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Strasbourg, 17 December 2019

TEXTE EN

MINUTES

of the 2317th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 4 December 2019

(morning)

TABLE OF CONTENTS

Single sitting: Wednesday 4 December 2019 (morning)

The sitting opened at 10.00, with Ms von der LEYEN, the PRESIDENT, in the chair.

Present:

Ms von der LEYEN	President	
Mr TIMMERMANS	Executive Vice-President	
Ms VESTAGER	Executive Vice-President	
Mr DOMBROVSKIS	Executive Vice-President	Items 1 to 10.2
Mr BORRELL I FONTELLES	High Representative / Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Mr HOGAN	Member	
Ms GABRIEL	Member	
Mr SCHMIT	Member	
Mr GENTILONI	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	
Ms KYRIAKIDES	Member	
Mr REYNDERS	Member	
Ms DALLI	Member	
Ms JOHANSSON	Member	
Mr LENARČIČ	Member	
Ms VĂLEAN	Member	
Mr VÁRHELYI	Member	
Ms URPILAINEN	Member	
Ms SIMSON	Member	Items 1 to 10.1
Mr SINKEVIČIUS	Member	

The following also sat in:

Mr SEIBERT	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Ms AHRENKILDE HANSEN	Director-General, DG Communication	
Mr MAMER	Head of the Spokesperson’s Service and Chief Spokesperson of the Commission	
Mr LEARDINI	Deputy Secretary-General	
Ms GAUER	Deputy Secretary-General	Items 9 (in part) and 10
Ms RISO	Deputy Chef de cabinet to the PRESIDENT	
Ms PETKOVA	Director of Coordination and Administration in the PRESIDENT’s Office	Items 1 to 10.3
Mr FLOSDORFF	Adviser in the PRESIDENT’s Office	
Ms VILA NUÑEZ	A member of the PRESIDENT’s staff	
Ms HILI	Adviser in the PRESIDENT’s Office	Item 10
Ms CABRAL	Adviser in the PRESIDENT’s Office	Items 4/8 (in part)
Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ	Item 10.4
Mr HEMMELGARN	Secretariat-General	
Ms SPINANT	Commission Spokesperson’s Service	

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

The PRESIDENT opened the first meeting of the new Commission by warmly welcoming the Members of the Commission and looking forward to the work they would carry out together over the next five years.

Before getting down to business, the PRESIDENT assured Mr ŠEFČOVIČ, who, along with his family, had been the victim of a violent fire in his apartment the previous night, of the College's concern and support.

Mr ŠEFČOVIČ thanked the PRESIDENT and explained that, the previous night, his apartment had been completely devastated by a sudden fire, during which his son had been injured. He was now in good hands in a specialised hospital unit in Brussels. He thanked the Commission services which had assisted him under particularly difficult circumstances, and the Members of the College and Mr Jean-Claude JUNCKER for their gestures of friendship.

The PRESIDENT once again offered Mr ŠEFČOVIČ her personal support and that of the College and applauded him for attending the Commission meeting that day given the shock he had experienced in recent hours. She urged him to spend as much time as needed with his family.

The PRESIDENT then invited the Members of the College to have the traditional ‘family photo’ taken of the new Commission.

* * *

1. AGENDAS
(OJ(2019) 2317/FINAL; SEC(2019) 2317/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) 2317)

The Commission considered the Acting Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 2 December 2019.

3. INTERINSTITUTIONAL RELATIONS

3.1. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

i) Programming of Council business

(SI(2019) 737)

The Commission took note of the information in SI(2019) 737 on the Council meetings between 5 and 18 December 2019.

3.2. RELATIONS WITH PARLIAMENT

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

(SP(2019) 652)

The Commission took note of the information on the proceedings of the part- session of Parliament held in Strasbourg from 25 to 28 November 2019, as set out in SP(2019) 652.

