



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2018) 2270 final

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

Strasbourg, 13 November 2018

TEXTE EN

MINUTES

**of the 2270th meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 23 October 2018
(afternoon)**

PV(2018) 2270 final

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

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Single sitting: Tuesday 23 October 2018 (afternoon)

The sitting opened at 13.19 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	Items 10 and 11
Mr DOMBROVSKIS	Vice-President	
Mr HAHN	Member	
Ms MALMSTRÖM	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	

Absent:

Mr KATAINEN	Vice-President
Mr OETTINGER	Member
Mr MIMICA	Member
Mr ARIAS CAÑETE	Member
Mr VELLA	Member

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

Mr TIMONEN	A member of Mr KATAINEN's staff
Mr HAGER	Chef de cabinet to Mr OETTINGER
Ms LONČARIĆ	A member of Mr MIMICA's staff
Mr BALKE	A member of Mr ARIAS CAÑETE's staff
Ms ROUSSEVA	A member of Mr VELLA's staff

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Chef de cabinet to the PRESIDENT
Mr ROMERO REQUENA	Director-General, Legal Service
Mr PESONEN	Director-General, DG Communication
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission
Mr MOTO	European Political Strategy Centre
Mr THOLONIAT	Adviser in the PRESIDENT's Office
Ms ARKI	PRESIDENT's Office
Mr CEYSSENS	A member of Mr DOMBROVSKIS's staff
Mr BAILLY	Chef de cabinet to Mr MOSCOVICI
Ms VILA NUÑEZ	Secretariat-General
Ms ANDREEVA	Commission Spokesperson's Service

Secretary: Mr SELMAYR, Secretary-General, assisted by Mr TAQUET-GRAZIANI,
Deputy Head of Unit in the Secretariat-General.

1. AGENDAS

(OJ(2018) 2270/FINAL; SEC(2018) 2270/FINAL)

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

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2018) 2270)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 22 October 2018.

3. APPROVAL OF THE MINUTES OF THE 2267TH, 2268TH AND 2269TH MEETINGS OF THE COMMISSION (2, 10 AND 17 OCTOBER 2018)

(PV(2018) 2267; PV(2018) 2267, 2ND PART)

The Commission approved the minutes of its 2267th meeting, and decided to hold over approval of the minutes of its 2268th and 2269th meetings until a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2018) 140)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 19 October 2018 (RCC(2018) 140).

It paid particular attention to the following points.

4.1. HORIZONTAL MATTERS

i) Multiannual Financial Framework 2021-2027

(point 1.1 of the IRG record)

- Multiannual Financial Framework 2021-2027 – European Globalisation Adjustment Fund (EGF) (Regulation) – ARENA report – 2018/0202 (COD) / European Social Fund Plus (ESF+) (Regulation) – LOPE FONTAGNÉ report – 2018/0206 (COD)

The Commission took note of the information in SI(2018) 534.

- Multiannual Financial Framework 2021-2027 – Transmission of three fiches to the European Parliament and the Council

The Commission took note of the transmission to the European Parliament and the Council of the three fiches annexed to note SPI(2018) 44.

4.2. LEGISLATIVE MATTERS

ii) Trilogues

(point 3.1 of the IRG record)

- ENISA, the EU Cybersecurity Agency, repeal of Regulation (EU) 526/2013, and Information and Communication Technology cybersecurity certification (Regulation) – NIEBLER report – 2017/0225 (COD)

The Commission approved the line set out in SI(2018) 535.

- Pan-European Personal Pension Product (Regulation) – IN 'T VELD report – 2017/0143 (COD)

The Commission approved the line set out in SI(2018) 542.

iii) European Parliament dossiers – October II 2018 part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Import of cultural goods (Regulation) – MOSCA & DALTON report – 2017/0158 (COD)

The Commission approved the line set out in SP(2018) 640.

- Amendment of Directive 2009/33/EU on the promotion of clean and energy-efficient road transport vehicles (Directive) – GRZYB report – 2017/0291 (COD)

The Commission took note of SP(2018) 636/3, further to note SP(2018) 636/2, which it had already approved on 17 October 2018.

