



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2018) 2252 final

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

Brussels, 16 May 2018

TEXTE EN

MINUTES

of the 2252nd meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 25 April 2018

(morning)

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PV(2018) 2252 final

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

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Single sitting: Wednesday 25 April 2018 (morning)

The sitting opened at 9.40 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	Items 1 to 14 (in part)
Mr OETTINGER	Member	
Mr HAHN	Member	Items 1 to 14 (in part)
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	
Mr STYLIANIDES	Member	Item 14 (in part)
Mr HOGAN	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:

Ms MOGHERINI

High Representative /
Vice-President

Ms BULC

Member

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

Mr DRIESMANS	A member of Ms MOGHERINI's staff
Mr FAJARDO	Deputy Chef de cabinet to Ms BULC

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	
Ms METTLER	Head of the European Political Strategy Centre	
Ms AHRENKILDE HANSEN	Acting Deputy Secretary-General	
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	
Ms KRAMER	Director of Coordination and Administration in the PRESIDENT's Office	Item 14
Ms CANENBLEY	Adviser in the PRESIDENT's Office	Item 14
Ms BARA	Adviser in the PRESIDENT's Office	
Ms ARKI	PRESIDENT's Office	
Mr HAGER	Chef de cabinet to Mr OETTINGER	
Mr SCHULTE	A member of Mr OETTINGER's staff	Item 14
Mr BRIENS	Chef de cabinet to Mr STYLIANIDES	Items 1 to 14 (in part)
Ms VILA NUÑEZ	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	
Ms CALVIÑO	Director-General, DG Budget	

Secretary: Mr SELMAYR, Secretary-General, assisted by Mr AYET PUIGARNAU,
Director in the Secretariat-General.

1. AGENDAS

(OJ(2018) 2252/FINAL; SEC(2018) 2252/FINAL/2)

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) 2252)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 23 April.

3. APPROVAL OF THE MINUTES OF THE 2250TH AND 2251ST MEETINGS OF THE COMMISSION (11 AND 17 APRIL)

The Commission held over approval of the minutes of its 2250th and 2251st meetings for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2018) 59)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 20 April (RCC(2018) 59).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogues

(point 3.1 of the IRG record)

- European Agency for Safety and Health at Work (EU-OSHA) and repeal of Council Regulation (EC) 2062/94 (Regulation) – HOC report – 2016/0254 (COD) / European Foundation for the Improvement of Living and Working Conditions (Eurofound) and repeal of Council Regulation (EEC) 1365/75 (Regulation) – CALVET CHAMBON report – 2016/0256 (COD) / Creation of a European Centre for the Development of Vocational Training (Cedefop) and repeal of Regulation (EEC) 337/75 (Regulation) – SANDER report – 2016/0257 (COD)

The Commission approved the line set out in SI(2018) 187.

- Establishment of the legal framework of the European Solidarity Corps and amendment of Regulations (EU) 1288/2013, (EU) 1293/2013, (EU) 1303/2013, (EU) 1305/2013 and (EU) 1306/2013 and Decision 1313/2013/EU (Regulation) – TRÜPEL report – 2017/0102 (COD)

The Commission approved the line set out in SI(2018) 188/2.

- Amendment of Council Framework Decision 2009/315/JHA, as regards the exchange of information on third country nationals and as regards the European Criminal Records Information System (ECRIS), and replacement of Council Decision 2009/316/JHA (Directive) / Establishment of a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European Criminal Records Information System (ECRIS-TCN system), and amendment of Regulation (EU) 1077/2011 (Regulation) – DALTON reports – 2016/0002 (COD) / 2017/0144 (COD)

The Commission approved the line set out in SI(2018) 189.

- Conservation of fishery resources and protection of marine ecosystems through technical measures, amendment of Council Regulations (EC) 1967/2006, (EC) 1098/2007, (EC) 1224/2009 and Regulations

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(EU) 1343/2011 and (EU) 1380/2013 of the European Parliament and of the Council, and repeal of Council Regulations (EC) 894/97, (EC) 850/98, (EC) 2549/2000, (EC) 254/2002, (EC) 812/2004 and (EC) 2187/2005 (Regulation) – MATO report – 2016/0074 (COD)

The Commission took note of the information in SI(2018) 190.

- Establishment of the European Electronic Communications Code (Directive – recast) – DEL CASTILLO VERA report – 2016/0288 (COD)

The Commission approved the line set out in SI(2018) 194/2.

