



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2315 final

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

Brussels, 26 November 2019

TEXTE EN

MINUTES

**of the 2315th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 13 November 2019
(morning)**

PV(2019) 2315 final

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

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Single sitting: Wednesday 13 November 2019 (morning)

The sitting opened at 10.03 with Mr TIMMERMANS in the chair, the PRESIDENT being absent.

Present:

Mr TIMMERMANS	First Vice-President	
Ms MOGHERINI	High Representative / Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	Items 1 to 7 (in part)
Mr HAHN	Member	
Mr MIMICA	Member	Items 6 (in part) to 9
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr AVRAMOPOULOS	Member	Items 6 (in part) to 9
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms VESTAGER	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	Items 6 (in part) to 8

Absent:

Mr JUNCKER	President
Ms MALMSTRÖM	Member
Mr ANDRIUKAITIS	Member
Ms THYSEN	Member
Mr MOSCOVICI	Member
Ms BULC	Member
Mr MOEDAS	Member

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

Mr CEBALLOS BARÓN	Deputy Chef de cabinet to Ms MALMSTRÖM	Items 1 to 8
Mr VINČIŪNAS	Chef de cabinet to Mr ANDRIUKAITIS	Items 1 to 8
Ms BERNAERTS	Chef de cabinet to Ms THYSSEN	Items 1 to 8
Mr BAILLY	Chef de cabinet to Mr MOSCOVICI	Items 1 to 6 (in part)
Mr FELKE	Deputy Chef de cabinet to Mr MOSCOVICI	Items 6 (in part) to 8
Mr FAJARDO	Deputy Chef de cabinet to Ms BULC	Items 1 to 8
Mr VICENTE	Chef de cabinet to Mr MOEDAS	Items 1 to 8

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	Items 1 to 8
Ms ANDREEVA	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Ms METTLER	Head of the European Political Strategy Centre	Items 1 to 8
Mr LEARDINI	Deputy Secretary-General	Items 1 to 8
Mr SZOSTAK	Deputy Chef de cabinet to the PRESIDENT	
Ms CANENBLEY	Adviser in the PRESIDENT's Office	Items 1 to 6 (in part)
Ms BARA	Adviser in the PRESIDENT's Office	Items 6 (in part) to 8
Mr DELVAUX	Adviser in the PRESIDENT's Office	Items 7 and 8
Ms ARKI	PRESIDENT's Office	Items 1 to 8
Mr SMULDERS	Chef de cabinet to Mr TIMMERMANS	
Mr SCHULTE	A member of Mr OETTINGER's staff	Items 1 to 6 (in part)
Mr HEMMELGARN	Secretariat-General	Items 1 to 8
Mr CAINZOS	Secretariat-General	Items 1 to 8

Ms BERTAUD

Commission Spokesperson's Service

Secretary: Ms JUHANSONE, Acting Secretary-General, assisted by Mr AYET
PUIGARNAU, Director in the Secretariat-General.

Mr TIMMERMANS opened the meeting by asking the PRESIDENT's Chef de cabinet to report on President JUNCKER's health following the surgery he had undergone the previous morning (Tuesday 12 October).

Ms MARTÍNEZ ALBEROLA reported that the operation had gone well and that the PRESIDENT was doing well. He would continue to convalesce as planned over the coming weeks.

The College welcomed this excellent news.

* * *

1. AGENDAS

(OJ(2019) 2315/FINAL; SEC(2019) 2315/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) 2315)

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

3. APPROVAL OF THE MINUTES OF THE 2305TH, 2312TH, 2313TH AND 2314TH MEETINGS OF THE COMMISSION (24 JULY, 22 AND 30 OCTOBER, AND 6 NOVEMBRE 2019)

(PV(2019) 2305; PV(2019) 2312; PV(2019) 2312, 2ND PART)

The Commission approved the minutes of its 2305th and 2312th meetings and decided to hold over approval of the minutes of its 2313th and 2314th meetings for a later meeting.

4. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

4.1. WRITTEN PROCEDURES APPROVED (SEC(2019) 380 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 November 2019.

4.2. EMPOWERMENT (SEC(2019) 381 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 November 2019.

4.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2019) 382 ET SEQ)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 4 and 8 November 2019 archived in Decide.

4.4. SIGNIFICANT WRITTEN PROCEDURES (SEC(2019) 383 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 12 and 15 November 2019.

5. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2019) 384/2)

ADMINISTRATIVE MATTERS
(PERS(2019) 108/2)

5.1. DG COMMUNICATION – TRANSFER OF THREE AD14 OFFICIALS

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

- that the transfer of Mr Mikel LANDÁBASO ALVAREZ, an AD14 official and currently Director of the ‘Strategy & Corporate Communication’ Directorate in DG Communication, to the post of Director of the ‘Growth & Innovation’ Directorate in the Joint Research Centre in Seville, would take effect on 1 December 2019;
- to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Lene NAESAGER, an AD 14 official and currently Director of the ‘Political Communication and Services’ Directorate in DG Communication, to the post of Director of the ‘Strategy & Corporate Communication’ Directorate in the same DG;
- to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Dana SPINANT, an AD 14 official and currently Director of the ‘Budget, Communication and General Affairs’ Directorate in DG Regional and Urban Policy, to the post of Director of the ‘Political Communication and Services’ Directorate in DG Communication.

These decisions would take effect on 1 December 2019.

5.2. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – LIST OF CANDIDATES FOR THE POST OF VICE-CHAIR AND DIRECTOR RESPONSIBLE FOR MANAGING THE CORPORATE SERVICES OF THE SINGLE RESOLUTION BOARD AND FOR SUPERVISING THE SINGLE RESOLUTION FUND (PERS(2019) 93 TO /3)

The Commission noted the procedure followed, as set out in point 2 of PERS(2019) 108/2, and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT and Mr DOMBROVSKIS, it decided:

- to approve the list of candidates set out in alphabetical order in point 2 of PERS(2019) 108/2 for the post of Vice-Chair and Director responsible for managing the Corporate Services of the Single Resolution Board and for supervising the Single Resolution Fund, and to consider this list as the Commission's proposal;
- to ask Mr DOMBROVSKIS to communicate this list to Parliament and to inform the Council of the list;
- to ask Mr DOMBROVSKIS to present to the Commission in good time, following feedback from Parliament, the proposal for the appointment of the Vice-Chair and Director responsible for managing the Corporate Services of the Single Resolution Board and for supervising the Single Resolution Fund, for transmission to Parliament for approval.

These decisions would take effect immediately.

5.3. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – LIST OF CANDIDATES FOR TWO POSTS OF MEMBER OF THE BOARD OF THE SINGLE RESOLUTION BOARD / DIRECTOR OF RESOLUTION PLANNING AND DECISIONS (PERS(2019) 69 TO /3)

The Commission noted the procedure followed, as set out in point 2 of PERS(2019) 108/2, and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT and Mr DOMBROVSKIS, it decided:

- to approve the list of candidates set out in alphabetical order in point 3 of PERS(2019) 108/2 for two posts of Member of the Single Resolution Board / Director of Resolution Planning and Decisions, and to consider this list as the Commission's proposal;
- to ask Mr DOMBROVSKIS to communicate this list to Parliament and to inform the Council of the list;
- to ask Mr DOMBROVSKIS to present to the Commission in good time, following feedback from Parliament, the proposal for the appointment of the two Members of the Single Resolution Board / Directors of Resolution Planning and Decisions, for transmission to Parliament for approval.

These decisions would take effect immediately.