- Alignment of reporting obligations in the field of environment policy and amendment of Directives 86/278/EEC, 2002/49/EC, 2004/35/EC, 2007/2/EC, 2009/147/EC and 2010/63/EU, Regulations (EC) 166/2006 and (EU) 995/2010, and Council Regulations (EC) 338/97 and (EC) 2173/2005 (Regulation) – VĂLEAN report – 2018/0205 (COD)

The Commission took note of SP(2018) 643/2, further to note SP(2018) 643, which it had already approved on 17 October 2018.

- Multiannual plan for fish stocks in the Western Waters and adjacent waters, and for fisheries exploiting those stocks, amendment of Regulation (EU) 2016/1139 establishing a multiannual plan for the Baltic Sea, and repeal of Regulations (EC) 811/2004, (EC) 2166/2005, (EC) 388/2006, (EC) 509/2007 and (EC) 1300/2008 (Regulation) – CADEC report – 2018/0074 (COD)

The Commission approved the line set out in SP(2018) 663.

- Amendment of Regulation (EU) 1093/2010 as regards the location of the seat of the European Banking Authority (Regulation) – KARAS & BERÈS report – 2017/0326 (COD) / Amendment of Regulation (EC) 726/2004 as regards the location of the seat of the European Medicines Agency (Regulation) – LA VIA report – 2017/0328 (COD)

The Commission took note of SP(2018) 672, further to note SI(2018) 394, which it had already approved on 11 July 2018.

Implementing acts and measures

- Implementing Decision authorising the placing on the market of products containing, consisting of or produced from genetically modified maize MON 87427 x MON 89034 x 1507 x MON 88017 x 59122 / Implementing Decision renewing the authorisation of the placing on the market of products containing, consisting of or produced from genetically modified maize NK603 x MON 810 – Objections under Article 106 of the European Parliament’s Rules of Procedure

The Commission took note of SP(2018) 665.

iv) Council dossiers

(point 3.3 of the IRG record)

- Implementation and functioning of the .eu Top Level Domain name and repeal of Regulation (EC) 733/2002 and Commission Regulation (EC) 874/2004 (Regulation) – FEDERLEY report – 2018/0110 (COD)

The Commission took note of the information in SI(2018) 536.

- Amendment of Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work (Directive) – AGEA report – 2018/0081 (COD)

The Commission approved the line set out in SI(2018) 540.

- Amendment of Regulation (EU) 575/2013 as regards minimum loss coverage for nonperforming exposures (Regulation) – DE LANGE & GUALTIERI report – 2018/0060 (COD)

The Commission approved the line set out in SI(2018) 546.

- InvestEU Programme (Regulation) – FERNANDES & GUALTIERI report – 2018/0229 (COD)

The Commission approved the line set out in SI(2018) 547/2.

- Apportionment of tariff rate quotas included in the WTO schedule of the Union following the withdrawal of the United Kingdom from the Union and amendment of Council Regulation (EC) 32/2000 (Regulation) – QUISTHOUDT-ROWOHL report – 2018/0158 (COD)

The Commission took note of the information in SI(2018) 548.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

v) Programming of Council business

(SI(2018) 550)

The Commission took note of the information in SI(2018) 550 on the Council meetings between 25 October and 7 November 2018.

vi) Non-legislative dossiers

(point 4.1 of the IRG record)

- Situation and perspectives of the 11th European Development Fund reserve – African Peace Facility estimated funding requirements for the period 2019-2020 and possible coverage from European Development Fund sources

The Commission approved the line set out in SI(2018) 531.

- Draft Council conclusions on water diplomacy

The Commission took note of the information in SI(2018) 532 and /2.

- Appointment of the members of the Scientific and Technical Committee (Council Decision)

The Commission approved the line set out in SI(2018) 541/2.

vii) Latest developments in the Council

(point 4.4 of the IRG record)

- Complementing EU type-approval legislation with regard to the withdrawal of the United Kingdom from the Union (Regulation) – MIZZI report – 2018/0220 (COD)

The Commission approved the line set out in SI(2018) 551/2.

