



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2305 final

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

Brussels, 13 November 2019

TEXTE EN

MINUTES

of the 2305th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 24 July 2019

(morning)

—

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

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Single sitting: Wednesday 24 July 2019 (morning)

The sitting opened at 10.09 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	
Mr HAHN	Member	
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr MOSCOVICI	Member	Items 8 (in part) to 21
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Ms BIEŃKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Sir Julian KING	Member	

Absent:

Ms MOGHERINI	High Representative / Vice-President
Mr ARIAS CAÑETE	Member
Ms VESTAGER	Member
Mr MOEDAS	Member
Ms GABRIEL	Member

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

Mr GRASSI	Chef de cabinet to Ms MOGHERINI
Ms LOBILLO BORRERO	Chef de cabinet to Mr ARIAS CAÑETE
Mr BENGTTSSON	Chef de cabinet to Ms VESTAGER
Ms DEL BRENNA	Deputy Chef de cabinet to Mr MOEDAS
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	
Ms ANDREEVA	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Mr MOTOC	European Political Strategy Centre	
Ms JUHANSONE	Deputy Secretary-General	Items 1 to 20 (in part)
Ms GAUER	Deputy Secretary-General	
Mr LEARDINI	Deputy Secretary-General	
Ms DEJMEK HACK	Director of Coordination and Administration and adviser in the PRESIDENT's Office	
Ms CANENBLEY	Adviser in the PRESIDENT's Office	Items 10 and 11
Ms HILI	Adviser in the PRESIDENT's Office	Items 13 to 21
Ms SILLAVEE	PRESIDENT's Office	
Mr CEYSSENS	Deputy Chef de cabinet to Mr DOMBROVSKIS	Items 1 to 20
Mr HAGER	Chef de cabinet to Mr OETTINGER	Items 1 to 9
Mr BAILLY	Chef de cabinet to Mr MOSCOVICI	Items 1 to 12
Ms DRZEWOSKA	A member of Ms BIENKOWSKA's staff	Items 11 to 19

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Ms NIKOLAY

Chef de cabinet to Ms JOUROVÁ

Items 10 to 21

Mr SNELS

Secretariat-General

Ms BERTAUD

Commission Spokesperson's Service

Secretary: Mr SELMAYR, Secretary-General, for items 1 to 7 and 9 to 21, and Ms JUHANSONE, Deputy Secretary-General, for item 8, both assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2019) 2305/FINAL)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings. It also took note of the addition of items 8.1 to 8.10 (on administrative decisions) to that day's agenda.

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2019) 2305)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 23 July 2019.

3. APPROVAL OF MINUTES OF 2302ND, 2303RD AND 2304TH MEETINGS OF THE COMMISSION (3, 10 AND 16 JULY 2019)

(PV(2019) 2302; PV(2019) 2302, 2ND PART)

The Commission approved the minutes of its 2302nd meeting, and decided to hold over approval of the minutes of its 2303rd and 2304th meetings until a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 86)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 19 July 2019 (RCC(2019) 86).

It paid particular attention to the following points.

4.1. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

i) Non-legislative dossiers

(point 4.1 of the record)

- 14th United Nations Congress on Crime Prevention and Criminal Justice (Kyoto, 20-27 April 2019)

The Commission took note of the information in SI(2019) 523 and /2.

- Authorisation of the opening of negotiations on an international legally-binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (Council Decision) – COM(2017) 812

The Commission approved the line set out in SI(2019) 536.

4.2. RELATIONS WITH PARLIAMENT

ii) Results of Parliament's July II 2019 part-session

(point 5.8.1 of the record)

The Commission took note of the information on the proceedings of the part-session of Parliament held in Strasbourg from 15 to 18 July 2019, as set out in SP(2019) 455.

4.3. RELATIONS WITH NATIONAL PARLIAMENTS, THE OTHER INSTITUTIONS AND BODIES, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

iii) Follow-up to opinions of the Committee of the Regions – Plenary session of February 2019

(point 6.4.1 of the record)

The Commission approved document SR(2019) 17/4 on the action taken by the Commission on the opinions adopted by the Committee of the Regions at its session of February 2019, for transmission to the Committee of the Regions.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2019) 284 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 July 2019.

5.2. EMPOWERMENT

(SEC(2019) 285 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 15 and 19 July 2019.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2019) 286 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 15 and 19 July 2019 archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES

(SEC(2019) 287 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 22 and 26 July 2019 and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on Monday 22 July 2019.

6. NINETEENTH PROGRESS REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – TOWARDS AN EFFECTIVE AND GENUINE SECURITY UNION
(COM(2019) 353 TO /3; RCC(2019) 91)

The Commission approved the report in COM(2019) 353/3, for transmission to Parliament, the European Council and the Council and, for information, to the national parliaments.

7. COMMISSION DECISION ON THE APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE SINGLE RESOLUTION BOARD AND THE COMMISSION
(C(2019) 5437; RCC(2019) 90)

The Commission adopted the Decision in C(2019) 5437 and decided to notify it to the addressees of the Decision.

8. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2019) 288/2 AND /3)

ADMINISTRATIVE MATTERS
(PERS(2019) 74 AND /2)

At the invitation of the PRESIDENT, Mr OETTINGER presented ten additional administrative decisions that were being directly submitted to the Commission for approval or information (see items 8.1 to 8.10 of these minutes).

Mr OETTINGER began by presenting, in agreement with the PRESIDENT, two decisions concerning the current Secretary-General, Mr Martin SELMAYR. The

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first consisted of accepting his request for transfer to a temporary post of adviser hors classe at the Secretariat-General from 1 August 2019, in which post he would advise the PRESIDENT on important strategic matters. The second consisted of proposing his transfer, under Article 7 of the Staff Regulations, to the post of Head of the Commission's Representation in Vienna, in Austria, from 1 November 2019. This post would become vacant following the transfer, under Article 7 of the Staff Regulations, of its current holder to the post of Head of the Commission's Representation in Berlin, in Germany, with effect from 1 September 2019 (see item 8.27 of these minutes).

Mr OETTINGER expressed the College's gratitude for Mr Martin SELMAYR's excellent work as Secretary-General, and for his contribution to the results and successes of the current Commission.

Mr OETTINGER added that the rules on deputising laid down in Article 26 of the Commission's Rules of Procedure would apply to the post of Secretary-General, which was to become vacant as of 1 August 2019, and that the Deputy Secretaries-General would therefore deputise in the following order: Ms Ilze JUHANSONE, Mr Pascal LEARDINI and Ms Céline GAUER.

