



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2018) 2247 final

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

Brussels, 28 March 2018

TEXTE EN

MINUTES

of the 2247th meeting of the Commission

held in Strasbourg

(Winston Churchill building)

on Tuesday 13 March 2018

(afternoon)

—

PV(2018) 2247 final

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

EN

TABLE OF CONTENTS

Attendance list	5-7
1. AGENDAS (OJ(2018) 2247/FINAL; SEC(2018) 2247/FINAL)	8
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2018) 2247).....	8
3. APPROVAL OF THE MINUTES OF THE 2241 ST , 2242 ND , 2243 RD , 2245 TH AND 2246 TH MEETINGS OF THE COMMISSION (31 JANUARY, 6, 14, 28 FEBRUARY AND 7 MARCH 2018) (PV(2018) 2241; PV(2018) 2241, 2 ND PART; PV(2018) 2242; PV(2018) 2243; PV(2018) 2245; PV(2018) 2245, 2 ND PART	8
4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	8
4.1. WRITTEN PROCEDURES APPROVED (SEC(2018) 135 ET SEQ.).....	8
4.2. EMPOWERMENT (SEC(2018) 136 ET SEQ.)	9
4.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2018) 137 ET SEQ.).....	9
4.4. SENSITIVE WRITTEN PROCEDURES (SEC(2018) 138 AND /2)	9
5. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2018) 139)	9
5.1. LEGAL SERVICE – APPOINTMENT OF AN AD14/15 PRINCIPAL LEGAL ADVISER (PERS(2017) 102 TO /3).....	9
5.2. DG INFORMATICS – DEPUTISING FOR THE DIRECTOR-GENERAL OF DG INFORMATICS.....	10
5.3. PUBLICATIONS OFFICE – DEPUTISING FOR THE DIRECTOR-GENERAL OF THE PUBLICATIONS OFFICE OF THE EUROPEAN UNION.....	10
5.4. DG ENERGY – APPROVAL OF LIST OF CANDIDATES FOR THE POST OF EXECUTIVE DIRECTOR OF THE EUROPEAN AGENCY FOR THE COOPERATION OF ENERGY REGULATORS (ACER) (PERS(2017) 112 TO /3).....	11

PV(2018) 2247 final

6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE – MONITORING THE IMPLEMENTATION OF THE EUROPEAN PILLAR OF SOCIAL RIGHTS (COM(2018) 130 AND /2; SWD(2018) 67 AND/2; RCC(2018) 35).....	11
7. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A EUROPEAN LABOUR AUTHORITY (COM(2018) 131 AND /2; SWD(2018) 68 AND/2; SWD(2018) 69 AND/2; SWD(2018)80; SEC(2018) 144; RCC(2018) 35).....	11
8. COMMISSION DECISION SETTING UP THE EUROPEAN ADVISORY GROUP FOR THE EUROPEAN LABOUR AUTHORITY (C(2018) 1505; RCC(2018) 35)	12
9. PROPOSAL FOR A COUNCIL RECOMMENDATION ON ACCESS TO SOCIAL PROTECTION FOR WORKERS AND THE SELF-EMPLOYED (COM(2018) 132 AND /2; SWD(2018) 70 AND /2 ; SWD(2018)71; SWD(2018)79; SEC(2018) 145; RCC(2018) 35)	12
10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – PROGRESS REPORT ON THE IMPLEMENTATION OF THE EUROPEAN AGENDA ON MIGRATION (COM(2018) 250 TO /3; RCC(2018) 37).....	16
11. COMMISSION DECISION ON THE FACILITY FOR REFUGEES IN TURKEY AMENDING COMMISSION DECISION C(2015)9500 AS REGARDS THE CONTRIBUTION TO THE FACILITY FOR REFUGEES IN TURKEY (C(2018) 1500 AND /2; RCC(2018) 37).....	16

12. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – SECOND ANNUAL REPORT ON THE FACILITY FOR REFUGEES IN TURKEY (COM(2018) 91 TO /5; RCC(2018) 37)	16
13. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – ADAPTING THE COMMON VISA POLICY TO NEW CHALLENGES (COM(2018) 251 AND /2; RCC(2018) 37)	16
14. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATION (EC) NO 810/2009 ESTABLISHING A COMMUNITY CODE ON VISAS (VISA CODE) (COM(2018) 252 AND /2; SWD(2018) 77; SWD(2018) 78; SEC(2018) 148; RCC(2018) 37)	16
15. INTERINSTITUTIONAL RELATIONS (RCC(2018) 31)	20
15.1. HORIZONTAL ITEM	20
15.2. LEGISLATIVE MATTERS	20
15.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL	24
15.4. RELATIONS WITH PARLIAMENT	25
16. OTHER BUSINESS	25
16.1. LATEST DEVELOPMENTS IN THE AREA OF TRADE POLICY	25
16.2. COMMISSION RESPONSE TO THE BAN ON THE USE OF PRODUCTS CONTAINING GLYPHOSATE IN THE CONTEXT OF THE APPLICATION OF DIRECTIVE 2015/1535 ON THE TRANSPARENCY OF THE INTERNAL MARKET	26
16.3. SOLIDARITY WITH THE UNITED KINGDOM	26

Single sitting: Tuesday 13 February 2018 (afternoon)

The sitting opened at 13.22 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President
Mr TIMMERMANS	First Vice-President
Ms MOGHERINI	High Representative / Vice-President
Mr ANSIP	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr KATAINEN	Vice-President
Mr OETTINGER	Member
Mr HAHN	Member
Ms MALMSTRÖM	Member
Mr ARIAS CAÑETE	Member
Mr VELLA	Member
Mr ANDRIUKAITIS	Member
Mr AVRAMOPOULOS	Member
Ms THYSSEN	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
Ms GABRIEL	Member

Absent:

Mr DOMBROVSKIS	Vice-President
Mr MIMICA	Member
Mr MOSCOVICI	Member
Sir Julian KING	Member

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

Mr WYNANDS	Chef de cabinet to Mr DOMBROVSKIS
Mr CAJO	A member of Mr MIMICA's staff
Ms DEKA	A member of Sir Julian KING's staff

The following also sat in:

Ms MARTÍNEZ ALBEROLA	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	
Mr THOLONIAT	Adviser in the PRESIDENT's Office	
Ms ARKI	PRESIDENT's Office	
Ms FOCQUET	A member of Mr VELLA's staff	Item 15
Mr PRADALIE	A member of Mr ANDRIUKAITIS's staff	Item 16 (in part)
Ms BERNAERTS	Chef de cabinet to Ms THYSSEN	Items 1 to 9
Mr SNELS	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	

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

1. AGENDAS

(OJ(2018) 2247/FINAL; SEC(2018) 2247/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(2018) 2247)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 12 March 2018.

3. APPROVAL OF THE MINUTES OF THE 2241ST, 2242ND, 2243RD, 2245TH AND 2246TH MEETINGS OF THE COMMISSION (31 JANUARY, 6, 14, 28 FEBRUARY AND 7 MARCH 2018)

(PV(2018) 2241; PV(2018) 2241, 2ND PART; PV(2018) 2242; PV(2018) 2243; PV(2018) 2245; PV(2018) 2245, 2ND PART)

The Commission approved the minutes of its 2241st, 2242nd, 2243rd and 2245th meetings and decided to hold over approval of the minutes of its 2246th meeting for a later meeting.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2018) 135 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 5 and 9 March 2018.

4.2. EMPOWERMENT

(SEC(2018) 136 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 5 and 9 March 2018.

4.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2018) 137 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 March 2018, as archived in Decide.

4.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2018) 138 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 12 and 16 March 2018 and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on 5 and 12 March 2018.

5. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2018) 139)

ADMINISTRATIVE MATTERS

(PERS(2018)19)

**5.1. LEGAL SERVICE – APPOINTMENT OF AN AD14/15 PRINCIPAL
LEGAL ADVISER**

(PERS(2017) 102 TO /3)

The Commission had before it the applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Legal Adviser

responsible for the Quality of Legislation (LEG) team in the Legal Service (PERS(2017) 102).

It took note of the opinions of the Consultative Committee on Appointments of 17 October and 9 November 2017 (PERS(2017) 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, it then decided to appoint Ms Brunhilde SCHUELKE to the post.

This decision would take effect on 16 March 2018.

5.2. *DG INFORMATICS – DEPUTISING FOR THE DIRECTOR-GENERAL OF DG INFORMATICS*

The Commission, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr ANSIP and Mr KATAINEN, decided to repeal its decision of 4 October 2016 (PV(2016) 2184) on the order of deputies for the post of Director-General of DG Informatics, and to apply the order of deputies set out in Article 27 of its Rules of Procedure.

This decision would take effect immediately.

5.3. *PUBLICATIONS OFFICE – DEPUTISING FOR THE DIRECTOR-GENERAL OF THE PUBLICATIONS OFFICE OF THE EUROPEAN UNION*

The Commission, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr NAVRACSICS, and also Mr ANSIP, Mr DOMBROVSKIS and Mr KATAINEN, decided to repeal its decision of 7 July 2015 (PV(2015) 2134) on the order of deputies for the post of Director-General of the Publications Office of the European Union, and to apply the order of deputies set out in Article 27 of its Rules of Procedure.

This decision would take effect immediately.

5.4. DG ENERGY – APPROVAL OF LIST OF CANDIDATES FOR THE POST OF EXECUTIVE DIRECTOR OF THE EUROPEAN AGENCY FOR THE COOPERATION OF ENERGY REGULATORS (ACER) (PERS(2017) 112 TO /3)

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 approve the list of three candidates, presented in alphabetical order, set out in point 4 of PERS(2018) 19, for the post of Executive Director of the European Agency for the Cooperation of Energy Regulators (ACER), and to consider this list as the Commission proposal;
- to ask Mr ARIAS CAÑETE, the Member of the Commission responsible for climate action and energy, to communicate this decision and the list of candidates to the Administrative Board of the European Agency for the Cooperation of Energy Regulators.

These decisions would take effect immediately.

6. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE – MONITORING THE IMPLEMENTATION OF THE EUROPEAN PILLAR OF SOCIAL RIGHTS

(COM(2018) 130 AND /2; SWD(2018) 67 AND /2; RCC(2018) 35)

7. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A EUROPEAN LABOUR AUTHORITY

PV(2018) 2247 final

(COM(2018) 131 AND /2; SWD(2018) 68 AND /2; SWD(2018) 69 AND /2; SWD(2018) 80; SEC(2018) 144; RCC(2018) 35)

**8. COMMISSION DECISION SETTING UP THE EUROPEAN ADVISORY GROUP FOR THE EUROPEAN LABOUR AUTHORITY
(C(2018) 1505; RCC(2018) 35)**

**9. PROPOSAL FOR A COUNCIL RECOMMENDATION ON ACCESS TO SOCIAL PROTECTION FOR WORKERS AND THE SELF-EMPLOYED
(COM(2018) 132 AND /2; SWD(2018) 70 AND /2 ; SWD(2018) 71; SWD(2018) 79; SEC(2018) 145; RCC(2018) 35)**

The PRESIDENT asked Ms THYSSEN to present the set of initiatives tabled for adoption by the College that day as part of the Social Equity Package. He highlighted in particular, on the one hand, the proposal to create a European Labour Authority and, on the other, the state of play of the implementation of the European Pillar of Social Rights proclaimed at the November 2017 Social Summit for fair jobs and growth in Gothenburg. The PRESIDENT pointed out that he had announced the creation of the European Labour Authority in his September 2017 State of the Union address.

Ms THYSSEN explained that the package comprised a proposal for a Regulation establishing the European Labour Authority, a Decision setting up the European Advisory Group for that Authority, a proposal for a Council Recommendation on access to social protection for workers and the self-employed, and a general communication on monitoring the implementation of the European Pillar of Social Rights.

