



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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Brussels, 22 May 2019

TEXTE EN

MINUTES

of the 2293rd meeting of the Commission

held in Brussels

(Berlaymont)

on Tuesday 30 April 2019

(morning)

PV(2019) 2293 final

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Single sitting: Tuesday 30 April 2019 (morning)

The sitting opened at 10.44 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	Items 9 (in part) and 10
Mr ŠEFČOVIČ	Vice-President	Items 1 to 9
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	
Mr HAHN	Member	
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	Items 1 to 9
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	Items 1 to 10 (in part)
Mr HOGAN	Member	
Ms BIENKOWSKA	Member	
Ms CREȚU	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	
Sir Julian KING	Member	

Absent:

Mr ANSIP	Vice-President
Mr ANDRIUKAITIS	Member
Mr STYLIANIDES	Member
Ms BULC	Member
Ms JOUROVÁ	Member
Mr NAVRACSICS	Member
Ms GABRIEL	Member

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

Ms CHAPUIS	Deputy Chef de cabinet to Mr ANSIP
Mr BRIENS	Chef de cabinet to Mr STYLIANIDES
Mr ZAKONJSEK	Chef de cabinet to Ms BULC
Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ
Ms KIRALY	Chef de cabinet to Mr NAVRACSICS
Ms BORISSOVA	Chef de cabinet to Ms GABRIEL

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Ms AHRENKILDE HANSEN	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 GAUER	Deputy Secretary-General	
Mr LEARDINI	Acting Deputy Secretary-General	
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	
Ms DEJMEK HACK	Adviser in the PRESIDENT's Office	Item 10 (in part)
Ms BARA	Adviser in the PRESIDENT's Office	Item 10 (in part)
Ms HILI	Adviser in the PRESIDENT's Office	Item 10 (in part)
Mr THOLONIAT	Adviser in the PRESIDENT's Office	Item 10 (in part)
Ms ARKI	PRESIDENT's Office	
Ms SUTTON	Deputy Chef de cabinet to Mr TIMMERMANS	Item 10 (in part)
Mr GRASSI	Chef de cabinet to Ms MOGHERINI	Item 10 (in part)
Mr NOCIAR	Chef de cabinet to Mr ŠEFČOVIČ	Item 10

Mr BEHRNDT

Chef de cabinet to Mr MIMICA

Item 10

Ms VILA NUÑEZ

Secretariat-General

Ms ANDREEVA

Commission Spokesperson's Service

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

1. AGENDAS

(OJ(2019) 2293/FINAL; SEC(2019) 2293/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(2019) 2293)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 29 April 2019.

3. APPROVAL OF THE MINUTES OF THE 2290TH, 2291ST AND 2292ND MEETINGS OF THE COMMISSION (3, 10 AND 16 APRIL 2019)

(PV(2019) 2290; PV(2019) 2290, 2ND PART)

The Commission approved the minutes of its 2290th meeting, and decided to hold over approval of the minutes of its 2291st and 2292nd meetings until a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 52)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 26 April 2019 (RCC(2019) 52).

It paid particular attention to the following points.

4.1. HORIZONTAL ITEM

i) 2021-2027 Multiannual Financial Framework – Council

(point 1.1.3 of the IRG record)

Ordinary legislative procedure – First reading

- Protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States (Regulation) – GARDIAZABAL RUBIAL & SARVAMAA report – 2018/0136 (COD)

The Commission approved the line set out in SI(2019) 379/2.

4.2. LEGISLATIVE MATTERS

ii) Council Dossiers

(point 3.3 of the IRG record)

- Eurojust – Agreement on judicial cooperation in criminal matters with Denmark (Council Implementing Decision) – MORAES report – 2019/0805 (CNS)

The Commission took note of document SI(2019) 372.