M. OETTINGER also proposed that the College accept, with effect from 1 September 2019, the resignation of Mr Johannes LAITENBERGER from his current duties as Director-General of DG Competition in order to take up the duties of Judge at the General Court of the European Union for a term of office beginning on 1 September 2019. He congratulated Mr Johannes LAITENBERGER on his new appointment and expressed the College's gratitude to him for the excellent work he had carried out at the Commission throughout his career, as Commission Spokesperson, Chef de Cabinet to President José Manuel BARROSO and Deputy Director-General of the Legal Service, before taking up his current post.

Next, he proposed, in agreement with the PRESIDENT and after consulting the Members of the Commission responsible and the Vice-Presidents concerned, the appointment of (i) Mr Koen DOENS to the post of Director-General of

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DG International Cooperation and Development, at a date to be determined later, (ii) Mr Declan COSTELLO to the post of Deputy Director-General of DG Economic and Financial Affairs, from 1 August 2019, (iii) Mr Michael KOEHLER to the post of Deputy Director-General of DG European Civil Protection and Humanitarian Aid Operations, from 1 August 2019, and, lastly, (iv) Mr Gallo GUEYE to the post of Deputy Director-General of Eurostat, from 1 August 2019.

He also proposed, in agreement with the PRESIDENT and after consulting Mr VELLA and also the Vice-Presidents Mr ŠEFČOVIČ and Mr KATAINEN, creating a new post of Deputy Director-General of DG Maritime Affairs and Fisheries to assist the Director-General in carrying out the Commission's growing responsibilities at international level to ensure sustainable management of the oceans.

Lastly, Mr OETTINGER informed the College of the decision taken by Mr Margaritis SCHINAS on 19 July 2019 to resign from his duties as Head of the Spokesperson's Service and Chief Spokesperson of the Commission following the Greek government's decision to put forward his name as a member of the next Commission. However, Mr SCHINAS would continue to perform his duties as Deputy Director-General of DG Communication.

In this context, he also informed the College of the PRESIDENT's decision to appoint Ms Mina ANDREEVA to the post of Head of the Spokesperson's Service and Chief Spokesperson of the Commission from 19 July 2019.

The PRESIDENT congratulated all the persons appointed who had been named that day. He expressed his sincere gratitude to Mr Margaritis SCHINAS for the work he had carried out as the Commission's Chief Spokesperson and wished him good luck in his future political responsibilities at the Commission (see also the PRESIDENT's conclusions at the end of these minutes).

8.1. SECRETARIAT-GENERAL – MODIFICATION OF ORGANISATION CHART AND TRANSFER OF AN AD15 OFFICIAL

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

- to create a temporary post of adviser hors classe in the Secretariat-General; this post would be abolished upon the departure of the job holder;
- to transfer to the post, in the interest of the service, under Article 7 of the Staff Regulations, Mr Martin SELMAYR, currently Secretary-General of the Commission; in this capacity, he would advise the PRESIDENT on important strategic matters.

This decision would take effect on 1 August 2019.

8.2. DG COMMUNICATION – MODIFICATION OF ORGANISATION CHART AND APPOINTMENT OF AD15 HEAD OF THE EUROPEAN COMMISSION REPRESENTATION IN VIENNA

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Mr Martin SELMAYR, adviser hors classe in the Secretariat-General, to the post of Head of the European Commission Representation in Vienna.

By derogation from the Commission Decision on middle management staff (C(2016) 3288), the post of Head of the Commission's Representation in Vienna would be upgraded to the level of senior management for the duration of Mr SELMAYR's posting.

This decision would take effect on 1 November 2019.

8.3. SECRETARIAT GENERAL – DEPUTISING FOR THE SECRETARY-GENERAL

The Commission took note of the fact that, under Article 26 of its Rules of Procedure, if the post of Secretary-General became vacant, the Secretary-General's duties were carried out by the Deputy Secretary-General present, in the following order of replacement:

- Ms Ilze JUHANSONE
- Mr Pascal LEARDINI
- Ms Céline GAUER

If there was no Deputy Secretary-General present, the subordinate official present in the highest function group with the highest grade or, in the event of equal grade, the subordinate official with the greatest seniority in the grade or, in the event of equal seniority, the one who was the eldest, would deputise.

8.4. DG COMPETITION – RESIGNATION OF AN AD16 OFFICIAL UNDER ARTICLE 48 OF THE STAFF REGULATIONS

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms VESTAGER and also Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided to accept, in accordance with Article 48 of the Staff Regulations, the resignation of Mr Johannes LAITENBERGER, Director-General of DG Competition, with effect from 1 September 2018.

This decision would take effect immediately.

8.5. DG INTERNATIONAL COOPERATION AND DEVELOPMENT – APPOINTMENT OF AD15/16 DIRECTOR-GENERAL (PERS(2019) 57 TO /4)

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The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director-General of DG International Cooperation and Development (PERS(2019) 57 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 10 and 19 July 2019 (PERS(2019) 57/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms MIMICA and also Ms MOGHERINI, the Commission decided to appoint Mr Koen DOENS to the post.

This decision would take effect on a date to be determined.

**8.6. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF
AD15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2019) 72 TO /3)**

The Commission had before it an application under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of Directorates C, D, F and G in DG Economic and Financial Affairs (PERS(2019) 72).

It took note of the opinions of the Consultative Committee on Appointments of 28 June and 9 July 2019 (PERS(2019) 72/2 and /3).

The Commission proceeded to consider the applicant's qualifications for the post. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Mr MOSCOVICI and also Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided to appoint Mr Declan COSTELLO to the post.

This decision would take effect on 1 August 2019.

**8.7. DG EUROPEAN CIVIL PROTECTION AND HUMANITARIAN AID OPERATIONS (ECHO) – APPOINTMENT OF AD15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2019) 50 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General of DG European Civil Protection and Humanitarian Aid Operations (PERS(2019) 50).

It took note of the opinions of the Consultative Committee on Appointments of 16 May and 14 June 2019 (PERS(2019) 50/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms STYLIANIDES and also Ms MOGHERINI, the Commission decided to appoint Mr Michael KOEHLER to the post.

This decision would take effect on 1 August 2019.