She began by describing the background to the set of initiatives, pointing out that 17 million Europeans were today living or working in a Member State other than that of which they were nationals, a figure that had doubled in ten years. While Europeans valued highly the rights conferred on them by freedom of movement, they still noted two recurrent problems: (i) the difficulty of obtaining information

about their rights and obligations, and (ii) the difficulty of ensuring that the Union's rules protecting and regulating mobility in cross-border situations were respected. The Commission was proposing the creation of the European Labour Authority in response to these two issues and as a contribution to the fair mobility of workers.

The European Labour Authority would help the Member States to exchange information and launch joint inspections. It would also facilitate worker mobility by helping to familiarise citizens and businesses wishing to pursue an activity in another Member State with their rights and obligations by rationalising the existing information channels and providing the necessary additions. It would support the national authorities without replacing the national labour inspectorates or supervising them.

Lastly Ms THYSSEN pointed out that the Commission had chosen to give the European Labour Authority a simple governance structure to carry out all those tasks and that once it had reached its cruising speed, the Authority would have 144 members of staff and a budget of EUR 51 million.

Ms THYSSEN went on to present the proposal for a Council Recommendation on access to social protection for workers and the self-employed, which aimed to modernise the social protection systems. These systems, which had been designed for full-time workers with permanent contracts, did not protect everybody, in particular young people, even though the world of work was changing extremely quickly, as were career paths and jobs. She added that this modernisation was necessary both from a social and from an economic point of view, since if the social protection systems were to be preserved the cover needed to be as broad as possible in order to ensure a suitable distribution of the risks.

In line with the European Pillar of Social Rights, the proposal aimed to encourage Member States to support access to social protection for all workers and self-employed, in particular for those who, due to their employment status, did not have sufficient social security coverage. It was therefore intended to (i) fill the systemic gaps in social cover, ensuring that workers and the self-employed

operating under comparable conditions could be affiliated to the relevant social security systems, (ii) propose a social cover that was genuinely effective so that all workers could accumulate rights and ensure they were upheld, (iii) facilitate the transfer of accumulated rights in terms of social security from one job or employment status to another, and (iv) provide workers and the self-employed with transparent information about their rights and obligations in the area of social security.

Finally, with regard to the general communication on the implementation of the European Pillar of Social Rights, Ms THYSSEN stressed that the implementation was the joint responsibility of the institutions of the Union and the Member States, public authorities, social partners and civil society. She reminded the meeting that the European Council of December 2017 had invited the Commission to propose suitable measures to monitor the implementation of this European pillar. In the Communication in question, the Commission proposed to report on the implementation of the priorities of the European Pillar of Social Rights in the annual cycle of the European Semester for the coordination of economic and budgetary policies, which would mean analysing the measures taken and progress made at national level, providing technical assistance, comparative assessments and exchanging good practices as well as examining the results obtained in the field of employment and in the social arena by referring in particular to the social dashboard, which tracked trends and performance across the Member States from the point of view of the principles set out in the European Pillar of Social Rights.

Ms THYSSEN closed her presentation by highlighting the justification for and timeliness of the initiatives presented that day, just a few days before a European Council meeting where Social Europe would be one of the topics discussed by the heads of state or government. She added that these initiatives had arrived at the right time to prove to the citizens of the Union that the European Pillar of Social Rights was far more than just words. In that respect she felt that if the Commission, the European Parliament and the Council showed the necessary political will, the Union could establish the European Labour Authority before the

end of the current parliamentary term. She expressed her personal wish to be able to inaugurate this agency before the end of the Commission's term of office.