4. DECISION OF THE PRESIDENT ON THE ORGANISATION OF RESPONSIBILITIES OF MEMBERS OF THE COMMISSION (P(2019) 1)

5. COMMUNICATION TO THE COMMISSION ON THE WORKING METHODS OF THE COMMISSION (P(2019) 2)

6. **COMMUNICATION TO THE COMMISSION ON RULES GOVERNING THE COMPOSITION OF THE CABINETS OF THE MEMBERS OF THE COMMISSION AND OF THE SPOKESPERSON'S SERVICE**
(P(2019) 3)

7. **DECISION OF THE PRESIDENT ON THE CREATION OF COMMISSIONERS' GROUPS**
(P(2019) 4)

8. **COMMUNICATION TO THE COMMISSION ON THE MISSION, TASKS AND ORGANISATION CHART OF I.D.E.A. - INSPIRE, DEBATE, ENGAGE AND ACCELERATE ACTION**
(P(2019) 5; INFO(2019) 100)

The PRESIDENT briefly outlined the decisions she had taken to organise the responsibilities and work of the Commission upon taking office. The College was asked to note that these decisions had been examined by the Heads of Cabinet of the Vice-Presidents and by the weekly meeting of Heads of Cabinet.

The provisions outlined were aimed at defining the framework to enable the Commission to work effectively by forming a united team in which everyone was called upon to contribute to the discussions, decide collectively and take ownership of the decisions.

The Commission’s work over the next five years would be focused on the six headline ambitions for Europe that were the subject of its political guidelines. The eight Vice-Presidents would play a leading and coordinating role. Each of them would be tasked with one of the six priorities, and Commissioners’ groups would be set up to develop coherent policies and deliver concrete results. The PRESIDENT specified that all these decisions were designed solely to ensure the coordination and overall consistency of the actions carried out throughout the institution.

For other matters, she stressed that the focal point of the decision-making process was the College meeting, to which all its Members contributed.

The PRESIDENT reiterated that she intended to give the Commission a more geopolitical dimension, with the support of the High Representative/Vice-President for Foreign and Security Policy, who would assist her in coordinating these efforts, with a view to linking internal and external policy more closely. External policy issues would be systematically discussed at meetings of the College on a weekly basis and would be prepared by a new structure – the Group for External Coordination (EXCO) – whose weekly meetings would be co-chaired by her diplomatic adviser and the High Representative's Deputy Head of Cabinet.

As regards the composition of cabinets, she highlighted the fixed rule of assigning at least 50% of administrator (AD) posts to women, which she saw as a revolution, but also the importance of ensuring a broad diversity of nationalities. She therefore welcomed the fact that the members of her own cabinet comprised 16 different nationalities.

Lastly, the PRESIDENT referred to her decision to transform the current European Political Strategy Centre (EPSC) into a new advisory unit called 'I.D.E.A. – Inspire, Debate, Engage and Accelerate action', the work of which would focus on the six ambitions for Europe identified in the Commission's political guidelines.

Following this presentation, the Commission took note of the decisions of the PRESIDENT set out in P(2019) 1, P(2019) 2, P(2019) 3, P(2019) 4 and P(2019) 5 and the information note distributed as INFO (2019) 100.

9. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2019) 412)

ADMINISTRATIVE MATTERS (PERS(2019) 110)

Following the decision of the PRESIDENT on the organisation of the responsibilities of the Members of the Commission (see item 4 of these minutes), the following proposals were submitted for approval by the Commission: (i) creation of the new Directorate-General for Defence Industry and Space (DEFIS) and of the new Directorate-General for Structural Reform Support (REFORM), and (ii) amendment of the organisation charts of the Secretariat-General (SG), the Directorates-General for Agriculture and Rural Development (AGRI), Budget (BUDG), Competition (COMP), Economic and Financial Affairs (ECFIN), Financial Stability, Financial Services and the Capital Markets Union (FISMA), Internal Market, Industry, Entrepreneurship and SMEs (GROW), Migration and Internal Affairs (HOME), Justice and Consumers (JUST), Maritime Affairs and Fisheries (MARE), Health and Food Safety (SANTE), Trade (TRADE), and the Service for Foreign Policy Instruments (FPI).

