



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2015) 2148 final

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

Brussels, 9 December 2015

TEXTE EN

MINUTES

of the 2148th meeting of the Commission

held in Brussels

(Berlaymont)

on 2 December 2015

(morning)

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Single sitting: Wednesday 2 December 2015 (morning)

The sitting opened at 9.38 with Mr JUNCKER, President, in the chair.

Present:

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

Ms VESTAGER

Member

Mr MOEDAS

Member

Absent:

Mr ANDRIUKAITIS

Member

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

Ms CHAZE	Deputy Chef de cabinet to Mr ANDRIUKAITIS
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The following also sat in:

Mr SELMAYR	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PESONEN	Director-General, DG Communication	
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	Items 1 to 16 (in part)
Ms ANDREEVA	Commission Spokesperson's Service	
Ms METTLER	Head of the European Political Strategy Centre	
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	
Mr DELVAUX	Adviser in the PRESIDENT's Office	Items 1 to 16 (in part)
Ms DEJMEK-HACK	Adviser in the PRESIDENT's Office	Item 16 (in part)
Ms ROUCH	Adviser in the PRESIDENT's Office	Item 16 (in part)
Mr ZADRA	Adviser in the PRESIDENT's Office	Item 16 (in part)
Mr MANSERVISI	Chef de cabinet to Ms MOGHERINI	Items 1 to 16 (in part)

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

1. AGENDAS

(OJ(2015) 2148/FINAL; SEC(2015) 463/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(2015) 2148)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 30 November.

3. APPROVAL OF THE CORRIGENDUM TO THE MINUTES OF THE 2145TH MEETING OF THE COMMISSION (11 NOVEMBER), OF THE MINUTES AND SPECIAL MINUTES OF THE 2146TH MEETING OF THE COMMISSION (18 NOVEMBER), AND THE MINUTES AND SPECIAL MINUTES OF THE 2147TH MEETING OF THE COMMISSION (24 NOVEMBER)

(PV(2015) 2145/2; PV(2015) 2146; PV(2015) 2146, PART II; PV(2015) 2147; PV(2015) 2147, PART II)

The Commission approved the corrigendum to the minutes of its 2145th meeting and the minutes of its 2146th and 2147th meetings.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2015) 105)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 27 November (RCC(2015) 105).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue meetings

(point 3.1 of the IRG record)

- Use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime ‘European PNR’ (Directive) – KIRKHOPE report – 2011/0023 (COD)

The Commission approved the line set out in SI(2015) 476/2.

- Protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (Directive) – LE GRIP report – 2013/0402 (COD)

The Commission approved the line set out in SI(2015) 490.

- Medical devices, and amendment of Directive 2001/83/EC, Regulation (EC) 178/2002 and Regulation (EC) 1223/2009 (Regulation) – WILLMOTT report – 2012/0266 (COD) / In vitro diagnostic medical devices (Regulation) – LIESE report – 2012/0267 (COD)

The Commission approved the line set out in SI(2015) 491/2.

ii) Council dossiers

(point 3.3 of the IRG record)

- European network of Employment Services, workers' access to mobility services and the further integration of labour markets (Regulation) – BECKER report – 2014/0002 (COD)

The Commission approved the line set out in SI(2015) 481.

- European Union Agency for Law Enforcement Cooperation and Training (Europol) and repeal of Decisions 2009/371/JHA and 2005/681/JHA (Regulation) – DÍAZ DE MERA GARCÍA CONSUEGRA report – 2013/0091 (COD)

The Commission approved the line set out in SI(2015) 483.

- Opening and providing for the management of autonomous Union tariff quotas for certain fishery products for the period 2016 to 2018 (Council Regulation) – 2015/0151 (NLE)

The Commission approved the line set out in SI(2015) 262 and /2.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2015) 492)

The Commission took note of the information in SI(2015) 492 on the Council meetings between 3 and 16 December.

iv) Non-legislative dossier

(point 4.1 of the IRG record)

- Ratification and accession by Member States on behalf of the Union to the Protocol of 2010 to the International Convention on Liability and

Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea with the exception of aspects related to judicial cooperation in civil matters (Council Decision) / Ratification and accession by Member States on behalf of the Union to the Protocol of 2010 to the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea with regard to aspects related to judicial cooperation in civil matters (Council Decision) – 2015/0135 (NLE) / 2015/0136 (NLE).

The Commission approved the line set out in SI(2015) 484.

