EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2299 final

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Brussels, 3 July 2019

TEXTE EN

<u>MINUTES</u>

of the 2299th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 12 June 2019

(morning)

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Single sitting: Wednesday 12 June 2019 (morning)

The sitting opened at 10.14 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 OETTINGER	Member
Ms MALMSTRÖM	Member
Mr MIMICA	Member
Mr ARIAS CAÑETE	Member
Mr AVRAMOPOULOS	Member
Ms THYSSEN	Member
Mr MOSCOVICI	Member
Mr STYLIANIDES	Member
Ms BULC	Member
Ms JOUROVÁ	Member
Mr NAVRACSICS	Member
Ms CREȚU	Member
Ms VESTAGER	Member
Mr MOEDAS	Member
Sir Julian KING	Member

Absent:

Mr KATAINEN	Vice-President
Mr HAHN	Member
Mr VELLA	Member
Mr ANDRIUKAITIS	Member
Mr HOGAN	Member
Ms BIEŃKOWSKA	Member
Ms GABRIEL	Member

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

Ms DE BASALDÚA	Deputy Chef de cabinet to Mr KATAINEN
Mr KARNITSCHNIG	Chef de cabinet to Mr HAHN
Mr MUELLER	Chef de cabinet to Mr VELLA
Mr VINCIUNAS	Chef de cabinet to Mr ANDRIUKAITIS
Ms SIRACUSA	Deputy Chef de cabinet to Mr HOGAN
Mr HUSAK	Chef de cabinet to Ms BIEŃKOWSKA
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	Deputy Secretary-General	
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	
Ms CANENBLEY	Adviser in the PRESIDENT's Office	Items 6 and 9 to 11
Mr THOLONIAT	Adviser in the PRESIDENT's Office	Items 1 to 8
Mr REMY	PRESIDENT's Office	
Mr SUARDI	Chef de cabinet to Mr DOMBROVSKIS	Items 7 and 8
Mr SCHULTE	A member of Mr OETTINGER's staff	Items 9 to 11
Mr SNELS	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	
Ms BREIDTHARDT	Commission Spokesperson's Service	Items 7 to 10

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

1. AGENDAS
(OJ(2019) 2299/FINAL; SEC(2019) 2299/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) 2299)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Tuesday 11 June 2019.

3. APPROVAL OF THE MINUTES OF THE 2295TH, 2296TH, 2297TH AND 2298TH MEETINGS OF THE COMMISSION (15, 22 AND 29 MAY, AND 5 JUNE 2019)
(PV(2019) 2295; PV(2019) 2295, 2ND PART; PV(2019) 2296; PV(2019) 2296, 2ND PART)

The Commission approved the minutes of its 2295th and 2296th meetings and decided to hold over approval of the minutes of its 2297th and 2298th meetings for a later meeting.

4. INTERINSTITUTIONAL RELATIONS
(RCC(2019) 64)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Thursday 6 June 2019 (RCC(2019) 64).

It paid particular attention to the following points.

4.1. HORIZONTAL MATTERS

i) 2021-2027 Multiannual Financial Framework – Council

(point 1.1.3 of the IRG record)

– Neighbourhood, Development and International Cooperation Instrument (Regulation) − PANZERI, PREDA, ENGEL & GOERENS report – 2018/0243 (COD)

The Commission approved the line set out in SI(2019) 466 and /2.

– Amendment of Decision 2007/198/Euratom establishing the European Joint Undertaking for ITER and the Development of Fusion Energy and conferring advantages upon it (Council Decision) – MARINESCU report – 2018/0235 (NLE)

The Commission approved the line set out in SI(2019) 472/2.

4.2. LEGISLATIVE MATTERS

ii) Council dossier

(point 3.3 of the IRG record)

– Minimum requirements for water reuse (Regulation) – BONAFÈ report – 2018/0169 (COD)

The Commission approved the line set out in SI(2019) 469/2.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Programming of Council business

(SI(2019) 479)

The Commission took note of the information in SI(2019) 479 on the Council meetings between 13 and 26 June 2019.

iv) Non-legislative dossiers
(point 4.1 of the IRG record)

– Options for information exchange, coordination and concerted action on the control of trade in emerging and foundational technologies (Commission non-paper)

The Commission approved the line set out in SI(2019) 473.