These proposals would result in the creation of one Director-General post, one Deputy Director-General post, one directorate and five units (at the same time, one unit would be abolished in DG GROW by no later than 31 December 2020).

At the invitation of the PRESIDENT, Mr HAHN asked the College to authorise the launch, in the short term, of the internal publication of the vacancy notice for the post of Secretary-General. The Commission agreed.

9.1. DG DEFENCE INDUSTRY AND SPACE (DEFIS) – ORGANISATION CHART OF THE NEW DIRECTORATE-GENERAL (SEC(2019) 451)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to create a new Directorate-General for Defence Industry and Space (DEFIS);

– to create a Directorate C ‘Space’ and to rename the two existing Directorates, GROW.I ‘Space Policy, Copernicus and Defence’ and GROW.J ‘EU Satellite Navigation Programmes’, transferred from

DG Internal Market, Industry, Entrepreneurship and SMEs, as DEFIS.A 'Defence Industry' and DEFIS.B 'Development and Innovation';

– to create two new units;

– to create a sectoral 'Security of Information' task force;

– to transfer provisionally, pending his permanent assignment, in the interest of the service under Article 7 of the Staff Regulations, the current Deputy Director-General GROW.DDG3, responsible for defence and space in DG Internal Market, Industry, Entrepreneurship and SMEs, to the post of Deputy Director-General responsible for Directorates B and C in the newly created DG;

– to transfer provisionally, pending his permanent assignment, in the interest of the service under Article 7 of the Staff Regulations, the current Director of Directorate GROW.J, 'EU Satellite Navigation Programmes', in DG Internal Market, Industry, Entrepreneurship and SMEs, to the post of Director of Directorate C in the newly created DG;

– to approve the new organisation chart set out in SEC(2019) 451.

These decisions would take effect on 1 January 2020.

The Commission also noted that the creation of DG Defence Industry and Space (DEFIS) would be supplemented by a memorandum of understanding defining the support services to be provided by DG Internal Market, Industry, Entrepreneurship and SMEs.

Following the reorganisation, the total number of units in DG Defence Industry and Space would be 11.

9.2. DG STRUCTURAL REFORM SUPPORT – ORGANISATION CHART OF THE NEW DIRECTORATE-GENERAL (SEC(2019) 452)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to create a new Directorate-General for Structural Reform Support (REFORM) following the transfer of the Structural Reform Support Service (SRSS), which was currently part of the Secretariat-General; the new DG would consist of one directorate, eight units and two adviser functions;

– to transfer to the post of Director-General of the new DG, in the interest of the service under Article 7 of the Staff Regulations, Mr Martinus VERWEY, currently Director-General of the Structural Reform Support Service in the Secretariat-General;

– to transfer to the post of Director of the Directorate 'Resources and Aid Programme' in the newly created DG, in the interest of the service under Article 7 of the Staff Regulations, Ms Mary MCCARTHY, currently Director in the Structural Reform Support Service in the Secretariat-General;

– to approve the new organisation chart set out in SEC(2019) 452.

These decisions would take effect on 1 January 2020.

The Commission also noted that the creation of DG Structural Reform Support (REFORM) would be supplemented by a memorandum of understanding defining the support services to be provided by DG Regional and Urban Policy.

9.3. DG AGRICULTURE AND RURAL DEVELOPMENT – AMENDMENT OF ORGANISATION CHART (SEC(2019) 453)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer Unit AGRI.I.2 'State Aid' from DG Agriculture and Rural Development to DG Competition to form part of COMP.H.6 'Agriculture and Fisheries';

– to approve the new organisation chart set out in SEC(2019) 453.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Agriculture and Rural Development would decrease from 46 to 45.

