



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2024) 2500 final

- English translation of the French version which is authentic –

Strasbourg, 8 October 2024

TEXTE EN

MINUTES

of the 2500th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 11 September 2024

(morning)

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- English translation of the French version which is authentic –

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Single sitting: Wednesday 11 September 2024 (morning)

The sitting opened at 10.11 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President
Ms VESTAGER	Executive Vice-President
Mr DOMBROVSKIS	Executive Vice-President
Mr ŠEFČOVIČ	Executive Vice-President
Ms JOUROVÁ	Vice-President
Ms ŠUICA	Vice-President
Mr SCHINAS	Vice-President
Mr GENTILONI	Member
Mr BRETON	Member
Ms FERREIRA	Member
Ms KYRIAKIDES	Member
Mr REYNDERS	Member
Ms DALLI	Member
Mr LENARČIČ	Member
Mr VÁRHELYI	Member
Ms URPILAINEN	Member
Ms SIMSON	Member
Ms McGUINNESS	Member
Ms IVANOVA	Member
Mr HOEKSTRA	Member

Absent:

Mr BORRELL i FONTELLES	High Representative / Vice-President
Mr HAHN	Member
Mr SCHMIT	Member

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Mr WOJCIECHOWSKI Member

Ms JOHANSSON Member

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

Ms BERGENFELT Deputy Head of Cabinet to Mr BORRELL

Ms BIKAR Deputy Head of Cabinet to Mr HAHN

Ms SYSAITE Policy Assistant in Mr SCHMIT's cabinet

Ms HAAPANIEMI Member of Mr WOJCIECHOWSKI's cabinet

Ms WEBBER Head of Cabinet to Ms JOHANSSON

The following also sat in:

Mr SEIBERT Head of Cabinet to the PRESIDENT

Mr CALLEJA CRESPO Director-General, Legal Service

Ms SPINANT 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 cabinet

Mr VAN KEMSEKE Adviser in the PRESIDENT's cabinet

Mr TAQUET-GRAZIANI Acting Head of Unit in the Secretariat-General

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

The PRESIDENT opened the meeting, noting that a significant milestone had been reached, as this was the 2500th meeting of the Commission. To mark the occasion, a commemorative dinner would be held that evening at Val Duchesse, a symbolic venue since that was where the first meeting of the College of Commissioners had been held in 1958.

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1. AGENDAS

(OJ(2024) 2500/FINAL; SEC(2024) 2500/FINAL)

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

2. WEEKLY MEETING OF HEADS OF CABINET

(RCC(2024) 2500)

The Commission considered the Secretary-General's report on the weekly meeting of Heads of Cabinet held on Monday 9 September 2024.

3. APPROVAL OF THE MINUTES

(PV(2024) 2496; PV(2024) 2496, PART II; PV(2024) 2497; PV(2024) 2498; PV(2024) 2499)

The Commission approved the minutes of its 2496th, 2497th, 2498th and 2499th meetings of 19 and 26 June and of 3 and 24 July 2024.

4. COORDINATION OF EXTERNAL ACTION

(RCC(2024) 32)

The Commission took note of the operational conclusions in RCC(2024) 32 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 4 September 2024.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2024) 203 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 July and 8 September 2024.

5.2. EMPOWERMENT

(SEC(2024) 204 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 22 July and 8 September 2024.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2024) 205 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 22 July and 8 September 2024 archived in Decide.

5.4. SIGNIFICANT WRITTEN PROCEDURES

(SEC(2024) 206 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 9 and 13 September 2024.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2024) 207)

ADMINISTRATIVE MATTERS
(PERS(2024) 54/2)

**6.1. DG TAXATION AND CUSTOMS UNION – END OF SECONDMENT IN
THE INTEREST OF THE SERVICE UNDER ARTICLES 37 AND 38 OF
THE STAFF REGULATIONS OF AN AD14 OFFICIAL**

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

- to end the secondment in the interest of the service under Articles 37 and 38 of the Staff Regulations of Mr Dominik SCHNICHELs to the German Federal Ministry of Economic Affairs and Climate Action;
- to reinstate Mr SCHNICHELs, an AD14 official, in the temporary post of principal adviser in DG Taxation and Customs Union.