– The high-level United Nations Conference to support the implementation of Sustainable Development Goal 14 – ‘Our oceans, our future: partnering for the implementation of Sustainable Development Goal’ (New York, 5-9 June 2017) – Progress on the voluntary commitments presented on behalf of the European Union

The Commission took note of the information in SI(2019) 474 and /2.

– Preparation of the Council Conclusions on EU priorities at the United Nations and the 74th United Nations General Assembly

The Commission took note of the information in SI(2018) 476.

4.4. RELATIONS WITH PARLIAMENT

v) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its April II 2019 part-session
(point 5.6.1 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 440 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its April II 2019 part-session.

vi) Action taken on the non-legislative resolutions adopted by Parliament at its April II 2019 part-session
(point 5.6.2 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 441 on the action taken on the non-legislative resolutions adopted by Parliament at its April II 2019 part-session.

vii) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its April I 2019 part-session
(point 5.6.4 of the IRG record)

The Commission approved, for transmission to Parliament, document SP(2019) 443/2 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its April I 2019 part-session.

4.5. OTHER BUSINESS

viii) Negotiations with the United Kingdom for an agreement setting out the arrangements for its withdrawal from the Union under Article 50 of the Treaty on European Union – 'United Kingdom of Great Britain accession to the World Trade Organization Agreement on Government Procurement (GPA)' – Extension of the period for the submission of the United Kingdom's instrument of accession to the GPA and introduction of consequential changes vis-à-vis Australia, following the recent accession of Australia to the GPA
(SI(2019) 478)

The Commission approved the line set out in SI(2018) 478.

5. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN CENTRAL BANK, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN INVESTMENT BANK – STATE OF PLAY OF PREPARATIONS OF CONTINGENCY MEASURES FOR THE WITHDRAWAL OF THE UNITED KINGDOM FROM THE EUROPEAN UNION

(COM(2019) 276 AND /2; RCC(2019) 68)

The Commission approved the communication in COM(2019) 276/2, subject to final general linguistic revision, for transmission to the European Parliament, the European Council, the Council, the European Central Bank, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank, and, for information, to the national parliaments.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2019) 236 ET SEQ.)

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 3 and 7 June 2019.

6.2. EMPOWERMENT

(SEC(2019) 237 ET SEQ.)

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 3 and 7 June 2019.

6.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2019) 238 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 3 and 7 June 2019 archived in D*e*cide.

6.4. SENSITIVE WRITTEN PROCEDURES (SEC(2019) 239 TO /3)

The Commission took note of the sensitive written procedures for which the time limit expired between 11 and 14 June 2019 and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on Tuesday 11 June 2019.

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information – COM(2019) 208 – PE/2019/2868

The PRESIDENT asked Mr ŠEFČOVIČ, in the absence of Mr KATAINEN and Ms BIEŃKOWSKA, to brief the College on a legislative proposal, to be adopted by written procedure, on measuring polluting emissions from light passenger and commercial vehicles.

Mr ŠEFČOVIČ drew the Members' attention to the judgment handed down by the General Court of the European Union in December 2018 (Joined Cases T-339/16, T-352/16, T-391/16) annulling in part Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6), on the grounds that the Commission should have used the ordinary legislative procedure rather than a delegated act for that purpose.

The Court had granted the Commission a period of one year to rectify this procedural defect. The Commission must submit its text to the co-legislators by ordinary legislative procedure. It was proposing to do so this week, with the College's approval, without even waiting for the outcome of the appeal it had lodged before the Court.

With regard to the substance, the Regulation adopted by the Commission in 2016 determined the conformity factors used to assess compliance with vehicle emission limits during real driving emission (RDE) tests. The Court considered that this Commission Regulation amended *de facto* the limit set by Regulation (EU) 715/2007 of the European Parliament and of the Council, and that it was therefore up to the co-legislators alone to determine the conformity factors, which concerned an essential element of the basic legislative act.

Mr ŠEFČOVIČ underlined the political importance of the measure proposed that day, aimed at avoiding car manufacturers being deprived of the transitional arrangements laid down by the Commission in 2016 to enable them to adapt to the new conditions for emission tests. This affected eight million vehicles under construction.