5.4. DG HUMAN RESOURCES AND SECURITY – PROMOTION OF SENIOR MANAGEMENT OFFICIALS – 2018 EXERCISE (PERS(2019) 106)

The Commission took note of the procedure followed, as set out in point 4 of PERS(2019) 108/2, and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it decided:

- to promote to grade AD16 Ms Tiina ASTOLA, Mr Francisco FONSECA MORILLO, Ms Gertrud INGESTAD, Mr Marc LEMAITRE,

Mr Antti Ilmari PELTOMAKI, Mr Hendrik POST and Mr Martinus VERWEY, presented in alphabetical order, exercising the basic function of Director-General, with effect from 1 January 2019;

- to promote to grade AD15 Mr Giuseppe ABBAMONTE, Mr Marc BECQUET, Mr John BELL, Ms Chiara GARIAZZO, Mr Massimo GARRIBBA, Ms Cristiana GIACOBBO, Mr Marcel HAAG, Ms Barbara KAUFFMANN, Ms Gail KENT, Ms Magdalena KOPCZYNSKA, Mr Johannes LUCHNER, Mr Martin MERLIN, Mr Stefan PFLUEGER, Ms Salla SAASTAMOINEN, Ms Astrid SCHOMAKER, Mr Karl SOUKUP and Mr Kurt VANDENBERGHE, presented in alphabetical order, exercising the basic function of Director, with effect from 1 January 2019.

These decisions would take effect immediately.

**5.5. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2019) 104 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 ‘Economies of the Member States III’ Directorate in DG Economic and Financial Affairs (PERS(2019) 104).

It took note of the opinions of the Consultative Committee on Appointments of 25 October and 7 November 2019 (PERS(2019) 104/2 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 MOSCOVICI and also Mr DOMBROVSKIS and Mr KATAINEN, it then decided to appoint Mr Massimo SUARDI to the post.

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

**5.6. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF
AD14/15 DIRECTOR
(PERS(2019) 105 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 ‘Economies of the Member States II’ Directorate in DG Economic and Financial Affairs (PERS(2019) 105).

It took note of the opinions of the Consultative Committee on Appointments of 25 October and 7 November 2019 (PERS(2019) 105/2 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 MOSCOVICI and also Mr DOMBROVSKIS and Mr KATAINEN, it then decided to appoint Mr Reinhard FELKE to the post.

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

**5.7. DG TRADE – APPOINTMENT OF AN AD14/15 DIRECTOR
(PERS(2019) 97 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 ‘Asia and Latin America’ Directorate in DG Trade (PERS(2019) 97).

It took note of the opinions of the Consultative Committee on Appointments of 29 August and 3 October 2019 (PERS(2019) 97/2 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 Ms MALMSTRÖM and also Ms MOGHERINI and Mr KATAINEN, it then decided to appoint Ms Renate NIKOLAY to the post.

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

5.8. LEGAL SERVICE – APPOINTMENT OF AD14/15 PRINCIPAL LEGAL ADVISER

(PERS(2019) 47 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 Legal Adviser responsible for the European civil service law (ECS) team in the Legal Service (PERS(2019) 47).

It took note of the opinions of the Consultative Committee on Appointments of 6 and 16 May 2019 (PERS(2019) 47/2 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 Bernhard SCHIMA to the post.

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

5.9. DG COMMUNICATION – APPOINTMENT OF AD14/15 PRINCIPAL ADVISER

(PERS(2019) 99 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 in charge of 'Corporate and Political Communication' in DG Communication (PERS(2019) 99).

It took note of the opinions of the Consultative Committee on Appointments of 30 September and 24 October 2019 (PERS(2019) 99/2 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 Telmo BALTAZAR to the post.

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

**5.10. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF
AD14/15 PRINCIPAL ADVISER
(PERS(2019) 81 TO /4)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Adviser in charge of the Multiannual Financial Framework, InvestEU and the Green Deal in DG Economic and Financial Affairs (PERS(2019) 81 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 25 October and 7 November 2019 (PERS(2019) 81/3 and /4).