9.4. DG BUDGET – AMENDMENT OF ORGANISATION CHART (SEC(2019) 454)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer Directorate ECFIN.L 'Treasury and financial operations' (except for the team working on deepening Economic and Monetary Union) from DG Economic and Financial Affairs to DG Budget as Directorate BUDG.E 'Asset and Financial Risk Management';

– to create a Unit BUDG.E.1 'Oversight of EU guarantees and risk management';

– to transfer in the interest of the service under Article 7 of the Staff Regulations, Mr Benjamin ANGEL, currently Director of Directorate ECFIN.L, to the post of Director of Directorate BUDG.E 'Asset and Financial Risk Management';

– to approve the new organisation chart set out in SEC(2019) 454.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Budget would increase from 26 to 30.

9.5. DG COMPETITION – AMENDMENT OF ORGANISATION CHART (SEC(2019) 455)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer Unit AGRI.I.2 'State Aid' from DG Agriculture and Rural Development to DG Competition to form part of COMP.H.6 'Agriculture and Fisheries';

– to transfer part of the staff of Unit MARE.E.4 'Legal Affairs' responsible for State aid in DG Maritime Affairs and Fisheries, to DG Competition to form part of COMP.H.6 'Agriculture and Fisheries';

– to approve the new organisation chart set out in SEC(2019) 455.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Competition would increase from 47 to 48.

9.6. DG ECONOMIC AND FINANCIAL AFFAIRS – AMENDMENT OF ORGANISATION CHART (SEC(2019) 456)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer Directorate ECFIN.L 'Treasury and financial operations' (except for the team working on deepening Economic and Monetary Union) from DG Economic and Financial Affairs to DG Budget to form Directorate BUDG.E 'Asset and Financial Risk Management';

– to approve the new organisation chart set out in SEC(2019) 456.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Budget would decrease from 38 to 35.

9.7. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – AMENDMENT OF THE ORGANISATION CHART (SEC(2019) 457)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer Unit JUST.B.3 ‘Financial Crime’, responsible for the fight against money laundering, from DG Justice and Consumers to DG Financial Stability, Financial Services and Capital Markets Union to form Unit FISMA.D.2 ‘Financial Crime’;

– to transfer the part of the staff of Unit FPI.5 responsible for sanctions from the Service for Foreign Policy Instruments to DG Financial Stability, Financial Services and Capital Markets Union to the newly created Unit FISMA.E.5 ‘Sanctions’;

– to approve the new organisation chart set out in SEC(2019) 457.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Financial Stability, Financial Services and Capital Market Union would increase from 21 to 23.

9.8. SERVICE FOR FOREIGN POLICY INSTRUMENTS – AMENDMENT OF ORGANISATION CHART (SEC(2019) 458)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer the part of the staff of Unit FPI.5 responsible for sanctions from the Service for Foreign Policy Instruments to DG Financial Stability, Financial Services and Capital Markets Union to the newly created Unit FISMA.E.5 ‘Sanctions’;

– to approve the new organisation chart set out in SEC(2019) 458.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in the Service for Foreign Policy Instruments would remain unchanged.

9.9. DG INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMEs – AMENDMENT OF ORGANISATION CHART (SEC(2019) 459)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer the function of Deputy Director-General GROW.DDG3, responsible for directorates I and J, to the newly-created DG Defence Industry and Space (DEFIS);

– to transfer the Directorates GROW.I ‘Space Policy, Copernicus and Defence’ and GROW.J ‘EU Satellite Navigation Programmes’ to DG Defence Industry and Space, and to rename them, respectively, DEFIS.A ‘Defence Industry’ and DEFIS.B ‘Development and Innovation’;

– to transfer Unit GROW.02 ‘Financial Management of Space Programmes’ to DG Defence Industry and Space;

– to transfer the part of the staff of Unit GROW.G.3 ‘Procurement Legislation and Enforcement’ responsible for defence procurement to DG Defence Industry and Space;

