



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2015) 2112 final**

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

Brussels, 28 January 2015

# **TEXTE EN**

## **MINUTES**

**of the 2112<sup>th</sup> meeting of the Commission**

**held in Brussels**

**(Berlaymont)**

**on Wednesday 21 January 2015**

**(morning)**

—

**PV(2015) 2112 final**

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

**EN**

**TABLE OF CONTENTS**

<b>Attendance list</b>	<b>4-6</b>
1. AGENDA (OJ(2015) 2112/FINAL) .....	7
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2015) 2112).....	8
3. MINUTES OF 2111 <sup>TH</sup> MEETING OF THE COMMISSION (13 JANUARY) PV(2015) 2111 .....	8
4. INTERINSTITUTIONAL RELATIONS (RCC(2015) 3) .....	8
4.1. <i>LEGISLATIVE DOSSIERS</i> .....	9
4.2. <i>RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL</i> .....	9
4.3. <i>RELATIONS WITH PARLIAMENT</i> .....	9
5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	10
5.1. <i>WRITTEN PROCEDURES APPROVED (SEC(2015) 50 ET SEQ)</i> .....	10
5.2. <i>EMPOWERMENT (SEC(2015) 51 ET SEQ)</i> .....	10
5.3. <i>DELEGATION AND SUBDELEGATION OF POWERS (SEC(2015) 52 ET SEQ)</i> .....	11
5.4. <i>SENSITIVE WRITTEN PROCEDURES (SEC(2015) 53)</i> .....	11
6. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2015) 54/3).....	11
6.1. <i>DG EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION – APPOINTMENT OF AD15 DIRECTOR</i> .....	11
6.2. <i>DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF RAPPORTEURS FOR SELECTION PROCEDURES FOR SENIOR MANAGEMENT POSTS (PERS(2015) 4; PERS(2015) 5)</i> .....	12

6.3. <i>ACTIVITIES OF A MEMBER OF THE COMMISSION AFTER LEAVING OFFICE</i> <i>(C(2015) 273)</i> .....	12
6.4. <i>ACTIVITIES OF A MEMBER OF THE COMMISSION AFTER LEAVING OFFICE</i> <i>(C(2015) 274/2)</i> .....	13
7. POLICY DEBATE ON THE PREPARATION OF THE EUROPEAN AGENDA ON SECURITY (SEC(2015) 66) .....	13
8. OTHER BUSINESS .....	25
<i>SECURITY MEASURES TO PROTECT INDIVIDUALS AND PREMISES AT THE COMMISSION</i> .....	25
9. RELATIONS WITH NON-MEMBER COUNTRIES .....	26
<i>RELATIONS WITH RUSSIA</i> .....	26

**Single sitting: Wednesday 21 January 2015 (morning)**

The sitting opened at 9.15 with Mr JUNCKER, President, in the chair.

**Present:**

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms GEORGIEVA	Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr KATAINEN	Vice-President	Items 1 to 8 (in part)
Mr OETTINGER	Member	
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	
Lord HILL	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Mme CREȚU	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	

PV(2015) 2112 final

Absent:

Ms MOGHERINI

High Representative/  
Vice-President

Mr DOMBROVSKIS

Vice-President

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

Mr MANSERVISI	Chef de cabinet to Ms MOGHERINI
Mr SUARDI	Deputy Chef de cabinet to Mr DOMBROVSKIS

The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT
Mr ROMERO REQUENA	Director-General, Legal Service
Mr PESONEN	Deputy Director-General, DG Communication
Mr SCHINAS	Head of the Spokesperson Service and Chief Spokesperson of the Commission
Ms METTLER	Head of the European Strategic Policy Centre
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT
Mr ZADRA	A member of the PRESIDENT's staff
Mr BALTAZAR	A member of the PRESIDENT's staff
Mr SMULDERS	Chef de cabinet to Mr TIMMERMANS
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS
Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ
Mr RUETE	Director-General, DG Migration and Home Affairs

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

**1. AGENDA****(OJ(2015) 2112/FINAL)**

The PRESIDENT opened the Commission meeting remarking that the week ahead was to be eventful with, in particular, the decisions expected from the European Central Bank (ECB) and the parliamentary elections in Greece. With regard to these two matters he asked the Members of the Commission to exercise great caution whilst waiting for the outcome.