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 MOSCOVICI and also Mr DOMBROVSKIS and Mr KATAINEN, it then decided to appoint Mr Markus SCHULTE to the post.

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

**5.11. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF
AD14/15 PRINCIPAL ADVISER
(PERS(2019) 82 TO /4)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Adviser in charge of the

Agenda for Growth and the European Semester in DG Economic and Financial Affairs (PERS(2019) 82 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 25 October and 7 November 2019 (PERS(2019) 82/3 and /4).

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 MOSCOVICI and also Mr DOMBROVSKIS and Mr KATAINEN, it then decided to appoint Mr Luc THOLONIAT to the post.

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

**5.12. EUROPEAN PERSONNEL SELECTION OFFICE – APPOINTMENT OF
THE HEAD OF THE EUROPEAN SCHOOL OF ADMINISTRATION,
AT GRADE AD9/14
(PERS(2019) 107)**

Having taken note of the procedure followed, as set out in point 12 of PERS(2019) 108/2, the Commission had before it the list of two candidates for the post of Head of the European School of Administration, a post published under Article 29(1)(a)(i) and (iii) of the Staff Regulations at Head of Unit grade AD9/14 (COM/2018/2567).

It took note of the opinion of the Management Board of the European Personnel Selection Office issued on 22 May 2019 (PERS(2019) 107).

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 Ana YTURRIAGA SALDANHA to the post.

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

5.13. ACTIVITIES OF THREE MEMBERS OF THE COMMISSION AFTER LEAVING OFFICE

(C(2019) 9000; C(2019) 9001; C(2019) 9002)

The Commission adopted the Decisions set out in C(2019) 9000, C(2019) 9001 and C(2019) 9002.

Specifically, the Commission decided that the activities envisaged by Mr STYLIANIDES, Mr NAVRACSICS and Mr MOEDAS after leaving office as Members of the Commission were compatible with Article 245(2) of the Treaty on the Functioning of the European Union (TFEU) and with the Code of Conduct for Commissioners, subject to certain specific conditions and obligations.

6. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 116/2)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 8 November 2019 (RCC(2019) 116/2).

It paid particular attention to the following points.

6.1. HORIZONTAL MATTERS

i) Multiannual Financial Framework 2021-2027

(point 1.1 of the IRG record)

Mr OETTINGER briefed the College on the progress made in the negotiations with the European Parliament and the Council on the draft budget for 2020 and the Union's next Multiannual Financial Framework for the period 2021-2027.

As regards the draft budget for 2020, he explained that the negotiations were entering a crucial phase and that the next General Affairs Council on

19 November could be decisive. Only a few days thus remained to bring the discussions to a conclusion and bridge the still significant gap between the positions of the European Parliament and the Council on commitment appropriations, which amounted to EUR 4.2 billion. The Finnish Presidency of the Council still had no mandate, and a large majority of the Member States did not wish the Union to use up its margins, which would prevent it from dealing with urgent requests in the coming years, for example relating to migration crises.

As regards the Multiannual Financial Framework for the period 2021 to 2027, the European Parliament rapporteurs in charge of the dossier seemed to have less room for manoeuvre in order to accommodate the Council's requests. He thus feared that the European Council would be unable to reach an agreement at its December meeting, which would delay the adoption of the Multiannual Financial Framework, thereby preventing the timely launch of Union programmes, which would have an adverse impact on citizens. While the negotiations on some of the flagship sectoral proposals had progressed well, this was not the case for the overall amount and the modernisation aspects of the budget.

In addition, the representatives of the 17 Member States in the Friends of Cohesion group had met the previous week to discuss a common position. Several Member States were also challenging the proposed cuts in the funding earmarked for the common agricultural policy. In conclusion, if account was also taken of the absence of a UK contribution to the EU budget after its withdrawal from the EU, he felt that a budget capped at around 1.04% of the EU's gross domestic product would not allow the new Commission to properly implement the political priorities of the coming years, such as Erasmus+ and border control.

