



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2018) 2253 final

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

Strasbourg, 29 May 2018

TEXTE EN

MINUTES

of the 2253rd meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 2 May 2018

(morning)

PV(2018) 2253 final

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

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Single sitting: Wednesday 2 May 2018 (morning)

The sitting opened at 9.09 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President
Mr TIMMERMANS	First Vice-President
Ms MOGHERINI	High Representative / Vice-President
Mr ANSIP	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr DOMBROVSKIS	Vice-President
Mr KATAINEN	Vice-President
Mr OETTINGER	Member
Mr HAHN	Member
Ms MALMSTRÖM	Member
Mr MIMICA	Member
Mr ARIAS CAÑETE	Member
Mr VELLA	Member
Mr ANDRIUKAITIS	Member
Ms THYSEN	Member
Mr MOSCOVICI	Member
Mr STYLIANIDES	Member
Mr HOGAN	Member
Ms BULC	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

Items 8/15 (in part)

Absent:

Mr AVRAMOPOULOS

Member

The following sat in to represent an absent Member of the Commission:

Ms ASTERIADI	Deputy Chef de cabinet to Mr AVRAMOPOULOS	Items 8/15 (in part)
Mr BERGEAU	A member of Mr AVRAMOPOULOS's staff	Items 1 to 8/15 (in part)

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	Items 8 to 15
Mr DELVAUX	Adviser in the PRESIDENT's Office	Item 7
Ms CANENBLEY	Adviser in the PRESIDENT's Office	Items 8 to 15
Ms ARKI	PRESIDENT's Office	
Mr HAGER	Chef de cabinet to Mr OETTINGER	
Mr SCHULTE	A member of Mr OETTINGER's staff	Items 8 to 15
Mr BAILLY	Chef de cabinet to Mr MOSCOVICI	Items 8/15 (in part)
Mr WIMMER	Secretariat-General	
Ms VILA NUÑEZ	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	
Ms PETKOVA	Commission Spokesperson's Service	

(2 May 2018)

Ms CALVIÑO

Director-General, DG Budget

Mr SCHWARZ

DG Budget

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

1. AGENDAS

(OJ(2018) 2253/FINAL; SEC(2018) 2253/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(2018) 2253)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 30 April 2018.

3. APPROVAL OF THE MINUTES OF THE 2250TH, 2251ST AND 2252ND MEETINGS OF THE COMMISSION (11, 17 AND 25 APRIL 2018)

(PV(2018) 2251)

The Commission approved the minutes of its 2251st meeting, and decided to hold over approval of the minutes of its 2250th and 2252nd meetings until a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2018) 64)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 27 April (RCC(2018) 64).

It paid particular attention to the following points.

4.1. HORIZONTAL ITEM

- i) Paragraph 28 of the Interinstitutional Agreement on Better Law-Making – Criteria for the delineation between delegated and implementing acts**

The Commission approved the approach set out in SPI(2018) 16.

4.2. LEGISLATIVE MATTERS

- ii) Trilogues**

(point 3.1 of the IRG record)

- Adaptation of a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (Regulation) – SZÁJER report – 2016/0400 (COD)

The Commission approved the line set out in SI(2018) 192.

- Integrated farm statistics and repeal of Regulations (EC) 1166/2008 and (EU) 1337/2011 (Regulation) – ZOANĚ report – 2016/0389 (COD)

The Commission approved the line set out in SI(2018) 209.

- iii) Council dossier**

(point 3.3 of the IRG record)

- Amendment of Regulation (EU) 2017/825 to increase the financial envelope of the Structural Reform Support Programme and adapt its general objective (Regulation) – TOMAŠÍČ report – 2017/0334 (COD)

The Commission approved the line set out in SI(2018) 215.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2018) 217)

The Commission took note of the information in SI(2018) 217 on the Council meetings between 3 and 16 May 2018.

v) Non-legislative dossiers

(point 4.1 of the IRG record)

- Fifth Ministerial Conference of the Euro-African Dialogue on Migration and Development (Marrakesh, 2 May 2018)

The Commission approved the line set out in SI(2018) 200.

- Preparation of the Council Conclusions on EU priorities at the United Nations and the 73rd United Nations General Assembly

The Commission took note of the information in SI(2018) 206.

