



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2022) 2404 final

- English translation of the French version which is authentic -

Brussels, 23 February 2022

TEXTE EN

MINUTES

of the 2404th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 26 January 2022

(morning)

PV(2022) 2404 final

- English translation of the French version which is authentic -

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TABLE OF CONTENTS

Attendance list	4-5
1. AGENDAS (OJ(2022) 2404/FINAL; SEC(2022) 2404/FINAL)	6
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2022) 2404)	6
3. APPROVAL OF THE MINUTES (PV(2021) 2401; PV(2021) 2401, 2 ND PART; PV(2021) 2402; PV(2021) 2402, 2 ND PART)	6
4. INTERINSTITUTIONAL RELATIONS (RCC(2022) 4)	6
5. COORDINATION OF EXTERNAL ACTION (RCC(2022) 6).....	8
6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	8
6.1. WRITTEN PROCEDURES APPROVED SEC(2022) 82 ET SEQ.)	8
6.2. EMPOWERMENT SEC(2022) 83 ET SEQ.).....	8
6.3. DELEGATION / SUBDELEGATION OF POWERS SEC(2022) 84 ET SEQ.).....	8
6.4. SIGNIFICANT WRITTEN PROCEDURES (SEC(2022) 85 AND /2)	8
7. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2022) 86).....	9
JOINT RESEARCH CENTRE – APPOINTMENT TO A DIRECTOR FUNCTION, AT GRADE AD14 (PERS(2021) 5 TO /4).....	9
8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ESTABLISHING A EUROPEAN DECLARATION ON DIGITAL RIGHTS AND PRINCIPLES FOR THE DIGITAL DECADE	

(COM(2022) 27 TO /3; SWD(2022) 14; RCC(2022) 62).....	9
9. EUROPEAN DECLARATION ON DIGITAL RIGHTS AND PRINCIPLES FOR THE DIGITAL DECADE (COM(2022) 28 TO /3; RCC(2022) 62).....	10
10. OTHER BUSINESS.....	14
<i>LATEST DEVELOPMENTS IN EXTERNAL RELATIONS</i>	14

Single sitting: Wednesday 26 January 2022 (morning)

The sitting opened at 9.13 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President	
Mr TIMMERMANS	Executive Vice-President	Items 1 to 10 (in part)
Ms VESTAGER	Executive Vice-President	
Mr DOMBROVSKIS	Executive Vice-President	
Mr BORRELL i FONTELLES	High Representative / Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Mr SCHMIT	Member	
Mr GENTILONI	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	
Ms KYRIAKIDES	Member	
Mr REYNDERS	Member	
Ms DALLI	Member	
Mr LENARČIČ	Member	
Ms VÁLEAN	Member	
Ms SIMSON	Member	
Mr SINKEVIČIUS	Member	
Ms McGUINNESS	Member	

Absent:

Ms JOUROVÁ	Vice-President
Ms GABRIEL	Member
Ms JOHANSSON	Member
Mr VÁRHELYI	Member
Ms URPILAINEN	Member

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

Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ
Mr LASO BALLESTEROS	Expert in Ms GABRIEL's Office
Ms WEBBER	Chef de cabinet to Ms JOHANSSON
Mr HORVÁTH	Expert in Mr VÁRHELYI's Office
Mr LAHTI	Chef de cabinet to Ms URPILAINEN

The following also sat in:

Mr SEIBERT	Chef de cabinet to the PRESIDENT	
Mr LADENBURGER	Legal Service	
Ms AHRENKILDE HANSEN	Director-General, DG Communication	
Mr MAMER	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Mr WHELAN	Adviser in the PRESIDENT's Office	Items 8/9
Ms BUKA	Secretariat-General	
Ms ALLOUIS-LE LOSTEC	Head of Unit in the Secretariat-General	

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

1. AGENDAS

(OJ(2022) 2404/FINAL; SEC(2022) 2404/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(2022) 2404)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 24 January 2022.

3. APPROVAL OF THE MINUTES

(PV(2021) 2401; PV(2021) 2401, 2ND PART; PV(2021) 2402; PV(2021) 2402, 2ND PART)

The Commission approved the minutes of its 2401st and 2402nd meetings of 14 and 22 December 2021, and decided to hold over approval of the minutes of its 2403rd meeting of 18 January 2022 for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2022) 4)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Friday 21 January 2022 (RCC(2022) 4).