- Position to be taken on behalf of the European Union in the meetings of the various regional fisheries bodies (Council Decisions): in the Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement and repeal of Decision 9767/17 – 2019/0047 (NLE) / in the South Pacific Regional Fisheries Management Organisation and repeal of Decision 9784/17 – 2019/0053 (NLE) / in the Indian Ocean Tuna Commission and repeal of Decision 9398/1/14 REV 1 – 2019/0048 (NLE) / in the South East Atlantic Fisheries Organisation and repeal of Council Decision 10127/14 – 2019/0049 (NLE) / in the Western and Central Pacific Fisheries Commission and repeal of Decision 10124/1/14 REV 1 – 2019/0050 (NLE) / in the Northwest Atlantic Fisheries Organisation and repeal of Decision 9449/1/14 REV 1 – 2019/0051 (NLE) / in the North Atlantic Salmon Conservation Organisation (NASCO) and repeal of Decision 9450/1/14 REV 1 – 2019/0052 (NLE) / in the North East Atlantic Fisheries Commission and repeal of Decision 9451/1/14 REV 1 –

2019/0054 (NLE) / in the annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea and repeal of Decision 9782/17 – 2019/0058 (NLE) / in the Commission for the Conservation of Antarctic Marine Living Resources and repeal of Decision 10840/14 – 2019/0059 (NLE) / in the International Commission for the Conservation of Atlantic Tunas and repeal of Decision 10974/1/14 REV 1 – 2019/0061 (NLE) / in the General Fisheries Commission for the Mediterranean and repeal of Decision 9389/1/14 REV 1 – 2019/0062 (NLE) / in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna (CCSBT) and repeal of Decision 10125/14 – 2019/0063 (NLE) / in the Inter- American Tropical Tuna Commission and the Meeting of the Parties to the Agreement on the International Dolphin Conservation Programme and repeal of Decision 10126/14 – 2019/0064 (NLE)

The Commission approved the line set out in SI(2019) 373.

- Signing, on behalf of the Union, and provisional application of the Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Cape Verde (2019-2024) (Council Decision) – 2019/0071 (NLE) / Conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the European Community and the Republic of Cape Verde (2019- 2024) (Council Decision) –2019/0078 (NLE)

The Commission approved the line set out in SI(2019) 374.

- Signing, on behalf of the European Union, and provisional application of a Sustainable Fisheries Partnership Agreement between the European Union and the Republic of The Gambia and the Implementation Protocol thereto (Council Decision) – 2019/0075 (NLE) / Conclusion of a Sustainable Fisheries Partnership Agreement between the European Union and the

Republic of The Gambia and of the Implementation Protocol thereto
(Council Decision) – 2019/0076 (NLE)

The Commission approved the line set out in SI(2019) 375.

- Position to be taken on behalf of the European Union in the International Maritime Organization's Marine Environment Protection Committee and Maritime Safety Committee on the adoption of amendments to Annex II to the International Convention for the Prevention of Pollution from Ships, amendments to the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011, amendments to the International Life-Saving Appliance Code, amendments to Forms C, E and P of the appendix to the International Convention for the Safety of Life at Sea, and to the International Code of Safety for Ship Using Gases or Other Low-flashpoint Fuels (Council Decision) – 2019/0087 (NLE)

The Commission approved the line set out in SI(2019) 378/2.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2019) 381)

The Commission took note of the information in SI(2019) 381 on the Council meetings between 2 and 15 May 2019.

iv) Non-legislative dossiers

(point 4.1 of the IRG record)

- Joint Action Plan – Implementing the Civilian Common Security and Defence Policy (CSDP) Compact

The Commission approved the line set out in SI(2019) 376.

- Reform of the European Stability Mechanism – Follow-up to the Statement of the Euro Summit of 14 December 2018

The Commission approved the line set out in SI(2019) 380/2.

4.4. RELATIONS WITH PARLIAMENT

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

(SP(2019) 357)

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(2019) 357, drawn up following the April II 2019 part-session of Parliament, the contents of which were noted.

vi) Action taken on the non-legislative resolutions adopted by Parliament at its January II 2019 part-session

(point 5.6.2 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 392 on the action taken on the non-legislative resolutions adopted by Parliament at its January II 2019 part-session

vii) Action taken on the non-legislative opinions and non-legislative resolutions adopted by Parliament at its March I 2019 part-session

(points 1.1.4 and 5.6.3 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 393/2 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its March I 2019 part-session.