He also stated that he would be discussing these issues with the President of the European Council, Donald TUSK, on Sunday, as well as at an inter-institutional meeting he would attend on Monday along with, among others, the President of the ECB, Mario DRAGHI.

The PRESIDENT then mentioned the main actions on the Work Programme that the Commission would address during the first half of 2015, i.e. (i) the capital markets union, which would be the subject of a policy debate on 28 January and a green paper being drawn up, (ii) the energy union, which would be the subject of a policy debate on 4 February on the basis of a background note, followed by the preparation of a contribution to the European Council meeting in March, and (iii) the single digital market, which would also be discussed at a policy debate on 25 March, leading to the development of a strategy that the Commission would propose at its meeting on 6 May in preparation for the June meeting of the European Council.

He also noted that nine Members of the Commission would attend the Davos World Economic Forum and invited them to make use of the joint communication dossier made available to them in order to ensure the coherence of the positions taken at the Forum.

He added to this information some forthcoming visits to the Commission namely (i) the visit by His Majesty King Philippe, King of the Belgians on 25 February, (ii)

that of the German Chancellor, Angela Merkel, on 4 March, and (iii) that of Manuel Valls, the French Prime Minister, on 18 March.

The Commission took note of these points and of that day's agenda.

**2. WEEKLY MEETING OF CHEFS DE CABINET  
(RCC(2015) 2112)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 19 January.

**3. MINUTES OF 2111<sup>TH</sup> MEETING OF THE COMMISSION (13 JANUARY)  
PV(2015) 2111**

The Commission approved the minutes of its 2111<sup>th</sup> meeting.

**4. INTERINSTITUTIONAL RELATIONS  
(RCC(2015) 3)**

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 16 January (RCC(2015) 3).

It paid particular attention to the following points.



#### **4.1. LEGISLATIVE DOSSIERS**

##### **i) Council dossier**

- Payment Package: Interchange fees for card-based payment transactions (Regulation) – ZALBA BIDEgain report – 2013/0265 (COD)

The Commission approved the line set out in SI(2015) 7.

#### **4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL**

##### **ii) Programming of Council business**

(SI(2015) 10)

The Commission took note of the information in SI(2015) 10 on the Council meetings between 22 January and 4 February.

##### **iii) Non-legislative dossier**

(point 4.1.1 of the IRG record)

- Publication of the negotiating directives for the Trade in Services Agreement (TiSA)

The Commission took note of the information in SI(2015) 8.

#### **4.3. RELATIONS WITH PARLIAMENT**

##### **iv) Results of Parliament's January part-session**

(SP(2015) 7; (SP(2015) 13)

The Commission took note of the information in SP(2015) 7 and SP(2015) 13 on the proceedings of the part-session of Parliament held in Strasbourg from 12 to 15 January.

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

(SP(2015) 18)

The Commission decided to empower the Commission Members responsible for the sectors in question, in agreement with the PRESIDENT and Mr TIMMERMANS and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2015) 18, drawn up following the January part-session of Parliament, the contents of which were noted.

**5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS**

**5.1. WRITTEN PROCEDURES APPROVED**

*(SEC(2015) 50 ET SEQ)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 12 and 16 January.

**5.2. EMPOWERMENT**

*(SEC(2015) 51 ET SEQ)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 12 and 16 January.

**5.3. DELEGATION AND SUBDELEGATION OF POWERS**

*(SEC(2015) 52 ET SEQ)*

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 12 and 16 January, as archived in e-Greffe.

**5.4. SENSITIVE WRITTEN PROCEDURES**

*(SEC(2015) 53)*

The Commission took note of the sensitive written procedures for which the time limit expired between 19 and 23 January.

**6. ADMINISTRATIVE AND BUDGETARY MATTERS**

*(SEC(2015) 54/3)*

**ADMINISTRATIVE MATTERS**

*(PERS(2015) 2/3)*

**6.1. DG EMPLOYMENT, SOCIAL AFFAIRS AND INCLUSION –  
APPOINTMENT OF AD15 DIRECTOR**

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Ms THYSSEN, Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided to fill the post of Director of the ‘Employment and Social Legislation, Social Dialogue’ Directorate in DG Employment, Social Affairs and Inclusion by transferring in the interest of the service, under Article 7 of the Staff Regulations, Mr Jordi CURELL GOTOR, an AD15 official and currently Director of ‘Modernisation of Education II: Education policy and programme, Innovation, European

Institute of Innovation and Technology (EIT) and Marie Skłodowska-Curie Actions (MSCA)' Directorate in DG Education and Culture.