- to transfer the part of the staff of Unit GROW.D.3 ‘Biotechnology and Food Supply Chain’ responsible for pharmaceuticals to DG Health and Food Safety to form part of Unit SANTE.B.5 ‘Medicines: Policy, Authorisation and Monitoring’;

- to transfer the part of the staff of Unit GROW.D.4 ‘Health Technology and Cosmetics’ responsible for medical devices, including the staff responsible for the EUDAMED project, to DG Health and Food Safety, to form part of Units SANTE.B.6 ‘Medical Devices’ and SANTE.A.4 ‘Information Systems’;

- to maintain temporarily the two units GROW.D.3 and GROW.D.4; one unit in DG GROW would subsequently be abolished, by 31 December 2020 at the latest;

- to approve the new organisation chart set out in SEC(2019) 459.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Internal Market, Industry, Entrepreneurship and SMEs would decrease from 46 to 37.

9.10. DG MIGRATION AND HOME AFFAIRS – AMENDMENT OF ORGANISATION CHART (SEC(2019) 460)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

- to transfer the part of the staff of Unit HOME.A.2 ‘Communication, Agencies and Networks Coordination and Citizenship’ responsible for the ‘Europe for Citizens’ programme in DG Migration and Home Affairs to DG Justice and Consumers, to form part of Unit JUST.04 ‘Programme and Financial Management’;

– to approve the new organisation chart set out in SEC(2019) 460.

This decision would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Migration and Home Affairs would remain unchanged.

9.11. DG JUSTICE AND CONSUMERS – AMENDMENT OF ORGANISATION CHART (SEC(2019) 461)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer the part of the staff of Unit HOME.A.2 'Communication, Agencies and Networks Coordination and Citizenship' responsible for the 'Europe for Citizens' programme in DG Migration and Home Affairs to DG Justice and Consumers, to form part of Unit JUST.04 'Programme and Financial Management';

– to transfer Unit JUST.B.3 'Financial Crime', responsible for the fight against money laundering, from DG Justice and Consumers to DG Financial Stability, Financial Services and Capital Markets Union, to form Unit FISMA.D.2 'Financial Crime';

– to approve the new organisation chart set out in SEC(2019) 461.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Justice and Consumers would decrease from 22 to 21.

9.12. DG MARITIME AFFAIRS AND FISHERIES – AMENDMENT OF ORGANISATION CHART

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided to transfer the part of the staff of Unit MARE.E.4 ‘Legal Affairs’ responsible for State aid in DG Maritime Affairs and Fisheries to DG Competition, to form part of Unit COMP.H.6. ‘Agriculture and Fisheries’.

This decision would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Maritime Affairs and Fisheries would remain unchanged.

9.13. DG HEALTH AND FOOD SAFETY – AMENDMENT OF ORGANISATION CHART (SEC(2019) 462)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to transfer the part of the staff of Unit GROW.D.3 ‘Biotechnology and Food Supply Chain’ responsible for pharmaceuticals, in DG Internal Market, Industry, Entrepreneurship and SMEs, to DG Health and Food Safety, to form part of Unit SANTE.B.5 ‘Medicines: Policy, Authorisation and Monitoring’;

– to transfer the part of the staff of Unit GROW.D.4 ‘Health Technology and Cosmetics’ responsible for medical devices, including the staff responsible for the EUDAMED project, in DG Internal Market, Industry, Entrepreneurship and SME, to DG Health and Food Safety, to form part of Units SANTE.B.6 ‘Medical Devices’ and SANTE.A.4 ‘Information Systems’;

– to approve the new organisation chart set out in SEC(2019) 462.

These decisions would take effect on 1 January 2020.

Following the reorganisation, the total number of units in DG Health and Food Safety would increase from 36 to 37.

9.14. SECRETARIAT-GENERAL – AMENDMENT OF ORGANISATION CHART (SEC(2019) 463)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided to approve the new organisation chart, as set out in SEC(2019) 463.

This decision would take effect on 1 January 2020.

Following the reorganisation, the total number of units in the Secretariat-General would decrease from 39 to 31.