**viii) Action taken on the non-legislative resolutions adopted by
Parliament at its December 2018 part-session**

(point 5.6.4 of the IRG record)

The Commission approved for transmission to Parliament document SP(2019) 239/3 on the action taken on the non-legislative resolutions adopted by Parliament at its December 2018 part-session.

ix) Results of Parliament's April II 2019 part-session

(point 5.8.1 of the IRG record)

The Commission took note of the information on the proceedings of the part-session of Parliament held in Strasbourg from 15 to 18 April 2019, as set out in SP(2019) 394.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID AND OTHER COMPETITION RULES

The Commission's decision on this item is recorded in the special minutes.

**6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF
POWERS**

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2019) 188 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 26 April 2019.

6.2. EMPOWERMENT

(SEC(2019) 189 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 26 April 2019.

6.3. *DELEGATION / SUBDELEGATION OF POWERS*
(SEC(2019) 190 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 15 and 26 April 2019 archived in Decide.

6.4. *SENSITIVE WRITTEN PROCEDURES*
(SEC(2019) 191)

The Commission took note of the sensitive written procedures for which the time limit expired between 29 April and 3 May 2019

6.5. *GRANTING OF A DELEGATION OF POWERS FOR THE ADOPTION*
OF ENFORCEABLE RECOVERY DECISIONS
(C(2019) 3357)

The Commission adopted the decision in C(2019) 3357, and decided in particular to grant a delegation to the Directors-General and Heads of Service with a view to adopting, on behalf and under the responsibility of the Commission, subject to the conditions laid down in Articles 2 to 6 of the Decision, enforceable decisions in respect of the recovery orders established in their respective areas of competence for recovering amounts owed by a debtor who was established or who had seizable assets on the territory of the European Union and who was not a Member State, third country or international organisation.

6.6. COMMISSION DECISION AMENDING DECISIONS C(2013) 9414 AND C(2013) 9418 AS REGARDS TASKS LINKED TO THE IMPLEMENTATION OF THE ‘SME INSTRUMENT’, ‘FAST-TRACK TO INNOVATION’ AND ‘FET OPEN’ ACTIVITIES (C(2019) 3353)

The Commission adopted the Decision in C(2019) 3353 and decided to notify it to the addressees of the Decision.

7. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2019) 192)

ADMINISTRATIVE MATTERS (PERS(2019) 30)

7.1. DG COMMUNICATION – EXTENSION OF THE POSTING OF THE HEAD OF THE EUROPEAN COMMISSION REPRESENTATION IN BULGARIA

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, the Commission decided to derogate from Article 2 of Commission Decision C(2008) 3983 of 31 July 2008 on establishing rules on the rotation of officials in Representations, and to extend exceptionally the period of posting of Mr Ognian ZLATEV as Head of the European Commission Representation in Bulgaria, from 1 May 2019 to 30 June 2019.

This decision would take effect immediately.

7.2. DG RESEARCH AND INNOVATION – AMENDMENT OF ORGANISATION CHART (PERS(2017) 101 TO /3; SEC(2019) 203; SEC(2019) 202)

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT

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and after consulting Mr MOEDAS and also Mr ANSIP, Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided:

- to abolish two Directorates, a Principal Advisor post and four units in DG Research and Innovation;
- to terminate internal selection procedure COM/2017/1124 for the post of Director of the ‘Energy’ Directorate (RTD.DGA2.G), without making an appointment (PERS(2017) 101 to /3);
- to change the name of eight Directorates;
- to create a temporary task force (until 31 December 2020) at Director level for the implementation of the enhanced European Innovation Council pilot, as set out in SEC(2019) 203 (see also point 7.3 of these minutes);
- to adopt the new organisation chart set out in SEC(2019) 202.

These decisions would take effect on 1 June 2019.

Following this reorganisation, the number of units in DG Research and Innovation would be reduced by four units, decreasing from 54 units to 50.