**8.8. EUROSTAT – APPOINTMENT OF AD15/16 DEPUTY DIRECTOR-GENERAL
(PERS(2018) 41 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) and Article 29(1)(b) of the Staff Regulations for the post of Deputy Director-General in charge of Directorates B, E, F and G in Eurostat (PERS(2018) 41).

It took note of the opinions of the Consultative Committee on Appointments of 20 December 2018 and 11 July 2019 (PERS(2018) 41/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr OETTINGER, in agreement with

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the PRESIDENT and after consulting Ms THYSSEN and also Mr DOMBROVSKIS and Mr KATAINEN, the Commission decided to appoint Mr Gallo GUEYE to the post.

This decision would take effect on 1 August 2019.

8.9. DG MARITIME AFFAIRS AND FISHERIES – MODIFICATION OF THE ORGANISATION CHART

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Mr VELLA and also Mr ŠEFČOVIČ and Mr KATAINEN, the Commission decided to modify the organisation chart of DG Maritime Affairs and Fisheries by creating a post of Deputy Director-General.

This decision would take effect immediately.

8.10. DG COMMUNICATION – HEAD OF THE SPOKESPERSON'S SERVICE AND CHIEF SPOKESPERSON OF THE EUROPEAN COMMISSION

The Commission took note of the resignation of Mr Margaritis SCHINAS from the post of Head of the Spokesperson's Service and Chief Spokesperson of the European Commission, and of the PRESIDENT's decision to appoint Ms Mina ANDREEVA to the post, with effect from 19 July 2019.

8.11. DG BUDGET – APPOINTMENT OF AD14/15 DIRECTOR (PERS(2019) 73 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the 'Revenue and Multiannual Financial Framework' Directorate in DG Budget (PERS(2019) 73).

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It took note of the opinions of the Consultative Committee on Appointments of 1 and 18 July 2019 (PERS(2019) 73/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Mr Andreas SCHWARZ to the post.

This decision would take effect on 1 August 2019.

**8.12. DG COMMUNICATION – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2019) 66 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the 'Political Communications and Services' Directorate in DG Communication (PERS(2019) 66).

It took note of the opinions of the Consultative Committee on Appointments of 3 and 18 July 2019 (PERS(2019) 66/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Ms Lene NAESAGER to the post.

This decision would take effect on a date to be determined.

**8.13. DG COMMUNICATION – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2019) 65 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the 'Representation and Communication in Member States' Directorate in DG Communication (PERS(2019) 65).

(24 July 2019)

It took note of the opinions of the Consultative Committee on Appointments of 21 June and 4 July 2019 (PERS(2019) 65/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Mr Richard KUEHNEL to the post.

This decision would take effect on 1 September 2019.

8.14. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2019) 58 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the 'Investigation and Disciplinary Office' Directorate in DG Human Resources and Security (PERS(2019) 58).

It took note of the opinions of the Consultative Committee on Appointments of 29 May and 13 June 2019 (PERS(2019) 58/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Ms Georgeta NICOLAIE to the post.

This decision would take effect on 1 August 2019.

8.15. SECRETARIAT-GENERAL – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2019) 67 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the 'Strategy, Better

(24 July 2019)

Regulation & Corporate Governance’ Directorate in the Secretariat-General (PERS(2019) 67).

It took note of the opinions of the Consultative Committee on Appointments of 25 and 27 June 2019 (PERS(2019) 67/2 and /3).

The Commission proceeded to compare the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Ms Jivka PETKOVA to the post.

This decision would take effect on 1 August 2019.

**8.16. SECRETARIAT-GENERAL – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2019) 68 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director of the ‘External Relations’ Directorate in the Secretariat-General (PERS(2019) 68).

It took note of the opinions of the Consultative Committee on Appointments of 2 and 4 July 2019 (PERS(2019) 68/2 and /3).

The Commission proceeded to compare the applicants’ qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Mr Michael KARNITSCHNIG to the post.

This decision would take effect on 1 August 2019.

**8.17. DG CLIMATE ACTION – APPOINTMENT OF AD14/15 PRINCIPAL
ADVISER
(PERS(2018) 65 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Adviser for the Governance of the Energy Union in DG Climate Action (PERS(2018) 65).

It took note of the opinions of the Consultative Committee on Appointments of 21 January and 28 February 2019 (PERS(2018) 65/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr ARIAS CAÑETE and also Mr ŠEFČOVIČ and Mr KATAINEN, it then decided to appoint Mr Dusan CHRENEK to the post.

This decision would take effect on a date to be fixed later.

8.18. DG COMMUNICATION – EXTENSION OF THE POSTING OF THE HEAD OF THE EUROPEAN COMMISSION REGIONAL REPRESENTATION IN BARCELONA

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, the Commission decided to derogate from Article 3 of Commission Decision C(2008) 3983 of 31 July 2008 on establishing rules on the rotation of officials in Representations, and, exceptionally, to further extend the period of posting of Mr Ferrán TARRADELLAS i ESPUNY as Head of the European Commission Regional Representation in Barcelona, from 1 September 2019 to 31 October 2019.

This decision would take effect on 1 September 2019.

8.19. DG MARITIME AFFAIRS AND FISHERIES – AMENDMENT OF THE ORGANISATION CHART AND SECONDMENT OF AN AD16 OFFICIAL IN THE INTERESTS OF THE SERVICE UNDER ARTICLES 37 AND 38 OF THE STAFF REGULATIONS

(24 July 2019)

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

- to create a temporary post of adviser hors classe in DG Maritime Affairs and Fisheries; this post would be abolished upon the departure of the job-holder;
- to transfer to the post, in the interest of the service, under Article 7 of the Staff Regulations, Mr João AGUIAR MACHADO, currently Director-General of DG Maritime Affairs and Fisheries;
- to second Mr João AGUIAR MACHADO, for a period of four years, in the interest of the service under Articles 37 and 38 of the Staff Regulations, to the European External Action Service (EEAS) to occupy the post of Head of the Permanent Mission of the European Union to the World Trade Organisation; for the duration of his secondment, all costs would be covered by the European External Action Service.

This decision would take effect on 1 October 2019, subject to the agreement of the host country.