- Position to be taken on behalf of the European Union during the 99th session of the International Maritime Organization's Maritime Safety Committee on the adoption of amendments to SOLAS regulations II-1/1 and II-1/8-1, the approval of relevant guidelines on computerised stability support for the master in case of flooding for existing passenger ships and on the adoption of amendments to the International Code for Application of Fire Test Procedures, 2010 (Council Decision) – 2018/0056 (NLE)

The Commission approved the line set out in SI(2018) 207.

- Imposition of a fine on Austria for manipulation of debt data in *Land Salzburg* (Council Implementing Decision) – 2017/0044 (NLE)

The Commission approved the line set out in SI(2018) 213/2.

- Denunciation of the Partnership Agreement in the fisheries sector between the European Community and the Union of the Comoros, adopted by Council Regulation (EC) 1563/2006 of 5 October 2006 (Council Decision) – 2017/0241 (NLE)

The Commission approved the line set out in SI(2018) 214.

- Conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (Council Decision) – 2017/0223 (NLE)

The Commission approved the line set out in SI(2018) 216.

4.4. OTHER BUSINESS

- vi) European Union Hybrid Exercise-MULTILAYER 18 – European Union parallel and coordinated crisis management exercise 2018 (EU PACE 2018) – Exercise specifications (SI(2018) 208)**

The Commission took note of document SI(2018) 208.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

INFRINGEMENTS – URGENT INDIVIDUAL CASES (SEC(2018) 225)

The Commission adopted the decisions in SEC(2018) 225.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2018) 213 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 April 2018.

6.2. EMPOWERMENT

(SEC(2018) 214 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 April 2018.

6.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2018) 215 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 23 and 27 April 2018 archived in Decide.

6.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2018) 216)

The Commission took note of the sensitive written procedures for which the time limit expired between 30 April and 8 May 2018

7. OTHER BUSINESS

LATEST DEVELOPMENTS IN TRADE RELATIONS WITH THE UNITED STATES

The PRESIDENT invited Ms MALMSTRÖM to report on her latest exchanges with

the American authorities two days after the decision taken by the President of the United States, on 30 April, to extend to 1 June the temporary exemption from customs duties on steel and aluminium imports from the European Union, and also Canada and Mexico, countries with which the North American Free Trade Agreement was currently being renegotiated.

Ms MALMSTRÖM gave an account of the various discussions she had had with several American stakeholders in the last two days. She considered that the extension of the temporary exemption was not satisfactory since it prolonged the uncertainty for markets. She added that the European Union still wished to obtain a permanent and total exemption since it deemed the American measure to be unjustified and in breach of World Trade Organisation rules, since the reason invoked, national security, was unfounded. She also stated that the EU was ready to retaliate should these customs duties be applied.

The PRESIDENT thanked Ms MALMSTRÖM and asked her to continue to keep the Member States regularly informed of her discussions and of the developments in the situation.

The Commission took note of this information.

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 – A MODERN BUDGET FOR A UNION THAT PROTECTS, EMPOWERS AND DEFENDS – THE MULTIANNUAL FINANCIAL FRAMEWORK FOR 2021-2027

(COM(2018) 321 TO /5; SWD(2018) 171 TO /3; RCC(2018) 67)

9. PROPOSAL FOR A COUNCIL REGULATION LAYING DOWN THE MULTIANNUAL FINANCIAL FRAMEWORK FOR THE YEARS 2021 TO

2027

(COM(2018) 322 TO /3 CORR; RCC(2018) 67)

10. **PROPOSAL FOR AN INTERINSTITUTIONAL AGREEMENT BETWEEN THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE COMMISSION ON BUDGETARY DISCIPLINE, ON COOPERATION IN BUDGETARY MATTERS AND ON SOUND FINANCIAL MANAGEMENT**
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12. **PROPOSAL FOR A COUNCIL DECISION ON THE SYSTEM OF OWN RESOURCES OF THE EUROPEAN UNION**
(COM(2018) 325 TO /4; SWD(2018) 172 TO /4; RCC(2018) 67)
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(COM(2018) 326 TO /4; RCC(2018) 67)
14. **PROPOSAL FOR A COUNCIL REGULATION LAYING DOWN IMPLEMENTING MEASURES FOR THE SYSTEM OF OWN RESOURCES OF THE EUROPEAN UNION**
(COM(2018) 327 TO /3; RCC(2018) 67)
15. **PROPOSAL FOR A COUNCIL REGULATION AMENDING REGULATION (EEC, EURATOM) 1553/89 ON THE DEFINITIVE UNIFORM**

