



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2021) 2390 final

- English translation of the French version which is authentic -

Brussels, 13 October 2021

TEXTE EN

MINUTES

of the 2390th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 22 September 2021

(afternoon)

PV(2021) 2390 final

- English translation of the French version which is authentic -

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Single sitting: Wednesday 22 September 2021 (afternoon)

The sitting opened at 12.05 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President
Mr DOMBROVSKIS	Executive Vice-President
Mr ŠEFČOVIČ	Vice-President
Ms JOUROVÁ	Vice-President
Mr SCHINAS	Vice-President
Mr HAHN	Member
Ms GABRIEL	Member
Mr SCHMIT	Member
Mr GENTILONI	Member
Mr WOJCIECHOWSKI	Member
Mr BRETON	Member
Ms FERREIRA	Member
Ms KYRIAKIDES	Member
Mr REYNDERS	Member
Mr LENARČIČ	Member
Mr VÁRHELYI	Member
Ms URPILAINEN	Member
Mr SINKEVIČIUS	Member
Ms McGUINNESS	Member

Absent:

Mr TIMMERMANS	Executive Vice-President
Ms VESTAGER	Executive Vice-President
Mr BORRELL i FONTELLES	High Representative / Vice-President
Ms ŠUIČA	Vice-President
Ms DALLI	Member

Ms JOHANSSON	Member
Ms VĂLEAN	Member
Ms SIMSON	Member

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

Mr SAMSOM	Chef de cabinet to Mr TIMMERMANS
Ms CANENBLEY	Deputy Chef de cabinet to Ms VESTAGER
Mr BRIENS	Deputy Chef de cabinet to Mr BORRELL
Mr SCICLUNA	Chef de cabinet to Ms ŠUICA
Mr KERR	Chef de cabinet to Ms DALLI
Ms WEBBER	Chef de cabinet to Ms JOHANSSON
Mr GOETZ	Chef de cabinet to Ms VĂLEAN
Mr KADARIK	Deputy Chef de cabinet to Ms SIMSON

The following also sat in:

Ms RISO	Deputy Chef de cabinet to the PRESIDENT	
Mr CALLEJA CRESPO	Director-General, Legal Service	
Ms AHRENKILDE HANSEN	Director-General, DG Communication	
Mr MAMER	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Ms PETKOVA	Director of Coordination and Administration in the PRESIDENT's Office	
Ms SCHULTZ	Policy Coordinator in the PRESIDENT's Office	
Ms MICELI	Policy Coordinator in the PRESIDENT's Office	Items 8 to 12
Ms BUKA	Secretariat-General	

Secretary: Ms JUHANSONE, Secretary-General, assisted by Ms DEPREZ, Director in the Secretariat-General.

1. AGENDAS

(OJ(2021) 2390/FINAL; SEC(2021) 2390/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(2021) 2390)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 20 September 2021.

3. APPROVAL OF THE MINUTES OF THE 2386TH, 2387TH, 2388TH AND 2389TH MEETINGS OF THE COMMISSION (14 AND 20 JULY, 8 AND 14 SEPTEMBER 2021)

The Commission held over approval of the minutes of its 2386th, 2387th, 2388th and 2389th meetings.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2021) 173)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 17 September 2021 (RCC(2021) 173).

The Commission approved the lines proposed for the following points:

- **Reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices (Regulation)**
 - **GONZÁLEZ CASARES report – 2020/0321 (COD)**

Line set out in SI(2021) 265.

- **Council Decision (EU) 2021/1102 of 28 June 2021 requesting the Commission to submit a study on the Union’s situation and options regarding the introduction, evaluation, production, marketing and use of invertebrate biological control agents within the territory of the Union and a proposal, if appropriate in view of the outcomes of the study**

Line set out in SI(2021) 266.

- **Position to be taken on behalf of the European Union in the Specialised Committee on Law Enforcement and Judicial Cooperation established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, regarding the extension of the period referred to in Article 540(3) of the EU-UK Trade and Cooperation Agreement (Prüm) during which DNA profiles and fingerprints can be exchanged with the United Kingdom (Council Decision) – 2021/0280 (NLE)**

Line set out in SI(2021) 267.

- **Commission Implementing Decision amending Implementing Decision C(2021) 1940 on the adoption of the work programme for 2021-2022 within the framework of the Specific Programme implementing Horizon Europe – the Framework Programme for Research and Innovation and on its financing with regard to certain topics for ‘Digital, Industry and Space’**

Line set out in SPI(2021) 45.