Following this presentation, the Commission:

- approved the Communication in COM(2018) 130/2 for transmission to Parliament, the Council, the European Economic and Social Committee and, for information, to the national parliaments, together with the staff working document distributed as SWD(2018) 67/2, the contents of which were noted;
- adopted the proposals for a Regulation in COM(2018) 131/2, for transmission to Parliament, the Council, the Economic and Social Committee, the Committee of the Regions, the European Data Protection Supervisor and the national parliaments, together with the impact assessment, the summary thereof and the staff working document, and the opinion of the Regulatory Scrutiny Board in the documents distributed as SWD(2018) 68/2, SWD(2018) 69/2, SWD(2018) 80 and SEC(2018) 144, the contents of which were noted;
- adopted the Decision in C(2018) 1505 and decided to publish it, for information, in the *Official Journal of the European Union*;
- adopted the proposals for a Council Recommendation in COM(2018) 132/2, for transmission to the Council, and, for information, to the European Parliament and the national parliaments, together with the impact assessment, the summary thereof and the staff working document, and the opinion of the Regulatory Scrutiny Board, distributed as SWD(2018) 70/2, SWD(2018) 71, SWD(2018) 79 and SWD(2018) 145, the contents of which were noted.

- 10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – PROGRESS REPORT ON THE IMPLEMENTATION OF THE EUROPEAN AGENDA ON MIGRATION
(COM(2018) 250 TO /3; RCC(2018) 37)**
- 11. COMMISSION DECISION ON THE FACILITY FOR REFUGEES IN TURKEY AMENDING COMMISSION DECISION C(2015) 9500 AS REGARDS THE CONTRIBUTION TO THE FACILITY FOR REFUGEES IN TURKEY
(C(2018) 1500 AND /2; RCC(2018) 37)**
- 12. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – SECOND ANNUAL REPORT ON THE FACILITY FOR REFUGEES IN TURKEY
(COM(2018) 91 TO /5; RCC(2018) 37)**
- 13. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – ADAPTING THE COMMON VISA POLICY TO NEW CHALLENGES
(COM(2018) 251 AND /2; RCC(2018) 37)**
- 14. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING REGULATION (EC) 810/2009 ESTABLISHING A COMMUNITY CODE ON VISAS (VISA CODE)
(COM(2018) 252 AND /2; SWD(2018) 77; SWD(2018) 78; SEC(2018) 148; RCC(2018) 37)**

The PRESIDENT asked Mr HAHN and Mr OETTINGER to present the Decision on the Facility for Refugees in Turkey and the Commission's Second Annual Report on this Facility (items 11 and 12 of these Minutes), which formed part of a broader set of initiatives in the field of migration and visa policy.

Mr HAHN began by thanking Mr STYLIANIDES and his departments for the

excellent cooperation that had made it possible to implement the Facility for Refugees in Turkey rapidly and effectively. He reminded the meeting that this Facility was the result of an EU-Turkey joint statement on 18 March 2016. The €3 billion allocated to the Facility until the end of 2017 had been committed in full and €1.8 billion had already been paid. As examples of the tangible results on the ground, he cited in particular the support received by 1.2 million Syrian refugees in the form of debit cards made available to them through the Emergency Social Safety Net, and the situation of 312 000 children who were receiving regular schooling. The Facility had also financed around 750 000 medical consultations and was now offering microcredit and subsidies to encourage business start-ups.

The implementation of the Facility had thus been very positive and it had eased the migratory pressure on the Union very significantly.

Mr HAHN therefore felt that the Union should continue its support. He said that the Decision on the Facility for Refugees in Turkey being tabled that day provided for the release of the second financing tranche of €3 billion. As in the case of the first tranche, the Union would disburse a contribution of €1 billion from its budget, to which would be added €2 billion from the Member States. Certain European leaders had called for the Union to bear the whole cost of this second tranche, but Mr HAHN noted that this was impossible without jeopardising the financing of other political priorities also supported by the Member States, not just externally but also in the area of cohesion policy. He pointed out, too, that should this call be heeded, the Member States would find themselves excluded from governance of the Facility.

