



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2018) 2267 final

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

Strasbourg, 23 October 2018

TEXTE EN

MINUTES

**of the 2267th meeting of the Commission
held in Strasbourg
(Winston Churchill building)
on Tuesday 2 October 2018
(afternoon)**

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Single sitting: Tuesday 2 October 2018 (afternoon)

The sitting opened at 13.12 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 KATAINEN	Vice-President	
Mr HAHN	Member	Items 1 to 6
Ms MALMSTRÖM	Member	
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Mr NAVRACSICS	Member	
Ms CREȚU	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	

Absent:

Ms MOGHERINI	High Representative / Vice-President
Mr DOMBROVSKIS	Vice-President
Mr OETTINGER	Member
Mr MIMICA	Member
Mr ANDRIUKAITIS	Member
Mr MOSCOVICI	Member
Ms BIENKOWSKA	Member
Ms JOUROVÁ	Member
Ms VESTAGER	Member
Mr MOEDAS	Member

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

Mr PETROCELLI	A member of Ms MOGHERINI's staff
Mr WYNANDS	Chef de cabinet to Mr DOMBROVSKIS
Ms SZCZEPANSKA	A member of Mr OETTINGER's staff
Mr CAJO	Deputy Chef de cabinet to Mr MIMICA
Mr VINCIUNAS	Chef de cabinet to Mr ANDRIUKAITIS
Mr DARMON	Mr MOSCOVICI's Office
Mr BERMIG	Expert in Ms BIENKOWSKA's cabinet
Mr HULICIUS	A member of Ms JOUROVÁ's staff
Ms DYRSKJØT	Ms VESTAGER's Office
Mr ALEIXO	A member of Mr MOEDAS's staff

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	
Mr SWIEBODA	European Political Strategy Centre	
Ms SILLAVEE	PRESIDENT's Office	
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	Items 1 to 8 (in part)
Mr SKORPEN ANDERSSON	Ms MALMSTRÖM's Office	Item 8 (in part)
Mr SNELS	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	

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

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1. AGENDAS

(OJ(2018) 2267/FINAL; SEC(2018) 2267/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) 2267)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 1 October 2018.

3. APPROVAL OF THE MINUTES OF THE 2264TH, 2265TH AND 2266TH MEETINGS OF THE COMMISSION (5, 11 AND 19 SEPTEMBER 2018)

The Commission held over approval of the minutes of its 2264th, 2265th and 2266th meetings for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2018) 134)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 28 September 2018 (RCC(2018) 134).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogues

(point 3.1 of the IRG record)

- Conservation of fishery resources and the protection of marine ecosystems through technical measures, amendment of Council Regulations (EC) 1967/2006, (EC) 1098/2007, (EC) 1224/2009 and Regulations (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 – MATO report – 2016/0074 (COD)

The Commission approved the line set out in SI(2018) 477/2.

- Approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (Directive) – LØKKEGAARD report – 2015/0278 (COD)

The Commission approved the line set out in SI(2018) 483/2.

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

The Commission approved the line set out in SP(2018) 486.

- Rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio (Regulation) – WÖLKEN report – 2016/0284 (COD)

The Commission approved the line set out in SI(2018) 487/2.

ii) European Parliament dossiers – October I 2018 part-session

(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- European Union Agency for Criminal Justice Cooperation (Eurojust) (Regulation) – VOSS report – 2013/0256 (COD)

The Commission took note of SP(2018) 594, further to note SI(2018) 247, which it had already approved on 29 May 2018.

- Mutual recognition of freezing and confiscation orders (Regulation) – GRIESBECK report – 2016/0412 (COD)

The Commission took note of SP(2018) 595, further to note SI(2018) 222, which it had already approved on 16 May 2018.

Special legislative procedure

- Amendment of Directive 2006/112/EC as regards harmonising and simplifying certain rules in the value added tax system and introduction of the definitive system for the taxation of trade between Member States (Council Directive) – KOFOD report – 2017/0251(CNS)

The Commission approved the line set out in SP(2018) 596.