The Commission approved the line set out for the following point, for transmission to Parliament:

- **Commission replies to the non-legislative resolutions adopted by Parliament at its part-session of July 2021 (Part II)**

Line set out in SP(2021) 598/3.

The Commission took note of the following point:

- **Results of Parliament’s September 2021 part-session**

Information set out in SP(2021) 556.

5. COORDINATION OF EXTERNAL ACTION (RCC(2021) 39 TO /3)

The Commission took note of the operational conclusions in RCC(2021) 39/3 of the meeting of the Group for External Coordination (EXCO) held by videoconference on Thursday 16 September 2021.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED (SEC(2021) 312 ET SEQ.)

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 13 and 17 September 2021.

6.2. EMPOWERMENT (SEC(2021) 313 ET SEQ.)

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 13 and 19 September 2021.

6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2021) 314 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 13 and 17 September 2021 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES
(SEC(2021) 315 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 20 and 24 September 2021 and of the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on Monday 20 September 2021.

7. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2021) 316)

ADMINISTRATIVE MATTERS
(PERS(2021) 81)

7.1. DG HEALTH AND FOOD SAFETY – LIST OF CANDIDATES FOR THE
POST OF AD14 PRESIDENT OF THE COMMUNITY PLANT VARIETY
OFFICE (CPVO)
(PERS(2021) 82 TO /3)

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Ms KYRIAKIDES, the Commission decided:

- to approve the list of two candidates set out in point 1 of PERS(2021) 81, for the post of President of the Community Plant Variety Office (CPVO), in Angers, France, and to consider this list as the Commission proposal;

- to ask Ms KYRIAKIDES, the Member of the Commission responsible, to communicate this decision to the Council.

These decisions would take effect immediately.

**7.2. DG TAXATION AND CUSTOMS UNION – TERMINATION OF THE SELECTION PROCEDURE FOR THE POST OF AD14/15 PRINCIPAL ADVISER, AND AUTHORISATION FOR A NEW INTERNAL PUBLICATION OF THE POST
(PERS(2021) 83; PERS(2020) 122)**

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr GENTILONI, the Commission decided:

- to terminate the selection procedure for the temporary post of Principal Adviser in charge of Strategy and Economic Analysis Coordination in DG Taxation and Customs Union, without making an appointment;
- to approve a new internal publication of this temporary post, in accordance with Article 29(1)(a)(i) and (iii) of the Staff Regulations.

These decisions would take effect immediately.

7.3. DG TAXATION AND CUSTOMS UNION – APPOINTMENT OF AD14 DIRECTOR

On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms GABRIEL and Mr GENTILONI, the Commission decided to transfer, in the interest of the service, under Article 7 of the Staff Regulations, Ms Priscilla FERNANDEZ-CANADAS, currently Director of the ‘Innovative Administration’ Directorate in DG Research and Innovation, to the post of Director of the ‘International and General Affairs’ Directorate in DG Taxation and Customs Union.

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

8. **COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE REVIEW OF THE EU PRUDENTIAL FRAMEWORK FOR INSURERS AND REINSURERS IN THE CONTEXT OF THE EU'S POST-PANDEMIC RECOVERY (COM(2021) 580 AND /2; RCC(2021) 181)**
9. **PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2009/138/EC AS REGARDS PROPORTIONALITY, QUALITY OF SUPERVISION, REPORTING, LONG-TERM GUARANTEE MEASURES, MACRO-PRUDENTIAL TOOLS, SUSTAINABILITY RISKS, GROUP AND CROSS-BORDER SUPERVISION (COM(2021) 581 AND /2; SWD(2021) 260; SWD(2021) 261; SEC(2021) 620; RCC(2021) 181)**
10. **PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A FRAMEWORK FOR THE RECOVERY AND RESOLUTION OF INSURANCE AND REINSURANCE UNDERTAKINGS AND AMENDING DIRECTIVES 2002/47/EC, 2004/25/EC, 2009/138/EC AND (EU) 2017/1132 AND REGULATIONS (EU) 1094/2010 AND (EU) 648/2012 (COM(2021) 582 AND /2; SWD(2021) 260; SWD(2021) 261; SEC(2021) 620; RCC(2021) 181)**

The PRESIDENT invited Mr DOMBROVSKIS to present the package of initiatives proposed that day, which sought to comprehensively review the EU's prudential rules for insurance, known as 'Solvency II', with the aim of strengthening the resilience of the insurance and reinsurance sector.