That was why the Commission was now being asked to move forward on this issue by presenting a proposal by ordinary legislative procedure, which would remove the legal uncertainty facing the EU's economic operators since December 2018 with regard to type approval procedures for vehicles, without even waiting for the outcome of the appeal lodged by the Commission before the Court.

The PRESIDENT thanked Mr ŠEFČOVIČ for these explanations and noted the agreement of the College to the proposed approach. He confirmed the written procedure, which had been suspended so that the College could be briefed directly and would now be re-opened with a view to adopting the legislative proposal on Friday 14 June at 10.00 (PE/2019/2868).

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL AND THE EUROPEAN CENTRAL BANK – DEEPENING EUROPE'S ECONOMIC AND MONETARY UNION – TAKING STOCK FOUR YEARS AFTER THE FIVE PRESIDENTS' REPORT

EUROPEAN COMMISSION'S CONTRIBUTION TO THE EURO SUMMIT ON 21 JUNE 2019

(COM(2019) 279 TO /3; RCC(2019) 69)

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL AND THE EUROPEAN CENTRAL BANK – FOURTH PROGRESS REPORT ON THE REDUCTION OF NON-PERFORMING LOANS AND FURTHER RISK REDUCTION IN THE BANKING UNION

(COM(2019) 278 AND /2; RCC(2019) 69)

The PRESIDENT asked Mr DOMBROVSKIS and Mr MOSCOVICI, ahead of the Summit of Euro Area leaders to be held in an extended format on 21 June 2019, to present the Communication entitled 'Deepening Europe's Economic and Monetary Union: Taking stock four years after the Five Presidents' Report' and the Fourth Progress Report on the reduction of non-performing loans and further risk reduction in the Banking Union.

Mr DOMBROVSKIS began by recalling that during the Commission's present term of office, it had presented a number of initiatives aimed at strengthening the Economic and Monetary Union in order to make it more stable and resilient in readiness for possible future crises. These initiatives were in line with the June 2015 report of the 'Five Presidents' – namely the Presidents of the European Commission, the Euro Summit, the Eurogroup, the European Central Bank and the European Parliament – entitled 'Completing Europe's Economic and Monetary Union' and the Commission's Reflection Paper of May 2017 on the deepening of the Economic and Monetary Union.

He emphasised the fact that the Eurogroup meeting on 13 June and the Euro Summit on 21 June would be decisive moments for making progress on a number of dossiers before the end of the current Commission's term of office. The Commission was therefore taking stock of what had been proposed in the last few years in order to call on the European leaders to take additional concrete measures.

He pointed out that the Commission's Communication gave an objective assessment of the situation, welcoming the progress made on some of the dossiers on the summit agenda but assessing in a critical spirit those on which no progress had been made.

Mr DOMBROVSKIS therefore hoped, first, that the Member States would reach agreement on **the Budgetary Instrument for Convergence and Competitiveness**, and in particular on its main features. This instrument was designed as part of the Multiannual Financial Framework and followed on from the proposal the Commission had presented in 2018 on a Reform Support Programme, although its scope had been expanded to also cover investment. The allocation for this instrument must be agreed upon in the context of the Union's Multiannual Financial Framework for 2021-2027, based on the allocation for the euro area under the Reform Support Programme. The Member States must decide, on the basis of an intergovernmental agreement, whether external assigned revenue could be added to the contributions from the EU budget.

Second, he hoped for progress on **reforming the European Stability Mechanism**. However, serious doubts were being expressed in some quarters concerning the effectiveness of the instruments being developed, particularly the backstop for the Single Resolution Fund within the Banking Union and the precautionary instruments that would allow support for Member States that had sound economic fundamentals. Furthermore, the Member States were rejecting any legal reference to the inclusion of the European Stability Mechanism within the EU's legal framework, even though it was a very important part of the Commission's proposal.

Mr DOMBROVSKIS then turned to the third pillar of the Banking Union, the **European Deposit Insurance Scheme** (EDIS). He regretted that the High-Level Working Group set up by the Member States had been unable to reach agreement on a report, despite the progress being made in reducing non-performing loans, as evidenced in the Communication that was being tabled for approval by the Commission that day.

