



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2309 final

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

Strasbourg, 22 October 2019

TEXTE EN

MINUTES

of the 2309th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 2 October 2019

(morning)

PV(2019) 2309 final

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

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Single sitting: Wednesday 2 October 2019 (morning)

The sitting opened at 10.12 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	Items 1 to 7 (in part)
Mr HAHN	Member	
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	
Mr ARIAS CAÑETE	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	Items 1 to 7 (in part)
Mr HOGAN	Member	
Ms BULC	Member	Item 7 (in part)
Ms BIENKOWSKA	Member	Items 1 to 7 (in part)
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	Items 1 to 7 (in part)
Ms VESTAGER	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	Items 1 to 7 (in part)

Absent:

Mr VELLA	Member
Mr STYLIANIDES	Member
Mr MOEDAS	Member

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

Mr MÜLLER	Chef de cabinet to Mr VELLA
Mr BRIENS	Chef de cabinet to Mr STYLIANIDES
Mr VICENTE	Chef de cabinet to Mr MOEDAS

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Ms AHRENKILDE HANSEN	Director-General, DG Communication	
Ms ANDREEVA	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Ms METTLER	Head of the European Political Strategy Centre	
Ms GAUER	Deputy Secretary-General	Items 1 to 7 (in part)
Mr LEARDINI	Deputy Secretary-General	
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	
Ms DEJMEK HACK	Director of Coordination and Administration and Adviser in the PRESIDENT's Office	Items 1 to 7 (in part)
Mr BALTAZAR	Senior adviser in the PRESIDENT's Office	Item 7 (in part)
Mr DELVAUX	Adviser in the PRESIDENT's Office	Item 7 (in part)
Ms HILI	Adviser in the PRESIDENT's Office	Item 7 (in part)
Ms ARKI	PRESIDENT's Office	
Ms SCHMITT	Chef de cabinet to Mr AVRAMOPOULOS	Item 7 (in part)
Mr HEDBERG	Chef de cabinet to Ms BIENKOWSKA	Item 7 (in part)
Mr BARNIER	Chief negotiator and Head of the Article 50 Task Force	Items 1 to 7 (in part)
Mr HEMMELGARN	Secretariat-General	
Mr CAINZOS	Secretariat-General	Item 7 (in part)

Ms BERTAUD

Commission Spokesperson's Service

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

1. AGENDAS

(OJ(2019) 2309/FINAL; SEC(2019) 2309/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(2019) 2309)

The Commission considered the Acting Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 30 September 2019.

3. APPROVAL OF THE MINUTES OF THE 2305TH, 2306TH, 2307TH AND 2308TH MEETINGS OF THE COMMISSION (24 JULY, 4, 11 AND 17 SEPTEMBER 2019)

(PV(2019) 2306; PV(2019) 2306, 2ND PART; PV(2019) 2307; PV(2019) 2307, 2ND PART; PV(2019) 2308; PV(2019) 2308, 2ND PART)

The Commission approved the minutes of its 2306th, 2307th and 2308th meetings and decided to hold over approval of the minutes of its 2305th meeting for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 101)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 27 September 2019 (RCC(2019) 101).

It paid particular attention to the following points.

4.1. HORIZONTAL MATTERS

i) Multiannual Financial Framework 2021-2027 – Trilogues

(point 1.1.1 of the IRG record)

- Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument (Regulation) – NOVAKOV / KREHL report – 2018/0196 (COD)

The Commission took note of the information in SI(2019) 586.

ii) Accession of the European Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)

(point 1.2 of the IRG record)

The Commission approved the line set out in SI(2019) 585.

4.2. LEGISLATIVE MATTERS

iii) Trilogue

(point 3.1 of the IRG record)

- Union regime for the control of exports, transfer, brokering, technical assistance and transit of dual-use items (Regulation – recast) – BUCHNER report – 2016/0295 (COD)

The Commission approved the line set out in SI(2019) 575.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2019) 587)

The Commission took note of the information in SI(2019) 587 on the Council meetings between 3 and 16 October 2019.

v) Non-legislative dossiers

(point 4.1 of the IRG record)

- Conclusion of the Free Trade Agreement between the European Union and the Republic of Singapore (Council Decision) – 2018/0093 (NLE)

The Commission approved the line set out in SI(2019) 576 and /3.