The Commission approved the lines proposed for the following points:

- **Serious cross-border threats to health and repeal of Decision**

No 1082/2013/EU (Regulation) – TRILLET-LENOIR report – 2020/0322 (COD)

Line set out in SI(2022) 6.

- **Statistics on agricultural input and output and repeal of Regulations (EC) No 1165/2008, (EC) No 543/2009, (EC) No 1185/2009 and Council Directive 96/16/EC (Regulation) – KOKKALIS report – 2021/0020 (COD)**

Line set out in SI(2022) 9/2.

- **Single Market For Digital Services (Digital Services Act) (Regulation) and amendment of Directive 2000/31/EC – SCHALDEMOSE report – 2020/0361 (COD)**

Line set out in SI(2022) 10/2.

- **Coordinated approach to facilitate safe free movement during the COVID-19 pandemic and replacing Recommendation (EU) 2020/1475 (Council Recommendation) – 2021/0396 (NLE)**

Line set out in SI(2022) 12.

The Commission took note of the following points:

- **Amendment of Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (Directive) – AGIUS SALIBA report – 2021/0291 (COD)**

Information set out in SI(2022) 11.

- **Results of Parliament's January I 2022 part-session**

Information set out in SP(2022) 17.

**5. COORDINATION OF EXTERNAL ACTION
(RCC(2022) 6)**

The Commission took note of the operational conclusions in RCC(2022) 6 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 19 January 2022.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**6.1. WRITTEN PROCEDURES APPROVED
*SEC(2022) 82 ET SEQ.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 and 23 January 2022.

**6.2. EMPOWERMENT
*SEC(2022) 83 ET SEQ.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 and 23 January 2022.

**6.3. DELEGATION / SUBDELEGATION OF POWERS
*SEC(2022) 84 ET SEQ.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 17 and 23 January 2022 archived in Decide.

**6.4. SIGNIFICANT WRITTEN PROCEDURES
*(SEC(2022) 85 AND /2)***

The Commission took note of the significant written procedures for which the time limit expired between 24 and 28 January 2022.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2022) 86)

ADMINISTRATIVE MATTERS

(PERS(2022) 2)

***JOINT RESEARCH CENTRE – APPOINTMENT TO A DIRECTOR
FUNCTION, AT GRADE AD14***

(PERS(2021) 5 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) and (iii), Article 29(1)(b) and Article 29(2) of the Staff Regulations for the post of Director of the ‘Ispra Nuclear Decommissioning and Waste Management’ Directorate in the Joint Research Centre (PERS(2021) 5 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 1 and 2 December 2021 (PERS(2021) 5/3 and /4).

The Commission then examined the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms GABRIEL, it then decided to appoint Mr Laurent JERRIGE to the post.

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

**8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND
SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS
ESTABLISHING A EUROPEAN DECLARATION ON DIGITAL RIGHTS**

AND PRINCIPLES FOR THE DIGITAL DECADE
(COM(2022) 27 TO /3; SWD(2022) 14; RCC(2022) 62)

9. EUROPEAN DECLARATION ON DIGITAL RIGHTS AND PRINCIPLES
FOR THE DIGITAL DECADE
(COM(2022) 28 TO /3; RCC(2022) 62)

The PRESIDENT asked Ms VESTAGER and Mr BRETON to present the proposal for a European Declaration on Digital Rights and Principles for the Digital Decade.

Ms VESTAGER stressed the political importance of this Declaration, which emphasised the human-centred nature of the EU's digital strategy. This Commission initiative followed on from the 'Digital Compass' presented by the Commission in March 2021, which had set out four main ambitions for 2030, namely: (i) a digitally skilled population and highly skilled digital professionals, (ii) secure and sustainable digital infrastructures, (iii) the digital transformation of businesses, and (iv) the digitalisation of public services.

The aim of the Declaration proposed that day was to raise public awareness of the rights and principles governing the online environment. According to a 2021 Eurobarometer survey, 40% of citizens were not aware that they had the same rights online as offline. The EU institutions should therefore proclaim the rights and principles that should serve as a reference both for citizens and for operators and creators of new technologies.