These decisions would take effect on 16 October 2024.

**6.2. SECRETARIAT-GENERAL – NEW UNPAID SPECIAL ADVISER
CONTRACT FOR A FORMER PRESIDENT OF THE
EUROPEAN COMMISSION**

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

- to grant Mr Jean-Claude JUNKER – by derogation from the first point of the decision of 30 October 2019 (PV(2019) 2313) – a new contract as an unpaid special adviser, with the specific title of ‘former President’; this contract could be renewed for a total of 5 years;

- to apply to that contract all the other provisions of the decision of 30 October 2019 (PV(2019) 2313), including those concerning the conclusion of contracts and administrative support.

These decisions would take effect immediately.

7. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – STATE OF THE ENERGY UNION REPORT 2024 (PURSUANT TO REGULATION (EU) 2018/1999 ON THE GOVERNANCE OF THE ENERGY UNION AND CLIMATE ACTION) (COM(2024) 404 TO /3; RCC(2024) 127)

The PRESIDENT introduced the 2024 State of the Energy Union Report and congratulated the Members of the Commission who had worked on its preparation. The report provided an insight into the European Union's progress in addressing the energy crisis caused by the Russian war of aggression against Ukraine. Despite the considerable pressures facing it, the EU had successfully resisted the temptation to return to the age of fossil fuels, but had instead remained firmly committed to renewable energy and energy independence. The energy crisis had also highlighted the need to ensure security of supply and avoid unhealthy dependencies, key issues at the heart of today's discussions on the EU's economic security.

Mr ŠEFČOVIČ explained that the report was part of the Energy Union launched by the Commission in February 2015. He described the unprecedented progress made since then in the five dimensions of the Energy Union: decarbonisation; energy efficiency; energy security; internal energy market; and research, innovation and competitiveness. This year's report stood out through its particular focus on the implementation of the European energy crisis response strategy, based on the REPowerEU plan.

Mr ŠEFČOVIČ then referred to the most prominent developments in the energy sector mentioned in the report.

He began by welcoming the continued reduction in greenhouse gas emissions in the EU, down 32.5% since 1990, while the European economy had grown by around 67% over the same period. This outcome made the EU unique among the major economies, demonstrating its ability to decouple economic growth from increased emissions.

Moreover, while the situation on the energy market seemed to have stabilised following the energy crisis, energy prices were still a major challenge that would be one of the next Commission's priorities. Gas and electricity prices had not yet returned to pre-war levels and remained less competitive than in other world economies. This was reflected in high household energy bills and a less competitive European economy, particularly for energy-intensive industries.

However, the EU had made significant progress in strengthening its energy security in the short and medium term, in particular by successfully diversifying its energy supply sources. A significant proportion of Russian gas supply had been replaced by increased imports from other international suppliers, notably Norway and the United States, which were now the EU's main gas suppliers. Additionally, twelve new liquefied natural gas terminals and six existing terminal expansion projects had been commissioned, while gas demand had decreased by 18% between August 2022 and May 2024.

Mr ŠEFČOVIČ also welcomed the acceleration of renewable energy deployment and, in particular, the record levels of 56 gigawatts of new solar energy capacity installed in Europe in 2023. However, he noted that these efforts needed to be continued, in particular as regards wind power: only 16 gigawatts of new capacity had been installed in 2023. He was confident that the wind energy package, adopted by the Commission in October 2023, would play a key role in this field.

Mr ŠEFČOVIČ also praised the Commission's work in establishing a robust regulatory framework to govern the future EU energy market, essential for accelerating the green transition. He singled out the 'Fit for 55' package and the action plans for wind energy and electricity grids, which it was vital to implement swiftly and uniformly in all the Member States.