Mr DOMBROVSKIS noted that the EU had a world-leading prudential framework

that allowed Europe's insurers to protect people and businesses against all kinds of risks, while enabling them to invest in Europe's economy. Insurers were an important source of long-term financing for European businesses, which made the insurance sector a crucial player in terms of implementing the EU's political priorities, in particular the economic recovery, the European Green Deal and the Capital Markets Union.

For Europe's insurance sector to remain strong and dynamic, it needed strict rules that worked well in normal conditions as well as during periods of financial stress. That was why the Commission was proposing certain amendments to the 'Solvency II' Regulation, including changes to capital requirements for insurers' long-term investments. The idea was to free up capital to allow insurers to ramp up their contribution to the EU's economic recovery as private investors.

Mr DOMBROVSKIS said that the aim of the proposed review was to mitigate the impact of short-term market fluctuations on insurers' solvency positions, strengthen cross-border supervision and create a new category of low-risk insurers that would benefit from simplified requirements. Furthermore, insurers would be required to take account of climate change and sustainable development in their risk management, aspects which, thus far, had not been given sufficient attention. Lastly, the Commission was proposing to improve supervision of companies in the sector. In his view, this combination of measures would ensure better protection for policyholders.

By way of conclusion, Mr DOMBROVSKIS said that the review was not a technocratic exercise, but rather a political reform, coming at a time when the EU was entering a period of economic recovery. The changes proposed would enable insurance companies to invest more in sustainable projects and the real economy, creating more jobs and more economic growth.

Ms McGUINNESS confirmed that the objective was to modernise the existing framework with the aim of encouraging the insurance sector to contribute to the

EU's policy priorities, be it the twin green and digital transition, financing the recovery or the Capital Markets Union. To that end, the aim of the 'Solvency II' review was to facilitate long-term investment, make life easier for low-risk insurance companies and, more generally, strengthen the resilience of the sector.

In conclusion, she said that the European Insurance and Occupational Pensions Authority (EIOPA) would henceforth be tasked with determining whether or not insurers were taking climate risks into account in their activities.

The PRESIDENT wound up the agenda item by thanking Mr DOMBROVSKIS and Ms McGUINNESS for their excellent work.

Following these presentations, the Commission:

- approved the communication in COM(2021) 580/2 for transmission to Parliament and the Council and, for information, to the national parliaments, the European Central Bank, the European Economic and Social Committee, the Committee of the Regions and the European Data Protection Supervisor;
- adopted the proposal for a Directive in COM(2021) 581/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the national parliaments, and, for information, to the European Central Bank, the Committee of the Regions and the European Data Protection Supervisor, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2021) 260, SWD(2021) 261 and SEC(2021) 620, the contents of which were noted;
- adopted the proposal for a Directive in COM(2021) 582/2 for transmission to Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the national parliaments, and, for information, to the Committee of the Regions and the European Data Protection Supervisor, together with the impact assessment, the summary thereof and the opinion of the

Regulatory Scrutiny Board in SWD(2021) 260, SWD(2021) 261 and SEC(2021) 620, the contents of which were noted.

**11. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON APPLYING A GENERALISED SCHEME OF TARIFF PREFERENCES AND REPEALING REGULATION (EU) N^o 978/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
(COM(2021) 579 TO /3; SWD(2021) 266; SWD(2021) 267; SEC(2021) 330; RCC(2021) 182)**

The PRESIDENT asked Mr DOMBROVSKIS to present to the College the new proposal for a Regulation on applying a generalised scheme of tariff preferences for the period 2024 to 2034.

Mr DOMBROVSKIS pointed out first that since 1971 the EU had given low-income third countries preferential access to its market through the generalised scheme of tariff preferences, which made it easier for them to sell their products in developed countries and thereby build up their own industry and diversify their economies. The scheme was thus a good example of how trade policy could boost growth, create jobs and help eradicate poverty.

The scheme was a vehicle for not only economic development but also sustainable development. For example, Sri Lanka had committed to fully eliminating child labour by 2022, and Bolivia had raised the minimum working age to the internationally accepted standard of 14 years.

Since the current scheme would expire in December 2023, it was important to continue it while fine-tuning certain specific aspects to better respond to changing needs and challenges in the beneficiary countries and to help them move closer to the EU's sustainable trade principles.

The proposed revision thus strengthened the social, environmental and climate elements of the scheme, aimed to have a greater impact on poverty reduction and sought to increase export opportunities for developing countries.

