



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2015) 2146 final

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

Brussels, 2 December 2015

TEXTE EN

MINUTES

of the 2146th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 18 November 2015

(morning)

—

PV(2015) 2146 final

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

EN

TABLE OF CONTENTS

Attendance list	5-8
1. AGENDAS (OJ(2015) 2146/FINAL/2; SEC(2015) 441/FINAL)	9
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2015) 2146).....	9
3. MINUTES OF 2145 TH MEETING OF THE COMMISSION (11 NOVEMBER)	9
4. INTERINSTITUTIONAL RELATIONS (RCC(2015) 96)	9
4.1. LEGISLATIVE MATTERS	10
4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL	12
4.3. RELATIONS WITH PARLIAMENT	12
5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	13
5.1. WRITTEN PROCEDURES APPROVED (SEC(2015) 442 ET SEQ.).....	13
5.2. EMPOWERMENT (SEC(2015) 443 ET SEQ.)	14
5.3. DELEGATION AND SUBDELEGATION OF POWERS (SEC(2015) 444 ET SEQ.).....	14
5.4. SENSITIVE WRITTEN PROCEDURES (SEC(2015) 445 AND /2)	14
6. JOINT COMMUNICATION FROM THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE EUROPEAN UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – REVIEW OF THE EUROPEAN NEIGHBOURHOOD POLICY (JOIN(2015) 50 TO /4; SWD(2015) 500 AND /2; RCC(2015) 97)	14

7.	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – STATE OF THE ENERGY UNION 2015 (COM(2015) 572 AND /2; SWD(2015) 208 AND /2; SWD(2015) 209 AND /2; SWD(2015) 217 AND /2; SWD(2015) 218 AND /2; SWD(2015) 219 AND /2; SWD(2015) 220 AND /2; SWD(2015) 221 AND /2; SWD(2015) 222 AND /2; SWD(2015) 223 AND /2; SWD(2015) 224 AND /2; SWD(2015) 225 AND /2; SWD(2015) 226 AND /2; SWD(2015) 227 AND /2; SWD(2015) 228 AND /2; SWD(2015) 229 AND /2; SWD(2015) 230 AND /2; SWD(2015) 231 AND /2; SWD(2015) 232 AND /2; SWD(2015) 233 AND /2; SWD(2015) 234 AND /2; SWD(2015) 235 AND /2; SWD(2015) 236 AND /2; SWD(2015) 237 AND /2; SWD(2015) 238 AND /2; SWD(2015) 239 AND /2; SWD(2015) 240 AND /2; SWD(2015) 241 AND /2; SWD(2015) 242 AND /2; SWD(2015) 243 AND /2; RCC(2015) 95)	15
8.	ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2015) 446)	16
8.1.	DG HUMAN RESOURCES AND SECURITY – PROMOTION OF SENIOR MANAGEMENT OFFICIALS – 2014 EXERCISE (PERS(2015) 111).....	16
8.2.	DG HUMAN RESOURCES AND SECURITY – LAUNCHING OF 2015 PROMOTION EXERCISE FOR SENIOR MANAGEMENT OFFICIALS.....	17
8.3.	OTHER MATTERS	17
9.	PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING COUNCIL DIRECTIVE 91/477/EEC OF 18 JUNE 1991 ON CONTROL OF THE ACQUISITION AND POSSESSION OF WEAPONS (COM(2015) 750 AND /2; RCC(2015) 99)	17

10. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – EVALUATION OF COUNCIL DIRECTIVE 91/477/EC OF 18 JUNE 1991, AS AMENDED BY DIRECTIVE 2008/51/EC OF 21 MAY 2008, ON CONTROL OF THE ACQUISITION AND POSSESSION OF WEAPONS (COM(2015) 751 AND /2; RCC(2015) 99)	18
11. COMMISSION IMPLEMENTING REGULATION (EU) ESTABLISHING COMMON GUIDELINES ON DEACTIVATION STANDARDS AND TECHNIQUES FOR ENSURING THAT DEACTIVATED FIREARMS ARE RENDERED IRREVERSIBLY INOPERABLE (C(2015) 9100; RCC(2015) 99)	18
12. STATE OF PLAY ON THE IMPLEMENTATION OF THE EUROPEAN SECURITY AGENDA (INFO(2015) 97; RCC(2015) 99)	18
13. OTHER BUSINESS	20
13.1. GENERAL BUDGET OF THE EUROPEAN UNION FOR 2016	20
13.2. STATE OF PLAY OF THE PREPARATIONS FOR THE 21 st CONFERENCE OF THE PARTIES (COP21) TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (LE BOURGET, 30 NOVEMBER TO 11 DECEMBER 2015) (INFO(2015) 94)	21
13.3. SAFE HARBOUR	22