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**ARRANGEMENTS FOR THE COLLECTION OF OWN RESOURCES
ACCRUING FROM VALUE ADDED TAX
(COM(2018) 328 AND /2; RCC(2018) 67)**

At the invitation of the PRESIDENT, Mr OETTINGER presented the various components of the proposal for a Multiannual Financial Framework for the period from 2021 to 2027, which was being put forward for adoption by the Commission following a long, inclusive and collective drafting process. The aim was for the Union to continue to fund its traditional priorities such as the Common Agricultural Policy and cohesion policy, but also to modernise them, while at the same time giving itself the means to respond to new priorities where action at European level provided real added value compared with action at national level, whether it be in research, migration, border control or defence. All this had to be achieved against the backdrop of reduced budgetary contributions as a result of the United Kingdom's withdrawal from the Union. The proposal therefore tackled this twofold challenge of doing more with less in a responsible manner, which was why it set out certain reductions in expenditure and put forward the idea of new resources. He extended his sincere thanks to all those in the Commission whose hard work over several months had culminated in the presentation of a comprehensive proposal that was both ambitious and balanced. He also thanked the Members of the Commission for their constructive attitude.

He noted that agreement had been reached on the overall amount of this Multiannual Financial Framework – 1 135 billion euro (at 2018 prices) in commitment appropriations – and on the breakdown between the seven proposed headings, which in turn covered 37 programmes compared with 58 in the current budget, a reduction of over a third in the number of programmes. He explained that the allocations for each EU funding programme would be refined in the weeks ahead in the sectoral legislative proposals to be presented by the Commission on 29 May, 6 June and 12 June.

He gave an overview of the breakdown between the funding programmes, which he

divided into three groups: (i) programmes whose allocations would be considerably increased, for example Erasmus+, for which funding would be doubled, research and innovation, the digital economy, security and defence, (ii) programmes whose allocations would remain stable and in which the Union would continue to invest despite the UK's withdrawal, for example the COSME programmes for small and medium-sized enterprises, Galileo and the Connecting Europe Facility, and, lastly (iii) programmes in which a moderate reduction was being proposed, in particular the Common Agricultural Policy – a 5% reduction compared with the 2020 level for the EU-27 – and cohesion policy, where the reduction would be on a similar scale, with the 'Berlin method' distribution key being amended to take account of the new realities.

Mr OETTINGER was aware that the reduction in budget resources for the Common Agricultural Policy would spark criticism in some Member States. As regards cohesion policy, he noted that the funds allocated to this area were aimed mainly at providing catch-up support for the economies in the Member States concerned. However, those Member States which had benefited greatly from such funds in recent years had experienced net growth. However, lower and higher limits should be set to ensure that the beneficiary countries did not see their allocations reduced too far in some cases or increased too much in others. This would be done in the sectoral legislative proposal on the cohesion funds, which would be presented in a few weeks' time. Generally speaking, he felt that the Commission should, already at this stage, ensure that it proposed a solution that was fair for all Member States.

As regards the size of 2021-2027 Multiannual Financial Framework, Mr OETTINGER stressed that, working on the basis of positive growth forecasts, the Commission was proposing a long-term budget that corresponded to 1.114% of the gross national income of the EU-27, which was a good compromise between the positions of the Council and Parliament. In its proposal the Commission was taking into account the concerns of the Member States by reserving more funding for managing migration, development aid, the neighbourhood policy and control of the Union's external borders. To illustrate this last point, he noted the proposal to

increase the staff of the European Border and Coast Guard Agency (Frontex) from 1 200 to 10 000 over seven years.

In political terms, he emphasised the PRESIDENT's intention, which he shared, of setting out a draft Multiannual Financial Framework that could win the support of EU leaders right at the start of the negotiations, before fine-tuning the proposals in the second half of the year. However, he did not underestimate the complexity of the discussion that was now opening amid a climate marked by populism. He personally was convinced that the proposal he was presenting that day on behalf of the College was a balanced one and he thanked the PRESIDENT for the trust he had placed in him and also the Members of the Commission for their positive and collective approach.