Lastly, he said that the Commission should step up its efforts and work more closely with the Member States in order to achieve the EU's 2030 targets. Worryingly, without additional efforts the EU was in danger of failing to meet its targets in terms of reducing greenhouse gases, use of renewables, and energy efficiency. A particular concern was the fact that, to date, only 10 Member States had submitted the final version of their national energy and climate plan, despite the deadline of 30 June 2024. In this context, he urged the Commission to step up its collaboration with the Member States in order to make the energy transition a success.

Ms SIMSON pointed out that this annual report differed from previous reports, as it presented not only action taken in the context of the Energy Union during the last year, but also progress made in implementing the European Green Deal and the REPowerEU plan. Both initiatives were powerful accelerators of change, in particular with regard to the massive expansion of clean energy production in Europe. In the first half of 2024, wind and solar power production had achieved new highs, with the result that the EU for the first time had produced more electricity from wind and solar energy than from fossil fuels. Moreover, investment in the energy sector had also reached record levels, with over EUR 184 billion allocated by the Member States through their national recovery and resilience plans.

As regards the implementation of the REPowerEU plan, Ms SIMSON noted that the EU was on track to achieve most of its goals. Indeed, she felt that Europe's security of gas supply was no longer at risk. The EU had ended its excessive dependence on Russian gas by diversifying its sources of supply, and had achieved a gas storage filling level of 92% by the end of August, 2 months ahead of the November deadline.

Ms SIMSON welcomed the fact that these achievements had been achieved without compromising progress under the European Green Deal. In this context, greenhouse gas emissions had decreased, mainly as a result of lower gas consumption, and the energy crisis had prompted a transition not from gas to oil, but to renewable energies. Furthermore, the EU now had new common tools, such as the AggregateEU mechanism and the European Hydrogen Bank.

The objective of the REPowerEU plan had not yet been achieved, however. The EU needed to step up its efforts to reduce imports of liquefied natural gas from Russia. She stressed that the end of the agreement to transport gas via Ukraine could be problematic, as some Member States were still dependent on that route. The Commission had launched a consultation process with the Member States concerned to examine alternative solutions with a view to achieving the ultimate objective of the REPowerEU plan, namely to completely phase out Russian gas as quickly as possible.

Ms SIMSON noted that, although this Commission was leaving a solid legacy in the field of energy thanks to the progress it had made, the EU was facing new challenges. It was therefore vital to invest heavily in energy networks and interconnections and to tackle electricity and gas prices that varied considerably between Member States and were too high compared with other parts of the world. On that point, she also referred to Mr Draghi's recent report on the future of European competitiveness, which stressed the crucial importance of energy policy in terms of competitiveness and highlighted the urgent need for more resolute action at EU level in this regard.

Lastly, she referred to another key aspect of the State of the Energy Union Report and of the Commission's work during its current term of office, namely the support given to Ukraine's energy sector. She was concerned by the fact that Russia had repeatedly been targeting civil energy infrastructure in Ukraine in recent months, with Ukraine having lost 9 gigawatts of electricity generation capacity as a result. Following the latest Russian attacks on 26 August, the eastern part of the Ukrainian

electricity grid had had to be disconnected from the European synchronous area in order to prevent a collapse. The Commission therefore needed to take swift action to help Ukraine rebuild its electricity-generation capabilities and partly plug the power gap before winter.

To that end, the Commission had agreed that an additional contribution of EUR 96 million would be made to the Ukraine Energy Support Fund. The funds would help to reinstate electricity production at three damaged power plants and specific funding would be earmarked for decentralised electricity generation in hospitals, schools and public buildings. Furthermore, thanks to the Civil Protection Mechanism, over the summer the EU and its Member States had supplied Ukraine with equipment capable of generating 760 megawatts.