Single sitting: Wednesday 18 November 2015 (morning)

The sitting opened at 10.11 with Mr JUNCKER, President, in the chair. Item 13 was chaired by Mr TIMMERMANS.

Present:

Mr JUNCKER	President	Items 1 to 12
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	Items 1 to 9/10/11/12 (in part)
Ms GEORGIEVA	Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	Items 1 to 8
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	Items 1 to 13 (in part)
Mr OETTINGER	Member	Items 1 to 12
Mr HAHN	Member	Items 1 to 9/10/11/12 (in part)
Ms MALMSTRÖM	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	Items 1 to 13 (in part)
Mr AVRAMOPOULOS	Member	Items 1 to 13 (in part)
Ms THYSEN	Member	
Mr MOSCOVICI	Member	Items 1 to 13 (in part)
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Lord HILL	Member	

Ms BULC	Member	
Ms BIENKOWSKA	Member	Items 1 to 13 (in part)
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms VESTAGER	Member	

Absent:

Mr MIMICA

Member

Ms CREȚU

Member

Mr MOEDAS

Member

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

Mr BEHRNDT	Chef de cabinet to Mr MIMICA
Mr DE MICHELIS	Chef de cabinet to Ms CREȚU
Mr VICENTE	Chef de cabinet to Mr MOEDAS

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 13 (in part)
Ms ANDREEVA	Commission Spokesperson's Service	Items 1 to 9/10/11/12 (in part), and 13 (in part)
Ms METTLER	Head of the European Political Strategy Centre	
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	
Mr THOLONIAT	Adviser in the PRESIDENT's Office	Items 1 to 12
Mr BALTAZAR	Adviser in the PRESIDENT's Office	Item 13 (in part)
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	
Mr NOCIAR	Chef de cabinet to Mr ŠEFČOVIČ	Items 9 to 13 (in part)
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Items 1 to 13 (in part)
Mr HUSAK	Chef de cabinet to Ms BIENKOWSKA	Items 1 to 13 (in part)
Mr COMPTOUR	Adviser in Ms BIENKOWSKA's Office	Items 1 to 12

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

1. AGENDAS

(OJ(2015) 2146/FINAL/2; SEC(2015) 441/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) 2146)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 16 November.

3. MINUTES OF 2145TH MEETING OF THE COMMISSION (11 NOVEMBER)

The Commission held over approval of the minutes of its 2145th meeting for the following week.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2015) 96)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 13 November.

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogue meetings

(point 3.1 of the IRG record)

- Consumer price indices and repeal of Regulation (EC) 2494/95 (Regulation) – GUALTIERI report – 2014/0346 (COD)

The Commission approved the line set out in SI(2015) 445 and /2.

- Specific conditions to fishing for deep-sea stocks in the North-East Atlantic and provisions for fishing in international waters of the North - East Atlantic and repealing Regulation (EC) 2347/2002 (Regulation) – THOMAS report – 2012/0179 (COD)

The Commission approved the line set out in SI(2015) 446.

- Amendment of Regulations (EC) 715/2007 and (EC) 595/2009 as regards the reduction of pollutant emissions from road vehicles (Regulation) – DESS report – 2014/0012 (COD)

The Commission approved the line set out in SI(2015) 450.

- 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) 400/3, subject to the clarifications provided at the meeting (see items 9 to 12 of these minutes).

- 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) 421.

ii) European Parliament dossiers – November II part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Insurance mediation (Directive – recast) – LANGEN report – 2012/0175 (COD)

The Commission approved the line set out in SP(2015) 680 and /3 and took note of the compromise text attached to SP(2015) 680.