This decision would take effect on 1 March 2015.

**6.2. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF RAPORTEURS FOR SELECTION PROCEDURES FOR SENIOR MANAGEMENT POSTS**

**(PERS(2015) 4; PERS(2015) 5)**

The Commission took note of the information in point 2 of PERS(2015) 2/3 and, on a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, decided in accordance with Article 7 of the Commission decision laying down the rules of procedure of the Consultative Committee on Appointments:

- to appoint for a full three years term, renewable once, the new rapporteurs for selection procedures for senior management posts, as listed in Annex 1 to PERS(2015) 4;
- to reappoint for a second full three years term the rapporteurs as listed in Annex 2 to PERS(2015) 5.

These decisions would take effect retroactively from 1 January 2015.

**6.3. ACTIVITIES OF A MEMBER OF THE COMMISSION AFTER LEAVING OFFICE**

**(C(2015) 273)**

The Commission adopted the Decision set out in C(2015) 273.

The Commission decided that the activities planned by its former President, Mr José Manuel BARROSO, as Visiting Professor at the University of

Princeton (New Jersey), at the Graduate Institute of International and Development Studies (Geneva), at the University of Geneva (Switzerland) and the *Universidade Católica Portuguesa* (Lisbon) are compatible with Article 245(2) of the Treaty on the Functioning of the European Union.

The Commission took note of the activity planned by Mr BARROSO as President Emeritus of the Teneo Leadership Institute at the University of Cornell (New York).

**6.4. ACTIVITIES OF A MEMBER OF THE COMMISSION AFTER LEAVING OFFICE**  
**(C(2015) 274/2)**

The Commission adopted the Decision set out in C(2015) 274/2.

The Commission decided that the activity planned by the former Member of the Commission Mr Jacek DOMINIK, as Counsellor General in the Ministry of Finance of Poland, was compatible with Article 245(2) of the Treaty on the Functioning of the European Union.

**7. POLICY DEBATE ON THE PREPARATION OF THE EUROPEAN AGENDA ON SECURITY**  
**(SEC(2015) 66)**

Mr TIMMERMANS opened the policy debate on the preparation of the European Agenda on Security by pointing out that the Commission had set itself the task of proposing such an agenda even before the recent attacks. Nevertheless, the attacks had underlined the urgency of the situation and the EU should respond by reaffirming its determination to combat all forms of terrorism.

He hoped that the EU institutions would cooperate intelligently in strengthening public security and he was pleased that the Commission had been able to establish a common working basis, the broad lines of which could serve as a model in future.

Although security remained essentially the responsibility of the Member States, Europe was nevertheless a key factor in the overall approach to be developed, particularly by supporting and facilitating operational cooperation. In so doing, the Commission's response was responsible, determined and measured.

He felt that many security challenges could be addressed by making effective use of existing EU instruments. For example, the Schengen system allowing free movement of people should not be called into question, rather due attention should be paid to ensuring appropriate implementation of the rules to ensure security at EU level.

Mr TIMMERMANS also noted that work would have to be stepped up on certain legislative initiatives currently on the table, such as the EU Passenger Name Record (PNR) system, the urgent need for which had been demonstrated by recent events.

More generally, it was essential that the Commission continue to identify the weaknesses or flaws in the application and use of existing cooperation tools and assess whether or not there was a need to introduce additional measures or mechanisms.

Mr TIMMERMANS expressed deep concern at the upheavals that were causing young Europeans to radicalise and to subscribe to a deadly culture that was exacerbating tensions in society.

While it was important for the Union to support the Member States and help them to pursue their security policies, there were many areas where the Members of the Commission could make a substantial contribution to the common effort, whether it be in combating discrimination, racism or xenophobia, or in integration, social

policy, structural and investment funds, education or the interfaith dialogue.

To eradicate extremism in the long term, the Union must try to give young people a heightened sense of belonging to Europe's open societies. He noted here that terrorism was not bound up with any particular group, ideology or religion: over the course of their history, the Member States had often had to deal with terrorism at local level.

Lastly, as regards the interfaith dialogue, which was part of his portfolio, he intended to make tolerance the main theme over the next few months and more specifically the subject of two high-level meetings, one with religious and the other with secular organisations, which would be held in the spring ahead of the annual conference on fundamental rights and the rule of law scheduled for the autumn.