During the brief exchange of views which ensued, the Commission raised the following main points:

- emphasis on the overall balance of the proposed initiatives, which did not create any big losers or winners among the Member States, preserved the Union's traditional priorities while giving it the wherewithal to tackle new priorities, and adapted the budget of the EU27 to the United Kingdom's withdrawal without, however, undermining the Union's political objectives;
- the mammoth task of drafting this package and the transparent, collective and inclusive methods that had made it possible to control this complex exercise and set out a proposal for a Multiannual Financial Framework that was both ambitious and realistic;
- a remark from some, however, that the approach might be over-cautious, since, after discounting the European Development Fund, which had hitherto not been included in the general budget, the Multiannual Financial Framework equivalent to 1.114% of the Member States' gross national income actually amounted to only 1.084% even before the negotiations had begun;

- the majority felt that the reasonable increase announced in the Multiannual Financial Framework gave the Commission's budget proposal greater credibility, which was further enhanced by the simplification and the emphasis placed on the Union's new priorities;
- the excellent basis for discussion that the Commission's proposal therefore offered ahead of the negotiations with Parliament and the Council, as it put forward fundamental choices, maintained the Union's commitment in areas where it provided real added value and established a framework for the fundamental public debate on Europe which citizens needed in order to maintain control over their future;
- support for the introduction of the proposed basket of new own resources linked to the Union's political priorities in order to modernise and simplify the general system of financing and diversify the budget revenue sources;
- regret expressed by some that the new tax on digital activities did not form part of the proposed range of own resources, and questions from others about the possibility that the Council might reject the creation of new own resources, which could undermine the viability of the budgetary perspectives proposed by the Commission;
- some Members of the College mentioned the unfavourable consequences of the proposed new Multiannual Financial Framework for some Member States, particular in the allocation of cohesion funds;
- questions about the case for adapting the procedures for allocating European structural and investment funds to incorporate criteria other than gross national income per capita, for example unemployment levels or the degree of migratory pressure;
- for others, the importance of redefining the cohesion criteria and basing them more on the current needs and concerns of citizens, such as youth

unemployment, vocational training, integration of migrants into the labour market or combating climate change;

- in parallel, the need to take account of the economic situation in each Member State and each region when allocating cohesion funds intended primarily for those that were lagging behind in terms of economic growth and had to introduce structural reforms;
- the key role of the cohesion funds in supporting the economic growth of the Member States that had joined the Union most recently and in steadily evening out the gaps between Member States and regions, a factor which must be taken into account when deciding how these funds were allocated;
- concerning agricultural policy, the difficulty of explaining that the process of convergence between Member States as regards direct payments could not be completed by the end of the next Multiannual Financial Framework (2027);
- nevertheless, the considerable increase in these direct payments in the Member States that were in the process of catching up, and the usefulness of an assessment of the Common Agricultural Policy that took greater account of the results achieved and established the financial assistance granted accordingly;
- in this context, the importance of the increased flexibility allowed by the co-financing by the Member States of aid for farming;
- however, a reference by some to the hostile reactions that the cuts to the Common Agricultural Policy would be sure to provoke in certain Member States; the need to manage these reactions politically;
- the importance for the Member States to go beyond the logic of fair national returns and consider the EU budget as a budget that financed pan-European and cross-border programmes;

- the particularly positive message sent to citizens by the doubling of the budget earmarked for the Erasmus programme and the European Solidarity Corps, thereby demonstrating that Europe was as concerned about people as about the economy;
- the need to ensure that Erasmus+ was more accessible for children in low-income families;
- emphasis on the increased flexibility of the next Multiannual Financial Framework, which would allow measures and projects to be financed by different funds and with variable, tailored co-financing from the Member States;
- the need to continue the drive to simplify the use of EU funds by beneficiaries as much as possible;
- the significant progress that the proposed Multiannual Financial Framework could be expected to make possible in the EU's external action areas such as neighbourhood policy and development aid, and in projecting the Union in its role as a world player;
- the usefulness of the close cooperation established between the Commission departments responsible for external relations and the European External Action Service during the preparation of the financial framework, with a view to a coherent and ambitious budget capable of harnessing the full potential of the EU's external policy;
- in this context, the significant step forward represented by the use of the EU budget in the area of defence and the implementation of a European peace facility to plan and deploy military missions more efficiently;
- the important innovation introduced in the draft Multiannual Financial Framework whereby EU financing was more strongly linked to respect for the rule of law, which was an essential precondition for sound financial management and effective EU funding;