- Repeal of certain acts in the Area of Freedom, Security and Justice (Decision) / Repeal of certain acts in the field of police cooperation and judicial cooperation in criminal matters (Decision) / Repeal of certain acts in the field of police cooperation and judicial cooperation in criminal matters (Regulation) – MORAES reports – 2014/0337 (COD) / 2014/0338 (COD) / 2014/0339 (COD)

The Commission approved the line set out in SP(2015) 681.

iii) Council dossiers

(point 3.3 of the IRG record)

- Fourth Railway Package (technical pillar) – European Union Agency for Railways and repeal of Regulation (EC) 881/2004 (Regulation) – ZILE report – 2013/0014 (COD) / Interoperability of the rail system within the European Union (Directive – recast) – BILBAO BARANDICA report – 2013/0015 (COD) / Railway safety (Directive – recast) – CRAMER report – 2013/0016 (COD)

The Commission approved the line set out in SI(2015) 447.

- Jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes (Council Regulation) / Jurisdiction, applicable law and the recognition and enforcement of decisions regarding the property consequences of registered partnerships – CAVADA reports – 2011/0059 (CNS) / 2011/0060 (CNS)

The Commission approved the line set out in SI(2015) 454.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2015) 456)

The Commission took note of the information in SI(2015) 456 on the Council meetings between 19 November and 2 December.

v) Non-legislative dossier

- Roadmap for strengthening dialogue and cooperation between the G5 Sahel and the European Union

The Commission took note of the information in SI(2015) 463.

4.3. RELATIONS WITH PARLIAMENT

vi) Participation of Members of Parliament in international conferences

(point 5.7.1 of the IRG record)

- Twelfth regular session of the Western and Central Pacific Fishing Commission (WCPFC) (Kuta, Bali, 3 to 8 December)

The Commission agreed to the request to the PRESIDENT from Mr Martin Schulz, President of Parliament, concerning the attendance of three Members of the European Parliament at the above-mentioned meeting as

observers in the EU delegation, with a reminder about the procedure to be followed, in accordance with SP(2015) 685.

vii) Results of Parliament's November I part-session

(SP(2015) 689)

The Commission took note of the information on Parliament's part-session held in Brussels on 11 November, set out in SP(2015) 689.

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

(SP(2015) 690)

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) 690, drawn up following the November I 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) 442 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 9 and 13 November.

5.2. EMPOWERMENT

(SEC(2015) 443 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 9 and 13 November.

5.3. DELEGATION AND SUBDELEGATION OF POWERS

(SEC(2015) 444 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 9 and 13 November, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2015) 445 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 16 and 20 November and of the ‘finalisation’ written procedures initiated following the weekly meeting of Chefs de cabinet on 16 November.

**6. JOINT COMMUNICATION FROM THE COMMISSION AND THE HIGH REPRESENTATIVE OF THE EUROPEAN UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – REVIEW OF THE EUROPEAN NEIGHBOURHOOD POLICY
(JOIN(2015) 50 TO /4; SWD(2015) 500 AND /2; RCC(2015) 97)**

The Commission approved the joint communication in JOIN(2015) 50/4, for transmission to Parliament, the Council, the Economic and Social Committee and

the Committee of the Regions, and, for information, to national parliaments, together with the joint staff working document distributed as SWD(2015) 500/2, the contents of which were noted.

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – STATE OF THE ENERGY UNION 2015 (COM(2015) 572 AND /2; SWD(2015) 208 AND /2; SWD(2015) 209 AND /2; SWD(2015) 217 AND /2; SWD(2015) 218 AND /2; SWD(2015) 219 AND /2; SWD(2015) 220 AND /2; SWD(2015) 221 AND /2; SWD(2015) 222 AND /2; SWD(2015) 223 AND /2; SWD(2015) 224 AND /2; SWD(2015) 225 AND /2; SWD(2015) 226 AND /2; SWD(2015) 227 AND /2; SWD(2015) 228 AND /2; SWD(2015) 229 AND /2; SWD(2015) 230 AND /2; SWD(2015) 231 AND /2; SWD(2015) 232 AND /2; SWD(2015) 233 AND /2; SWD(2015) 234 AND /2; SWD(2015) 235 AND /2; SWD(2015) 236 AND /2; SWD(2015) 237 AND /2; SWD(2015) 238 AND /2; SWD(2015) 239 AND /2; SWD(2015) 240 AND /2; SWD(2015) 241 AND /2; SWD(2015) 242 AND /2; SWD(2015) 243 AND /2; RCC(2015) 95)