- Position to be adopted on behalf of the European Union in the Partnership Council established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the adoption of decisions on the rules of procedure of the Partnership Council, the Partnership Committee and those of specialised subcommittees or any other body (Council Decision) – 2018/0395 (NLE)

The Commission approved the line set out in SI(2019) 578.

- 25th Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 25) (Santiago de Chile, 2 to 13 December 2019) – Draft Council Conclusions

The Commission approved the line set out in SI(2019) 579.

4.4. RELATIONS WITH NATIONAL PARLIAMENTS, THE OTHER INSTITUTIONS AND BODIES, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

vi) Follow-up to opinions of the European Economic and Social Committee – Plenary session of May 2019

(point 6.3.1 of the IRG record)

The Commission approved document SC(2019) 30/2 on the follow-up by the Commission to the opinions adopted by the European Economic and Social Committee during the May 2019 session, for transmission to that Committee.

4.5. OTHER BUSINESS

vii) Financial agreement between the European Commission, the Secretary-General of the European Schools and the European Investment Bank – on behalf of the EIB Group (EIB/EIF) – with regard to the coverage of the education costs of the EIB staff's children attending the European Schools of Luxembourg
(point 7.1 of the IRG record)

The Commission took note of the information in SI(2019) 582.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2019) 320 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 27 September 2019.

5.2. EMPOWERMENT

(SEC(2019) 321 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 27 September 2019.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2019) 322 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 16 and 27 September 2019 archived in Decide.

5.4. *SIGNIFICANT WRITTEN PROCEDURES*

(SEC(2019) 323 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 30 September and 4 October 2019.

5.5. *GRANTING OF A DELEGATION OF POWERS RELATING TO MARITIME SECURITY IN THE FIELD OF MARITIME TRANSPORT*

(C(2019) 7121)

The Commission adopted the decision in C(2019) 7121, and decided to grant a delegation to the Director-General of DG Mobility and Transport to adopt, on behalf of the Commission and under its responsibility, subject to the conditions set out in Articles 3 to 5 of the Decision, measures designed to improve maritime security in the field of maritime transport.

6. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2019) 324)

ADMINISTRATIVE MATTERS

(PERS(2019) 88)

6.1. *JOINT RESEARCH CENTRE – APPOINTMENT OF AN AD14 DIRECTOR*

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr NAVRACSICS, and also Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations,

Mr Mikel LANDABASO ALVAREZ, an AD14 official and currently Director of the ‘Strategy and Corporate Communication’ Directorate in DG Communication, to the post of Director of the ‘Growth & Innovation’ Directorate in the Joint Research Centre in Seville.

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

6.2. JOINT RESEARCH CENTRE – AMENDMENT OF THE ORGANISATION CHART AND TRANSFER OF AN AD15 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS (SEC(2019) 343)

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Mr NAVRACSICS, and also Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided:

- to create a temporary post of Principal Adviser in charge of ‘Life Sciences’, reporting directly to the Joint Research Centre in Brussels; this post would be abolished upon departure of the job holder;
- to transfer to this newly created post, in the interest of the service, under Article 7 of the Staff Regulations, Ms Elke ANKLAM, an AD15 official and currently Director of the ‘Health, Consumers & Reference Materials’ Directorate at the Joint Research Centre in Geel;
- to adopt the new organisation chart set out in SEC(2019) 343.

These decisions would take effect on 16 November 2019.

6.3. DG HUMAN RESOURCES AND SECURITY / OFFICE FOR INFRASTRUCTURES AND LOGISTICS - BRUSSELS – DEPUTISING FOR THE DIRECTOR

Under Article 27 of its Rules of Procedure, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, the Commission

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decided that in the event the Director of the Office for Infrastructures and Logistics in Brussels (OIB) was prevented from carrying out his/her duties or if the post was vacant, the duties would be performed by, in the following order:

- Ms Marie-Pierre DARCHY, Head of the ‘Operations and Services’ Department (OIB.OS);
- Mr Guy DROWART, Head of the ‘Implementation of real estate policy, real estate assets and project management’ Unit (OIB.RE.1);
- Mr Philippe LOOP, Head of the ‘Kindergarten and Childminding Facilities’ Unit (OIB.CPE.2).