- the importance of clear, simple and informative communication on the draft Multiannual Financial Framework; the case for defining messages tailored to each Member State and, as far as possible, each audience so as to highlight the benefits expected from a modernised and simplified budget;
- the need to structure the information given to the public around certain key figures, accompanied by convincing arguments justifying the choices proposed and the new priorities to be pursued.

Mr TIMMERMANS welcomed the quality of the proposals presented. While taking into account the constraints caused by the future withdrawal of the UK from the Union, the requirements of the European Parliament and the Council of the European Union, and the Union's new priorities, he felt that these proposals provided all the Member States with a fair and beneficial framework by emphasising the added value of action at European level. He added that the approach whereby the wishes expressed by the Member States were taken on board early in the process would, for the first time, make it incumbent on the Member States to demonstrate, if necessary, in what ways they might regard these proposals as unfair to them.

Mr OETTINGER stressed that changing circumstances and the new tasks entrusted to the Union necessitated a renewed and modernised Multiannual Financial Framework, since the current one did not allow the needs and challenges of today to be effectively addressed. He pointed out that under the Commission's proposals over a third of the EU budget would, for the first time, be earmarked for priorities other than agriculture and cohesion. Moreover, significant amounts could be invested outside the Union and benefit it indirectly, as the Commission was proposing to do by allocating, over the whole period, 109 billion euro (at 2018 prices) to heading 'Neighbourhood & the World', 25 billion euro to heading 'Security & Defence' and 31 billion euro to heading 'Migration & Border Management'.

The PRESIDENT closed the exchange of views by noting the College's unanimous

agreement to the proposals drawn up in order to define the Union's Multiannual Financial Framework for 2021-2027.

He called on each of the Members of the College to defend these proposals actively through simple, clear and informative communication. They would each receive a set of documents for this purpose providing them with concrete information and solid arguments for responding to questions put to them in the Member States.

Among the figures he regarded as the most significant, he cited that of 2% of the gross national income of the EU 27, i.e. the total financial effort from the Multiannual Financial Framework that would have been necessary to finance both the traditional and the new priorities under the current framework. He emphasised that the Commission was proposing a Multiannual Financial Framework corresponding to only 1.11% of the Member States' gross national income.

He warmly thanked Mr OETTINGER, the Vice-Presidents and the Members of the College, and also the Commission's departments, in particular the Registry, for their considerable and tireless work on this dossier.

Lastly, he said that in a few hours' time Mr OETTINGER and he would be presenting the proposals adopted by the College to the European Parliament.

Following this exchange of views, the Commission:

- approved the Communication in COM(2018) 321/5 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, together with the staff working document distributed as SWD(2018) 171/3, the contents of which were noted;
- adopted the proposal for a Council Regulation in COM(2018) 322/3 and /3 corr, 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;

- adopted the proposal for an Interinstitutional Agreement in COM(2018) 323/3 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;
- adopted the proposal for a Regulation in COM(2018) 324/3 for transmission to Parliament, the Council, the European Court of Auditors and the national parliaments and, for information, to the European Economic and Social Committee and the Committee of the Regions;
- adopted the proposal for a Council Decision in COM(2018) 325/4 for transmission to Parliament, the Council and the national parliaments and, for information, to the European Economic and Social Committee and the Committee of the Regions, together with the staff working document distributed as SWD(2018) 172/4, the contents of which were noted;
- adopted the proposal for a Council Regulation in COM(2018) 326/4 for transmission to Parliament, the Council and the European Court of Auditors and, for information, to the European Economic and Social Committee, the Committee of the Regions and the national parliaments;
- adopted the proposal for a Council Regulation in COM(2018) 327/3 for transmission to Parliament, the Council and the national parliaments and, for information, to the European Economic and Social Committee and the Committee of the Regions;
- adopted the proposal for a Council Regulation in COM(2018) 328/2 for transmission to Parliament, the Council and the European Court of Auditors and, for information, to the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

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The meeting closed at 10.54.