The Commission took note of this information.

ii) Multiannual Financial Framework 2021-2027 – Trilogues

(point 1.1.1 of the IRG record)

- Erasmus+: the Union programme for education, training, youth and sport and repeal of Regulation (EU) No 1288/2013 (Regulation) – ZVER report – 2018/0191 (COD)

The Commission approved the line set out in SI(2019) 630.

- Programme for single market, competitiveness of enterprises, including small and medium-sized enterprises, and European statistics and repeal of Regulations (EU) No 99/2013, (EU) No 1287/2013, (EU) No 254/2014, (EU) No 258/2014, (EU) No 652/2014 and (EU) 2017/826 – BENIFEI report – 2018/0231 (COD)

The Commission approved the line set out in SI(2019) 659/3.

- Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument (Regulation) – NOVAKOV & KREHL report – 2018/0196 (COD)

The Commission approved the line set out in SI(2019) 673/2.

iii) Multiannual Financial Framework 2021-2027 – Council

(point 1.1.3 of the IRG record)

- Amendment of Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil Protection Mechanism (Decision) – ANDROULAKIS report – 2019/0070 (COD)

The Commission approved the line set out in SI(2019) 666.

6.2. **LEGISLATIVE MATTERS**

iv) Trilogue

(point 3.1 of the IRG record)

- Labelling of tyres with respect to fuel efficiency and other essential parameters and repeal of Regulation (EC) No 1222/2009 (Regulation) – VIRKKUNEN report – 2018/0148 (COD)

The Commission approved the line set out in SI(2019) 663/2.

v) European Parliament dossiers – November II 2019 part-session

(point 3.2 of the IRG record)

Implementing acts and measures

- Renewal of the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified cotton LLCotton25 (ACS-GHØØ1-3) / Renewal of the authorisation for the placing on the market of products containing, consisting of or produced from genetically modified soybean MON 89788 (MON-89788-1) / Authorisation for the placing on the market of products containing, consisting of or produced from genetically modified maize MON 89034 × 1507 × NK603 × DAS-40278-9 and sub-combinations MON 89034 × NK603 × DAS-40278-9, 1507 × NK603 × DAS-40278-9 and NK603 × DAS-40278-9 / Authorisation for the placing on the market of products containing, consisting of or produced from genetically modified maize Bt11 × MIR162 × MIR604 × 1507 × 5307 × GA21 and genetically modified maize combining two, three, four or five of the single events Bt11, MIR162, MIR604, 1507, 5307 and GA21 – Objections under Article 112 of the European Parliament’s Rules of Procedure

The Commission took note of SP(2019) 627.

vi) Council dossiers

(point 3.3 of the IRG record)

- European Institute of Innovation and Technology (Regulation – recast) – MATIAS report – 2019/0151 (COD) / Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT) 2021-2027: boosting the innovation talent and capacity of Europe (Decision) – CARVALHO report – 2019/0152 (COD)

The Commission approved the line set out in SI(2019) 668.

6.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

vii) Programming of Council business

(SI(2019) 671)

The Commission took note of the information in SI(2019) 671 on the Council meetings between 14 and 27 November 2019.

viii) Preparation for Council meeting (General Affairs) (Brussels, 19 November 2019)

Mr HAHN noted that the General Affairs Council meeting on 19 November would include an overview of ongoing work under the Union's enlargement policy. This meeting would follow on from the European Council meeting in October, at which the leaders of three Member States had opposed opening accession negotiations with Albania and North Macedonia; the Commission had explicitly recommended that negotiations should be opened.

The fact that enlargement was on the agenda for the next General Affairs Council demonstrated that a majority of Member States wished to maintain the Western Balkans' European perspective, and considered it important to send the region a clear message in this respect. The Council did not intend to hold new discussions the following week on the issue of opening accession negotiations, particularly since the Member States most opposed to such an

eventuality did not seem to be changing their positions, and others wished for a change in the method prior to any new enlargement.