Mr AVRAMOPOULOS began his presentation on the possible next steps in response to the recent terrorist attacks and on the future European Agenda on Security by expanding on the idea, mentioned earlier, of ensuring better implementation of existing European instruments and legislation. Only by pooling accurate and up-to-date information on terrorist threats would it be possible to come up with an appropriate, effective and proportionate policy response throughout the EU. He argued that it was essential to encourage greater trust between the Member States in order to promote more extensive sharing of intelligence both among them and with the EU agencies, in particular Europol, Eurojust and Frontex. He cited as examples the reciprocal exchange of information on combating arms trafficking and, in the longer term, the possibility of extending certain actions linked to counter-terrorism and the need to increase intelligence analysis capabilities at EU level. He also mentioned the need to ensure complementarity between internal and external factors.

On the question of combating terrorism, he stressed the need for firm action to prevent radicalisation, in particular drawing on the work of the Radicalisation

Awareness Network and the exchange of good practices, which would be made easier by a future centre of excellence. On the specific question of online radicalisation and its direct link with the phenomenon of foreign fighters, he mentioned the discussions under way between the Commission and certain digital service providers on the possibility of establishing practical cooperation between them and the law enforcement authorities in the Member States to detect and remove illegal content and to study the possibilities for putting out counter-narratives. These talks should soon culminate in practical recommendations.

As regards border controls and the Schengen area, he cited a number of concrete measures introduced by the Commission to help protect the external borders making full use of the flexibility provided for by the current legal framework. He mentioned in particular the practical support it provided to border guards and law enforcement officers in the Member States on the use of the Schengen Information System and the Interpol database on travel documents. He also spoke of the work under way in cooperation with Member State experts on defining a series of common risk indicators which would make it possible to carry out more systematic border controls in order to intercept potential foreign fighters who might, for illegal purposes, make their way to Syria, Iraq or other geopolitical flashpoints in the Middle East. He advocated maintaining the regular review of the effectiveness of the Schengen Borders Code in order to examine any improvements required as necessary.

Turning to the legislative initiatives proposed by the Commission in recent years to combat terrorism, he stressed the need to revive the interinstitutional negotiations in order to break the current deadlock over the proposal for a Directive on the use of PNR data for the prevention and detection of terrorist offences and serious crime, which the Commission had presented in 2011.

There was an urgent need to introduce such a mechanism at European level to allow more effective exchange of PNR data between the Member States' authorities, since



the threat posed by terrorism and organised crime was, by its very nature, a cross-border one. He reported on an initiative aimed at raising the European Parliament's awareness of this vital need by using real-life examples. He noted that these measures were the best way of striking a balance between security and the protection of individual privacy and went on to mention a number of guarantees which the Commission had proposed with regard to data protection. The aim was to guarantee a high level of protection for the fundamental rights of European citizens while developing an operational capacity that was commensurate with the internal security challenges facing the Union, in line with the judgment given by the European Court of Justice on the Data Retention Directive in April 2014. He recalled the dialogue already in progress with the European Parliament in order to break the deadlock on the PNR file and suggested supporting the co-legislators more actively in finding a solution. He strongly encouraged the Members of the Commission to support these initiatives in order to promote an interinstitutional agreement on this important dossier.

Returning to the consequences of the European Court judgment which invalidated the Data Retention Directive, he pointed out that personal data remained subject to the rules laid down by the Member States, which in turn had to comply with the fundamental principles of European law, in particular the ePrivacy Directive. He summarised the ongoing discussions on whether to put forward a new legislative proposal in this field, noting, on the one hand, the fundamental role that telecommunications records could play in the fight against terrorism and, on the other, the importance of adopting a cautious and measured approach. His department was therefore examining this question on the basis of the Court's judgment concerning the conditions for appropriate protection of the privacy of citizens. He intended to subsequently launch a wide-ranging consultation that could, in his view, be accompanied by an impact assessment and evaluation of the need to prepare a new legislative proposal over the course of the coming year. In any event, he cautioned against a hasty reaction under the pressure of the recent tragic events in

certain Member States.

Mr AVRAMOPOULOS stressed the responsibility incumbent on the Commission in its role as coordinator and provider of support to the Member States. Noting a certain confusion in the public perception of the respective roles of the Commission and the EU Counter-Terrorism Coordinator, he felt that the Commission could, if necessary and at the appropriate time, review the arrangements for interaction here, taking account of the competences now provided for by the Treaty on the Functioning of the European Union.