- Amendment of Directive 2006/112/EC as regards rates of value added tax (Council Directive) – SZANYI report – 2018/0005 (CNS)

The Commission approved the line set out in SP(2018) 597 and /2.

iii) Council dossier

(point 3.3 of the IRG record)

- European Production and Preservation Orders for electronic evidence in criminal matters (Regulation) – SIPPEL report – 2018/0108 (COD)

The Commission approved the line set out in SI(2018) 493/3.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iv) Programming of Council business

(SI(2018) 491)

The Commission took note of the information in SI(2018) 491 on the Council meetings between 4 and 17 October 2018.

v) Non-legislative dossiers

(point 4.1 of the IRG record)

- Non-paper on developments on Business and Human Rights

The Commission approved the line set out in SI(2018) 484.

- Amendment of Directive 2006/112/EEC on the common system of value added tax as regards the temporary application of a generalised reverse charge mechanism in relation to supplies of goods and services above a certain threshold (Council Directive) – MATO report – 2016/0406 (CNS)

The Commission approved the line set out in SI(2018) 492/2.

4.3. RELATIONS WITH PARLIAMENT

vi) Latest developments in Parliament

(point 5.8 of the IRG record)

- Targeted revision by the European Parliament of its Rules of Procedure (European Parliament Regulation) – CORBETT report – 2018/2170 (REG)

The Commission approved the line set out in SP(2018) 581.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2018) 401 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 and 28 September 2018.

5.2. EMPOWERMENT

(SEC(2018) 402 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 and 28 September 2018.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2018) 403 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 17 and 28 September 2018, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2018) 404)

The Commission took note of the sensitive written procedures for which the time limit expired between 1 and 5 October 2018.

6. OTHER BUSINESS

6.1. REFERENDUM IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

The Commission discussed the results of the referendum held on 30 September in the former Yugoslav Republic of Macedonia.

6.2. FIRST STOCK-TAKING ON THE TSUNAMI IN INDONESIA AND RESPONSE OF THE EUROPEAN COMMISSION

At the invitation of the PRESIDENT, Mr STYLIANIDES reported on the measures taken by the Commission in the first hours following the earthquake and tsunami that had struck the Indonesian archipelago of Sulawesi (Celebes islands) the previous weekend.

Mr STYLIANIDES spoke first of the very serious humanitarian consequences of this disaster, with thousands of victims, missing and injured and people in need of assistance in the villages affected, as well as the serious material consequences, with communication problems, significant damage to infrastructure and difficulties of access to the affected areas near the epicentre of the earthquake, in the Palu region. All these factors might be further aggravated in the days ahead.

The Commission had reacted immediately to this major disaster to provide support to the Indonesian authorities. It had initially released €1.5 million in emergency aid to provide those affected with food, shelter, medicines, water and sanitation. It then sent experts, activated the Copernicus mapping service, offered consular assistance to the EU citizens present, who did not include any casualties, and prepared to activate the civil protection mechanism with the help of the Emergency Response Coordination Centre (ERCC), which remained in close contact with the Member States that could participate should it be triggered.

He assured the meeting that the Commission was monitoring the situation closely in order to step up its assistance if so requested.

In conclusion, he said that in a joint statement with Ms MOGHERINI he had conveyed the Commission's condolences to the Indonesian authorities and people and had assured them of the Union's full support at these tragic times.

The Commission took note of this information.

7. PREPARATION OF THE COMMISSION'S 2019 WORK PROGRAMME WITH THE EUROPEAN PARLIAMENT AND THE COUNCIL

Mr TIMMERMANS informed the College of the preparatory work on the Commission's 2019 Work Programme that was being carried out as part of a dialogue with the European Parliament and the Council.