Ms SIMSON concluded her presentation by stressing that, overall, the EU would help to restore 2.7 gigawatts of energy supply in Ukraine and that the United States would make a similar contribution. Furthermore, the Commission was working closely with the European Network of Transmission System Operators for Electricity (ENTSO-E) and with the Member States to increase the EU's electricity export capacity with respect to Ukraine to 2.2 gigawatts. She noted, however, that the situation remained difficult and that, even if all the promised support was provided, Ukraine would still have an electricity deficit this winter.

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

- congratulations on the timely report and the considerable amount of work done in the energy field during the current term of office, particularly the concrete measures put in place to support Ukraine;
- the importance of continued strategic support for Ukraine in the face of Russian aggression, particularly with respect to energy;
- energy policy's crucial role in combating climate change;

- the need to step up cooperation with the Member States with regard to the drafting of their national energy and climate plans, with only 10 Member States having submitted their draft plans before the deadline;
- the need for the next Commission to build on the achievements of the current Commission by completing projects that were under way, avoiding duplication of work and re-using tried and tested methods;
- the need to address the issue of energy prices, which were currently below their peak levels from 2022 but, in world terms, were still too high and were affecting the competitiveness of European companies;
- the urgent need to continue diversifying the European energy mix in order to bolster energy independence;
- the need to invest in electricity grid infrastructure and to carry out the requisite reforms so as to encourage companies to make those investments;
- the importance of resolving the political and technical issues relating to the electricity grid and the granting of permits, and of setting out a credible policy agenda to encourage the roll-out of renewables in a European internal market for clean energy;
- on that point, a reference to barriers relating to the permitting process, in particular the lack of political will or administrative capacity on the part of local authorities, including when communicating with citizens on renewables;
- the need to take into account the Member States' differing starting points and to acknowledge and build on the efforts of those who had already made significant investments in order to diversify their energy mix.

The PRESIDENT wrapped up the debate by highlighting the considerable amount of progress made by the current Commission in the field of energy. The 18th Commission had built on the achievements of its predecessors, learning from

their achievements and the difficulties they had faced. The next Commission would continue this legacy. In particular, she highlighted the Commission's robust, high-quality response when faced with the COVID-19 pandemic, Russia's aggression against Ukraine and Russia's use of energy to blackmail the EU. It was Russia that had decided to suspend gas deliveries in an attempt to cow the EU into submission, which had led to a tenfold increase in energy prices. However, the EU had chosen to respond by forging ahead with developing decarbonised energy rather than using fossil fuels, which was a significant achievement.

The PRESIDENT further noted that the situation in Ukraine would remain a crucial issue for the 19th Commission. In her view, the EU was now much better equipped to support Ukraine thanks to a wide range of new tools, which was undeniably another success for this Commission.

Following these presentations, the Commission approved the report in COM(2024) 404/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and, for information, to the national parliaments.

8. OTHER BUSINESS

8.1. RECENT RULINGS OF THE COURT OF JUSTICE OF THE EUROPEAN UNION

The PRESIDENT congratulated Ms VESTAGER on the recent developments in the Apple and Google cases, which were a result of her unwavering commitment to fair taxation and the defence of European citizens.

Ms VESTAGER presented the ruling of the Court of Justice of the European Union, which, the previous day, had finally confirmed the Commission's 2016 decision against Apple. On the basis of this historic judgment, Ireland would be able to recover EUR 13 billion from Apple. She felt that this was a

clear victory for the Commission, but also for European citizens and more specifically for Irish taxpayers.

Ms VESTAGER went back over the previous steps in the judicial process and the legal risks that had been taken and thanked the PRESIDENT for her continued support in this matter, which was a clear example of this Commission's defence of fair taxation. She also noted that much had been done by this College to tackle aggressive tax planning and, in this context, warmly thanked Mr GENTILONI for his work in Europe and internationally to make progress on this issue.

However, she pointed out that aggressive tax planning still existed in some Member States and therefore called on the next Commission to make fair taxation a top priority, with the ultimate goal that all companies, big or small, would pay their taxes where they generated their profits.