7.3. DG HUMAN RESOURCES AND SECURITY / DG RESEARCH AND INNOVATION – APPROVAL OF THE ARRANGEMENTS FOR GOVERNANCE OF THE TEMPORARY EUROPEAN INNOVATION COUNCIL TASK FORCE – TRANSFER OF POSTS BETWEEN DG RESEARCH AND INNOVATION AND DG COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY (SEC(2019) 203)

In order to ensure the efficient implementation of the enhanced European Innovation Council pilot and given the creation of a temporary task force (see also point 7.2 of these minutes), the Commission, having taken note of the

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information in point 3 of PERS(2019) 30, and on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr MOEDAS and Ms GABRIEL, and also Mr ANSIP, Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, decided:

- to approve the transfer to DG Research and Innovation of ‘responsibility posts’ from DG Communication Networks, Content and Technology assigned to Unit REA.A.5 of the Research Executive Agency and, in return, to transfer an equal number of posts from DG Research and Innovation to DG Communication Networks, Content and Technology;
- to approve the provisions on the composition and governance of the European Innovation Council Task Force as set out in SEC(2019) 203.

These decisions would take effect with the entry into force of the new organisation chart of DG Research and Innovation.

7.4. DG AGRICULTURE AND RURAL DEVELOPMENT / DG TRADE – AMENDMENT OF ORGANISATION CHART

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr HOGAN and Ms MALMSTRÖM, and also Ms MOGHERINI, Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided to create:

- a temporary post of Principal Advisor reporting directly to the Director-General of DG Agriculture and Rural Development; this post would be abolished upon departure of the jobholder;
- a temporary post of Principal Advisor reporting directly to the Director-General of DG Trade; this post would be abolished upon departure of the jobholder.

These decisions would take effect immediately.

**7.5. DG AGRICULTURE AND RURAL DEVELOPMENT / DG ENERGY /
DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL
MARKETS UNION / DG TRADE – INTERNAL AND
INTERINSTITUTIONAL PUBLICATION AT GRADE AD14/15, AND
ALSO EXTERNAL PUBLICATION AT GRADE AD14, OF THE
VACANCY NOTICES FOR THE POST OF DIRECTOR AND
THREE POSTS OF PRINCIPAL ADVISER
(PERS(2019) 31; PERS(2019) 32; PERS(2019) 33; PERS(2019) 34)**

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr HOGAN, Mr ARIAS CAÑETE and Ms MALMSTRÖM, and also Ms MOGHERINI, Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided to authorise the publication, under Article 29(1)(a)(i) and (iii), Article 29(1)(b) and Article 29(2) of the Staff Regulations, of the vacancy notices in PERS(2019) 31 to 34 relating respectively to:

- a post of Principal Adviser in DG Agriculture and Rural Development;
- a post of Director in charge of the ‘Energy Policy’ Directorate in DG Energy;
- a post of Principal Adviser in DG Financial Stability, Financial Services and Capital Markets Union;
- a post of Principal Adviser in DG Trade.

These decisions would take effect immediately.

7.6. *DG HUMAN RESOURCES AND SECURITY – SUSPENSION OF THE TIME LIMIT FOR STATUTORY EXEMPTIONS UNDER ARTICLE 4(5) AND ARTICLE 4(5)(1) OF COMMISSION DECISION C(2011) 3588 OF 27 MAY 2011 ON THE HUMAN AND FINANCIAL RESOURCES ALLOCATED TO THE COMMISSION’S STAFF COMMITTEE*

The Commission noted the information in point 6 of PERS(2019) 30 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided to suspend, for a further period of two years, the implementation, including for ongoing proceedings, of the time limit for statutory exemptions provided for in Article 4(5) and Article 4(5)(1) of Commission Decision C(2011) 3588 of 27 May 2011 on the human and financial resources allocated to the Staff Committee of the European Commission, in order to allow the ongoing negotiation process on the review of the legal framework for social dialogue to continue.

This decision would take effect on 16 May 2019.