8.20. DG MIGRATION AND HOME AFFAIRS – AMENDMENT OF THE ORGANISATION CHART AND SECONDMENT OF AN AD15 OFFICIAL IN THE INTERESTS OF THE SERVICE UNDER ARTICLES 37 AND 38 OF THE STAFF REGULATIONS

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr AVRAMOPOULOS and also Mr TIMMERMANS, the Commission decided:

- to create a temporary post of adviser hors classe in DG Migration and Home Affairs; this post would be abolished upon the departure of the job-holder;

(24 July 2019)

- to transfer to the post, in the interest of the service, under Article 7 of the Staff Regulations, Mr Simon MORDUE, currently Deputy Director-General of DG Migration and Home Affairs;
- to second Mr Simon MORDUE, for a period of four years, in the interest of the service under Articles 37 and 38 of the Staff Regulations, to the European External Action Service (EEAS) to occupy the post of Head of the European Union Delegation in Kenya; for the duration of his secondment, all costs would be covered by the European External Action Service.

This decision would take effect on 1 September 2019, subject to the agreement of the host country.

8.21. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF LISTS OF CANDIDATES FOR HEAD OF EUROPEAN UNION DELEGATION POSTS IN MEXICO (AD14/15-AD14) AND KUWAIT (AD9/14-AD12), A DEPUTY HEAD OF DELEGATION POST IN KENYA (AD9/14-AD12), AND A HEAD OF DELEGATION POST IN TURKMENISTAN (AD9/14-AD12) (PERS(2019) 75; PERS(2017) 76)

The Commission took note of the information in point 11 of PERS(2019) 74 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, decided to approve the lists of candidates for the posts of Head of the European Union Delegations to Mexico and Kuwait, and Deputy Head of the European Union Delegation to Kenya, as well as the list of candidates for the appointment of the Head of the European Union Delegation to Turkmenistan, as set out in PERS(2019) 75 and PERS(2019) 76 respectively, which would serve as a basis for the competent authority of the European External Action Service to make the final appointments.

These decisions would take effect immediately.

8.22. DG RESEARCH AND INNOVATION – SECONDMENT OF AN AD14 OFFICIAL TO THE EUROPEAN RESEARCH COUNCIL EXECUTIVE AGENCY

The Commission took note of the information in point 12 of PERS(2019) 74 and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, and after consulting Mr MOEDAS and also Mr ŠEFČOVIČ, Mr DOMBROVSKIS and Mr KATAINEN, decided to second to the European Research Council Executive Agency in Brussels (ERCEA) Mr Waldemar KÜTT, currently Head of Unit of the ‘Bio-economy and Food Systems’ unit in DG Research and Innovation, who, as the official at the highest grade and with the greatest seniority at that grade, would temporarily fill the post of Director of the Executive Agency until the new director took up his post.

This decision would take effect on 1 August 2019.

8.23. SECRETARIAT-GENERAL / INDEPENDENT REGULATORY SCRUTINY BOARD – EXTENSION OF THE TERM OF OFFICE OF A MEMBER OF THE REGULATORY SCRUTINY BOARD

The Commission took note of the information in point 13 of PERS(2019) 74 and, on a proposal from the PRESIDENT, in agreement with Mr TIMMERMANS and Mr OETTINGER, decided, pursuant to Article 3(6) of the PRESIDENT’s Decision on the rules establishing the independent Regulatory Scrutiny Board (RSB) (see also item 8.26 of these minutes), to extend, on an exceptional basis, the term of office of Mr Nils BJÖRKSTEN as a member of the independent Regulatory Scrutiny Board as well as his contract as a temporary agent, for a period of one year, in order to ensure the quorum of four members required to take decisions.

This decision would take effect on 16 August 2019.

**8.24. SECRETARIAT-GENERAL – COMMISSION DECISION APPROVING
THE MEMORANDUM OF UNDERSTANDING ON ADMINISTRATIVE
COOPERATION BETWEEN THE EUROPEAN COMMISSION AND
THE EUROPEAN UNIVERSITY INSTITUTE IN FLORENCE
(C(2019) 5566)**

The Commission adopted the decision aimed at putting in place practical arrangements for administrative cooperation between the European Commission and the European University Institute in Florence in common areas of activity, set out in C(2019) 5566, and authorised the Secretary-General to sign, on behalf of the Commission, the Memorandum of Understanding attached to that decision.

**8.25. DECISION OF THE PRESIDENT RELATING TO MEASURES TO
PREVENT AND ADDRESS REAL, POTENTIAL OR REASONABLY
PERCEIVED CONFLICTS OF INTEREST
(C(2019) 5202)**

The Commission took note of the Decision of the President set out in C(2019) 5202.

**8.26. SECRETARIAT-GENERAL / INDEPENDENT REGULATORY
SCRUTINY BOARD – DECISION OF THE PRESIDENT ON AN
INDEPENDENT REGULATORY SCRUTINY BOARD
(C(2019) 5565)**

The Commission took note of the Decision of the President on the rules establishing the independent Regulatory Scrutiny Board (RSB), set out in C(2019) 5565 and amending and replacing that of 19 May 2015 (C(2015) 3263).

This decision would take effect immediately.

**8.27. DG COMMUNICATION – APPOINTMENT OF THE HEAD OF THE
EUROPEAN COMMISSION REPRESENTATION IN BERLIN**

The Commission took note of the Decision taken by the competent authority (the Appointing Authority) to transfer, under Article 7 of the Staff Regulations, Mr Jörg WOJAHN, currently Head of the Commission Representation in Vienna, to the post of Head of the Commission Representation in Berlin, with effect from 1 September 2019.

9. OTHER BUSINESS

***MAIN RESULTS OF THE EU-CANADA SUMMIT (MONTREAL, 17 AND
18 JULY 2019)***

The PRESIDENT invited Ms MALMSTRÖM to report on the EU-Canada Summit held in Montreal on 17 and 18 July 2019, at which she had represented him alongside the President of the European Council, Mr Donald TUSK.

Ms MALMSTRÖM emphasised the cordial and successful nature of the summit, at which the Union and Canada had confirmed their friendship, close cooperation and converging interests. The parties had signed a Memorandum of Understanding on the conclusion of an Ocean Partnership, which had received considerable media attention.

In conclusion, she welcomed the reiteration by the EU and Canada of their faith in the values of multilateralism, environmental protection and rules-based international cooperation.

The Commission noted this information.

**10. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON A GOVERNANCE FRAMEWORK FOR THE BUDGETARY INSTRUMENT FOR CONVERGENCE AND COMPETITIVENESS FOR THE EURO AREA
(COM(2019) 354 TO /3; RCC(2019) 93)**

The PRESIDENT asked Mr DOMBROVSKIS and Mr OETTINGER to present the proposal for a Regulation on a governance framework for the budgetary instrument for convergence and competitiveness (BICC) for the euro area, which they were jointly submitting for approval by the Commission, in agreement with the PRESIDENT.