9.15. DG TRADE – AMENDMENT OF ORGANISATION CHART (SEC(2019) 464)

The Commission took note of the information in PERS(2019) 110 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to create a function of Deputy Director-General – Chief Trade Enforcement Officer;

– to approve the new organisation chart set out in SEC(2019) 464.

These decisions would take effect on 1 January 2020.

9.16. TRANSITIONAL ARRANGEMENTS

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided to approve the following transitional arrangements applicable to the reorganisation:

- the Commission's central services would monitor the implementation of the reorganisation and provide guidance; Commission Decision C(2004) 4274 of 9 November 2004 on revised guidelines on redeployment did not apply to the reorganisation;

- where the responsibility for a decentralised agency or a joint undertaking was amended under this decision, the Commission was represented by the representatives of the Directorate-General to which this responsibility was transferred, at the hierarchical level established by the Commission decision appointing the Commission representatives on the management board or equivalent body for the decentralised agencies, and the management board for the joint undertakings; this arrangement would apply until the Commission decisions appointing Commission representatives were amended by written procedure;

- where an amendment was made in respect of the Directorates-General responsible for an executive agency under this decision, all the Directorates-General responsible were represented in the management committee; should this not be possible due to the limit on representatives laid down in the legal framework, the new Directorates-General in charge of the agency would be temporarily represented by observers; this arrangement would apply until the Commission decisions appointing Commission representatives were amended by written procedure.

In addition, the Commission took note of the following:

- the transfers of staff allocations between Directorates-General would form part of the 2020 final allocation;

- the new arrangements concerning delegation for budget lines would be reflected in Annex I to the 2020 Internal Rules defining the responsibilities of the authorising officers;

- the anticipated environment of the 2020 budget would take into account the provisions of this Decision;

- operational appropriations for 2020 would be made available to the receiving Directorates-General by way of (co)delegation;

- budgetary appropriations for contract staff and other persons to be transferred between Directorates-General would be based on staff serving on 1 July 2019; however, for the sake of the budgetary allocation, these figures would be adapted to the number and function group of the contract staff and other persons made available to the Directorates-General concerned in the 2020 draft budget;

- appropriations earmarked for contract staff and other persons financed under the former ‘BA-lines’ and under the ‘Research’ budget would be made available to the receiving Directorate-General by way of (co)delegation in accordance with the applicable internal rules;

- appropriations earmarked for contract staff and other persons financed under the overall allocation for 2020 would be made available to the receiving Directorate-General under the annual clearing exercise in mid-2020; the other administrative appropriations financed by administrative budget lines would be co-delegated for 2020; should a new line be required it would be created in 2021;

- the acts of delegation to the Executive Agencies affected by the reorganisation would be amended to reflect the changes.

10. OTHER BUSINESS

10.1. UNITED NATIONS CLIMATE CHANGE CONFERENCE (COP25) (MADRID, 2-13 DECEMBER 2019)

The PRESIDENT informed the College that on 2 December she had participated in the opening of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP25) in Madrid. She highlighted the remarkable efforts undertaken to organise this event, which the Spanish government had agreed to take over at very short notice to replace Chile, the initial organiser, which had had to withdraw on 30 October given the economic and social problems in the country.

At the first session of the Conference attended by Heads of State or Government she had presented, on behalf of the Union, the strategy to combat climate change that the Commission would present on 11 December. This opening session had been preceded by a meeting of EU leaders, where the future European Green Deal had been the reference point.

She considered that the EU's strategy needed to meet the general public's high expectations, which was why the Commission was implementing this major initiative right at the beginning of its term of office.

She issued a general reminder that only measurable actions could actually be implemented. That was why the EU had set a clear and ambitious target to be the first climate-neutral continent by 2050.

The PRESIDENT pointed out that the implementation of this strategy required significant investment in order to enable a transition that would bring about a profound transformation for future generations; accompanying measures were also needed to support the citizens and sectors of the economy that would be most affected by this transformation.