Lastly, he referred to the work done on the **international role of the euro.** Following the positive reception of the Communication presented by the Commission on this matter in December 2018 and the numerous consultations carried out, this week the Commission was publishing a Staff Working Document summarising the consultations and suggesting ways forward to continue the work in question.

In conclusion, Mr DOMBROVSKIS summarised the Commission's main message, a few days before the Euro Summit, calling on the European leaders to continue down the path they had embarked upon. He stressed that businesses and public authorities, at both national and European level, must join forces to identify the areas in which they could explore ways of increasing the use of the euro, and the means of achieving this. As always, the Commission would provide all possible support to this end.

Mr MOSCOVICI felt that, as indicated by the Communication being presented that day, it was important not to underestimate the work carried out by the Commission to further deepen Economic and Monetary Union since the start of the financial crisis and since the start of the current term of office. Although the euro area was still incomplete, he stressed that it was considerably better equipped today than it had been ten years ago, just before the sovereign debt crisis. He felt it was important to repeat this message of confidence, which was to the credit of the present Commission given that it had proposed new tools and had also launched a discussion on ways of further deepening Economic and Monetary Union.

With regard to the main points in the Communication, the Commission was clearly calling on the euro area leaders to measure up to their responsibilities on 21 June and rapidly implement the goals they had set themselves in December 2018, concerning the completion of the Banking Union and also the reform of the European Stability Mechanism and the setting-up of a Budgetary Instrument for Convergence and Competitiveness.

Over and above these short-term challenges, Mr MOSCOVICI felt that the Commission had established an ambitious common intellectual framework for a discussion about rules, governance, solidarity and stabilisation in the context of Economic and Monetary Union. He wound up by saying that whatever the outcome of the summit on 21 June, this work would continue throughout the term of office of the next Commission.

The PRESIDENT closed the discussion by thanking Mr DOMBROVSKIS and Mr MOSCOVICI for their presentations. He stressed that it was important for the current Commission that the Member States should give a decisive boost, in a few days' time, to the work on deepening Economic and Monetary Union in the various areas that had been mentioned.

Following these presentations, the Commission approved the communications in COM(2019) 279/3 and COM(2019) 278/2, subject to a general clean-up of the text, for transmission to the European Parliament, the European Council, the Council and the European Central Bank and, for information, to the national parliaments.

9. PREPARATION OF THE ANNUAL MEETING WITH THE MEMBERS OF THE EUROPEAN COURT OF AUDITORS (RCC(2019) 71)

Mr OETTINGER referred to the annual meeting between the European Court of Auditors and the Commission, which would take place that day after the Commission meeting. He pointed out that this last meeting of the present term of office would be a good opportunity to talk about the lessons learnt over the past five years and to discuss frankly the problems encountered by the two institutions.

He noted that throughout that period, the Court of Auditors had considerably modified its working methods, under the authority of its President, Mr Klaus-Heiner LEHNE, in order, in particular, to pay greater attention to performance evaluation in the field of financial management. He also noted that the number of special reports published by the Court of Auditors had multiplied but that those initiatives, often taken by its Members individually, were not coordinated effectively. He explained that although those reports had concluded that the error rate attributed to the Commission in its financial management had been reduced, the audits conducted by the Court of Auditors generated an increase in the workload of the Commission’s departments. Lastly, he felt that the Court of Auditors was not always sufficiently objective, in particular when it published press releases with eye-catching titles that did not always reflect the tone or the content of the report itself.

He therefore asked the Members of the Commission to speak openly to the Members of the Court of Auditors about their concerns related to some of its recommendations.

The Commission took note of this information.

10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – ROADMAP TO AN AGREEMENT ON THE EUROPEAN UNION'S LONG-TERM BUDGET FOR 2021-2027

THE EUROPEAN COMMISSION'S CONTRIBUTION TO THE EUROPEAN COUNCIL MEETING ON 20 -21 JUNE 2019

(COM(2019) 295 AND /2 ; RCC(2019) 73)

The PRESIDENT asked Mr OETTINGER to present to the College the main points of the Communication submitted for its approval, in which the Commission proposed a roadmap to the European Parliament, the European Council and the Council towards an agreement on the Union’s next multiannual financial framework for the period 2021-2027. This Communication was a contribution from the Commission to the work of the European Council that would meet on 20 and 21 June 2019.