- Amendment of Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities (Directive) – VERHEYEN/KAMMEREVERT report – 2016/0151 (COD)

The Commission approved the line set out in SI(2018) 195.

- 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 approved the line set out in SI(2018) 191.

ii) Council dossiers

(point 3.3 of the IRG record)

- Amendment of Decision 1313/2013/EU on a Union Civil Protection Mechanism (Decision) – GARDINI report – 2017/0309 (COD)

The Commission approved the line set out in SI(2018) 193/2.

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- Copyright in the Digital Single Market (Directive) – VOSS report – 2016/0280 (COD)

The Commission took note of the information in SI(2018) 199.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2018) 205)

The Commission took note of the information in SI(2018) 205 on the Council meetings between 26 April and 9 May.

iv) Non-legislative dossiers

(point 4.1 of the IRG record)

- European External Action / Commission Services Non-paper on Business and Human Rights

The Commission took note of SI(2018) 179 and /2.

- Authorisation to open negotiations on a Partnership Agreement between the European Union and countries of the African, Caribbean and Pacific Group of States (recommendation for a Council Decision) – COM(2017) 763

The Commission approved the line set out in SI(2018) 198.

- Ministerial Conference on the Fight against Terrorist Financing (Paris, 25 and 26 April)

The Commission approved the line set out in SI(2018) 201 and /2.

4.3. RELATIONS WITH PARLIAMENT

v) Action to be taken on Parliament's legislative resolutions and other resolutions of a legal nature

(SP(2018) 245)

The Commission decided to empower the Members of the Commission responsible for the sectors in question, in agreement with the PRESIDENT and Mr TIMMERMANS and, if necessary, with the other Members concerned to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2018) 245, drawn up following the April 2018 part-session of Parliament, the contents of which were noted.

vi) Results of the April part-session of Parliament

(SP(2018) 230; SP(2018) 231)

The Commission took note of the information in SP(2018) 230 and SP(2018) 231 on the proceedings of the part-session of Parliament held in Strasbourg from 16 to 19 April.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2018) 200 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 20 April.

5.2. EMPOWERMENT

(SEC(2018) 201 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 20 April.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2018) 202 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 16 and 20 April, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2018) 203 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 23 and 27 April and of the finalisation written procedures initiated following the weekly meetings of Chefs de cabinet on 16 and 23 April.

6. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE (EU) 2017/1132 AS REGARDS THE USE OF DIGITAL TOOLS AND PROCESSES IN COMPANY LAW

(COM(2018) 239 AND /2; SWD(2018) 141; SWD(2018) 142; SEC(2018) 211; RCC(2018) 62)

7. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE (EU) 2017/1132 AS REGARDS CROSS-BORDER CONVERSIONS, MERGERS AND DIVISIONS

(COM(2018) 241 AND /2; SWD(2018) 141; SWD(2018) 142; SEC(2018) 211; RCC(2018) 62)

The Commission:

- adopted the proposal for a Directive in COM(2018) 239/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the European Data Protection Supervisor and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2018) 141, SWD(2018) 142 and SEC(2018) 211, the contents of which were noted;
- adopted the proposal for a Directive in COM(2018) 241/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the national parliaments, and, for information, to the European Data Protection Supervisor, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2018) 141, SWD(2018) 142 and SEC(2018) 211, the contents of which were noted.

8. 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 – ARTIFICIAL INTELLIGENCE FOR EUROPE

(COM(2018) 237 TO /3; SWD(2018) 137 TO /3; RCC(2018) 60)

9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – TOWARDS A COMMON EUROPEAN DATA SPACE

(COM(2018) 232 AND /2; SWD(2018) 125 AND /2; RCC(2018) 60)

10. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE RE-USE OF PUBLIC SECTOR

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INFORMATION (RECAST)

(COM(2018) 234 AND /2; SWD(2018) 127; SWD(2018) 128; SWD(2018) 129; SWD(2018) 145; SEC(2018) 206; RCC(2018) 60)

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON ENABLING THE DIGITAL TRANSFORMATION OF HEALTH AND CARE IN THE DIGITAL SINGLE MARKET; EMPOWERING CITIZENS AND BUILDING A HEALTHIER SOCIETY

(COM(2018) 233 AND /2; SWD(2018) 126; RCC(2018) 60)