Mr DOMBROVSKIS began by stressing that, during its term of office, the current Commission had constantly striven to deepen the economic and monetary union in order to make the European economy more solid and more efficient. He pointed out in this context that, at the Euro Summit in extended format in June, the leaders of the EU 27 had agreed on a package of measures to pursue this path, in particular by strengthening the European Stability Mechanism (ESM) through the introduction of a backstop in the Banking Union to deal with crisis situations. These measures also included the creation of a budgetary instrument for convergence and competitiveness for the euro area, the aim of which was to help achieve the upward convergence of the European economies.

He explained that the present proposal for a Regulation set out to establish a governance framework for this instrument in the context of the Reform Support Programme already proposed by the Commission. At the extended summit in June, the 27 Member States had decided that the new budgetary instrument for convergence and competitiveness would be introduced for the euro area and, on a voluntary basis, for the Member States participating in the exchange rate mechanism (ERM II), while preserving the decision-making autonomy of the euro-area Member States.

Mr DOMBROVSKIS also reminded the meeting that, even before that summit, the Commission had announced that it was prepared to propose a new regulation based on Article 136 of the Treaty on the Functioning of the European Union, in order to anchor this governance framework in the Community method, which was the case with that day's legislative proposal.

He explained that the proposed governance framework was perfectly consistent with the now well-established European Semester exercise for economic and budgetary policy coordination in the Union. As regards the functioning of the framework, the euro-area Member States would set annual strategic guidelines on the reforms and investments to be carried out as a priority in the euro area as a whole. They would also draw up country-specific guidance on the objectives of the reforms and investments which the budgetary instrument for convergence and competitiveness could support.

Mr DOMBROVSKIS concluded by pointing out that this proposal for a Regulation was timed to enable the European Parliament and the Council to have everything in place in order to adopt the necessary legislation before the conclusion of the discussions on the Multiannual Financial Framework for the period 2021 to 2027.

Mr OETTINGER explained for his part that the European Union budget would in future provide financial support for the structural reform measures and investments proposed by the euro-area Member States. This financial support would make EU spending more efficient and support convergence and competitiveness in the euro area. He also pointed out that negotiations were under way on the budgetary allocation for this instrument for convergence and competitiveness for the period 2021 to 2027 and that the Commission's initial proposal was EUR 25 billion for the whole period.

Compared to the figure for the allocation in question mentioned by certain Heads of State or Government, the PRESIDENT and Mr MOSCOVICI noted that, although this was a first step, it was all in all a rather modest one.

Following these presentations, the Commission adopted the proposal for a Regulation in COM(2019) 354/2 and /3, for transmission to the European Parliament, the Council, the European Central Bank and the national parliaments, and, for information, to the European Council.

**11. COMMISSION IMPLEMENTING DECISION ON THE PROLONGATION OF ENHANCED SURVEILLANCE FOR GREECE
(C(2019) 5900)**

The PRESIDENT asked Mr MOSCOVICI to inform the College briefly about the Implementing Decision on the prolongation of enhanced surveillance for Greece, which was the subject of a finalisation written procedure expiring on Friday 26 July.

Mr MOSCOVICI noted that, one year ago, the Commission had decided to place Greece under enhanced surveillance in order to accompany its reforms and fiscal consolidation from 2018 to 2022, thereby marking the end of the financial assistance programmes set up following the crisis and the beginning of a normalisation of the country's budgetary situation.

On Friday 26 July the Commission was set to renew this decision for six months, as it had already done in February. The surveillance framework covered a period of four years, but its legal provisions were valid for six months. During these four years, Greece would have to undertake a number of reforms defined by the Eurogroup in June 2018 with the help of the Commission.

Mr MOSCOVICI noted that the results of the first year of enhanced surveillance were generally positive, although the pace of reforms had slowed in the last few months because of the elections, leaving some commitments still outstanding, and there were also risks threatening achievement of the budgetary surplus target.

He noted that the new Greek Government which had taken office at the beginning of July seemed to be prepared to work on these reforms and to cooperate with the Commission, while focusing on investment and the stimulation of growth.

To conclude, Mr MOSCOVICI asked to return briefly to the administrative decisions presented by Mr OETTINGER at the beginning of the meeting, stressing that the appointment of Mr Declan COSTELLO, the Head of Mission to Greece, as Deputy Director-General for Economic and Financial Affairs, was confirmation that Greece was in a budgetary normalisation phase. He praised the exceptional qualities which Mr COSTELLO had shown in the service of Europe and welcomed his deserved promotion (see also item 8.6 of these minutes).

The PRESIDENT, who had followed developments in Greece day-to-day over many years, added to these comments by welcoming the appointment of Mr COSTELLO and the excellent work he had done in Greece in sometimes trying circumstances, which in his view was proof that the quality of the European civil service was unrivalled.

Following this presentation, the Commission confirmed the adoption of the Implementing Decision currently set out in C(2019) 5900 by finalisation written procedure, the deadline for which had been set at 10.00 on Friday 26 July (PE/2019/5330).

**12. COMMISSION OPINION IN ACCORDANCE WITH ARTICLE 7h(2) OF
DIRECTIVE 1999/62/EC CONCERNING THE INTRODUCTION OF A NEW
TOLLING ARRANGEMENT IN GREECE
(C(2019) 5139 TO /3)**

Ms BULC presented to the Commission the draft opinion concerning the introduction of a new tolling arrangement in Greece, drawn up in accordance with Article 7h(2) of Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures ('Eurovignette').

She explained that by letter of 19 January 2018, the Greek authorities had provided the Commission with information on the introduction in two stages of a new infrastructure charge tolling arrangement on the *Egnatia Odos* motorway and on the vertical axes thereof. She noted that since that date the Commission had had regular exchanges with the Greek authorities on the most important aspects of the new scheme in order to ensure among other things compliance with the ‘Eurovignette’ Directive, which laid down the tariff principles applicable to heavy goods vehicles. The Union had no competence in relation to the tariffs applicable to buses and private cars.

She noted that the Greek authorities were planning a substantial increase in toll charges, from 8.4 to 14 eurocents per kilometre for heavy goods vehicles. However, the overall price for both heavy goods vehicles and cars would remain relatively low compared with the tariffs applied in other Member States. This overall tariff represented nearly 50% of the cost of the infrastructure, which was well below the rate of recovery of infrastructure costs authorised by the ‘Eurovignette’ Directive.