He began by confirming that the next six months would be important for continuing to demonstrate, in the run-up to the European elections, that Union action was providing a concrete response to people's expectations. With the wave of proposals adopted at the time of the PRESIDENT's State of the Union speech on 12 September, the Commission had presented all the initiatives needed to implement the ten political priorities it had set itself at the start of its term of office. This was why the Letter of Intent accompanying the State of the Union speech did not contain any new legislative proposals, subject to the need to respond to emergency situations or unforeseen events, particularly to prepare for a possible disorderly withdrawal by the United Kingdom from the Union. Therefore, the aim of the main initiatives that the Commission would be adopting between now and the end of its term of office would be to prepare the Union's long-term future, in particular the implementation of the Sustainable Development Goals and the Paris Agreement on Climate Change, and to assess the Union's policies for the next Commission.

On the subject of the legislative proposals, Mr TIMMERMANS considered that the

only ones that were useful were those that were effectively adopted and implemented. From this standpoint, much remained to be done. He stressed that although the interinstitutional agreement on Better Law-Making had yielded good results thanks to a process whereby the three institutions of the Union undertook to move forward on the legislative priorities set out in their annual joint declaration, around 28 priority proposals would still need significant interinstitutional efforts if they were to be adopted by the end of the current legislature.

Around 280 proposals were currently in the process of being adopted, many of which had not yet reached the trilogue stage. He added that 50 of these were linked to the next Multiannual Financial Framework, and agreement on the main points of these proposals must be reached before the European Parliament elections in May 2019. In his view it was necessary to send a strong signal of the Union's confidence in its capacity for effective, unified action.

Mr TIMMERMANS felt that in the next few months, the Commission should therefore focus its resources on negotiating and finalising the proposals awaiting adoption by the co-legislators, who, for their part, were also committed to this. The General Affairs Council in September had confirmed the need to successfully implement the Union's political priorities, particularly in the fields of the internal market, the Digital Agenda and asylum and migration. At that General Affairs Council, the Member States had stated their support for the reinforcement of the European Border and Coast Guard proposed by the Commission and of its Initiative for Africa. Some Member States had also expressed support for the Commission's work in the areas of defence and the rule of law.

He welcomed the fact that the summary report adopted by the European Parliament's Conference of Committee Chairs also gave priority to adopting the proposals that were currently the subject of the legislative procedure. He referred to the annual meeting between the College and the European Parliament's Conference of Committee Chairs scheduled that day, and asked the Commissioners to use all their powers of persuasion with the Committee Chairs when they met in the working parties in order to proceed along those lines.

In conclusion, Mr TIMMERMANS said that the adoption of the Commission's 2019 Work Programme was on the agenda of the College's weekly meeting on 23 October in Strasbourg, and that this Programme would then be presented at the part-session of the European Parliament before its presentation at the General Affairs Council on 12 November.

The Commission took note of this information.

8. OTHER BUSINESS (CONTINUED)

8.1. RESPECT FOR THE RULE OF LAW IN ROMANIA

The Commission referred to the discussions held the previous day at the meeting of the European Parliament's Committee on Legal Affairs on the situation regarding respect for the rule of law in Romania.

8.2. RECENT DEVELOPMENTS IN TRADE RELATIONS

The PRESIDENT asked Ms MALMSTRÖM to report on recent developments in trade policy. He also asked Mr HOGAN and Mr ARIAS CAÑETE to add to this information from the standpoint of their respective portfolios.

After her report to the meeting, Ms MALMSTRÖM added a few words on the 'Alliance for Torture-Free Trade' that had been launched in September 2017 to end the trade in goods used for torture and executions. Under this Alliance, around 60 countries had undertaken to restrict exports of goods such as batons with metal spikes, electric shock belts, electrocution devices, chemicals used for executions, gas chambers and electric chairs, and to make it easier for customs authorities to identify shipments of such products. She stressed that although these goods were banned in Europe, they were manufactured, sold and marketed throughout the world. Although export bans on torture and execution equipment had made the trade in these goods more difficult in

recent years, traffickers succeeded in finding ways of circumventing these bans and controls by bringing them through other countries. She believed it was politically important to support this initiative to ensure that new measures were taken at international level.

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 13.46.