4.3. RELATIONS WITH PARLIAMENT

- v) Preparation of the 30th Joint Parliamentary Assembly of the African, Caribbean and Pacific States and the European Union (ACP-EU) (Brussels, 7 to 9 December) – Replies to written questions**
(point 5.9 of the IRG record)

The Commission approved the replies to the oral questions from the Joint Parliamentary Assembly set out in SP(2015) 698, for transmission to the Assembly.

- vi) Preparation of the 30th Joint Parliamentary Assembly of the African, Caribbean and Pacific States and the European Union (ACP-EU) (Brussels, 7 to 9 December) – Follow-up to the resolutions adopted in Suva, Fiji, on 17 June**
(point 5.10 of the IRG record)

The Commission approved the follow-up to the resolutions adopted by the Joint Parliamentary Assembly set out in SP(2015) 735, for transmission to the Assembly.

vii) Results of the November II part-session of Parliament

(SP(2015) 712; SP(2015) 737)

The Commission took note of the information in SP(2015) 712 and SP(2015) 737 on the proceedings of the part-session of Parliament held in Strasbourg from 23 to 26 November.

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

(SP(2015) 738)

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) 738, drawn up following the November II part-session of Parliament, the contents of which were noted.

4.4. OTHER BUSINESS

ix) Draft Joint Declaration by the European Parliament, the European Commission and the Council on the European Year for Development 2015

(point 7.1 of the IRG record)

The Commission approved the line set out in SI(2015) 480.

x) Draft working arrangements for access to negotiating documents for the Transatlantic Trade and Investment Partnership (TTIP) by the European Parliament

(point 7.2 of the IRG record)

The Commission approved the line set out in SP(2015) 731.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2015) 464 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 29 November.

5.2. EMPOWERMENT

(SEC(2015) 465 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 November.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2015) 466 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 23 and 27 November, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2015) 467)

The Commission took note of the sensitive written procedures for which the time limit expired between 30 November and 4 December and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on Monday 23 November.

5.5. GENERAL EMPOWERMENT WITH A VIEW TO THE ADOPTION OF MEASURES RELATING TO THE 11TH EUROPEAN DEVELOPMENT FUND

(C(2015) 6173 AND /2)

The Commission adopted the decision in C(2015) 6173/2.

In particular, it decided to empower the Member of the Commission responsible for International Cooperation and Development to adopt, on behalf of the Commission and under its responsibility, certain measures relating to the 11th European Development Fund, as referred to in Article 1 of Decision C(2015) 6173/2, subject to the conditions laid down in Article 4.

5.6. GENERAL EMPOWERMENT AND DELEGATION OF POWERS RELATING TO THE IMPLEMENTATION OF THE ASYLUM, MIGRATION AND INTEGRATION FUND AND THE INTERNAL SECURITY FUND

(C(2015) 7884 AND /2)

The Commission adopted the decision in C(2015) 7884/2 and, in particular, decided:

- to empower the Member of the Commission responsible for Migration, Home Affairs and Citizenship to adopt, on behalf of the Commission and under its responsibility, the measures referred to in Article 1, subject to the conditions laid down in Article 4;

- to delegate to the Director-General of DG Migration and Home Affairs the power to adopt, on behalf of the Commission and under its responsibility, the decisions referred to in Article 3 of the Decision.

5.7. REPEAL OF DELEGATION OF POWERS C(2012) 3416 CONCERNING DECISIONS TO REFUSE THE REGISTRATION OF PROPOSED CITIZENS' INITIATIVES AS PROVIDED FOR IN REGULATION (EU) NO 211/2011 ON THE CITIZENS' INITIATIVE (C(2015) 8728)

The Commission adopted the decision in C(2015) 8728 repealing the delegation of powers.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2015) 468)

ADMINISTRATIVE MATTERS

(PERS(2015) 112)

6.1. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF AD14 DIRECTOR

(PERS(2015) 41 TO /5)

The Commission had before it the list of applications under Article 29(1)(a)(i) and (iii), (1)(b) and (2) of the Staff Regulations for the post of Director of the Security Directorate in the Directorate-General for Human Resources and Security (PERS(2015) 41, /2 and /3).

It took note of the opinions of the Consultative Committee on Appointments of 1 and 8 October (PERS(2015) 41/4 and /5).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, it then decided to appoint Mr Ilkka SALMI to the post.

This decision would take effect on a date to be determined.