Mr OETTINGER explained that the Communication had a simple aim, which was to remind the European Council and the general public of the importance of reaching a political agreement on the Union’s long-term budget in autumn 2019. The document therefore highlighted the progress made, with the co-legislators, on the Commission's proposals concerning the multiannual financial framework for the period from 2021 to 2027 and own resources. He felt that the negotiating framework that had been established formed a good basis for the upcoming Finnish Presidency, from 1 July, to be able to launch bilateral discussions with all the Member States in order to rapidly present an amount for the entire multiannual financial framework.

He said that in some very important areas – for example, the programmes Horizon Europe, Digital Europe, the Connecting Europe Facility, the space programme and InvestEU – 12 partial agreements had been obtained. He added that for 16 programmes, the co-legislators could begin the trilogues any time soon and that the European Parliament had already adopted its position on 10 other proposals. He noted that only 7 sectoral proposals had not yet been the subject of a position by the two co-legislators.

He underlined the Commission's aim to do everything it could to ensure a political agreement was reached in autumn 2019 in accordance with the timetable set by the European Council in December 2018. The Communication therefore called for this timetable to be respected, which was realistic in view of the current state of play, but would require special efforts in this last stage. That was why the Communication asked the European Council to approve a clear and credible roadmap to accompany this last phase.

Mr OETTINGER did not, however, underestimate the time constraints and the urgency of a political agreement if the Union wanted all the programmes in its new long-term budget to be of real benefit to the beneficiaries from 1 January 2021. This was illustrated by the graph in the Communication, which showed, in the case of the negotiation of the multiannual financial framework for the period from 2014 to 2020, the amount of time between the political agreement of the European Council and the final adoption of all the sectoral acts. i.e. 14 months. He therefore stressed that the meeting of the European Council on 20 and 21 June would be decisive for reaching an agreement in autumn 2019 and launching all the Union's financing programmes from 1 January 2021.

He closed by noting that the Commission wished to draw the attention of the Heads of State or Government to their responsibility in this essential matter. He felt that nothing justified slowing down the pace of the negotiations, not even the withdrawal of the United Kingdom from the Union, even if this meant an inevitable element of uncertainty over which the Union did not have complete control.

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

– the fundamental importance, for the Union's programmes, of calling on the Member States and the co-legislators to show political will to reach an agreement in the autumn on the next multiannual financial framework;

– recognition of the efforts made by the Commission to make its proposals early enough to make it possible to conclude the negotiations in time;

– a reminder of the essential feature of integrating the climate dimension into the financing proposed in order to allow the Union to prepare for achieving the ambitious objectives it has set itself by 2030.

The PRESIDENT thanked Mr OETTINGER for his presentation and confirmed his full support for the Communication presented that day.

On a proposal from the PRESIDENT, the Commission agreed that the Communication set out in COM(2019) 295/2 would be formally adopted by finalisation written procedure, the deadline for which was set at 11.30 on Thursday 13 June (PE/2019/4306).

11. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2019) 240 AND /2)

ADMINISTRATIVE MATTERS
(PERS(2019) 54)

*11.1. DG ENERGY – APPROVAL OF LIST OF CANDIDATES FOR THE AD14 POST OF EXECUTIVE DIRECTOR OF THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS (*ACER*)* *(PERS(2019) 29 TO /3)*

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr ARIAS CAÑETE and also Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided:

- to approve the list of three candidates, presented in alphabetical order, set out in point 1 of PERS(2019) 54, for the post of Executive Director of the

Agency for the Cooperation of Energy Regulators (ACER), and to consider this list as the Commission proposal;

- to ask Mr ARIAS CAÑETE, the Member of the Commission responsible for climate action and energy, to communicate this decision and the list of candidates to the Administrative Board of the European Agency for the Cooperation of Energy Regulators.

These decisions would take effect immediately.