He stressed that it was important to settle the question of financing of the second tranche of the Facility for Refugees in Turkey at the European Council meeting on 22-23 March, and to use the meeting scheduled for 26 March between the PRESIDENT, Donald TUSK, the President of the European Council, Boiko Borissov, the Prime Minister of Bulgaria, and Recep Tayyip Erdoğan, the Turkish President, to make provision for a smooth transition between the first and

second aid tranches. The aim was to ensure the continuity of the aid delivered on the ground, in particular for schooling of children and the renewal of the contracts of the teaching staff.

Lastly, Mr HAHN said that the European Court of Auditors had just published its report on the implementation of pre-accession assistance for Turkey, in which it concluded that the effectiveness of this assistance was limited due to the lack of political will of the Turkish authorities. He pointed out that this assistance had no link with the Facility for Refugees in Turkey, but he warned that the media and public opinion might associate the two. Communication activities might therefore be needed to enable them to better distinguish between the objectives and results of the different types of assistance provided by the Union.

Mr OETTINGER also considered that the European Council meeting on 22-23 March and the meeting on 26 March between the PRESIDENT, Mr TUSK, Mr Borissov and Mr Erdoğan represented a timely opportunity, since the contracts of as many as 5 500 teachers had to be renewed for the start of the new school year in September 2018. He too referred to the wish of certain Member States for the Facility to be funded solely by the EU budget. In such a case, the Union would have to mobilise the whole of its global margin for commitments, amounting to €2.7 billion, which would significantly reduce the flexibility of the EU budget and its capacity to respond to future emergencies.

He also pointed out that the structure of the Facility and its operational arrangements were based on mixed funding, and that the Member States' contribution was allocated in part to administrative expenditure and personnel recruitment. These expenses would be jeopardised if the Union alone were to bear the financial burden of the Facility. He too hoped that an agreement would be reached swiftly on the financing of the second tranche of financial assistance for the Facility to avoid any lack of continuity in the actions being deployed on the ground.

Ms MOGHERINI stressed that it was of the utmost necessity to continue supporting the refugees in Turkey and to release the second tranche of financial assistance

under the Facility. She considered that the financing could not come from the Union alone and pointed out, moreover, that the Member States would have to honour other commitments undertaken, particularly with regard to the trust funds for Africa and Syria, whose resources were now exhausted. In this respect, she reminded the meeting of her proposal at the Commission meeting of 24 January to examine the possibility of establishing a link between the Facility for Refugees in Turkey and the funds that would be pledged at the second Conference on Syria on 24 April in Brussels.

Mr STYLIANIDES referred to the pledging conferences for countries such as Yemen, the Democratic Republic of Congo and Syria, at which the Member States would have to honour previous commitments. Unless a contribution was made to the financing of the Facility for Refugees in Turkey, it would be necessary to bear the cost of a resumption in migratory flows to the Union.

Mr AVRAMOPOULOS felt that the important results obtained thanks to the marked reduction in migratory flows justified the Member States' commitment to the Facility. He therefore called for continued information and communication activities aimed at explaining how the Facility worked (the financing for it was allocated directly to non-governmental organisations present on the ground and to the host communities). He noted in passing that the Member States that were most reluctant to continue financing the Facility had no other viable solution to propose.

Following these comments, the Commission, on a proposal by the PRESIDENT, confirmed the formal adoption of the documents in COM(2018) 250/3, COM(2018) 1500/2, COM(2018) 91/5, COM(2018) 251/2 and COM(2018) 252/2, by finalisation written procedure, the deadline for which was set at 10.00 on Wednesday 14 March 2018 (PE/2018/1521, PE/2018/1375, PE/2018/1616, PE/2018/1489 and PE/2018/1490).

15. INTERINSTITUTIONAL RELATIONS

(RCC(2018) 31)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 9 March 2018 (RCC(2018) 31).

It paid particular attention to the following points.

15.1. HORIZONTAL ITEM

- i) Negotiations with the United Kingdom for an agreement setting out the arrangements for its withdrawal from the Union under Article 50 of the Treaty on European Union – United Kingdom accession to the World Trade Organization Agreement on government procurement – Statement by the European Union in the March 2018 meetings of the General Procurement Agreement Committee**

(SI(2018) 122)

The Commission approved the line set out in SI(2018) 122.