**6.2. DG HEALTH AND FOOD SAFETY – LIST OF CANDIDATES FOR THE ADI4 POST OF DIRECTOR OF THE EUROPEAN CENTRE FOR DISEASE PREVENTION AND CONTROL (ECDC)
(PERS(2015) 56 TO /4)**

On a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT and after consulting Mr ANDRIUKAITIS and Mr KATAINEN, the Commission decided:

- to approve the list of two candidates, presented in the order set out in point 2 of PERS(2015) 112, for the post of Director of the European Centre for Disease Prevention and Control (*ECDC*), and to consider this list as the Commission proposal;
- to ask Mr ANDRIUKAITIS, the Member of the Commission responsible for health and food safety, to communicate this decision and the list of candidates to the Management Board of the European Centre for Disease Prevention and Control (*ECDC*).

These decisions would take effect immediately.

**6.3. SECRETARIAT GENERAL – EXTENSION OF THE MANDATE OF THE MEMBERS OF THE AD HOC ETHICAL COMMITTEE SET UP BY COMMISSION DECISION C(2003) 3750 OF 21 OCTOBER 2003
(C(2015) 8588)**

The Commission adopted the decision in C(2015) 8588 extending the

mandate of the members of the Ethical Committee until 30 June 2016.

**7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS IMPLEMENTING THE EUROPEAN AGENDA ON SECURITY: EU ACTION PLAN AGAINST ILLICIT TRAFFICKING IN AND USE OF FIREARMS AND EXPLOSIVES
(COM(2015) 624 AND /2; RCC(2015) 109)**

The Commission approved the Communication in COM(2015) 624/2, for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

**8. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON COMBATING TERRORISM AND REPLACING COUNCIL FRAMEWORK DECISION 2002/475/JHA ON COMBATING TERRORISM
(COM(2015) 625 TO /3; RCC(2015) 109)**

The Commission adopted the proposal for a Directive in COM(2015) 625/3, for transmission to Parliament, the Council and national parliaments, and, for information, to the European Economic and Social Committee and the Committee of the Regions.

**9. STATE OF PLAY OF THE EUROPEAN SECURITY AGENDA
(INFO(2015) 101)**

The Commission took note of the information note distributed under the authority of Mr TIMMERMANS and Mr AVRAMOPOULOS in INFO(2015) 101.

**10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND
SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS:
CLOSING THE LOOP – AN EU ACTION PLAN FOR THE CIRCULAR
ECONOMY
(COM(2015) 614 AND /2; RCC(2015) 108)**

The Commission approved the Communication in COM(2015) 614/2, for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

**11. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL AMENDING DIRECTIVE 94/62/EC ON PACKAGING
AND PACKAGING WASTE
(COM(2015) 596 AND /2; SWD(2015) 259; SWD(2015) 260; RCC(2015) 108)**

The Commission adopted the proposal for a Directive in COM(2015) 596/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the staff working documents distributed as SWD(2015) 259 and SWD(2015) 260, the contents of which were noted.

12. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 1999/31/EC ON THE LANDFILL OF WASTE

(COM(2015) 594 AND /2; SWD(2015) 259; SWD(2015) 260; RCC(2015) 108)

The Commission adopted the proposal for a Directive in COM(2015) 594/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the staff working documents distributed as SWD(2015) 259 and SWD(2015) 260, the contents of which were noted.

13. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2000/53/EC ON END-OF-LIFE VEHICLES, DIRECTIVE 2006/66/EC ON BATTERIES AND ACCUMULATORS AND WASTE BATTERIES AND ACCUMULATORS, AND DIRECTIVE 2012/19/EU ON WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT

(COM(2015) 593 AND /2; SWD(2015) 259; SWD(2015) 260; RCC(2015) 108)

The Commission adopted the proposal for a Directive in COM(2015) 593/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the staff working documents distributed as SWD(2015) 259 and SWD(2015) 260, the contents of which were noted.

14. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2008/98/EC ON WASTE (COM(2015) 595 AND /2; SWD(2015) 259; SWD(2015) 260; RCC(2015) 108)

The Commission adopted the proposal for a Directive in COM(2015) 595/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the staff working documents distributed as SWD(2015) 259 and SWD(2015) 260, the contents of which were noted.

15. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE APPROXIMATION OF THE LAWS, REGULATIONS AND ADMINISTRATIVE PROVISIONS OF THE MEMBER STATES AS REGARDS THE ACCESSIBILITY REQUIREMENTS FOR PRODUCTS AND SERVICES (COM(2015) 615 AND /2; SWD(2015) 264; SWD(2015) 265; SWD(2015) 266/2; SEC(2015) 471; RCC(2015) 107)

The Commission adopted the proposal for a Directive in COM(2015) 615/2, for transmission to Parliament, the Council, the European Economic and Social Committee and the national parliaments, together with the impact assessment, the summary thereof and the implementation plan in staff working documents SWD(2015) 264, SWD(2015) 265 and SWD(2015) 266/2, respectively, the contents of which were noted.

It also took note of the opinion of the Impact Assessment Board distributed as SEC(2015) 471.

16. OTHER BUSINESS

16.1. RELATIONS WITH UKRAINE AND RUSSIA

Ms MALMSTRÖM informed Members of the state of the Commission's discussions with Ukraine and Russia on the entry into force of the Deep and Comprehensive Free Trade Agreement (DCFTA) between the European Union and Ukraine on 1 January 2016.

The Commission took note of this information.

16.2. STATE OF PLAY AND NEXT STEPS CONCERNING 'SAFE HARBOUR' (INFO(2015) 100; RCC(2015) 110)

Ms JOUROVÁ reported on the state of play of the negotiations with the US authorities since her visit to Washington on 13-17 November and her presentation to the College on the work under way on a mechanism to succeed the current 'Safe Harbour'.

The Commission took note of this information.

16.3. POLITICAL SITUATION IN BOSNIA AND HERZEGOVINA

Mr HAHN reviewed the political situation in Bosnia and Herzegovina, in particular following a ruling by that country's constitutional court.

The Commission took note of this information.

16.4. 21ST CONFERENCE OF THE PARTIES TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (COP 21)

Mr ARIAS CAÑETE reported on the events marking the opening session of the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change, 'COP 21', in Paris on 30 November, during which 150 world leaders had reiterated their determination to conclude a new

global climate agreement, which remained an ambitious target by the completion of the negotiations on 11 December.

He hailed the speech delivered by the PRESIDENT on the opening day, in which he had highlighted the amplifying effect of climate change on the multiple risks of instability facing the planet. At the same time as outlining the EU's ambitious climate protection policy, this speech also established Europe's priority targets for the future agreement, namely (i) a long-term reduction in greenhouse gas emissions to guide the actions and investments that would be undertaken in future decades, (ii) transparency and accountability rules that were sufficiently robust to ensure that countries met the targets they set themselves, and (iii) a dynamic review mechanism to improve the targets over time.

He also noted that the vast majority of speeches by European Heads of State or Government had mentioned the 2030 targets which the EU had already set itself and also its agreed common priorities.

Mr ARIAS CAÑETE concluded his presentation by commending the excellent cooperation from Ms MOGHERINI and the European External Action Service (EEAS) in these difficult negotiations, and expressed his hope that the French Presidency of COP 21 would successfully deliver an ambitious agreement capable of rapidly producing tangible results.

Mr MOSCOVICI added a few observations on the issue of funding, which played a central role in the negotiations. In order to help developing countries make the necessary adaptations to climate change, he pointed out that the industrialised countries had given an undertaking, at Copenhagen in 2009, to raise the level of funding to tackle climate change to 100 billion dollars by 2020. He noted that the EU and its Member States were the largest contributors to this international funding and that their contribution in support of developing countries had reached 14.5 billion dollars in 2014.

He stressed that the EU wanted to go even further by doubling the subsidies from the European budget and the European Development Fund (EDF) in support of climate action in developing countries by 2020. These contributions would average EUR 2 billion per year between 2014 and 2020. In addition, the European Investment Bank (EIB) was also committed to assigning EUR 2 billion per year to climate action.

However, the rest of the world needed to follow suit. He explained that in this context the EU negotiating mandate on the COP 21 funding component provided for (i) a broadening of the contributor base, (ii) dynamic financial contributions that were adapted to changing needs and capacity, (iii) a robust common framework for measuring these flows of funding, and (iv) the implementation of political, legal and financial environments conducive to shifting private investment into low-carbon projects.

A brief exchange of views was held in which the question was raised of the emergence of two major players in these international negotiations, Russia and China, and their impact on the discussions regarding the aviation sector's contribution to efforts to reduce greenhouse gas emissions, and the need for the Commission to adopt a clear position on this issue.

The PRESIDENT thanked Mr ARIAS CAÑETE for his report on this crucial conference for the future of the planet and congratulated him on his excellent work in Paris.

The Commission took note of this information.