12. COMMISSION RECOMMENDATION ON ACCESS TO AND PRESERVATION OF SCIENTIFIC INFORMATION

(C(2018) 2375; SWD(2018) 123; RCC(2018) 60)

The Commission:

- approved the Communication in COM(2018) 237/3 for transmission to Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments and the European Data Protection Supervisor, together with the staff working document distributed as SWD(2018) 137/3, the contents of which were noted;
- approved the Communication in COM(2018) 232/2 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(2018) 125/2, the contents of which were noted;
- adopted the proposal for a Directive in COM(2018) 234/2 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact

assessment, the summary thereof and the staff working documents distributed as SWD(2018) 127, SWD(2018) 128, SWD(2018) 129 and SWD(2018) 145, respectively, and the opinion of the Regulatory Scrutiny Board distributed as SEC(2018) 206, the contents of which were noted;

- approved the Communication in COM(2018) 233/2 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(2018) 126, the contents of which were noted;
- adopted the recommendation in C(2018) 2375 for notification to the Member States, together with the staff working document distributed as SWD(2018) 123, the contents of which were noted.

13. POLICY DEBATE ON THE 2021-2027 MULTIANNUAL FINANCIAL FRAMEWORK

(SEC(2018) 218; COM(2018) 321 DRAFT; RCC(2018) 63)

The PRESIDENT asked Mr OETTINGER to introduce the third policy debate on the Multiannual Financial Framework for the period 2021-2027, with a view to completing the work on drafting proposals to be presented to the College for adoption the following week, on 2 May. The main elements and questions that remained to be solved were set out in a background note and preliminary draft communication addressed to the Members of the Commission.

Mr OETTINGER summarised the work carried out under the inclusive and collective approach he had adopted over the last few months to formulate, step by step, an ambitious and realistic proposal for a Multiannual Financial Framework that could secure consensus within the Commission but also among the Member States and citizens of the European Union. In this context he mentioned the many contacts he had had in recent days with the Commission Vice-Presidents in the Steering

Group, with all of the Commissioners during individual meetings, and also with representatives of the Member States.

Within the College he noted a shared understanding of the priorities and ambitions being pursued, in the belief that the Union had to tackle new strategic priorities, such as the digital transformation, research, security, defence, sustainable development, the management of its external borders and the Erasmus+ Programme, at a time when the UK's withdrawal from the European Union would reduce its overall budget. He also welcomed the College's agreement on the new, more comprehensible architecture proposed for the Multiannual Financial Framework, with its seven headings.

The purpose of the policy debate that day was to gather the Members' views on the questions on which the College had not yet adopted a final position, to enable him to put the finishing touches to the proposals which the Commission would present the following week. These proposals would be quantified and their contents precisely defined. The outstanding issues were (i) the inclusion of conditions relating to respect for the rule of law in the future budget, (ii) the parameters applicable to the budgetary instruments of the Economic and Monetary Union, (iii) the sustainable development dimension, (iv) own resources and (v) the question of rebates and fairness.

For this debate, he urged the Commission Members to keep in mind an overall political vision, taking into account the positions of EU governments and the sensitivity of certain elements of the Multiannual Financial Framework, with the aim of reaching an agreement before the end of the present parliamentary term. He felt the Commission needed to be both bold and flexible to achieve this, without undermining the general outline that had already been agreed during the gradual process of formulating this draft Multiannual Financial Framework.

The Commission took note of the results and conclusions of the policy debate and of the background note in SEC(2018) 218.

14. OTHER BUSINESS

FACILITY FOR REFUGEES IN TURKEY (INFO(2018) 22)

Mr HAHN reported on the interinstitutional discussions relating to the arrangements for financing the second tranche of three billion euros which the European Union had pledged for the period 2018-2019 under the Facility for Refugees in Turkey.

The PRESIDENT called for the maintenance of a constructive dialogue with Turkey, in particular to preserve stability in the region, and asked Mr HAHN, with Mr OETTINGER, to seek a compromise acceptable to the Commission, in cooperation with the Bulgarian Presidency of the Council, so that the share of the funding for the Facility for Refugees in Turkey to be paid out of the general budget of the Union remained under two billion euros and the matter did not have to be referred to the European leaders at their next informal meeting in Sofia.

The Commission took note of these conclusions and of the note distributed as INFO(2018) 22.

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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 12.00.