15.2. LEGISLATIVE MATTERS

- ii) Trilogues**

(point 3.1 of the IRG record)

- Amendment of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (Directive) – MORIN-CHARTIER & JONGERIUS report – 2016/0070 (COD)

The Commission approved the line set out in SI(2018) 106.

- Rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions

of television and radio (Regulation) – WÖLKEN report –
2016/0284 (COD)

The Commission approved the line set out in SI(2018) 107.

- Establishment of the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovative capacity of the EU defence industry (Regulation) – GROSSETÊTE report – 2017/0125 (COD)

The Commission approved the line set out in SI(2018) 101/2.

- ‘Clean energy’ package – Governance of the Energy Union – Amendment of Directive 94/22/EC, Directive 98/70/EC, Directive 2009/31/EC, Regulation (EC) 663/2009, Regulation (EC) 715/2009, Directive 2009/73/EC, Council Directive 2009/119/EC, Directive 2010/31/EU, Directive 2012/27/EU, Directive 2013/30/EU and Council Directive (EU) 2015/652 and repeal of Regulation (EU) 525/2013 (Regulation) – RIVASI / TURMES report – 2016/0375 (COD)

The Commission approved the line set out in SI(2018) 108/2.

- ‘Clean energy’ package – Promotion of the use of energy from renewable sources (Directive – recast) – BLANCO LÓPEZ report – 2016/0382 (COD)

The Commission approved the line set out in SI(2018) 109/2.

- ‘Clean energy’ package – Amendment of Directive 2012/27/EU on energy efficiency (Directive) – POCHE report – 2016/0376 (COD)

The Commission approved the line set out in SI(2018) 110/2.

- Conservation of fishery resources and protection of marine ecosystems through technical measures, amendment of Council Regulations

(EC) 1967/2006, (EC) 1098/2007, (EC) 1224/2009 and Regulations (EU) 1343/2011 and (EU) 1380/2013 of the European Parliament and of the Council, and repeal of Council Regulations (EC) 894/97, (EC) 850/98, (EC) 2549/2000, (EC) 254/2002, (EC) 812/2004 and (EC) 2187/2005 (Regulation) – MATO report – 2016/0074 (COD)

At the invitation of the PRESIDENT, Mr VELLA reported to the College on the progress made in the interinstitutional work on the revision of the Regulation of the European Parliament and of the Council on the conservation of fishery resources and the protection of marine ecosystems through technical measures. This Regulation laid down the rules governing how and where fishermen could fish.

He reminded the College that in 2016 the Commission had presented a proposal for a Regulation amending Council Regulations (EC) 1967/2006, (EC) 1098/2007, (EC) 1224/2009 and Regulations (EU) 1343/2011 and (EU) 1380/2013 of the European Parliament and of the Council, and repealing Council Regulations (EC) 894/97, (EC) 850/98, (EC) 2549/2000, (EC) 254/2002, (EC) 812/2004 and (EC) 2187/2005. Following long preliminary discussions, both the Council and Parliament had now set out their position, which meant that the three institutions would soon be able to launch the trilogue negotiations.

The Commission approved the line set out in SI(2018) 111/2.

iii) European Parliament Dossiers – March 2018 part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Amendment of Regulation (EC) 726/2004 as regards the location of the seat of the European Medicines Agency (Regulation) – LA VIA report – 2017/0328 (COD)

The Commission approved the line set out in SP(2018) 144.