16.5. STATE OF RELATIONS WITH ISRAEL

Mme MOGHERINI reported on the state of relations with Israel following the Commission's adoption on 11 November of an interpretative notice on indication of origin of goods from the territories occupied by Israel since June 1967.

The Commission took note of this information.

16.6. SITUATION WITH REGARD TO REFUGEES IN EUROPE

M. AVRAMOPOULOS reported on his trip to Sweden on 30 November to demonstrate solidarity with the Swedes, who, overwhelmed by the influx of migrants to their territory, had applied to use the European relocation mechanism.

He pointed out that 150 000 migrants had arrived in Sweden since the beginning of the year and that the country was one of the Member States that had received the most refugees, and had made a significant effort in relation to its population size. In the last few weeks, the Swedish government had announced the reintroduction of border controls, which would remain in place until 11 December at least, and tighter restrictions for obtaining the right of residence on its territory as the country was unable to accommodate more migrants or provide them with the services they required.

Mr AVRAMOPOULOS explained that the Commission fully intended to support Sweden in this particularly difficult situation. He was therefore preparing a proposal to relocate a portion of the refugees in Sweden elsewhere in the Union. He would present this to the College shortly. The final decision would be taken by the Council.

He stressed that this support was in response to exceptional circumstances and must not serve to encourage Member States to evade their obligations under the European relocation mechanism.

Mr AVRAMOPOULOS proposed that the College hold a debate on the Schengen Area, which had come under threat as a result of the refugee crisis. He regretted in particular that declarations made in various quarters, criticising the work carried out by the authorities of certain Member States dealing on the frontline with the massive influx of refugees, had provided

ammunition to opponents of a borderless area inside the EU.

The PRESIDENT reminded the meeting that it was up to the Member State authorities to control the borders of the Schengen area, and up to the parties concerned to mobilise teams to manage the reception and registration of refugees (hotspots).

During the ensuing discussion, Commission Members raised the following points: (i) the vital importance of ensuring proper control of the EU's external borders and correctly implementing the mechanisms set up at European level to manage the refugee crisis, starting with the identification and fingerprinting measures; (ii) the Commission's responsibility to ensure that the Member States honoured the commitments made and fulfilled their duties; (iii) the support that Member States in difficulty could request from EU agencies and non-governmental organisations (NGOs); (iv) the needs assessment carried out by the frontline Member States in terms of Structural Funds; (v) potential solidarity with the non-EU Balkan countries hardest hit by the crisis; and lastly, (vi) the special attention to be paid to refugee children, whose plight would be the subject of a report to be presented to the Commission on 15 December.

Ms MOGHERINI also saw the need for a debate on the humanitarian situation of the refugees inside the Union in order to determine clearly operational responsibilities in an area which straddled both humanitarian aid and home affairs. She also referred to the cultural difficulties faced by certain Member States in hosting refugees, whether from a linguistic or training standpoint.

The PRESIDENT concluded the discussion by identifying what he saw as the two immediate priorities, the first being to protect the integrity of the principles of the Schengen area, and the second to ensure the proper functioning of the hotspots. This was essential to uphold both the credibility

of all the solutions put forward by the Commission and the image of the EU.

The Commission took note of this information.

16.7. POLITICAL TRENDS IN CERTAIN MEMBER STATES.

At the invitation of the PRESIDENT, Ms VESTAGER outlined the context in which the referendum announced by the Danish Government would take place on Thursday 3 December on ending Denmark's exemption from EU rules governing justice and home affairs policies. Denmark had elected, by means of an opt-out, to be exempted from other components of the 1992 Maastricht Treaty as well, namely Economic and Monetary Union, Common Security and Defence Policy and European citizenship.

She explained that the Danish government was holding the referendum partly on the grounds that the reforms under way in respect of Europol (the European police cooperation agency) would mean that Denmark could be excluded from the agency, hampering efforts to combat cross-border crime.

She said that the polls suggested that the outcome of the referendum could go either way. She felt that it was more a Danish internal policy issue than a European one.

The PRESIDENT took the opportunity to ask Mr TIMMERMANS to explain the political context for the referendum to be held in the Netherlands in 2016 on the support granted to Ukraine.

M. TIMMERMANS explained that Dutch citizens, under a new law that had come into force in the Netherlands on 1 July, had managed to collect enough signatures for a (non-binding) referendum to be held in spring 2016 on the Association Agreement approved in 2014 between the European Union and Ukraine. A 30 % participation rate would be required to validate the result.

The Commission took note of this information.

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

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The meeting closed at 11.56.