To conclude, he welcomed the significant work done by Ms MOGHERINI on the external aspects of the fight against terrorism, as discussed by the Foreign Affairs Council on 19 January, and welcomed the collective momentum behind the actions in progress and proposed initiatives, whose merits and proportionality the Commission, as the guardian of EU law, had to systematically justify.

Ms JOUROVÁ prefaced her comments by referring to the terrorist attacks in Paris, which she regarded as an assault on the fundamental European values of respect for life, tolerance and freedom of expression, while underlining the importance of not acting or reacting from a position of fear.

She then set out the five priorities for justice policy in the future European Agenda on Security, namely: (i) enhancing measures to combat anti-Semitism and Islamophobia and, more generally, racism and xenophobia, in particular where they were the subject of incitement to hatred disseminated by social media; (ii) developing solutions for better coordination at Union level of action by law-enforcement and intelligence agencies that were active in the fight against terrorism, examples being (a) the European arrest warrant, which had allowed the rapid extradition of the terrorist responsible for the attack on the Jewish Museum in Brussels, (b) the use of the ECRIS database (European Criminal Records Information System), which had contained the names of the terrorists involved in

the Paris attacks and could be expanded to third-country nationals, (c) the mutual legal assistance concluded with third countries, which in her view was another good example of coordination between the stakeholders concerned, and (d) more efficient use of the EUROJUST and EUROPOL networks; (iii) stepping up the prevention of radicalisation, in particular in prisons but also as part of probation measures; (iv) closer monitoring of suspicious transfers of funds which might indicate the preparation of an attack, thanks to strict application of the Anti-Money Laundering Directive and systematic exchange of information between financial investigation departments; and (v) the protection of fundamental values and data-protection safeguards where new initiatives were envisaged, whether in the case of an amended proposal for a future European passenger name record system (PNR) or a possible proposal for a Data Retention Directive. In this context, the general reform of the data-protection legislation provided for a specific directive on the rules that would apply to data protection by the police and courts; the application of common rules would enable the police and courts to cooperate more effectively with each other.

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

- the need to point out that the Commission had announced in its Work Programme its intention to present a proposal on internal security; the case for separating this future proposal from the immediate context, in the wake of the terrorist attacks in France and the anti-terrorist operations in Belgium, and for incorporating it into a broader vision of European society which intended to defend its values, in particular by condemning intolerance and espousing respect; for all that, the suggestion to move forward in the current context, which was characterised by heightened awareness of the risks threatening the security of Europe; the desire for the Commission to take a very clear stance and affirm that the absence of security was always reflected in an absence of freedom;

- general support for the measured and balanced approach set out in the background note from Mr TIMMERMANS, Mr AVRAMOPOULOS and Ms JOUROVÁ, in order to demonstrate that the Union was taking action, albeit within its support role; the intention clearly expressed by all the Members of the Commission to contribute to the European Agenda on Security, each within their own area of responsibility;
- the need, when preparing the European Agenda on Security, to respect the fact that security policy was a fundamental area of national sovereignty, the Member States being responsible for defining and implementing the core components of that policy; none the less, a call to take account too of the insufficient capability of some Member States to contribute to the Union's security as a whole;
- a reminder of existing means and the need to implement legislation already adopted, to use available instruments, in particular to exchange information between Member States, on the one hand, and between Member States and European institutions, on the other, to utilise channels of cooperation already in place and to highlight the link between the internal and external dimensions;
- the case for taking into account the specific experience of certain Member States which had already experienced terrorism, put in place prevention, education, and awareness-raising strategies but also the exchange of information with neighbouring countries, and had measured the effects;
- approval for the idea of strengthening the EU's intelligence analysis capabilities; the suggestion to set up contact points at Union level for third-country political or regional organisations that could provide security-related information;
- the reaffirmation of the desire to step up the fight against terrorism financing and arms trafficking; the need for greater cooperation between Europol and other European agencies; the contribution expected from the future customs

policy to the fight against trade in all illicit goods;