Special legislative procedure

- Common Consolidated Corporate Tax Base (CCCTB) (Council Directive)
– LAMASSOURE report – 2016/0336 (CNS) / Common Corporate Tax
Base (Council Directive) – TANG report – 2016/0337 (CNS)

The Commission approved the line set out in SP(2018) 125 and /2.

iv) Council dossiers

(point 3.3 of the IRG record)

- Banking Package – Amendment of Regulation (EU) 575/2013 as regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements and amendment of Regulation (EU) 648/2012 (Regulation) – SIMON report – 2016/0360 (COD) / Amendment of Regulation (EU) 806/2014 as regards loss-absorbing and Recapitalisation Capacity for credit institutions and investment firms (Regulation) – HÖKMARK report – 2016/0361 (COD) / Amendment of Directive 2014/59/EU on loss-absorbing and recapitalisation capacity of credit institutions and investment firms and amendment of Directive 98/26/EC, Directive 2002/47/EC, Directive 2012/30/EU, Directive 2011/35/EU, Directive 2005/56/EC, Directive 2004/25/EC and Directive 2007/36/EC (Directive) – HÖKMARK report – 2016/0362 (COD) / Amendment of Directive 2014/59/EU of the European Parliament and of the Council as regards the ranking of unsecured debt instruments in insolvency hierarchy (Directive) – HÖKMARK report – 2016/0363 (COD) / Amendment of Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies,

remuneration, supervisory measures and powers and capital conservation measures (Directive) – SIMON report – 2016/0364 (COD)

The Commission approved the line set out in SI(2018) 93/2.

- Interoperability of electronic road toll systems and facilitating cross-border exchange of information on the failure to pay road fees in the Union (Directive – recast) – SALINI report – 2017/0128 (COD)

The Commission took note of the information in SI(2018) 123/2.

15.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

v) Programming of Council business

(SI(2018) 126)

The Commission took note of the information in SI(2018) 126 on the Council meetings between 15 and 28 March 2018.

vi) Non-legislative dossiers

(point 4.1 of the IRG record)

- Authorisation of the opening of negotiations on an international legally-binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (Recommendation for a Council Decision) – COM(2017) 812

The Commission approved the line set out in SI(2018) 112.

- 10th Union for the Mediterranean Trade Ministerial Conference (Brussels, 19 March 2018) – Ministerial declaration

The Commission approved the line set out in SI(2018) 127.

vii) Latest developments in the Council

(point 4.4 of the IRG record)

- Framework for screening of foreign direct investments into the European Union (Regulation) – PROUST report – 2017/0224 (COD)

The Commission took note of the information in SI(2018) 116.

15.4. RELATIONS WITH PARLIAMENT

viii) Action taken on the non-legislative resolutions adopted by Parliament at its January 2018 part-session

(point 5.6.2 of the IRG record)

The Commission approved, for transmission to Parliament, documents SP(2018) 139 and /2 on the action taken on the non-legislative resolutions adopted by Parliament at its January 2018 part-session.

16. OTHER BUSINESS

16.1. LATEST DEVELOPMENTS IN THE AREA OF TRADE POLICY

At the invitation of the PRESIDENT, Mr KATAINEN, Ms MALMSTRÖM and Mr HOGAN informed the College of the decision taken by the President of the United States to apply additional customs duties of 25 % to imports of steel and 10 % to imports of aluminium, and also of the hormone-free beef dispute between the two parties.

16.2. COMMISSION RESPONSE TO THE BAN ON THE USE OF PRODUCTS CONTAINING GLYPHOSATE IN THE CONTEXT OF THE APPLICATION OF DIRECTIVE 2015/1535 ON THE TRANSPARENCY OF THE INTERNAL MARKET

Mr ANDRIUKAITIS informed the College that, following the renewal at European level of the approval of the active substance ‘glyphosate’ for a period of five years, the Austrian region of Carinthia intended to introduce a three-year ban on the use of plant protection products containing glyphosate on its territory.

16.3. SOLIDARITY WITH THE UNITED KINGDOM

Mr TIMMERMANS expressed the full support to be given to the United Kingdom following the attack using a military-grade nerve agent against civilians on the territory of this Member State. He stressed the collective responsibility of the EU to provide a firm response while showing solidarity to the citizens and Government of the United Kingdom.

*

* *

The Commission’s other discussions on certain agenda items are recorded in the special minutes.

*

* *

The meeting closed at 14.39.