The Commission approved the Communication in COM(2015) 572/2 for transmission to Parliament, the Council, the Economic and Social Committee, the Committee of the Regions and the European Investment Bank, and, for information, to the national parliaments, together with the staff working documents distributed as SWD(2015) 208/2, SWD(2015) 209/2, SWD(2015) 217/2, SWD(2015) 218/2, SWD(2015) 219/2, SWD(2015) 220/2, SWD(2015) 221/2, SWD(2015) 222/2, SWD(2015) 223/2, SWD(2015) 224/2, SWD(2015) 225/2, SWD(2015) 226/2, SWD(2015) 227/2, SWD(2015) 228/2, SWD(2015) 229/2, SWD(2015) 230/2, SWD(2015) 231/2, SWD(2015) 232/2, SWD(2015) 233/2, SWD(2015) 234/2,

SWD(2015) 235/2, SWD(2015) 236/2, SWD(2015) 237/2, SWD(2015) 238/2, SWD(2015) 239/2, SWD(2015) 240/2, SWD(2015) 241/2, SWD(2015) 242/2 and SWD(2015) 243/2, the contents of which were noted.

8. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2015) 446)

ADMINISTRATIVE MATTERS

(PERS(2015) 109)

8.1. DG HUMAN RESOURCES AND SECURITY – PROMOTION OF SENIOR MANAGEMENT OFFICIALS – 2014 EXERCISE

(PERS(2015) 111)

The Commission noted the procedure followed, as set out at point 1 of PERS(2015) 109, and, on a proposal from Ms GEORGIEVA, in agreement with the PRESIDENT, decided:

- to promote to grade AD16 Mr Gert-Jan KOOPMAN, Mr Joost KORTE, Mr Manfred KRAFF, Mr Cecilio MADERO VILLAREJO, Mr Rudolf MOEGELE and Mr Rudolf STROHMEIER, presented in alphabetical order, exercising the basic function of Director-General, with effect from 1 January 2015;
- to promote to grade AD15 Ms Lena ANDERSSON PENCH, Mr Klaus-Dieter BORCHARDT, Mr Declan COSTELLO, Mr Vittorio DI BUCCI, Ms Joanne DRAKE, Mr Carles ESTEVA MOSSO, Mr Marc LEMAITRE, Ms Clara MARTÍNEZ ALBEROLA, Mr Ernesto PENAS LADO, Ms Maive RUTE, Mr Peter SANDLER and Ms Mary Veronica TOVSAK PLETESKI, presented in alphabetical order, exercising the

basic function of Director, with effect from 1 January 2015.

These decisions would take effect immediately.

8.2. DG HUMAN RESOURCES AND SECURITY – LAUNCHING OF 2015 PROMOTION EXERCISE FOR SENIOR MANAGEMENT OFFICIALS

The Commission took note of the decision of Ms GEORGIEVA, in agreement with the PRESIDENT, adopted in accordance with the provisions of the Commission Decision of 10 May 2007 on the system of promotion of senior management officials (SEC(2007) 605), concerning the 2015 promotion exercise based on the following criteria: the target promotion rate would be around 15% of eligible officials, the posts concerned would be those of director or equivalent (AD14/15) and director-general or equivalent (AD15/16), the eligibility conditions would have to be met by 31 December 2015 at the latest and promotions would take effect on 1 January 2016.

8.3. OTHER MATTERS

Ms GEORGIEVA raised the issue of the security of Commission staff and control of access to Commission buildings in the wake of the tragic events in Paris on 13 November.

9. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING COUNCIL DIRECTIVE 91/477/EEC OF 18 JUNE 1991 ON CONTROL OF THE ACQUISITION AND POSSESSION OF WEAPONS

(COM(2015) 750 AND /2; RCC(2015) 99)

- 10. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – EVALUATION OF COUNCIL DIRECTIVE 91/477/EC OF 18 JUNE 1991, AS AMENDED BY DIRECTIVE 2008/51/EC OF 21 MAY 2008, ON CONTROL OF THE ACQUISITION AND POSSESSION OF WEAPONS (COM(2015) 751 AND /2; RCC(2015) 99)**
- 11. COMMISSION IMPLEMENTING REGULATION (EU) ESTABLISHING COMMON GUIDELINES ON DEACTIVATION STANDARDS AND TECHNIQUES FOR ENSURING THAT DEACTIVATED FIREARMS ARE RENDERED IRREVERSIBLY INOPERABLE (C(2015) 9100; RCC(2015) 99)**
- 12. STATE OF PLAY ON THE IMPLEMENTATION OF THE EUROPEAN SECURITY AGENDA (INFO(2015) 97; RCC(2015) 99)**

Before opening the discussion on the measures submitted that day for consideration by the College, Mr TIMMERMANS condemned in the strongest possible terms the deadly terrorist attacks which had tragically plunged France into grief on 13 November. He expressed the compassion and feeling of deep solidarity felt by the whole EU towards the people of France. On behalf of the European Commission, he conveyed a message of support at this very difficult time to the people of France and the French authorities.

He continued by stating that EU support must also take the form of concrete measures in response to the recent events. Those measures would be examined at the special meeting of the Justice and Home Affairs Council called for 20 November at the initiative of the Luxembourg Presidency in coordination with the French authorities. There was a need to ensure the follow-up of the measures already taken under the European Security Agenda adopted in April 2015 and to look at the means of accelerating initiatives relating in particular to the fight against

arms trafficking and terrorist financing, controls at the external borders, the judicial response and the European Passenger Name Record (PNR) system.

Among the dossiers to be referred to the EU Ministers for Justice and Home Affairs at the meeting on Friday, the proposals submitted to the College for consideration that day were mentioned, namely (i) the proposal for a revision of the 1991 Directive on control of the acquisition and possession of weapons, (ii) the report on the evaluation of this Directive as amended in 2008, and (iii) the implementing regulation setting out the standards and techniques making it possible to ensure that deactivated arms were rendered irreversibly inoperable, while taking into account the work still to be carried out under the European Security Agenda. These proposals were detailed by Ms BIEŃKOWSKA and Mr AVRAMOPOULOS and discussed by the College before their adoption.

The Commission:

- adopted the proposal for a Directive in COM(2015) 750/2 for transmission to Parliament, the Council and the European Economic and Social Committee and to the national parliaments;
- adopted the report in COM(2015) 751/2 for transmission to Parliament and the Council and, for information, to the European Economic and Social Committee and the national parliaments;
- adopted in principle, subject to a final linguistic review, the implementing regulation in C(2015) 9100 and empowered, under Article 13 of the Rules of Procedure, Ms BIEŃKOWSKA, the Member of the Commission in charge of the internal market, industry, entrepreneurship and SMEs, to adopt formally, in agreement with the PRESIDENT, the above-mentioned implementing regulation in all EU official languages as soon as they were available with a view to their publication in the Official Journal of the European Union;
- took note of the information note on the state of play of the implementation of

the European Security Agenda in INFO(2015) 97, circulated under the authority of Mr TIMMERMANS and Mr AVRAMOPOULOS.

13. OTHER BUSINESS

13.1. GENERAL BUDGET OF THE EUROPEAN UNION FOR 2016

Ms GEORGIEVA reported on the agreement reached in the Conciliation Committee on the draft general budget of the European Union for 2016. She pointed out that, for the first time since the entry into force of the Lisbon Treaty, the Union budget had been adopted unanimously, several days before the deadline established by the conciliation procedure. She welcomed the fact that this showed the Commission to be an institution making responsible use of European taxpayers' money.

She outlined the main points of the budget adopted for 2016, which was characterised by the emphasis placed on the Commission's political priorities, the speed of their implementation and the impact of the actions financed by the Union. She also noted the transparent approach taken by the Commission in the negotiations, in particular as regards the need to integrate the budgetary impact of reinforced control of the Union's borders.

However, Ms GEORGIEVA stressed the significant constraints on next year's budget, with commitment appropriations totalling €155 billion and a €460 million reduction in the payment appropriations envelope.

