



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2295 final

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

Brussels, 12 June 2019

TEXTE EN

MINUTES

of the 2295th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 15 May 2019

(morning)

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PV(2019) 2295 final

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

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Single sitting: Wednesday 15 May 2019 (morning)

The sitting opened at 10.04 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President
Mr TIMMERMANS	First Vice-President
Ms MOGHERINI	High Representative / Vice-President
Mr DOMBROVSKIS	Vice-President
Mr KATAINEN	Vice-President
Mr OETTINGER	Member
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
Mr HOGAN	Member
Ms BULC	Member
Ms BIENKOWSKA	Member
Ms JOUROVÁ	Member
Ms CREȚU	Member
Mr MOEDAS	Member
Sir Julian KING	Member

Absent:

Mr ANSIP	Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr HAHN	Member
Mr NAVRACSICS	Member
Ms VESTAGER	Member
Ms GABRIEL	Member

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

Mr LEPASSAAR	Chef de cabinet to Mr ANSIP
Mr SZAPIRO	A member of Mr ŠEFČOVIČ's staff
Ms JAHNS	Deputy Chef de cabinet to Mr HAHN
Ms KIRALY	Chef de cabinet to Mr NAVRACSICS
Ms JUUL-JØRGENSEN	Chef de cabinet to Ms VESTAGER
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
Mr LEARDINI	Acting Deputy Secretary-General
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT
Mr REMY	PRESIDENT's Office
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.

(15 May 2019)

The PRESIDENT opened the meeting by welcoming back, on behalf of the College, Mr ANDRIUKAITIS, whose electoral leave had just ended, following the presidential election in Lithuania.

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1. AGENDAS

(OJ(2019) 2295/FINAL; SEC(2019) 2295)

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) 2295)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 13 May 2019.

3. APPROVAL OF THE MINUTES OF THE 2293RD AND 2294TH MEETINGS OF THE COMMISSION (30 APRIL AND 7 MAY 2019)

The Commission held over approval of the minutes of its 2293rd and 2294th meetings for a later meeting.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED

(SEC(2019) 205 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 6 and 10 May 2019.

4.2. EMPOWERMENT
(SEC(2019) 206 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 6 and 10 May 2019.

4.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2019) 207 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 6 and 10 May 2019 archived in Decide.

4.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2019) 208)

The Commission took note of the sensitive written procedures for which the time limit expired between 13 and 17 May 2019.

**5. JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL – THE EU AND CENTRAL ASIA – NEW OPPORTUNITIES
FOR A STRONGER PARTNERSHIP**
(JOIN(2019) 9 AND /2; RCC(2019) 58)

The Commission approved the joint communication in JOIN(2019) 9/2, for transmission to the European Parliament and the Council and, for information, to the national parliaments.

6. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 56)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Wednesday 8 May 2019 (RCC(2019) 56).

It paid particular attention to the following points.

6.1. HORIZONTAL ITEM

i) 2021-2027 Multiannual Financial Framework – Council

(point 1.1.3 of the IRG record)

- Internal Security Fund (Regulation) – HOHLMEIER report – 2018/0250 (COD)

The Commission approved the line set out in SI(2019) 402/2.

6.2. LEGISLATIVE MATTERS

ii) Council Dossiers

(point 3.3 of the IRG record)

- Amendment of Directive 2006/1/EC on the use of vehicles hired without drivers for the carriage of goods by road (Directive) – MONTEIRO DE AGUIAR report – 2017/0113 (COD)

The Commission approved the line set out in SI(2019) 398.

- Implementation of enhanced cooperation in the area of financial transaction tax (Council Directive) – 2013/0045 (CNS)

The Commission approved the line set out in SI(2019) 399/2.

- Amendment of Directive 92/83/EEC on the harmonization of the structures of excise duties on alcohol and alcoholic beverages (Council Directive) – VIEGAS report – 2018/0173 (CNS)

The Commission approved the line set out in SI(2019) 405.

- Restrictive measures to counter cyber-attacks threatening the Union or its Member States (Joint Proposal for a Council Regulation) – JOIN(2019) 3

The Commission approved the line set out in SI(2019) 406.

6.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2019) 408)

The Commission took note of the information in SI(2019) 408 on the Council meetings between 16 and 29 May 2019.

iv) Results of the informal meeting of the leaders of the European Union (Sibiu, 9 May 2019)

(SI(2019) 409)

The PRESIDENT reported on the main results of the informal meeting of the EU27 leaders in Sibiu on 9 May 2019. He stressed the great unity displayed by the leaders of the 27 Member States and the message of confidence sent by the Sibiu Declaration published following the meeting. He also referred to the leaders' commitment to continue to build the EU's strength for tomorrow, on the basis of 10 joint commitments that would guide their action in the coming years. These commitments covered the main societal challenges of concern to public opinion ahead of the European elections. He invited the Commission to translate these commitments into concrete actions in order to make it possible, in future, for the Union to continue to do better, in the interest of its citizens.

The Commission took note of this information and the information in SI(2019) 409.

v) Non-legislative dossiers

(point 4.1 of the IRG record)

- European Union Declaration to the Declaration of Turkey upon accession to the European Convention for the Protection of Animals kept for Farming Purposes (Commission position)

The Commission approved the line set out in SI(2019) 400.

- International initiative on a Global Pact for the Environment

The Commission approved the line set out in SI(2019) 401/2.

6.4. RELATIONS WITH PARLIAMENT

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

(item 5.6.1 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 433 on the action taken on the non-legislative resolutions adopted by Parliament at its April I 2019 part-session.

vii) Action taken on the non-legislative resolutions adopted by Parliament at its February 2019 part-session

(item 5.6.2 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 327/3 on the action taken on the non-legislative resolutions adopted by Parliament at its February 2019 part-session.