8. OTHER BUSINESS

8.1. *COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED CITIZENS’ INITIATIVE ENTITLED ‘THE FAST, FAIR AND EFFECTIVE SOLUTION TO CLIMATE CHANGE’ (C(2019) 3246)*

8.2. *COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED CITIZENS’ INITIATIVE ENTITLED ‘ENDING THE AVIATION FUEL TAX EXEMPTION IN EUROPE’ (C(2019) 3250)*

8.3. COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED CITIZENS' INITIATIVE ENTITLED 'COHESION POLICY FOR THE EQUALITY OF THE REGIONS AND SUSTAINABILITY OF THE REGIONAL CULTURES'

(C(2019) 3304)

8.4. COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED CITIZENS' INITIATIVE ENTITLED 'PRO-NUTRIScore'

(C(2019) 3232)

8.5. COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED CITIZENS' INITIATIVE ENTITLED 'STOPPING TRADE WITH ISRAELI SETTLEMENTS OPERATING IN THE OCCUPIED PALESTINIAN TERRITORY'

(C(2019) 3305)

Mr TIMMERMANS presented five draft decisions that were being tabled for approval by the College concerning the registration of European citizens' initiatives entitled, respectively:

- (i) 'The fast, fair and effective solution to climate change', which in substance called on the Commission to provide the European Union with legislation allowing a steady increase in the price of fossil fuels in order to reduce air pollution, incentivise companies and consumers to choose cleaner, cheaper options, return fairly every month the money collected from citizens as a dividend and thus reduce household expenditure, protect the economy, create more jobs and reduce government spending due to policy alignment;
- (ii) 'Ending the aviation fuel tax exemption in Europe', which in substance called on the Commission to propose to Member States the introduction of a tax on aviation fuel (kerosene), which would allow the EU to drastically

increase its funding for greener mobility, as transport was the fastest-growing greenhouse gas emissions sector;

- (iii) ‘Cohesion policy for the equality of the regions and sustainability of the regional cultures’, which in substance called on the Commission to pay special attention, in cohesion policy, to regions with national, ethnic, cultural, religious or linguistic characteristics that were different from those of the surrounding regions, and ensure that these regions benefited from the same opportunities of access to the various EU funds, while guaranteeing the preservation of their characteristics and their proper economic development, so that the EU’s development could be sustained and its cultural diversity maintained;
- (iv) ‘PRO-NUTRISCORE’, which in substance called on the Commission to impose simplified ‘Nutriscore’ labelling on food products, to guarantee that consumers were provided with quality nutritional information and to protect their health; and
- (v) ‘Stopping trade with Israeli settlements operating in the Occupied Palestinian Territory’, which in substance called on the Commission, in the context of its exclusive competence over trade, and in the light of its obligations, under international law, to not recognise or assist Israel’s wrongful acts in occupied Palestine, to formally recognise that trade with Israeli settlements was prohibited both for the EU as a whole and for all Member States, and to enforce a regulation which ensured that goods and services originating fully or in part in such settlements would no longer enter the European market.

Mr TIMMERMANS reminded the meeting that in accordance with the conditions for admissibility provided for in Regulation (EU) No 211/2011 on the European Citizens’ Initiative, the proposed actions must, in order to be registered, manifestly fall within the Commission’s powers to submit proposals for legal acts for the purpose of implementing the Treaties, and

fulfil the other conditions set out in Article 4(2) of that Regulation.

He noted that the requests submitted by the proponents of the three European citizens' initiatives entitled (i) 'The fast, fair and effective solution to climate change', (ii) 'Ending the aviation fuel tax exemption in Europe' and (iii) 'PRO-NUTRISCORE' fell within the Commission's powers to propose legal acts for the purpose of implementing the Treaties, respectively under (i) Article 113, Article 192(1) and (2) and Article 207 of the Treaty on the Functioning of the European Union, (ii) Article 113 of the Treaty on the Functioning of the European Union and (iii) Article 114 of the Treaty on the Functioning of the European Union.

