairs Council to encourage Member States to step up their efforts, bearing in mind that the relocation programme was due, in principle, to end in September.

As for implementation of the EU-Turkey Statement, he noted that it continued to deliver results, although returns and relocations needed to be speeded up, which, there again, required greater support from the Member States.

He also indicated that the contributions necessary to make the European Border and Coast Guard fully operational in terms of human resources, funding and equipment had not yet all been made.

He then turned to the policy of returning illegal migrants, which, first and foremost, needed to be effective within the European Union, which was why the Commission advised Member States to take advantage of the flexibility and the room for manoeuvre under the legislation in force to ensure that returns were effective and fully respected human rights.

At the same time, Mr AVRAMOPOULOS explained that the European Union was pursuing its efforts to cooperate with third countries on migration.

On this point, Ms MOGHERINI noted that the work was progressing well. She pointed out that the EU had enhanced its cooperation with the International Organization for Migration in Libya, where returns had begun to be organised, which was a key development. She emphasised the fact that stress should be laid on

respect for human rights as an essential element in cooperating with third countries on migration. She said that the next progress report on the partnership framework would be published in June, and ended by encouraging the Members of the Commission with responsibility for the policy areas concerned to organise high-level visits to the partnership countries.

Sir Julian KING presented the main conclusions of the Fifth report on the progress made towards an effective and genuine Security Union, which was focused on implementation. He explained that it assessed the progress made in, on the one hand, negotiations with the European Parliament and the Council and, on the other, the practical implementation given to things that had been decided collectively. He briefly reviewed the progress made to implement the legislative priorities referred to in the Joint Statement by the Presidents of the European Parliament, the Council and the Commission of December 2016, the other legislative initiatives and the non-legislative measures. He ended his presentation by noting that the next report would focus on serious organised crime and its links to terrorism.

In the course of the brief discussion that followed, the Commission touched on the social inclusion initiatives for migrants financed from or eligible for financing from the European Structural Funds, and regret that Member States did not always make use of that option.

Following the presentations, the Commission, on a proposal from the PRESIDENT, agreed:

- to adopt formally the reports and the communication set out in COM(2017) 204/3, COM(2017) 205/3, COM(2017) 200/2, COM(2017) 201/2, COM(2017) 202/3 and COM(2017) 203/2 by finalisation written procedure, the deadline for which was set at 9.30 on Thursday 2 March (PE/2017/1334, PE/2017/1358, PE/2017/1340, PE/2017/1351, PE/2017/1350 and PE/2017/1338);

- to adopt in principle, the recommendation in C(2017) 1600/4 and to empower, under Article 13 of its Rules of Procedure, Mr TIMMERMANS, the Member of the Commission with responsibility for better regulation, interinstitutional relations, the rule of law and the Charter of Fundamental Rights, and Mr AVRAMOPOULOS, the Member of the Commission with responsibility for migration, home affairs and citizenship, to adopt formally the recommendation, in agreement with the PRESIDENT, in all language versions as soon as they became available, for notification to the Member States and for publication in the *Official Journal of the European Union*, by finalisation written procedure, the deadline for which was also set at 9.30 on Thursday 2 March (PE/2017/1339).

15. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

15.1. WRITTEN PROCEDURES APPROVED

(SEC(2017) 109 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 and 24 February.

15.2. EMPOWERMENT

(SEC(2017) 110 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 20 and 24 February.

15.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2017) 111 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 20 and 24 February, as archived in Decide.

15.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2017) 112 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 27 February and 3 March.

Anti-dumping measures applicable to imports of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from the People's Republic of China

Mr KATAINEN listed the latest developments following the College's discussion of 8 February on the Member States' positions in the Trade Defence Instruments Committee on the draft acts submitted to them by the Commission in order to extend anti-dumping and countervailing duties imposed by the European Union on imports of photovoltaic cells and modules – solar panels – originating in or consigned from the People's Republic of China.

He began by reiterating that, while the Member States meeting in the Trade Defence Instruments Committee had not opposed the Commission's proposal with regard to anti-subsidy duties, 18 of them (representing 33% of the EU's population) had rejected the initial proposal on anti-dumping duties, and this had triggered the appeal procedure.

In accordance with the conclusions of the College's discussion, he confirmed that the Commission had examined the possibility of achieving greater convergence of the Member States' positions on extending the measures in question for a shorter period than the 24 months initially proposed, i.e. 18 months, or possibly 12 months. Although the surveys indicated that a

12-month period would have garnered less support in the Trade Defence Instruments Committee than the initial proposal, the fact of having proposed an 18-month period, together with a review of the measures with a view to their being phased out, had instead had the effect of increasing support for the Commission's proposal, while reducing the number of Member States opposed to it.

Mr KATAINEN therefore considered that the criteria set for maintaining the anti-dumping measures were now met. In his opinion, the approach put forward that day was the only one possible which could both ensure the legal certainty of the Commission's position and the credibility of its action.

Furthermore, Ms MALMSTRÖM specified that the Court of Justice of the European Union had ruled in favour of the Commission in its judgment of the previous day in the case concerning the validity of anti-dumping duties imposed by the EU on imports of solar panels from China, which, she believed, confirmed the merits of the approach presented to the Commission for its approval.

She briefly mentioned the context of the proposed draft acts, in particular the conclusions of the investigation carried out by the Commission according to which dumping of Chinese solar panels continued to be detrimental to EU undertakings, and the Chinese authorities continued to subsidise the sector.

As part of triggering the appeal procedure, she confirmed that, on 17 February, the Commission had presented to the Trade Defence Instruments Committee an amended draft act on an 18-month extension of the current anti-dumping measures, in accordance with the conclusions of the College's discussion of 8 February.

Given the broad support this extension made it possible to garner from the Member States while significantly reducing the number of those opposed to it,

Ms MALSTRÖM proposed the adoption of the draft acts extending by 18 months the current anti-dumping measures, together with a review of the measures making it possible to phase them out. Although she remained in favour of abolishing the duties on solar panels as quickly as possible, she primarily stressed the need to proceed with caution and on the basis of solid justification.

More generally, Ms MALMSTRÖM stated that the approach chosen had the benefit of ensuring continuity with the Commission's established practice as part of trade policy comitology, of fulfilling the Commission's obligation to act in view of the findings of its investigation, and, finally, of complying with the legal requirement to take a decision before the current anti-dumping measures expired, i.e. on 4 March.

The PRESIDENT thanked Mr KATAINEN and Ms MALMSTRÖM for this information. He noted the agreement of the Members of the Commission with the approach presented, i.e. the adoption of two Commission implementing regulations, one establishing a definitive anti-dumping duty and the other a definitive countervailing duty, and of the Notice of Initiation of an interim review of the applicable anti-dumping and countervailing duties. These texts were the subject of written procedures for which the time limit expired on that day at 12.00 p.m. (PE/2017/1252, PE/2017/1251 and PE/2017/1261).

*

* *

The meeting closed at 10.50.