- defence of the integrity, or even the strengthening, of the Schengen system, one of the most visible achievements of European integration; rejection of the attempts made in some quarters to question certain aspects of the Schengen area for circumstantial reasons and short-term considerations; a reminder of the effectiveness of the control of the EU's external borders; highlighting of the usefulness of the Schengen information system in the exchange of information between the participating Member States, but regret at a general lack of sufficient mutual trust between them;
- the desire to make headway at the Parliament on the discussions on the creation of an EU Passenger Name Record (PNR), which were currently blocked; a reminder of the merits of such an instrument and the need to reach a political consensus on the issue rapidly while ensuring that the right balance was achieved between security and fundamental rights;
- with regard to the Data Retention Directive recently invalidated by the European Court of Justice, the wish to prioritise a prudent and robust approach in this complex matter, taking due account of the risk of possible restrictions of freedoms and social media to be included in the scope of a possible new version of the proposal to make it effective; questions as to the real effectiveness of a Data Retention Directive and, in any case, the need to base any revised proposal for the Directive on new data protection rules;
- in order to make a concrete contribution to achieving the right balance between the need for security and for freedom, the suggestion that sunset clauses be included in the legislative proposals on the EU's internal security in order to verify the effects of the specific application of their provisions and conclude whether they should be maintained or withdrawn;

- a warning against any confusion of the perpetrators of recent terrorist attacks with the Muslim community in and outside Europe; the need to bear in mind that according to European studies, a significant proportion of the European Muslim population subscribed to the EU's values; the proposal to present the results of research conducted in this area regularly;
- on the highly complex question of foreign fighters, a reminder that many of them were in fact third-generation European citizens and that some were well integrated, in possession of a good level of education and even of employment; the need to find explanations for the failure of social inclusion policies but also, in addition to diagnosing the causes, to provide responses to the radicalisation of some of these fighters by tackling the root causes of such extremism, with the emphasis on prevention;
- for some, the wish to see the Commission take the initiative of rallying the Member States round a discussion of these issues, showing that it was listening to citizens and engaging in an ongoing dialogue with community leaders in order to rebuild trust;
- the importance of examining how the Union could review its strategy aimed at young Europeans in order to contribute to a sense of belonging lacking today and restore their hope in the possibility of a better life; the key role of education in general and, in particular, of a good education system and successful integration policies, for example sports policy, and the need to give absolute priority to reducing youth unemployment;
- at the same time, the need to develop new forms of dialogue with young people outside the structured dialogue already in place; a suggestion to develop training under Erasmus+ in intercultural dialogue between teachers; the usefulness of certain tools such as the programmes to fight radicalisation and communication on the internet in countering the arguments used by the promoters of jihad and

- of terrorism;
- the case for asking Member States confronting the problem of foreign fighters to share the information available to them so that political leaders could use appropriate communication to counter extremist discourse;
  - as regards cybersecurity, at internal Commission level, (i) the efforts required to catch up in terms of financial resources, personnel and internal communication, and (ii) the importance of optimising the Commission's powers by bringing together certain responsibilities currently divided among DG Informatics and other decentralised services; at external level, (i) the case for developing a European data cloud to ensure data security, which could be clearly beneficial for European companies, in particular in high-technology sectors, and (ii) the announcement of a note in the coming weeks taking stock of the internal and external situation;
  - a reference to the protection currently provided for the European schools by the Belgian authorities.

Following the discussion, Mr TIMMERMANS praised the determination and commitment of all the Commission Members to making a contribution to the European Agenda on Security. There was also very widespread support for the idea of making full use of the existing means and tools. He therefore invited each Member to draw up a list of these in his or her own sphere of action. He noted, too, a strong consensus around the wish for the legislative proposals currently before the Council and Parliament to be adopted. Concerning the Directive on the creation of an EU Passenger Name Record (PNR), in particular, adoption of which was currently blocked by the European Parliament's wish to obtain further data protection guarantees, the Commission was willing to facilitate an agreement in order to help the Member States, who were very keen to introduce this record, to implement their security policies in order to protect and reassure their citizens. He

also spoke of the possibility of reinforcing the rules of the Schengen area, in particular at the EU's external borders, and highlighted the Commission's responsibility, which was to provide a platform in order to enhance the functioning of that area. In conclusion, he made a fervent appeal for Europe to make every effort to tackle the urgent task of reducing intolerance, racism, anti-Semitism, Islamophobia, xenophobia and insecurity, all of which were negations of Europe's history and the very idea of European integration.

Following this discussion, the PRESIDENT reminded Members that the European Council on 12 February would be focusing on terrorism, and that the issue of the EU Passenger Name Record (PNR) would no doubt be raised again at that Council meeting and the Commission asked to take action to break the deadlock. He was prepared to consider the possibility of the Commission modifying its current proposal for a Directive as appropriate to enable it to be adopted by Parliament and Council. He also felt that it would be a good idea to put the exchange of intelligence between Member States back on the agenda for the Council discussions, given that despite all the declarations of good intentions, cooperation in this field has too often remained a dead letter.