4.4. RELATIONS WITH PARLIAMENT

viii) Non-legislative dossiers

(point 5.1 of the IRG record)

- Draft general budget of the European Union for 2019 – All sections – RÜBIG, VIOTTI & CHRISTOFOROU reports

The Commission approved the line set out in SP(2018) 648, authorised the Member of the Commission with responsibility for the budget to take all the necessary initiatives with a view to reconciling the positions of the European Parliament and the Council in accordance with Article 314(5) of the Treaty on the Functioning of the European Union, and empowered the Member of the Commission with responsibility for the budget, in agreement with the PRESIDENT, to propose, where necessary, in the context of the conciliation procedure, amendments to the decisions on mobilising the flexibility instrument and the contingency margin, pursuant to the conditions laid down in Articles 11 and 13 of the Council Regulation on the Multiannual Financial Framework 2014-2020, and in points 12 and 14 of the interinstitutional agreement between the European Parliament, the Council and the Commission on budgetary discipline, cooperation in budgetary matters and sound financial management.

- Discharge in respect of the implementation of the general budget of the European Union for the financial year 2016 – European Asylum Support Office (EASO) – STAES report

The Commission approved the line set out in SP(2018) 650.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2018) 432 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 October 2018.

5.2. EMPOWERMENT

(SEC(2018) 433 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 October 2018.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2018) 434 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 15 and 19 October 2018 archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2018) 435 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 22 and 31 October 2018.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2018) 436)

ADMINISTRATIVE MATTERS

(PERS(2018) 71)

6.1. REGULATORY SCRUTINY BOARD – DEPUTISING FOR THE CHAIR

The Commission took note of the information in point 1 of PERS(2018) 71 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided under Article 27 of its Rules of Procedure to appoint Mr Didier HERBERT, a member of the Regulatory Scrutiny Board, to deputise for the Chair of the Board.

This decision would take effect immediately.

6.2. DG COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY – TEMPORARY APPOINTMENT AS EXECUTIVE DIRECTOR OF THE EUROPEAN HIGH PERFORMANCE COMPUTING JOINT UNDERTAKING (EuroHPC JU)

The Commission took note of the information in point 2 of PERS(2018) 71 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Ms GABRIEL and also Mr ANSIP, decided to appoint Mr Gustav KALBE, an AD13 official and currently Head of the ‘High Performance Computing and Quantum Technology’ Unit in DG Communication Networks, Content and Technology, to perform temporarily the duties of Executive Director of the European High Performance Computing Joint Undertaking, in addition to his current duties and until the entry into service of the Executive Director.

This decision would take effect immediately, subject to the availability of the necessary budget resources.

6.3. DG HUMAN RESOURCES AND SECURITY – AMENDMENT OF THE ORGANISATION CHART, CREATION OF AN ADVISER HORS CLASSE POST AND AUTHORISATION FOR THE INTERNAL PUBLICATION AT GRADE AD15/16 OF THE VACANCY NOTICE FOR THE POST

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, the Commission decided:

- to approve the creation of an Adviser Hors Classe post in DG Human Resources and Security;
- to authorise the internal publication of the vacancy notice set out in PERS(2018) 72 under Article 29(1)(a)(i) and (iii) of the Staff Regulations;
- to adopt the new organisation chart set out in SEC(2018) 445.

These decisions would take effect immediately.

**7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – THE PRINCIPLES OF SUBSIDIARITY AND PROPORTIONALITY – STRENGTHENING THEIR ROLE IN THE EU'S POLICYMAKING
(COM(2018) 703 TO /3; RCC(2018) 142)**

The Commission approved the Communication in COM(2018) 703/3 for transmission to Parliament, the European Council, the Council, the Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments.

**8. COMMISSION OPINION ON THE DRAFT AMENDMENTS TO
PROTOCOL NO 3 ON THE STATUTE OF THE COURT OF JUSTICE OF
THE EUROPEAN UNION, PRESENTED BY THE COURT OF JUSTICE ON
26 MARCH 2018 AND AMENDED ON 10 AUGUST 2018
(C(2018) 7500)**

The Commission adopted the Opinion set out in C(2018) 7500 for transmission, for information, to Parliament, the Council, the Court of Justice of the European Union and the national parliaments.