This decision would take effect immediately.

**6.4. SECRETARIAT-GENERAL – COMMISSION DECISION APPOINTING ONE MEMBER OF THE INDEPENDENT ETHICAL COMMITTEE ESTABLISHED BY COMMISSION DECISION C(2018) 700 OF 31 JANUARY 2018
(C(2019) 6000; PERS(2019) 89)**

Following Mr Christian TIMMERMANS’s resignation, the Commission decided to appoint Mr Allan ROSAS as a member of the Independent Ethical Committee established by Commission Decision C(2018) 700 of 31 January 2018.

This decision would take effect on 7 October 2019.

7. OTHER BUSINESS

7.1. LATEST DEVELOPMENTS CONCERNING THE WITHDRAWAL OF THE UNITED KINGDOM FROM THE EUROPEAN UNION

At the invitation of the PRESIDENT, Mr BARNIER reported on the latest developments in the process of the United Kingdom's withdrawal from the Union under Article 50 of the Treaty on European Union.

7.2. EU-U.S.A. DISPUTE IN CASES CONCERNING AIRBUS AND BOEING

A few hours before the publication of an important report by the World Trade Organisation (WTO), Ms MALMSTRÖM briefed the College on the state of play of the dispute concerning the state aid granted to *Boeing* and *Airbus*.

7.3. RESULTS OF THE UN GENERAL ASSEMBLY AND CLIMATE ACTION SUMMIT (NEW YORK, 23-26 SEPTEMBER 2019) (INFO(2019) 58)

The PRESIDENT asked Ms MOGHERINI to report on the main results of the numerous meetings she had attended at the UN General Assembly in New York from 23 to 26 September. He also asked Mr ARIAS CAÑETE to report on the state of play of the UN Climate Action Summit organised by the UN Secretary-General, António Guterres, to provide a platform where the leaders of the various countries, regions or organisations wishing to set themselves new and higher ambitions in the fight against climate change could be heard.

Ms MOGHERINI made the general observation that the European Union was continuing to defend and promote multilateralism and that there was a rapprochement between the EU and the UN in the context of the current difficulties in transatlantic relations. Her other comments focused on certain foreign policy issues addressed at the General Assembly.

With regard to the Gulf, she said that in the margins of the 74th session, the foreign ministers of China, Germany, France, the UK, Russia and Iran and she herself had agreed to support the continued implementation of the Joint Comprehensive Plan of Action on Iran's nuclear programme, and had adopted a ministerial statement to that effect following their meeting.

On the subject of Venezuela, she said that a meeting of the International Contact Group and the Lima group had been held on 26 September, resulting in a joint statement calling for a return to democracy and adherence to the rule of law and human rights in Venezuela. The participants had renewed their support for the democratically elected National Assembly and its leadership.

As regards the situation in Libya, in particular the issue of migration, she pointed out that although the EU Member States appeared to be moving towards a common position, the African partners continued to follow diverging lines, preventing progress being made on new joint actions.

Finally, she briefly mentioned her exchanges on the establishment of lasting peace and stability in the Middle East.

Mr ARIAS CAÑETE presented the outcome of the United Nations Climate Action Summit, stressing its value in boosting momentum in the fight against climate change. He noted with satisfaction that on this occasion the European Union had confirmed its leading role, as demonstrated by the speech of the President of the European Council, Donald Tusk, who had presented the objectives already achieved by the EU, its strategy to achieve carbon neutrality by 2050 and the reinforced commitments made by certain Member States for 2030.

As regards the international partners, several countries, in particular within the G20, had remained silent and had not entered into new commitments or adopted new ambitions. This was the case of China, India, Australia and the U.S.A. in particular, although several U.S. Governors and mayors who were members of the important US Climate Alliance had welcomed the EU's approach. The Chinese government had attributed its inability to enter into more ambitious commitments to protect the climate to the increased risks of a trade war with the U.S.A.

The Commission took note of this information and of the note distributed as

INFO(2019) 58.

7.4. SITUATION WITH REGARD TO MIGRATION – TEMPORARY PROGRAMME FOR RESETTLEMENT OF ASYLUM-SEEKERS RESCUED IN THE CENTRAL MEDITERRANEAN

The PRESIDENT asked Mr AVRAMOPOULOS to brief the College on the latest developments in the issue of migration in the Union.