She noted that this new tolling arrangement was part of the process of privatising the *Egnatia Odos* motorway, which should be completed by the end of the year.

Ms BULC concluded by saying that, in its assessment, the Commission considered the introduction of the new tolling arrangement notified by the Greek authorities to be compliant with the Directive.

A short discussion ensued, during which the main points raised by the Commission were the importance of taking into account the possible social impact of a substantial increase in the tariffs applied to heavy goods vehicles, as well as the need to implement measures to tackle corruption and apply a transparent system of toll charges.

Ms BULC reminded the meeting that some of the Commission’s proposals concerning toll systems were currently before the European Parliament and the Council for adoption. She explained that a common pricing formula across the

Union would take full account of the ‘polluter pays’ principle and added that the Finnish Council Presidency was planning to have a general approach adopted before the end of the year.

The Commission adopted the opinion in C(2019) 5139/3 and decided to notify it in the authentic language (Greek) to the addressees of the opinion.

**13. NOTICE FROM THE COMMISSION – GUIDANCE ON THE PARTICIPATION OF THIRD-COUNTRY BIDDERS AND GOODS IN THE EU PROCUREMENT MARKET
(C(2019) 5494 AND /2; RCC(2019) 92)**

Ms BIENKOWSKA presented to the College for approval the communication giving guidance on the participation of third-country bidders in the EU procurement market. She explained that this guidance was part of a package of Commission initiatives to guarantee a high-quality procurement market and ensure fair competition and a level playing field. She added that this guidance was the first of the ten actions that were set out in the Commission’s March 2019 Communication entitled ‘EU-China – A strategic outlook’ and supported by the European Council.

She highlighted the fact that public procurement represented a significant part of the EU economy, around 14% of the Union’s gross domestic product.

She also pointed out that public procurement often involved strategic investment by Member States, particularly in the field of energy or transport infrastructure. She gave the example of public procurement for the deployment of the 5G telecommunications network, which had received a lot of attention and raised the issue of the participation of third-country bidders.

Against this backdrop, Ms BIENKOWSKA felt that national authorities needed reassurance as to the suitability of the tools provided for by EU legislation to ensure

the right conditions for fair competition and a level playing field in public procurement.

She explained that bidders could in fact be from third countries that did not treat EU bidders fairly in their own procurement procedures, were not bound by equivalent social or environmental standards to those in the EU, or did not apply State aid controls that were as strict as those used in the EU. Any one of these aspects could put EU bidders, products and services at a disadvantage.

She pointed out that the guidance on the participation of third-country bidders in the EU procurement market specified that, in the absence of an agreement covering procurement or a free-trade agreement, third countries were not guaranteed access to the EU's procurement market and could therefore be excluded from taking part. This clarification was based on the interpretation of the applicable Directives in that area.

More generally, she noted that the guidance included practical advice for public buyers in the Member States in order to help them to establish which third-country bidders had guaranteed access to the EU's procurement market. The guidance was also designed to promote the principle whereby the price of bids was not the only aspect taken into account in selection procedures that applied to public procurement. Public buyers could therefore use the flexibility provided for in the legal framework to set high standards in terms of labour law, environmental protection and quality, and require that all bidders met those standards, regardless of their origin.

Lastly, she pointed out that the guidance was a reminder for contracting authorities that, in line with the rules in force, they could reject bids that were inexplicably low, which was why the guidance contained a checklist of questions to ask bidders so that they could justify the price of their bids.

Ms BIENKOWSKA ended her presentation by highlighting the political importance of the communication, which, although it did not impose any new rules, clarified and explained the existing ones, while allowing the Member States to take different

approaches and confirming that they could use their judgement as regards bidders from third countries that had not entered into an agreement with the EU.

Mr ŠEFČOVIČ considered that the Commission's communication gave EU operators valuable guidance on how to approach global trade. He also noted that the guidance should promote greater reciprocity in terms of access to procurement markets in third countries. He emphasised in particular the dramatic effects of unfair competition on the global steel market, which had resulted in the closure of steel works in Europe. He therefore felt that it was appropriate to consider including greenhouse gas emissions from the production process as a means of differentiating between products in the future. He gave the example of Chinese steel, the production of which generated three times as many greenhouse gas emissions as steel produced in the EU. Lastly, he returned to the issue of the social consequences of redundancies when steel works were shut down.

The PRESIDENT issued a reminder regarding the importance of ensuring a level playing-field in international trade and strict reciprocity in the conditions for third-country access to procurement markets. He also referred to the disastrous social consequences that could be caused by unfair competition and recommended using all possible imaginative political solutions to prevent mass redundancies, in particular by favouring retraining plans or early retirement plans.

The Commission approved the communication in C(2019) 5494/2 and decided to publish it, for information, in the Official Journal of the European Union.

14. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – TOWARDS BETTER IMPLEMENTATION OF THE EU'S ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM FRAMEWORK (COM(2019) 360 TO /3; RCC(2019) 89)

- 15. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE ASSESSMENT OF THE RISK OF MONEY LAUNDERING AND TERRORIST FINANCING AFFECTING THE INTERNAL MARKET AND RELATING TO CROSS-BORDER ACTIVITIES (COM(2019) 370 AND /2; SWD(2019) 650; RCC(2019) 89)**
- 16. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE ASSESSMENT OF RECENT ALLEGED MONEY LAUNDERING CASES INVOLVING EU CREDIT INSTITUTIONS (COM(2019) 373 AND /2; RCC(2019) 89)**
- 17. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ON THE INTERCONNECTION OF NATIONAL CENTRALISED AUTOMATED MECHANISMS (CENTRAL REGISTRIES OR CENTRAL ELECTRONIC DATA RETRIEVAL SYSTEMS) OF THE MEMBER STATES ON BANK ACCOUNTS (COM(2019) 372 AND /2; RCC(2019) 89)**
- 18. REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL ASSESSING THE FRAMEWORK FOR COOPERATION BETWEEN FINANCIAL INTELLIGENCE UNITS (COM(2019) 371 AND /2; RCC(2019) 89)**
- 19. STATE OF PLAY WITH REGARD TO THE DELEGATED ACT ON HIGH RISK THIRD COUNTRIES IN THE AREA OF MONEY-LAUNDERING AND TERRORIST FINANCING (INFO(2019) 51)**

Mr TIMMERMANS presented the set of documents that the Commission had drawn up relating to the fight against money laundering and terrorist financing. He explained that the four reports that accompanied the Communication would ensure better implementation of EU policy in this fundamentally important area.