Mr HAHN noted that the Commission was already using a new methodology, which consisted of beginning any accession negotiations by starting with chapters 23 (judicial reform and fundamental rights) and 24 (freedom, security and justice), and closing them with the chapter on the rule of law. It had also introduced the ‘overall balance’ clause, meaning that negotiations could be broken off in other areas in the event of any delay on matters regarding the rule of law.

The setback in the accession prospects of Albania and North Macedonia in the wake of the European Council in October had had significant political repercussions in both of these countries, which had nevertheless made notable progress in structural reforms as part of the enlargement process. As examples of this, he referred to reform of the justice system in Albania and settlement of the dispute with Greece regarding North Macedonia.

The current impasse in the enlargement process had already had tangible consequences in the region. Albania had already slowed the pace of its reforms and North Macedonia would be holding elections early. The lack of a real European perspective was jeopardising negotiations between Serbia and Kosovo¹, which were at the heart of the stabilisation strategy for the Western Balkans region. More generally, the uncertainty surrounding the European perspective for the region created a void which Russia, China or Turkey would certainly attempt to fill.

Mr HAHN therefore proposed emphasising the positive aspects of the current situation, in particular the support of a very large majority of Member States for opening negotiations with Albania and North Macedonia. A series of

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

technical and political missions planned in the region over the coming weeks, involving Members of the College and the President of the European Parliament, would provide a useful opportunity to send a message on the accession perspectives and reiterate the Union's strategic interest in the Western Balkans region.

In the short term, he felt there was a need to look into revising the methodology followed in the enlargement process. Such an initiative would remove the opposition to the opening of negotiations expressed by the Member States promoting such a revision, and allow talks to be launched at the same time.

Finally, an EU-Western Balkans summit was scheduled for May 2020 under the Croatian Presidency of the Council; this would be a crucial time for the region's European perspective.

Ms MOGHERINI emphasised the importance of keeping the European perspective open for the Western Balkans region, and to consolidate the large majority of Member States in favour of it. In the course of her many visits to the region, she had noted the political repercussions of the Union's procrastination in countries already seeking alternatives to EU accession. Ms MOGHERINI also drew the meeting's attention to the risk that the progress made and the reforms achieved through the enlargement process would be undermined once and for all. She therefore asked the Commission to do everything it could to encourage close cooperation within the Western Balkans in order to ensure the region's stability and prevent conflicts there.

Finally, she stressed that the European perspective was the main motivation for Serbia and Kosovo² to continue discussions with a view to resolving their

² This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244/1999 and the International Court of Justice Opinion on the Kosovo declaration of independence.

disputes, and the only way to curb the influence of Russia, China and Turkey in the Western Balkans. For this reason she considered it essential that the Union sent this region a positive yet realistic message, founded on real European perspectives.

In the course of the discussion that followed, the Commission raised the key points of the need not to discourage the Western Balkans region regarding its European perspective, the already substantial progress some countries had made in terms of structural reforms under the enlargement process, the geopolitical sensitivity of this area of Europe, and the possibility of the risk of conflict arising there once again.

Mr HAHN highlighted the close links that already existed between the Union and the Western Balkans; for example, 75% of foreign investment in the region came from the Union. He felt that Europe could therefore play a decisive role in the region's economic prospects, and for that reason he asked the Members of the College to draw on all available means to this end. Practical cooperation could be established in the fields of transport, energy policy, environmental protection, and cultural exchange.

Mr TIMMERMANS confirmed the need to strengthen cooperation between the Union and the Western Balkans in areas in which there was a clear common interest, such as energy policy and combating cross-border pollution. In conclusion, he noted that a significant reduction in the overall amount of the next Multiannual Financial Framework, as mentioned by the College under item 6.1(i) above, would risk depriving the Union of the financial means necessary for achieving this.