The Commission also proposed to extend the list of international conventions which developing countries had to comply with by adding two additional human rights instruments, two labour rights conventions and a convention on governance relating to transnational organised crime, as well as the Paris Agreement on climate change.

Mr DOMBROVSKIS also stressed that there were now more grounds for withdrawing tariff preferences in the event of exceptionally serious and systematic infringements of the conventions in question as well as of environment and good governance conventions. The revision also provided for a new procedure for the urgent withdrawal of preferences when justified by exceptionally serious circumstances in a beneficiary country, such as serious violations of international standards. Where such a procedure were contemplated, its socio-economic effects would be assessed to take into account its impact on vulnerable groups.

It was also important to maintain a transparent system for monitoring the sustainable development commitments the beneficiary countries had made.

Lastly, the proposal also improved the functioning of safeguards to ensure that imports from the beneficiary countries did not harm European industry.

Following this presentation, the Commission adopted the proposal for a Regulation in COM(2021) 579/3 for transmission to Parliament, the Council and the national parliaments and, for information, to the United Kingdom's mission to the European Union, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2021) 266, SWD(2021) 267 and SEC(2021) 330, the contents of which were noted.

12. OTHER BUSINESS

The PRESIDENT briefed the College on her attendance on 20 and 21 September at several events organised in connection with the 76th session of the General Assembly of the United Nations (UN) in New York.

Most of those first two days had been devoted to climate change, following the particularly alarming opening speech by UN Secretary-General António GUTERRES, who had called on member countries to get their act together as a matter of urgency in order to make firm commitments and take specific measures in the run-up to the COP26 conference, which would be held in Glasgow from 31 October to 12 November.

Only 60% of UN member countries had so far informed the organisation of their nationally determined contributions (NDCs) under the Paris Climate Agreement.

Despite the promises, the USD 100 billion industrialised economies had pledged to help developing countries adapt to climate change was still outstanding. While the EU had paid its own contribution of around USD 25 billion, the United States had not done the same. However, she welcomed its announcement some months previously of a doubling of its pledges, from USD 2.9 billion to around USD 5-6 billion, and the fact that the American President had declared before the UN that this sum could be doubled if agreement were reached with Congress. The PRESIDENT stressed that, in any event, there would still be a funding gap of at least USD 8-9 billion. The Commission and some Member States were ready to significantly increase their annual contribution.

To illustrate the urgency of the situation, she said that, on the basis of the nationally determined contributions that had been received at that stage, greenhouse gas emissions would likely increase by 16%.

There was therefore still a long way to go to provide the impetus to the negotiations that could lead to a satisfactory outcome of the Glasgow conference.

The PRESIDENT confirmed that the Commission was fully committed to continuing its close contacts with all its partners in order to achieve this.

Another topic of discussion in the margins of the UN General Assembly had been the security partnership concluded between the United States, Australia and the United Kingdom, known as AUKUS, and Australia's simultaneous withdrawal from a major contract it had negotiated with France for the purchase of submarines.

A distinction should be made in that affair between trade and geopolitics, and frank and open communication should be the norm between allies.

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

- support for the message of solidarity with France that the PRESIDENT had expressed in the context of AUKUS and the need for the EU Member States to remain united in that context;
- the question of the right response from the EU, in the short, medium and long term;
- the lessons that the EU had to be ready to learn from recent geopolitical tensions, in particular as regards its partnerships, defence capabilities and open strategic autonomy;
- in the immediate future, the desire for a firm and frank discussion with the American partner and, at the same time, a call for close dialogue within the EU in all areas of the bilateral relationship with the United States, including trade and technology;
- the importance of the Indo-Pacific region for the EU, as reflected in its recent communication on the matter;

- a reference to the issues that could also give rise to fresh tensions between the EU and the UK in the coming weeks, particularly in the areas of fisheries and migration;
- a reminder that the American President had reiterated a few days previously his attachment to the respect of the Good Friday agreement and to the absence of a hard border on the island of Ireland;
- the advisability, moreover, of a College discussion on energy prices, which should be separate from the debate on the implementation of the European Green Deal;
- the need to consider how to meet the expectations of citizens, who wanted to be protected as consumers during the implementation of EU climate policy and be able to benefit from European protection against natural disasters.

The PRESIDENT wound up the discussion by stating that the College would return to some of the issues raised in the near future and that a structured discussion would be prepared on the issue of energy prices.

The Commission took note of this information.

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The meeting closed at 13.16.