He stressed that the current Commission had put strict rules in place thanks to the fourth and fifth anti-money laundering directives and had strengthened the supervisory role of the European Banking Authority. However, recent incidents had demonstrated that a certain number of structural shortcomings still needed to be addressed, in terms of both financial institutions and supervisory bodies.

He said that the supranational risk assessment report gave an up-to-date overview of sectoral risks relating to money laundering and terrorist financing, while the assessment reports on recent high-profile money laundering cases in the financial sector, on the financial intelligence units and on the interconnection of centralised bank account registries analysed the shortcomings observed in current anti-money laundering supervision and cooperation, and proposed ways in which those shortcomings could be addressed.

He pointed out that a short introductory communication summarised the various reports and took stock of the implementation of the EU legal framework.

Mr TIMMERMANS concluded by explaining that the set of documents presented that day would serve as a basis for future strategic choices that would need to be made as to how to further strengthen the EU's anti-money laundering framework. He reminded the College that the next Commission would be responsible for taking decisions in that area and that it might, in order to close off all opportunities for criminals and terrorists to abuse the EU's financial system and threaten the security of European citizens, examine the possibility of proposing an instrument other than the directives, such as rules that would be directly applicable in the Member States.

Mr DOMBROVSKIS highlighted the fact that it was vital to establish a credible framework for preventing and combating money laundering and terrorist financing in order to maintain the integrity of the European financial system and reduce risks to financial stability. He pointed out that although the EU rules in this area were the strictest in the world, analysis had produced new evidence that those rules were not applied in the same way by all banks and in all countries across the EU. He

considered that this was a structural problem that the EU would need to resolve if it wanted to prevent the financial system from being used for unlawful purposes.

He reminded the College that, following the recent cases of alleged money laundering, the EU's credit institutions, supervisory bodies and institutions had put in place a number of measures, the last of which was the decision to confer greater powers on the European Banking Authority. He felt that the set of documents in question helped to pave the way for the next Commission to continue this good work.

Ms JOUROVÁ felt it was important not to tolerate any weak areas in the Union that could be exploited by criminals. She explained that each Member State had to deal with this issue as a matter of urgency and undertake to implement the EU's legal provisions on the ground. She informed the College that she would present the reports the following day to the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE).

She also reminded the College of the discussions on the external dimension of anti-money laundering and anti-terrorist financing policy and, in particular, the adoption by the College last February of a list of third countries with insufficient mechanisms in place to combat these unlawful practices. Although supported by the Parliament, the proposal had been rejected by the Council, which had questioned the methodology used and had asked for the Member States to be widely involved, as well as the third countries concerned. She explained that a new methodology was being prepared and would soon be submitted to the College with a view to it possibly being presented to the Economic and Financial Affairs Council in October. However, she added that the proposal would not include a new list.

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

- support for the Commission’s firm position with regard to any compromise that might create vulnerabilities that could endanger the integrity of the European financial system;
- the importance of further engagement with third countries to more effectively combat the unlawful practices of money laundering and terrorist financing.

The PRESIDENT noted the Commission’s unanimous agreement on the content of the communication and the four reports on the fight against money laundering and terrorist financing.

The Commission approved the communication and the four reports in COM(2019) 360/3, COM(2019) 370/2, COM(2019) 373/2, COM(2019) 372/2 and COM(2019) 371/2 for transmission to the European Parliament and the Council and, for information, to the national parliaments, together with, for the risk assessment report, the staff working document distributed as SWD(2019) 650, the contents of which were noted.

The Commission also took note of the information in INFO(2019) 51.

20. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – STEPPING UP EU ACTION TO PROTECT AND RESTORE THE WORLD’S FORESTS

(COM(2019) 352 AND /2; SWD(2019) 307; RCC(2019) 87)

Mr TIMMERMANS presented the communication aimed at stepping up EU action to protect and restore the world’s forests, which was the result of close cooperation with Mr KATAINEN, Ms MALMSTRÖM, Mr MIMICA, Mr VELLA, Mr HOGAN, their cabinets and the Commission departments.

He began by noting that unfortunately, it was clear that deforestation and forest degradation were now one of the most urgent challenges for the sustainable development, well-being and prosperity of humanity.

He explained that the approach put forward by the Commission therefore had two aims, namely, to protect and improve the health of existing forests, in particular primary forests, on the one hand, and to significantly increase the global forest area by guaranteeing its sustainability and biodiversity, on the other. It also provided for measures to strengthen international cooperation with stakeholders and Member States, encourage sustainable financing, promote better use of land and resources, create jobs, manage the sustainable supply chain, stimulate research and collect targeted and high-quality data. He added that the Commission was also launching an assessment of possible regulatory measures to minimise the impact of EU consumption on deforestation and forest degradation, in order to properly prepare the decisions on possible legislative measures to be put before the next Commission.

He stressed the importance of taking care of the planet's green lungs and the impossibility of achieving the EU's ambitious climate objectives without protecting forests. None of the world's major primary forests were located within the EU, yet the actions of Europeans as individuals and the EU's political choices had a major impact on them. The Commission therefore wished to send a strong signal to citizens and international partners that the EU was ready to play a leading role in this area over the next five years and beyond.

Mr VELLA added that stronger and more effective European action was needed to protect and restore forests because the situation was still fragile, despite the efforts already made. He pointed out that deforestation had a destructive effect on biodiversity, the climate and the economy, and added that forests had been destroyed for two or three decades worldwide at a rate equivalent to 800 football pitches per hour.

Mr KATAINEN highlighted the link between the EU's trade policy and deforestation. He explained that to date, the territory of the European Union had not

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been directly affected by deforestation, but as an importer of goods produced as a result of deforestation, it was *de facto* jointly responsible for the serious consequences of this practice. He pointed out that the Commission had obtained commitments to limit deforestation in the negotiation of trade agreements, including the one concluded with the Mercosur countries (Argentina, Brazil, Uruguay and Paraguay). The EU therefore had, for the first time, a means of political pressure that could be used to encourage its trading partners to pursue more sustainable and ecological development.

In the course of the discussion that followed, the Commission confirmed the importance of having obtained binding commitments from the EU's trading partners, in particular with regard to the Paris climate agreement.