With regard to the European Citizens' Initiative entitled 'Cohesion policy for the equality of the regions and sustainability of the regional cultures', he pointed out that a request of the same kind had been refused in 2013 by Commission Decision C(2013) 4975, which had been annulled by the Court of Justice of the European Union on 7 March 2019. This was the reason why the Commission had re-examined the proposed Citizens' Initiative. He noted that the proponents' request fell within the Commission's powers to propose EU legal acts for the purpose of implementing the Treaties in order to define the tasks, priority objectives and organisation of the Structural Funds, in particular under Article 177 of the Treaty on the Functioning of the European Union. He said that statements of support for this proposed Citizens' Initiative could therefore be collected in so far as the initiative related to the presentation by the Commission of proposals for legal acts setting out the tasks, priority objectives and organisation of the Structural Funds and provided that the actions to be financed led to the strengthening of the economic, social and territorial cohesion of the Union.

However, with regard to the European Citizens' Initiative entitled 'Stopping trade with Israeli settlements operating in the Occupied Palestinian Territory', he explained that because of its objective, it could be adopted only on the basis of Article 215 of the Treaty on the Functioning of the European Union,

concerning sanctions, but that a prerequisite for a legal act to be adopted on the basis of that Article was a Council decision adopted in accordance with Chapter 2 of Title V of the Treaty on European Union which provided for the interruption or reduction, in full or in part, of economic and financial relations with the third country concerned. However, no such decision existed at present and the Commission did not have therefore the power to submit a proposal for such decision. Furthermore, the Commission could not propose a legal act to be adopted on the basis of Article 215 of the Treaty on the Functioning of the European Union. He therefore noted that the request of the proponents of the European Citizens' Initiative entitled 'Stopping trade with Israeli settlements operating in the Occupied Palestinian Territory' did not fall within the Commission's powers and that it could not therefore be registered. He considered that the Commission's sound legal reasoning must be clearly presented.

In any case, in conclusion Mr TIMMERMANS pointed out that the College's task that day was to decide only on the legal admissibility of the proposals and not at this stage to analyse their substance or political expediency. If, in the space of a year, one million signatures from citizens from at least seven Member States were collected for each of the admissible initiatives, the Commission would have three months to decide whether or not to consent to the requests, duly justifying its decision.

The Commission confirmed, in accordance with Article 4(2) of Regulation (EU) No 211/2011, that:

- the admissibility criteria were fulfilled for the proposed citizens' initiative entitled 'The fast, fair and effective solution to climate change'; it therefore decided to register the initiative, in accordance with document C(2019) 3246, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers of the initiative thereof in the authentic language (English), and to publish it, for information, in the Official Journal of the European Union;

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- the admissibility criteria were fulfilled for the proposed citizens’ initiative entitled ‘Ending the aviation fuel tax exemption in Europe’; it therefore decided to register the initiative, in accordance with document C(2019) 3250, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers of the initiative thereof in the authentic language (English), and to publish it, for information, in the Official Journal of the European Union;
- the admissibility criteria were fulfilled for the proposed citizens’ initiative entitled ‘PRO-NUTRISCORE’; it therefore decided to register the initiative, in accordance with document C(2019) 3232, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers of the initiative thereof in the authentic language (French), and to publish it, for information, in the Official Journal of the European Union;
- the admissibility criteria were fulfilled for the proposed citizens’ initiative entitled ‘Cohesion policy for the equality of the regions and sustainability of the regional cultures’; it therefore decided to register the initiative, in accordance with document C(2019) 3304, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers of the initiative thereof in the authentic language (English), and to publish it, for information, in the Official Journal of the European Union.

Finally, the Commission confirmed, in accordance with Article 4(2) of Regulation (EU) No 211/2011, read in conjunction with Article 2(1) of that Regulation, that the admissibility criteria were not fulfilled for the proposed citizens’ initiative entitled ‘Stopping trade with Israeli settlements operating in the Occupied Palestinian Territory’. It therefore decided not to register the initiative, in accordance with document C(2019) 3305, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers

of the initiative thereof in the authentic language (English), and to publish it, for information, in the Official Journal of the European Union.