7. OTHER BUSINESS

7.1. COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED CITIZENS' INITIATIVE ENTITLED 'SAVE THE BEES! PROTECTION OF BIODIVERSITY AND IMPROVEMENT OF HABITATS FOR INSECTS IN EUROPE' (C(2019) 3800)

Mr TIMMERMANS presented the draft decision that was being tabled for approval by the College concerning the registration of the European citizens' initiative entitled '*Rettet die Bienen! Schutz der Artenvielfalt und Verbesserung der Lebensräume von Insekten in Europa*' ('Save the bees! Protection of biodiversity and improvement of habitats for insects in Europe'), which called on the Commission to help to significantly improve natural habitats by adopting legislation setting mandatory targets to make the promotion of biodiversity an overall objective of the common agricultural policy; to dramatically cut the use of pesticides, ban harmful pesticides without exception and reform eligibility criteria; to promote structural diversity in agricultural landscapes; to effectively reduce nutrients; to effectively establish conservation areas; to intensify research and monitoring and improve education.

He 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 request submitted by the proponents of the European citizens' initiative fell within the Commission's powers to propose legal acts for the purpose of implementing the Treaties, particularly under Article 43(2), Article 114, Article 168(4)(b), Article 182(1) and Article 192(1), read in

conjunction with the first and third indents of Article 191(1) of the Treaty on the Functioning of the European Union.

He pointed out that the College's task that day was to decide only on the legal admissibility of the proposal and not at this stage to analyse its substance or political expediency. If, in the space of a year, one million signatures from citizens from at least seven Member States were collected, 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)(b) of Regulation (EU) No 211/2011, that the admissibility criteria were fulfilled for the proposed citizens' initiative entitled '*Rettet die Bienen! Schutz der Artenvielfalt und Verbesserung der Lebensräume von Insekten in Europa*' ('Save the bees! Protection of biodiversity and improvement of habitats for insects in Europe'). The Commission therefore decided to register the initiative, in accordance with document C(2019) 3800, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers of the initiative thereof in the authentic language (German), and to publish it, for information, in the Official Journal of the European Union.

7.2. ANNUAL ACTIVITY REPORTS OF THE COMMISSION DEPARTMENTS FOR 2018 (INFO(2019) 32)

At the PRESIDENT's request, Mr OETTINGER presented the main conclusions of the annual activity reports of the Commission departments for 2018, which had been the subject of a memorandum to the College. He noted that the 50 directors-general, heads of service and directors of executive agencies had all now signed their respective annual activity reports, in their capacity of authorising officers by delegation. It was in this capacity, and on the basis of instructions supplied by the central departments, that the authorising officers by delegation described in these reports the main

achievements of their departments in 2018, setting out, among other things, the progress they had made towards achieving their objectives and how the resources, and particularly financial resources, had been deployed during the period under review.

He described these annual activity reports as a key element in the Commission's governance, explaining that it was on the basis of the information they provided that the College bore overall political responsibility for the management by the heads of the different services and agencies. He therefore welcomed the fact that all the Members of the Commission had discussed the content of these reports with each of the heads of the departments under their authority.

In these reports the Commission departments mainly described their practical achievements, what they had achieved over the past year and how they had done so, on the basis of their respective annual management plans approved at the beginning of the year. He drew attention to the overall balance of the reports, which gave the necessary visibility to the results achieved, their coherence and readability, as well as to the challenges to be faced. Overall, he felt that the quality of the reports continued to improve, although further efforts were still needed.

Mr OETTINGER pointed out in particular that the heads of department had entered 40 reservations in their reports, 38 of which had already appeared in the activity reports for 2017. He also noted that 11 of these 40 reservations concerned executive agencies, which were becoming increasingly important in managing EU policies and programmes.

In this context he noted that when it cut the staff and activities of its directorates-general and services, the Commission tended to transfer the corresponding tasks to the executive agencies, which in many cases explained the increase in the latter's human resources. Turning to the reservations concerning the governance of the agencies, he noted that because of the role

the Commission had to play in monitoring the quality of their management it was justified in issuing guidelines to its departments to enable them properly to take responsibility for the operational performance of the agencies. He explained that the Secretariat-General and DG BUDG were currently working on recommendations along these lines.

Mr OETTINGER wound up his presentation by saying that the management review presented by the annual activity reports of the Commission departments fell under the political responsibility of the College and would be the subject of detailed discussion with the European Court of Auditors during its visit to the Commission on 12 June 2019. These reports would also feed into the Annual Management and Performance Report for the EU budget, which would be presented to the College for approval in the near future.

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

- the role and growing influence of the executive agencies in their respective fields of activity;
- the increased autonomy which certain agencies seemed to enjoy, particularly when they were able to generate their own revenue;
- the consequent need for closer monitoring of the agencies' operational performance by the Commission, which was responsible for them at the political level.

The Commission took note of this information and of the note distributed as INFO(2019) 32.

7.3. *TRADE RELATIONS WITH THE UNITED STATES AND SITUATION REGARDING THE JOINT COMPREHENSIVE PLAN OF ACTION ON IRAN'S NUCLEAR PROGRAMME*

Ms MALMSTRÖM and Ms MOGHERINI provided an update on, respectively, trade relations with the United States and the situation regarding the Joint Comprehensive Plan of Action on Iran's nuclear programme which had been signed by the United States, Russia, China, France, the United Kingdom, Germany, the European Union and Iran and which the United States had withdrawn from in May 2018.

7.4. *SITUATION REGARDING RESPECT FOR THE RULE OF LAW IN ROMANIA*

The PRESIDENT asked Mr TIMMERMANS to report on the current situation regarding respect for the rule of law in Romania, following the letter he had sent to the Romanian authorities on this subject on 10 May 2019.

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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 10.39.