Finally, she noted that the application of EU State aid rules alone could not achieve the desired results. The Commission should therefore use all the tools at its disposal in the Treaties, ensure the full implementation of existing legislation, and continue to propose legal instruments that would address existing gaps.

Ms VESTAGER added that the Court of Justice had also upheld the fine of EUR 2.4 billion imposed by the Commission on Google for its anti-competitive practices. She highlighted the importance of this judgment in a case which had historically been one of the first in the European Union against a large digital company.

She concluded that these two judgments showed that no undertaking was above the law and reiterated her hope that the next Commission would continue in this vein.

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

- recognition of the very important work carried out by Ms VESTAGER in these cases, and the historic importance of the decisions of the Court of Justice;
- satisfaction with the unanimous agreement reached by the Member States on minimum corporate taxation, in particular as a result of Ireland's bold approach;
- how important it was for the next Commission to maintain the impetus created by this Commission regarding tax policy, in particular in the context of minimum corporate taxation and digital taxation;
- the possibility of resuming negotiations on Pillar One of the OECD agreements on international tax reform following the next US elections, depending on the outcome of those elections;
- the merits of introducing a principle similar to the 'polluter pays' environmental principle for large tech companies and using the funds thus collected for the benefit of citizens through smart investments, in particular in education, mental health and the improvement of the European information space;
- the issue of companies leaving EU Member States for third countries in order to benefit from better tax agreements, and the importance of a level playing field at both the European and international level.

The Commission took note of this information.

8.2. COMMISSION IMPLEMENTING DECISION ON THE REQUEST FOR REGISTRATION, PURSUANT TO REGULATION (EU) 2019/788 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, OF THE

EUROPEAN CITIZENS' INITIATIVE ENTITLED 'ECI FOR A WATER-SMART AND RESILIENT EUROPE'

(C(2024) 6087)

8.3. COMMISSION IMPLEMENTING DECISION ON THE REQUEST FOR REGISTRATION, PURSUANT TO REGULATION (EU) 2019/788 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, OF THE EUROPEAN CITIZENS' INITIATIVE ENTITLED 'PSYCHEDELICARE'

(C(2024) 6086)

Ms JOUROVÁ presented to the College the requests to register two European citizens' initiatives entitled, in the authentic language (English), 'ECI for a Water-Smart and Resilient Europe' and 'PsychedeliCare'.

She explained that the organisers of the initiative 'ECI for a Water-Smart and Resilient Europe' advocated for an action plan for water to be devised, and requested that the Commission make water resilience as much a priority as decarbonisation. The organisers wanted to reduce society's water footprint, accelerate the transition to water-efficient industry and agriculture, ensure availability of the right skills for a water-smart economy, and support efforts to restore and protect ecosystems and biodiversity.

The organisers of the initiative 'PsychedeliCare' called on the Commission to support expert consensus on psychedelic care standards and the rollout of psychedelic therapies. The initiative also urged the Commission to boost research into the therapeutic applications of psychedelics and the development of research networks and multidisciplinary training.

Ms JOUROVÁ pointed out that no part of the two citizens' initiatives manifestly fell outside the scope of the Commission's powers to submit a proposal for an EU legal act for the purpose of implementing the Treaties. As the initiatives could therefore be considered admissible, she proposed to

register them. She concluded by pointing out that the organisers would now have to start collecting the required number of signatures, i.e. at least one million in seven Member States. The Commission would take a decision on the substance of the initiative only after those signatures had been collected.

Following these presentations, the Commission confirmed that the citizens' initiatives entitled, in the authentic language (English), 'ECI for a Water-Smart and Resilient Europe' and 'PsychedeliCare' fulfilled the conditions for registration. It therefore decided, in accordance with C(2024) 6087 and C(2024) 6086, to inform the groups of organisers, and authorised Ms JOUROVÁ to sign the replies on behalf of the College, to send them to the groups of organisers of the initiatives, and to publish them, for information, in the *Official Journal of the European Union*.

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The meeting closed at 11.07.