The Declaration was rooted in EU law (the Treaties, the Charter of Fundamental rights and Court of Justice case law). Thus, it did not grant new rights for citizens and could not be legally invoked before the courts, but incorporated the rights already granted to citizens by existing legislation and those from which they would soon benefit with the entry into force of the Digital Services Act and the Artificial Intelligence Act in particular.

She was confident that the European Parliament and the Council, which had already expressed the wish to draw up such a document, would support this political Declaration. The Declaration would thus serve as a common reference framework to guide policy strategies and the related investments, as well as legislative activity and the monitoring of the application of the law across the EU.

Ms VESTAGER added that rights in the digital world also had an international dimension, as demonstrated by the ongoing debates in the United States and in the G7, the G20 and the Organisation for Economic Cooperation and Development (OECD). This political Declaration would also set out the approach to the digital transformation which the EU would promote throughout the world.

Finally, she said that to ensure that the Declaration had concrete effects on the ground, the principles enshrined in it would be effectively monitored. The results of that monitoring would be presented each year, together with an annual Eurobarometer survey on European citizens' perception of the actions and measures taken.

Mr BRETON said that the Declaration presented that day responded to the numerous calls for the EU to set a course for its digital transformation that took into account citizens' rights and society's expectations. Its added value lay in proposing a European pillar of humanist rights and principles to guide this transformation in the EU and beyond, a European model of organisation of the digital space that offered an alternative to the models put forward by the other geopolitical actors, which were often not democratic.

The Declaration contained six chapters, the main points of which he went on to present.

The first chapter set out the general commitment of policy makers to put people at the centre of the digital transformation.

The second addressed the subject of solidarity and inclusion in this process, focusing in particular on the robustness and connectivity of networks and infrastructure, digital training and skills, working conditions and the provision of online public services.

The third established the freedom of all citizens to make their own choices in the digital space, ensuring transparency in the use of algorithms and artificial intelligence systems and a safe and fair online environment.

The fourth aimed to ensure an open information space, free of illegal or harmful content, in which democratic participation and pluralistic political debate were possible online just as they were offline, with respect for everyone.

The fifth aimed to promote the security of the digital environment, paying particular attention to the confidentiality and individual control of private data, as well as the protection of children and young people in the online world.

Finally, the sixth chapter of the political Declaration addressed the sustainability of digital products and services, which were frequently characterised by relatively high energy consumption, and also the issue of the positive contribution made by digital technologies to achieving the objectives of the European Green Deal.

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

- a reminder of the essential fact that the Declaration sought to guarantee individuals the same rights online as offline, based on EU legislation, starting with the Charter of Fundamental Rights and the General Data Protection Regulation;
- the concrete and dynamic nature of the rights and principles referred to in the Declaration, which was comparable to that of the European Pillar of Social Rights and would enable the EU to assert at global level its role as a standard-

setter in terms of the work-related and social aspects of the digital transition, such as the right to disconnect;

- the need to strengthen people's security in the digital space, in particular that of children, which was why the Commission would shortly be presenting a strategy for a safer internet for children;
- the expediency of that day's Declaration in terms of simpler communication to the public on EU policies, particularly in the context of the Conference on the Future of Europe and the recent work of the General Affairs Council on this subject;
- the importance of the Declaration in the context of increasing digitalisation in the world of finance and the need to make citizens aware of their rights in this process;
- the opportunity provided by this human-centred Declaration to show that the EU was not a soulless organisation and that it left no-one behind, regardless of age, gender, skills or region.

The PRESIDENT thanked Ms VESTAGER and Mr BRETON for their presentation. She welcomed the fact that the Commission was proposing to the other EU institutions a European declaration, the first of its kind, on digital rights and principles for this decade of major digital transformation.

Following these presentations, the Commission:

- approved the Communication in COM(2022) 27/3 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, together with the staff working document distributed as SWD(2022) 14, the contents of which were noted;
- approved the Declaration in COM(2022) 28/3 for transmission to Parliament and

the Council and, for information, to the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

10. OTHER BUSINESS

LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

On the latest developments in external relations, the PRESIDENT and Mr BORRELL gave an update in particular on the situation at the Ukrainian-Russian border. They referred to the discussions held at EU level over the last few days and the work carried out in cooperation with international partners.

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 10.58.