The PRESIDENT noted the College's agreement on the content of the approach put forward by the Commission in order to step up EU action to protect and restore the world's forests.

The Commission noted that the communication in COM(2019) 352/2 had been adopted by urgent written procedure on Tuesday 23 July at 11.00 (PE/2019/5217).

**21. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – DATA PROTECTION RULES AS A TRUST-ENABLER IN THE EU AND BEYOND – TAKING STOCK
(COM(2019) 374 TO /3; RCC(2019) 91)**

The PRESIDENT gave the floor to Ms JOUROVÁ to present to the College the Commission Communication taking stock of the first year of application of the General Data Protection Regulation (GDPR) in the Union and beyond.

Ms JOUROVÁ stressed that the protection of personal data was a fundamental right in the European Union and that the General Data Protection Regulation was a unique set of rules reflecting a common approach at EU level, which had applied

directly in the Member States since 25 May 2018.

Since then, practically all the Member States had adapted their national legislation to take account of this Regulation. The national data protection authorities were responsible for enforcing the new rules and were improving the coordination of their actions through new cooperation mechanisms and the European Data Protection Board. They were issuing guidelines on the key aspects of the Regulation to encourage their implementation.

After a year of application, she was pleased at the positive results of the General Data Protection Regulation. It provided Europeans with a robust tool to address the challenges of digitalisation while giving them control of their personal data. It gave businesses the opportunity to make the most of the digital revolution, while building people's trust. Beyond Europe, it opened up possibilities for digital diplomacy to promote high standards of protection for data flows between countries that shared EU values.

However, she acknowledged that work needed to continue for the new data protection regime to become fully operational and effective.

She said that thanks to the Regulation, EU citizens were increasingly aware of data protection rules and of their rights. However, awareness-raising efforts should continue, particularly by encouraging people to read privacy statements and to optimise their privacy settings.

Ms JOUROVÁ added that the Commission had also set out concrete measures to further strengthen data protection rules and the application of those rules. She began by mentioning the principle of 'one continent, one law'. All the Member States – except for Greece, Portugal and Slovenia – had updated their national data protection laws in line with EU rules. The Commission would continue to closely monitor national legislation to ensure that when Member States aligned their own legal systems with EU rules, they did so within the limits of the Regulation and without 'over-transposition'.

She went on to say that although enterprises, too, were adapting their practices, which gave them a competitive advantage, too many of them (particularly small and medium-sized enterprises) still felt a degree of uncertainty about their situation vis-à-vis the GDPR. This was why the Commission was continuing to support the responsible authorities by granting them funding for information campaigns. It was calling on the European Data Protection Board to speed up its work to make life easier for enterprises with the help of innovative solutions such as standard contractual clauses, codes of conduct and certification. This was the toolbox provided by the GDPR to help businesses to comply with the legislation, thereby giving them more certainty.

Under the GDPR, the data protection authorities had greater powers to enforce the rules, and had made use of these powers. The Commission encouraged the national data protection authorities to pool their efforts, for example by conducting joint investigations, and would continue to provide financial support for their efforts to get their messages across to stakeholders.

Lastly, she welcomed the fact that the EU rules served as a reference for data protection standards worldwide. More and more countries were equipping themselves with modern data protection rules modelled on those of the EU. This upwards convergence was opening up new opportunities for safe data flows between the EU and third countries. The Commission would further intensify its dialogues on the adequacy of protection regimes while, beyond adequacy, it would explore the possibility of establishing multilateral frameworks to exchange data with trust.

With regard to the future, Ms JOUROVÁ felt that, by taking as inspiration Japan's idea 'Data Free Flow with Trust' and the Council of Europe's 'Convention 108', it was possible to help ensure that the rules on privacy in the digital world could be developed within a more multilateral framework and that the EU could be a promoter and a major actor in this respect.

She also drew attention to the fact that the General Data Protection Regulation was

an integral part of other policies, for example in the field of artificial intelligence, where the EU could be proud that the principles of its General Regulation were being adopted at international level, as was the case recently in the G20 and the Organisation for Economic Cooperation and Development.

To continue this positive trend, the Communication proposed a number of tasks for each of those involved – the Commission, the Member States, the European Data Protection Board and the national data protection authorities. The Communication stressed that the General Data Protection Regulation could succeed only if it was applied uniformly and compliance was robustly monitored throughout the EU, and only once a European culture existed in this field.

In conclusion, Ms JOUROVÁ stressed that the stocktaking contained in that day's Communication would feed into the review of the GDPR to be carried out by the next Commission in May 2020.

In the course of the brief discussion that followed, an observation was made about cases of excessive requests for information imposed by certain Member States on their citizens, and the fact that people attributed this undue burden to EU action rather than to their national legislation.

The PRESIDENT thanked Ms JOUROVÁ for her presentation and excellent work.

The Commission approved the communication in COM(2019) 374/3, for transmission to the European Parliament and the Council and, for information, to the national parliaments.

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The PRESIDENT wound up the meeting by regretting that it was the last meeting of the College during which he would be assisted by Mr Martin SELMAYR as Secretary-General. He thanked Mr SELMAYR very warmly for the considerable work he had carried out in recent years at his side, first as Head of Cabinet and then

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as Secretary-General. He was aware of everything that he himself and the current Commission owed to him and considered that, without him, the Commission could never have achieved what it had. He praised Mr SELMAYR as a committed and non-partisan European who devoted all his considerable energy to Europe, and expressed his deep gratitude to him for his unremitting commitment.

Mr SELMAYR recalled the day five and a half years ago when the PRESIDENT had called him to propose that he direct the election campaign for the presidency of the Commission. This had been an extraordinary moment in his life. He did not know the PRESIDENT personally, but had listened to him on the radio and television, in his youth in Germany, explaining and defending the European idea as a person, with a passion that had made a deep impression on him. He assured the PRESIDENT of his deep gratitude and sincerely thanked him for having had trust in him. He was happy to have been able, with him, with the College and with the Commission and its departments, to move Europe forward.

The whole College, led by the PRESIDENT, praised Mr Martin SELMAYR's outstanding qualities and performance. They thanked him for his efficient management of the Commission headed by Mr JUNCKER, first as the PRESIDENT's Chef de Cabinet and then as Secretary-General, as well as for his firm commitment to the Community method and his sense of duty. All the Members of the College applauded when Mr SELMAYR finished speaking.

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The meeting closed at 11.27.