She noted that there was a common understanding among EU leaders regarding the need for Europe to be at the forefront of the fight against climate change. She observed, however, that the cost of transitioning towards a climate-neutral economy by 2050 was a concern for a certain number of Member States. For that reason, the Commission would propose that a

Just Transition Mechanism be created to help those who would need to make the greatest efforts in order to ensure that no-one was left behind. She explained that the fund would make it possible to mobilise public and private investment, with the support of the European Investment Bank.

Lastly, she stressed that the European Green Deal would be an opportunity to demonstrate that the challenge of fighting climate change could become a genuine strategy for long-term transformation, making Europe a pioneer and a role model for the rest of the world.

Mr TIMMERMANS indicated that he would travel to Madrid to take part in the Conference at the beginning of the following week. He emphasised the pessimistic tone of and alarming forecasts in the reports published by the European Environment Agency and other institutions, which could lead the parties to the United Nations Framework Convention to believe that it was already too late to tackle climate change. He therefore considered that the European Green Deal was most timely, as it would provide more optimism and enthusiasm for all those who had no intention of giving up.

He felt that the COP25 would be able to make only a small amount of progress, as there were no major decisions tabled for adoption. He also noted that an agreement on the implementing rules for Article 6 of the Paris Climate Agreement, which related to systems for trading greenhouse gas emissions, was not an absolute prerequisite for the success of the conference to be held in November 2020 in Glasgow (COP26), where participating States would submit new action plans.

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

– the advisability of adopting on 11 December, as a headline policy, only a few days after the new Commission had taken office, an ambitious communication announcing the European Green Deal, given the immediate international context, with the United Nations Conference being held in Madrid and the absolute urgency of taking action, as demonstrated by scientific studies;

– the act of solidarity with future generations that was the European Green Deal, of which the EU had every reason to be proud;

– the real revolution that would be brought about by the European Green Deal for the EU, its citizens and businesses, and for the whole world, by setting an example;

– the need to define a strategy and a systematic approach to achieve these aims;

– the advantage of emphasising the benefits of the future European Green Deal for citizens, benefits that were tangible but also intangible, such as health and quality of life;

– the need for all Member States to join forces and demonstrate that European democracy was part of the response to the climate challenge; at the same time, the need for an inclusive approach where nobody would be left behind;

– the need to emphasise in communication the European Green Deal's potential to generate growth and jobs;

– the observation that the Member States had expressed their general support for the idea of a European Green Deal, but were expecting more detailed explanations on the fundamental issue of financing;

– at the same time, the European Parliament's enthusiasm for this great project;

– the desire to ensure that the 11 December communication did not avoid mentioning, alongside the Deal's clear benefits, the difficulties that would arise during its implementation; in the same vein, the particular attention that needed to be paid to the situation facing underprivileged sectors of society and the middle class in terms of costs and jobs;

- the suggestion to include in the European Green Deal approach a specific strategy to create jobs and invest in future professions;

- the desire for the Commission communication to put forward arguments based on science and available foresight data, and to indicate the cost to present and future generations of the EU doing nothing to combat climate change;

- a reminder that the announcement of the European Green Deal would give rise to different reactions in the Member States, some of which felt that the fight against climate change should be stepped up in order to make up for lost time, while others considered it necessary to persuade the rest of the world to act, since the EU was responsible for only 9% of greenhouse gas emissions;

- the suggestion to send a positive message to the Member States on the funding capacity to be mobilised to bridge the gaps between them, particularly in terms of the share of renewables in their energy mix and energy efficiency;

- a warning about the inevitable disinformation campaigns that would be launched against the Deal, hence the recommendation to start work immediately, in close cooperation with the Commission representations in each Member State, on pro-actively drawing up a tailor-made communication strategy for each Member State;

- an invitation not to create unrealistic expectations about the Just Transition Mechanism; similarly, the suggestion that the goal of the Deal should not be reduced to this mechanism alone, which was only one accompanying element;