In conclusion, he praised the content of the policy debate on the European Agenda on Security to be presented by the Commission in a few weeks' time, which had highlighted the need to strike an essential balance between security and freedom. He was pleased to note the willingness expressed by all the Commission Members to contribute to the preparation and implementation of this agenda in their respective policy areas while avoiding the temptation of overreaction as a result of the emotional response to the recent tragic attacks.

The Commission took note of the results of this debate and of the background note distributed under the authority of Mr TIMMERMANS, Mr AVRAMOPOULOS and Ms JOUROVÁ as SEC(2015) 66.



## **8. OTHER BUSINESS**

### ***SECURITY MEASURES TO PROTECT INDIVIDUALS AND PREMISES AT THE COMMISSION***

Following on from the policy debate, Ms GEORGIEVA reported on the measures taken to reinforce the security of Commission staff and buildings in the context of the level 3 alert declared in Belgium and applied at the Commission, on her authority, since 16 January.

She began by briefing the meeting on the latest developments, referring to the work carried out by the Security Directorate, the Commission's close cooperation with the authorities of the host country, Belgium, interinstitutional cooperation, occasional close protection measures put in place for Members of the Commission and the arrangements already deployed in response to the terrorist threats facing the European institutions in the wake of the 2014 attack on the Jewish Museum in Brussels, which involved in particular rigorous checks on access cards, visitors' vehicles and external contractors at the entrance to buildings. In October 2014 the Commission had instructed the Member responsible for administration to propose new measures as quickly as possible.

She presented the short, medium and long-term measures that would now have to be developed on a solid legal foundation which reflected today's challenges. The currently applicable Commission decisions on internal security should be updated with a view to enhancing security at the Commission by monitoring access to buildings, protecting critical infrastructure and digital security systems and cooperating with the other European institutions and the Belgian authorities.

She had already taken the initiative of setting up a high-level interinstitutional group on security issues. Cooperation with the host country authorities should be stepped up in order to prevent and respond to new risks and a complex general situation.

Lastly, Ms GEORGIEVA said that a major campaign to raise awareness among Commission staff should be conducted. She called on all Members to take on board and explain the internal security measures that would be put in place, even if they caused a degree of discomfort. Cybersecurity and the situation of the European schools were also briefly mentioned.

She ended by assuring the Commission of her determination to provide enhanced security for all while ensuring that the necessary measures were as unobtrusive as possible.

The Commission took note of this information.

## **9. RELATIONS WITH NON-MEMBER COUNTRIES**

### ***RELATIONS WITH RUSSIA***

In the absence of Ms MOGHERINI, Mr HAHN summed up the conclusions of the Foreign Affairs Council meeting held in Brussels on 19 January to prepare the European Council in March. The policy discussions held by the Member States at the meeting on the EU's relations with Russia did not call the current framework into question.

The Council had emphasised that Russian compliance with the Minsk Agreement was a pre-condition for any developments in bilateral relations. But recent developments gave cause for concern, in particular a difference of views between Russia and Ukraine on the date of entry into force of the Minsk Agreement, which

had real consequences on the ground and for the negotiations.

He confirmed that the EU's position on the package of sanctions it had adopted against Russia was unchanged. The EU would have to decide how to follow up these sanctions when they expired in March and July respectively. Lastly, in addition to the ongoing conflict in eastern Ukraine, the worsening situation in Georgia would also have to be taken into account.

In the course of a brief discussion, the Members raised the following points: (i) the need to maintain a strong, united front against Russia in the current climate; (ii) Russia's refusal to host the observation mission provided for in the agreements reached with Ukraine on the gas dispute and the positions it had adopted recently on the provision and transmission of gas; (iii) the energy projects being developed by the Commission, including preparations for the energy union and the launch of a high-level working group tasked with preparing a new energy master plan for south-east Europe; (iv) the relevance of further tangible measures to demonstrate the EU's collective solidarity with Ukraine; and lastly, (v) Mr STYLIANIDES' visit to eastern Ukraine on 26 and 27 January during which he would announce the stepping-up of European humanitarian aid.

The Commission took note of this information.

\*

\* \*

The meeting closed at 11.48.