**9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND
SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS –
COMMISSION WORK PROGRAMME 2019 – DELIVERING WHAT WE
PROMISED AND PREPARING FOR THE FUTURE
(COM(2018) 800 TO /3)**

The PRESIDENT asked Mr TIMMERMANS to present the Commission's Work Programme for 2019, which had been prepared in the light of several discussions held by the College in recent weeks and months.

Mr TIMMERMANS said that the Work Programme held no surprises for the Members of the College, since it reflected faithfully not only those discussions but also the Letter of Intent that the PRESIDENT and he had addressed to the European Parliament and the Council at the same time as the State of the Union address on 12 September.

He explained that the Work Programme comprised three main elements. First, since the Commission had already presented all the legislative proposals needed to deliver on its ten priorities, the priority now was to ensure that the European Parliament and the Council adopted them before the end of the legislature. Annex III to the Work Programme listed 188 priority pending proposals, grouped in 85 subsets, which

should be concluded before the election of the new European Parliament. He stressed the need for the Members of the Commission and the departments under their authority to pay particular attention to these proposals in order to make progress in the respective negotiations.

Second, the Work Programme contained a very limited number of new political initiatives, which also contributed to delivering on the Commission's ten priorities. These initiatives included the investment plan, elimination of the last remaining barriers in the single market, artificial intelligence, the fight against disinformation campaigns, and endocrine disruptors.

Third, Mr TIMMERMANS said that the aim of most of the new initiatives presented in the Work Programme for 2019 was to prepare for the Union's future between now and 2025, in the run-up to the Sibiu Summit to be held on 9 May 2019. Their objective was to enable the Union to achieve its Sustainable Development Goals and the objectives of the Paris Agreement on Climate Change, to strengthen the international role of the euro, on the one hand, and the Rule of Law Framework, on the other, and to make its decision-making process more efficient in the areas of energy, the climate, taxation and social policy.

In summary, he said that this Work Programme set out only 15 new initiatives. He also announced the 10 most significant evaluations and Fitness Checks planned for 2019, in particular the evaluations that would be undertaken in response to the opinions of the REFIT platform. Lastly, he drew attention to 10 pending proposals which the Commission intended to withdraw, as they had become outdated or unnecessary.

In conclusion, Mr TIMMERMANS thanked the Secretary-General for coordinating the preparation of the Work Programme and the Members of the College, their cabinets and departments for their valuable cooperation. He would be presenting the result of this work at the plenary session of the European Parliament that day, and the General Affairs Council would be examining it at its meeting on 12 November.

Following this presentation, the Commission approved the Communication in COM(2018) 800/3 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.

10. LATEST DEVELOPMENTS IN THE SITUATION IN IRAN

The PRESIDENT asked Ms MOGHERINI, Mr DOMBROVSKIS, Mr AVRAMOPOULOS and Sir Julian KING to brief the meeting on the foreseeable consequences for the Union of the second wave of sanctions that the US would apply against Iran from 5 November, following its withdrawal from the Iran Nuclear Agreement, the Joint Comprehensive Plan of Action signed with Iran in Vienna on 14 July 2015.

The Commission took note of this information.

11. COMMISSION OPINION ON THE DRAFT BUDGETARY PLAN OF ITALY AND REQUESTING ITALY TO SUBMIT A REVISED DRAFT BUDGETARY PLAN (C(2018) 7510)

At the invitation of the PRESIDENT, Mr DOMBROVSKIS, Mr MOSCOVICI and Ms THYSEN presented to the College the draft Commission opinion on the Draft Budgetary Plan of Italy, based on Article 7 of Regulation (EU) 473/2013 on common provisions on monitoring and assessing draft budgetary plans and ensuring correction of the excessive deficit of the Member States in the euro area.

The Commission adopted in the authentic language (Italian) the Opinion on the Draft Budgetary Plan of Italy in C(2018) 7510 for notification to Italy and transmission, for information, to the European Parliament, the Council and the national parliaments.

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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 14.55.