11.2. EUROSTAT – INTERNAL AND INTERINSTITUTIONAL PUBLICATION (AT GRADE AD14/15) AND EXTERNAL PUBLICATION (AT GRADE AD14) OF VACANCY NOTICES FOR A DIRECTOR POST (PERS(2019) 55)

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms THYSSEN and also Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided to authorise the internal, interinstitutional and external publication, under Article 29(1)(a)(i) and (iii), (1)(b) and (2) of the Staff Regulations, of the vacancy notices in PERS(2019) 55 for the post of Director of the Macro-Economic Statistics Directorate in Eurostat.

This decision would take effect immediately.

11.3. SECRETARIAT-GENERAL – 2018 GENERAL ACTIVITY REPORT OF THE MEDIATION SERVICE OF THE EUROPEAN COMMISSION (SEC(2019) 253)

At the request of the PRESIDENT, Mr OETTINGER presented to the College the 2018 Annual Activity Report of the Commission's Mediation Service.

Mr OETTINGER firstly reminded the College that the Mediation Service was responsible for resolving disputes regarding the working relationship between officials or contract agents and the Commission, or those relating to the application of rights and obligations under the Staff Regulations. He noted that the Mediation Service was fully independent, which guaranteed its neutrality when resolving and preventing conflicts, while giving it scope to find satisfactory solutions for all parties involved.

He explained that, in accordance with the 2002 decision to reinforce the Mediation Service, the Service drew up a report each year presenting statistics and information on its activities and issuing recommendations on any structural issues identified.

In 2018, the Mediation Service dealt with 228 cases, of which 174 were new requests and 54 were carried over from the previous year. These cases concerned two main areas of intervention, namely (i) rights and obligations under the Staff Regulations, with 147 cases, of which 53 were financial in nature (relating, for example, to the recovery or payment of allowances), and 94 non-financial (relating, for example, to teleworking or special leave), and (ii) interpersonal conflicts at work, of which there were 81 cases.

Mr OETTINGER explained that the Mediation Service had also issued four general recommendations in its report relating to prevention activities. The first recommendation concerned the professionalisation of managers in terms of human resources management. The recommendation stressed the specific responsibility of heads of unit as regards the management of human resources and the need for them to have the requisite tools and skills to carry out their duties. The second recommendation related to returning to work after a long absence and proposed that a specific procedure be put in place to allow these cases to be handled in a more systematic way, specifically by setting up a coordination service. The last two recommendations were that staff should be better informed about the role of the different services involved in resolving problems and disputes at work to ensure that they were aware of the tools and services available should a dispute arise.

Mr OETTINGER concluded by welcoming the fact that the Mediation Service was working well and was effectively carrying out the tasks it had been assigned in the interest of the wellbeing of staff and of the institution.

The PRESIDENT took the opportunity to ask Mr OETTINGER about the social climate within the Commission. He referred specifically to the issue of differences in employment status, which meant that there were sometimes significant differences in salary for Commission staff doing the same work.

Mr OETTINGER explained that, as the Commissioner responsible for administration, he had met many members of staff informally, and he could therefore attest to the widespread feeling of pride in working for the Commission. At the same time, he noted that there was nevertheless a widespread feeling of frustration as regards career progression.

In response to the PRESIDENT's concern regarding the differences in employment status of Commission staff, he reminded the College that, at the time of the 2004 and 2013 reforms, the Council had requested significant concessions, which had resulted in a restriction on the increase in the number of statutory staff and an increase in the number of contract agents. In this context, since 2004, statutory staff and contact agents experience different working conditions and salary scales. He explained that the remuneration received by a statutory staff member and a contract agent doing the same job could vary significantly. He felt that this development could not continue and that the Commission should robustly defend the administration's operating budget, which was regularly called into question by certain Member States during the adoption of the Union's Multiannual Financial Framework.

The PRESIDENT reiterated his view, expressed on several occasions, that the European civil service was the best in the world and he lamented the fact that, as things stood, the Commission was not able to apply the simple yet fundamental principle of equal pay for equal work. He stressed that this principle was, moreover, at the heart of the Union's social policy. He invited the members of the College to support initiatives to further this aim and to resist any attempts by the Member States to compel the Commission to implement measures that undermined this aim.

The Commission took note of this information.

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The meeting closed at 10.52.