9. 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 – EUROPE IN MAY 2019 – PREPARING FOR A MORE UNITED, STRONGER AND MORE DEMOCRATIC UNION IN AN INCREASINGLY UNCERTAIN WORLD

**THE EUROPEAN COMMISSION’S CONTRIBUTION TO THE INFORMAL EU27 LEADERS’ MEETING IN SIBIU (ROMANIA) ON 9 MAY 2019
(COM(2019) 218 TO /4; RCC(2019) 54)**

The PRESIDENT opened the College’s discussion of the Communication entitled ‘Europe in May 2019: preparing for a more united, stronger and more democratic Union in an increasingly uncertain world’, which constituted the Commission’s contribution to the informal EU27 leaders’ meeting in Sibiu, Romania, on 9 May.

He emphasised the political importance of the document, meticulously prepared by the Secretariat-General and the Directorate-General for Communication with the support of all the Commission’s departments, and its approach based on information and explanation, which consisted, firstly, of reviewing the implementation of the ten political priorities of the term of office of the present College of Commissioners, before subsequently drawing up a number of strategic recommendations on the way in which Europe could shape its future in an increasingly multipolar and uncertain world.

He pointed out that, in his 2017 State of the Union address, he had presented a roadmap for progress towards a more united, stronger and more democratic Union and had suggested organising the informal Sibiu summit. It was against this backdrop that the leaders of the European Union were to meet on 9 May in Romania, where they were to reiterate their commitment to a European Union that delivered on the issues that really mattered to its citizens, reflect on the Union's political aspirations and prepare the strategic agenda for the next five years.

The PRESIDENT viewed the EU's strategic agenda for 2019-2024 as the right framework to address the challenges and seize the opportunities Europe faced at present, building on the progress the Union had made in recent years, drawing on the views expressed in nearly 1 600 citizens' dialogues and taking account of the outcome of the European Parliament election. He noted that, in the Commission's view, future action should focus on five areas, namely (i) a **protective Europe**, aimed at building an effective and genuine European Security Union, which could lead towards a genuine European Defence Union, (ii) a **competitive Europe**, capable of fostering growth and ensuring sustainable prosperity, (iii) a **fair Europe**, implementing the European Pillar of Social Rights and supporting Member States in their efforts to achieve social inclusion and equality, (iv) a **sustainable Europe**, making it possible to modernise the economy of the European Union to embrace sustainable consumption and production patterns and to reinforce efforts to fight climate change and reverse environmental degradation, and (v) an **influential Europe**, providing consistent and strong support for a multilateral, rules-based global order, with the United Nations at its core.

The PRESIDENT also emphasised the strong track record of the present Commission, which had made 471 new legislative proposals and taken over an additional 44 presented by previous Commissions. Of these, no less than 348 proposals had been adopted or agreed by the European Parliament and the Council during the current term of office, with unanimity in the Council in over 90% of cases.

He believed that the European election campaign provided an opportunity to inform

the general public of the outcome of the major achievements of the Union during its term of office, to talk about the major projects still under way and to put forward a basis for reflection with a view to the debate that needed to take place on the EU's strategic orientations for the next five years in order to preserve the European way of life, safeguard the planet and reinforce the EU's global influence.

In this connection, he invited all the Members of the College to contribute to the forthcoming debates, drawing on the Communication submitted for their approval as well as on the numerous information sheets made available to them providing simple and accessible explanations for the Union's policies and decisions, while structuring the dialogue with citizens to make the EU more united, stronger and more democratic.