The Commission took note of this information.

ix) Non-legislative dossiers

(point 4.1 of the IRG record)

- The future of the European financial architecture for development – Independent report by the high-level advisory group on the European financial architecture for development

The Commission approved the line set out in SI(2019) 662/2.

- Cooperation with the European Investment Bank group in Turkey following recent conclusions of the European Council (Brussels, 20 and 21 June, 17 and 18 October 2019) and the Foreign Affairs Council (Brussels, 15 July and 14 October 2019).

The Commission approved the line set out in SI(2019) 664.

- Position to be taken on behalf of the European Union in the Council of the International Civil Aviation Organization, in respect of the revision of Chapter 9 of Annex 9 ('Facilitation') to the Convention on International Civil Aviation with regard to standards and recommended practices on passenger name record data (Council Decision) – 2019/0195 (NLE)

The Commission approved the line set out in SI(2019) 665.

6.4. RELATIONS WITH PARLIAMENT

- x) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its October I and II part-sessions**

(point 5.6.1 of the IRG record)

The Commission approved document SP(2019) 613 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its October I and II part-sessions, for transmission to Parliament.

- xi) Preparation of the 38th Joint Parliamentary Assembly of the African, Caribbean and Pacific States and the European Union**

(ACP-EU) (Kigali, 17 to 21 November 2019) – Follow-up to the resolutions adopted at the 37th Parliamentary Joint Assembly (Bucharest, 18 to 20 March 2019)

The Commission approved the reply to a resolution adopted by the Joint Parliamentary Assembly set out in SP(2019) 631, which contained a correction to SP(2019) 599, approved by the Commission on 30 October 2019, for transmission to that Assembly.

6.5. OTHER BUSINESS

- xii) European Union Hybrid Exercise MULTILAYER 18 – European Union parallel and coordinated crisis management exercise 2018 (EU PACE 18) – Final Exercise Report**
(point 7.3 of the IRG record)

The Commission took note of document SI(2019) 670.

7. OTHER BUSINESS

RECENT DEVELOPMENTS CONCERNING TRADE RELATIONS WITH CHINA AND THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS

Mr TIMMERMANS asked Mr HOGAN to present to the College the latest developments in trade relations with China and the countries of Southeast Asia.

Mr HOGAN reported on his visit to China, during which a bilateral agreement on the mutual protection of geographical indications had been concluded between the Union and China on 6 November. He added that an investment agreement could also be finalised at the EU-China Summit to be held in September 2020. He pointed out that the Union was now China's third largest economic partner and that in China's eyes, the EU acted as a counterweight to the United States, with which it was experiencing trade tensions. He noted that Chinese and European interests

coincided on the question of reforming the World Trade Organisation (WTO), and the two parties would take advantage of the WTO's ministerial conference in Kazakhstan, from 8-11 June 2020, to make progress on this issue. Broadly speaking, he considered the business climate in China to be favourable.

Mr HOGAN also welcomed the entry into force of the Free Trade Agreement between Singapore and the European Union. He wished to congratulate Ms MOGHERINI on the work she had done with the Association of Southeast Asian Nations (ASEAN) and the cooperation established. He expressed his hope that this rapprochement could lead to an investment agreement that would be a first step towards a free trade agreement with this region, which would account for half of the world's population by 2025.

Ms MOGHERINI also underlined the considerable potential and rapid progress of this region. She noted that the ASEAN was monitoring developments in the European Union closely and drew inspiration in part from the EU's regional structure in order to defend its common interests and try to avoid being subjected to the influence of other powers such as Russia or China. In conclusion, she considered that free trade agreements were conceivable with certain members of the ASEAN.

Mr KATAINEN also stressed the benefit of the cooperation that had been developed with the ASEAN countries. Signing investment agreements would also pave the way for possible free trade agreements. He recognised that certain Member States in particular would benefit from the agreement concluded with China; however, the global bilateral relationship between China and the Union should be borne in mind.