Mr AVRAMOPOULOS described a complex situation in which the number of irregular migrants arriving was significantly lower than in previous years and in no way comparable to the figures at the peak of the crisis, in 2015, but at the same time certain EU Member States were facing heavy migratory pressures.

With regard to the Central Mediterranean route, in September alone Greece had recorded the highest average daily arrivals since the implementation of the EU-Turkey Statement of 18 March 2016. For 2019 the figure so far was 43,800 arrivals, which however had to be set against the 800,000 arrivals in 2015. However, the situation in the reception centres that had been set up in the Greek islands was no longer tenable, as demonstrated by recent riots.

He stressed that the Commission was doing everything in its power to assist the Greek authorities. He himself was in close contact with them in order to help them, in particular, to improve reception conditions and asylum and return procedures. He added that he was also preparing to visit Turkey for discussions with the Turkish authorities on preventing departures of migrants towards Greece, as well as Cyprus and Bulgaria.

He stressed that in his view the only way of preventing a recurrence of the migration crisis was for Turkey to continue to fully implement the March 2016 Joint Statement and for the Union to reassure its partner that it would continue to provide financial support for this purpose.

With regard to the Central Mediterranean route, Mr AVRAMOPOULOS said that in 2019 arrivals of migrants in Italy had fallen significantly compared with the corresponding period of 2018. However, they had increased in Malta, where reception capacities were overburdened.

In this connection, he referred to the declaration drawn up on 23 September 2019 by Germany, France, Malta and Italy, which he saw as a first step in the right direction to achieve a more structured and effective management of disembarkation of people rescued in the Central Mediterranean. The Member States concerned had expressed their willingness to show solidarity to designate places for disembarkation in cases where one of them was under disproportionate pressure, and to use a fast and safe relocation management system. This pilot project, once accepted, would be set up for six months.

He also underlined the need for continued vigilance with regard to irregular departures from Libya.

Lastly, concerning the Eastern Mediterranean route, he welcomed the fact that, thanks to the efforts made in cooperation with Spain and Morocco, arrivals of irregular migrants had fallen significantly between 2018 and 2019.

In conclusion, Mr AVRAMOPOULOS said that the Commission would present a report on migration with a view to the European Council meeting on 17 and 18 October. He warned against the risk of finishing the current term of office and parliamentary term with a new humanitarian crisis in the EU.

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

- despite the progress made in recent years, recognition of an extremely difficult situation in terms of management of the procedures relating to migration policy and the reception of asylum seekers in the EU, the urgency of which did not seem to be perceived by the Member States;

- an urgent appeal to raise the Member States’ awareness of the risks of the current migratory situation and the need to continue effective cooperation with Turkey;
- the need to convince Turkey to continue to effectively implement the March 2016 Joint Statement and also to focus efforts on the flows of migrants from Afghanistan and Pakistan in particular;
- the significance of the Malta Declaration of 23 September 2019, which must be given a European dimension;
- beyond the financial support granted by the EU to Turkey under the March 2016 Statement, recognition of the significant pressure to which certain other countries such as Lebanon and Jordan were subject as a result of the massive influx of refugees;
- a call to consider the EU-Turkey relationship as a whole, including from the point of view of the negotiations on the EU-Turkey customs union, as set out in the March 2016 Statement, as well as certain disputed issues such as the gas drilling in the waters off Cyprus;
- with regard to migratory flows from Afghanistan and Pakistan, regret that the Member States did not always follow the line laid down at EU level.

Mr AVRAMOPOULOS referred to the political signals that Turkey was sending the EU, but pointed out that the country also hosted a high number of refugees, in particular from Syria. He highlighted the highly important role played by Turkey in stemming the migration flows to Europe, particularly to its neighbour country, Greece.

In reply to a question from the PRESIDENT on how the situation in the Greek islands could be improved, he said that the EU needed to be present politically, financially and materially, providing assistance on the ground to

ease the burden on the Greek authorities and the extremely difficult situation of the refugees grouped in the reception centres on the Aegean Islands.

The PRESIDENT thanked Mr AVRAMOPOULOS for his presentation.

The Commission noted 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 11.34.