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

- the need for the College to continue its debates on the Union's strategic agenda and the messages of the Sibiu meeting;
- the extent to which most of the citizens' dialogues had confirmed the topical nature of the Commission's political priorities, in particular with respect to migration, defending the rule of law, a European defence system and the digital single market;
- the careful balance struck in the Communication between the appraisal of the Commission's action during its term of office, which avoided falling into complacency, and the presentation of a framework for reflection in order to define the strategic orientations for 2019-2024;
- the challenges that would face European citizens, which warranted a major public debate on the future of the EU and its policies to enable it to enhance its unity and maintain control over its shared destiny;

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- the importance of selecting inclusive priorities, in particular with respect to minorities or persons with reduced mobility, who needed to be able to benefit from accessible infrastructure in order to play their full role in society;
- the suggestion by some that the Commission should engage itself to a greater extent in these debates by expressing its own opinion on the future of the EU, including its political and institutional evolution;
- the comment by others that the Commission should not give the impression, in taking stock of its action and opening up reflection on the future, that it had completed its work, since it still had numerous decisions to take on competition, economic governance, the budget and trade before the effective end of its term of office.

The PRESIDENT wound up the discussion by thanking the Members of the Commission for participating in this fundamental discussion about the future of Europe. He asked them to continue this debate at the next weekly meeting of the Commission, which he proposed to give over entirely to preparation for the informal meeting of EU27 leaders at Sibiu on 9 May. He noted, however, that the College's discussions and reflections should not determine in advance the orientations of the strategic action programme the EU was to implement over the next five years, but rather should facilitate the process that would make it possible to define them. Moreover, he announced that the text of the Communication would be amended slightly to include certain suggestions made during the discussion.

The PRESIDENT thus indicated his agreement to the inclusion of the following amendments to the English-language version of the Communication distributed as COM(2019) 218/4:

- **on page 18, the third sentence of the first bullet point is amended to read as follows:**

‘Of the 25 proposals made by the Commission – from the **reform of the Posting of Workers Directive and the **European Labour Authority** to the **European****

Accessibility Act, work-life balance and better working conditions and access to social protection – 24 were agreed.’;

- **on page 35, the first sentence of the last paragraph is amended to read as follows:**

‘Hundreds of thousands of citizens of different nationalities, ages, religions and from across the political spectrum have taken part in close to 1,600 town-hall style debates in city halls, universities and other places all across our Union.’.

At the end of the discussion, and subject to inclusion of the above amendments and to final linguistic revision, the Commission approved the Communication in COM(2019) 218/4 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.

10. OTHER BUSINESS (CONTINUED)

10.1. TRADE RELATIONS WITH THE UNITED STATES

Ms MALMSTRÖM gave an update on trade relations with the United States.

10.2. INFORMAL MEETING ON THE WESTERN BALKANS AND ON RELAUNCHING THE DIALOGUE BETWEEN SERBIA AND KOSOVO¹ (BERLIN, 29 APRIL 2019)

Ms MOGHERINI and Mr HAHN reported on the meeting on the Western Balkans region held on 29 April 2019 in Berlin.

¹ This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244 (1999) and the International Court of Justice Opinion on the Kosovo's declaration of independence.

10.3. RESPECT FOR THE RULE OF LAW IN POLAND AND ROMANIA

The PRESIDENT asked Mr TIMMERMANS to report on the situation regarding respect for the rule of law in Poland following the launch of proceedings under Article 7(1) of the Treaty on European Union, in view of the systemic threat to the independence of the judiciary posed by the reforms undertaken in Poland, the bringing of an action before the Court of Justice of the European Union for failure to fulfil obligations in relation to the new retirement regime for judges of the Polish Supreme Court (case C-619/18), and the opening of infringement proceedings such as the one concerning the new disciplinary regime applicable to Polish judges.

He also asked him to report to the College on the intense discussions he had had in recent weeks with the Romanian government on the reasons for concern expressed by the Commission regarding the rule of law in Romania, particularly in relation to the implementation of the recommendations in the Commission's last report of November 2018 under the Cooperation and Verification Mechanism (CVM).

The Commission took note of this information.

10.4. WITHDRAWAL OF THE UNITED KINGDOM FROM THE EUROPEAN UNION UNDER ARTICLE 50 OF THE TREATY ON EUROPEAN UNION

The Members of the College briefly discussed the latest developments concerning the process of withdrawal of the United Kingdom from the Union under Article 50 of the Treaty on European Union, in particular the ongoing negotiations between the two main parties in the country and the different opinions that were currently being examined.

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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 12.11.