For all that, he recognised the asymmetry of this trade relationship, in which the Union granted Chinese companies an access to its markets that China did not reciprocate to the same extent with European companies. In these conditions, more and more EU companies wished to reduce their presence in China, which risked affecting the country's commercial reputation. In conclusion, he spoke of the next EU-China Summit, which would take place under the German Presidency of the Council. The challenge of the Summit would be to achieve progress, while

maintaining a good relationship in order to develop trade in the circular economy and investment agreements.

Ms VESTAGER also stressed the asymmetry between the EU's transparent system of grants and the lack of transparency in its Chinese equivalent, which had resulted in an unbalanced situation. With regard to the question of data retrieved by Chinese companies, in this regard too she emphasised the lack of transparency on the part of the Chinese authorities regarding the use of this data.

Mr TIMMERMANS thanked Mr HOGAN for his presentation.

The Commission noted this information.

8. INTERINSTITUTIONAL RELATIONS (CONTINUED) **(RCC(2019) 116/2)**

OTHER BUSINESS

Guarantee agreements within the framework of Regulation (EU) 2017/1601 of the European Parliament and of the Council of 26 September 2017 establishing the European Fund for Sustainable Development (EFSD), the EFSD Guarantee and the EFSD Guarantee Fund

(point 7.2 of the IRG record)

At the request of Mr TIMMERMANS, Mr MIMICA raised the question of the guarantee agreements for the European Fund for Sustainable Development (hereinafter referred to as 'the EFSD guarantee agreements') concluded or to be concluded under the Union's External Investment Plan to support financing and investment operations in partner countries in Africa and the European Neighbourhood.

On Monday 11 November he had signed on the Union's behalf two EFSD guarantee agreements at the Africa Investment Forum in Johannesburg, one with the

Nederlandse Financierings-Maatschappij voor Ontwikkelingslanden (a Dutch financial institution), and the other with the *Cassa Depositi e Prestiti* (an Italian financial institution). These two agreements would make it possible to mobilise no less than EUR 500 million in private investments.

Mr MIMICA emphasised that drawing up these agreements had required a considerable amount of work by the Commission departments, and thanked them warmly for their constructive approach. The EFSD guarantees were an innovative instrument in the Union's External Investment Plan and required a tailored contractual framework. The Union had to propose attractive agreements to its international partners, whilst preserving the credibility of its activities and complying with the rules it had established for other types of financial tool, in particular the Financial Regulation, the accounting rules, and the anti-money-laundering rules.

To capitalise on the huge efforts that had led to the signing of the two agreements that week, lessons had been drawn in terms of guiding principles and practical solutions which would guide future negotiations on contracts of a similar nature. However, it should be noted that the content of each contract would have to be the product of a case-by-case analysis.

In conclusion, Mr MIMICA called for a discussion on facilitating the development of EFSD guarantee contracts at the Commission, and said that he was convinced it would be possible to conclude EFSD guarantee contracts soon with the entities already identified.

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

- the considerable efforts that had been made in order to reach the guarantee agreements signed by Mr MIMICA on 11 November;
- the challenge that the EFSD contracts presented for the Commission, which could not act as a development bank;

- the need to strengthen the instruments to optimise the impact of the development aid granted by the Commission, particularly in Africa;
- the expediency, in this context, of establishing public-private partnerships;
- the advisability of seeking means of streamlining the internal management of EFSD guarantee contracts and of finding compromises between the operational and financial departments, whilst protecting taxpayers' interests.

Mr TIMMERMANS concluded by noting that the College approved the line set out in SI(2019) 669/4.

9. OTHER BUSINESS (CONTINUED)

At Mr TIMMERMANS' request, the College raised various issues concerning the next Commission taking office and the current Commission's caretaker period for ongoing business.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 11.26.