Finally, she referred to the difficult situation concerning the financing of human resources. She therefore recommended the utmost caution in recruitment and encouraged the services to first consider efficiency gains or internal redeployments. She concluded by calling on all those concerned to

act responsibly in order to ensure compliance with the budget framework that had been agreed.

Mr TIMMERMANS, on behalf of all the members of the College, thanked Ms GEORGIEVA warmly for the success of her negotiations and the high quality of the result obtained. He also noted the important contribution made by the European Parliament in achieving this outcome.

The Commission took note of this information.

13.2. STATE OF PLAY OF THE PREPARATIONS FOR THE 21st CONFERENCE OF THE PARTIES (COP21) TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE (LE BOURGET, 30 NOVEMBER TO 11 DECEMBER 2015) (INFO(2015) 94)

Mr ARIAS CAÑETE reported on the preparations for the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change, to be held in Le Bourget, near Paris, from 30 November to 11 December.

He began by informing the meeting that the French President, Mr François Hollande, had confirmed that the Conference itself and the official events organised on the sidelines of the negotiations would go ahead, in the wake of the terrorist attacks in Paris on 13 November.

Mr ARIAS CAÑETE then briefly reviewed the state of play of the negotiations in order to supplement the information note to the College drawn up under his authority, in agreement with Mr ŠEFČOVIČ.

Over 160 countries, representing 94% of global greenhouse gas emissions, had now notified their intended nationally determined contribution (INDC). This was a significant step forward compared to the approximately 12% of global emissions covered by the current Kyoto Protocol mechanism.

However, by 2100, according to scientific analyses, this high participation rate would correspond to an overall rise in temperatures of 3° compared with the 1990 level, which was insufficient to meet the objective of limiting global warming to 2°.

In this context, the ambitious position adopted by the Union was particularly important. He reviewed the key elements, as detailed in the information note, explaining the main technical and political challenges in this final stage of the negotiations. He mentioned the alliances being formed between the different countries and regions of the world. He sincerely hoped that everything possible would be done in the coming days and weeks to harness the unprecedented international political momentum and bring to a successful conclusion the lengthy and high-quality preparatory work carried out by the French authorities in particular.

During a brief discussion, the members of the Commission expressed their support for the coordination work done by Mr ARIAS CAÑETE and his teams in order to achieve the objective of an ambitious and comprehensive legally binding agreement; the need to make every effort in the last weeks to ensure that this objective was met; support for taking account of food security in the agreement currently being drawn up and seeking ways to ensure the necessary synergies between food security and climate objectives; and a reminder of the need to better integrate land use, land-use change and forestry (LULUCF) in the Union's climate policy, in a first phase, in order to set an example at world level in a second phase.

The Commission took note of this information and of the information note distributed by Mr ARIAS CAÑETE and Mr ŠEFČOVIČ.

13.3. SAFE HARBOUR

Ms JOUROVÁ gave a brief report on her meetings in Washington with the

US authorities in the last few days, following the Court of Justice's judgment of 6 October (case C-362/14 – Schrems). This decision invalidated the 'Safe Harbour' regime because US law and practice did not offer protection of data transferred by the Union to the United States that was equivalent to the protection guaranteed within the Union.

Faced with this real change of direction in developing the future mechanism to underpin transatlantic transfers of commercial data, she mentioned the constructive nature of her discussions with the US Secretary of Commerce, Ms Penny Pritzker, and more generally the favourable attitude towards this process of not only the US government but also Congress and the business world.

Of the main points covered during these meetings, she focused briefly on the discussions on a more precise definition of the restrictions, safeguards and monitoring structures applicable under US law. She also mentioned the development of a joint monitoring mechanism which would apply to the supervisory authorities, on both the US and the EU sides, to ensure a level of supervision of implementation and of effective redress that would satisfy the requirements laid down in the Court's judgment.

The future mechanism would be dynamic and subject to regular re-examination and monitoring in order to adjust it as necessary over time. Moreover, she had proposed that a suspension clause be included which could be activated as a last resort where necessary.

In conclusion, she considered that the progress made that day should provide a good foundation for concluding the negotiations, as planned, before the end of January 2016, and she would send the College an information note detailing the points outlined that day.

The Commission took note of this information.

*

* *

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

*

* *

The meeting closed at 11.55.