- the hope that the climate crisis would lead to a volume of funding being mobilised in the EU comparable to that for rescuing banks during the financial crisis 10 years previously;

- the expected effect of EU public investment as leverage in attracting private investment, and devising regulatory systems that would encourage it;

- the suggestion not to restrict the opportunity to take part in the measures for funding the Deal to the European Investment Bank Group alone, but to open it up to other institutions, such as the European Bank for Reconstruction and Development (EBRD), the World Bank and development banks;

- as regards funding for the Deal from the EU budget, a reminder that cohesion policy was already contributing to the fight against climate change and that the Member States would not be in favour of making further demands of it; a warning against an increased contribution to the Deal from the Common Agricultural Policy without additional support for European farmers; more generally, a reminder of the limits of the next Multiannual Financial Framework currently under negotiation;

- a reference to the issue of taxation, which could be raised in the public debate;

- the robustness of the future system for monitoring the achievement of objectives, which would be put in place at a later date;

- the request for more time than that currently set aside to draw up the future Sustainable Europe Investment Plan, given its importance and funding;

- the wish not to rush the implementation of the various parts of the European Green Deal, so as not to undermine the Commission's credibility;

- the need for the Commission itself to lead by example in making its practices even more climate-friendly; in response, the announcement of an initiative recalling everything the Commission had already done to improve its own record in recent years;

- the weight the European Green Deal initiative would carry in the future work of the Conference on the Future of Europe;

- the suggestion of dedicating a College discussion to the conclusions to be drawn from the United Nations Conference (COP25) in Madrid.

The PRESIDENT pointed out that the question of the date on which the communication on the European Green Deal would be presented had been discussed at length before the decision had been taken to approve it during the UN climate conference, in order to give it more international visibility and to put the EU in the vanguard.

As regards investment and sources of funding, she pointed out that the Commission would be able to refine its strategy when drawing up its proposal for a Just Transition Mechanism, which was scheduled to be submitted on 8 January 2020. It would then be necessary to identify more precisely the sources of funding from *inter alia* the Union budget and Member States' contributions, in cooperation with the European Investment Bank, which had expressed its willingness to take part in the financial mechanisms to be implemented. The European Central Bank had also expressed its support for the Deal and the establishment of a future fund for a just transition. She was of the opinion that these different aspects and the experience gained with the European Fund for Strategic Investments during the previous Commission's term of office would help maximise the leverage of the EU budget and improve complementarity between different sources of funding. To that end, it was necessary to create a framework for coordinating various instruments in close cooperation with the Member States, which had been informed of these initiatives.

As regards the costs linked to the transition to a sustainable economy, she stressed the importance of accompanying measures aimed at limiting such costs for disadvantaged and middle-class families.

The PRESIDENT concluded by inviting the Members of the College to continue and defend the work that had been carried out in recent months, which would enable the Commission the following week to submit its roadmap in order to make the European Green Deal a major goal for Europe.

The Commission took note of this information.

10.2. MEETING OF HEADS OF STATE AND GOVERNMENT OF THE MEMBER COUNTRIES OF THE NORTH ATLANTIC TREATY ORGANIZATION (LONDON, 3 AND 4 DECEMBER 2019)

The PRESIDENT asked Mr BORRELL to brief the meeting about the summit of the North Atlantic Treaty Organization (NATO), which was at that moment taking place in London, a few days before his meeting with the NATO Secretary General.

Mr BORRELL noted that his mission as High Representative of the Union for Foreign Affairs and Security Policy would be to ensure the consistency of the EU’s external action over the coming years, which was crucial for Europe. With respect to EU relations with NATO, he welcomed the intensive cooperation that had been established between them. Nevertheless, he pointed to the significant changes currently affecting the Alliance. In this respect, he mentioned the increasingly marked interest displayed by the United States in developing relations with Asia at the expense of Europe, along with the lack of consistency of the US position on the situation in Syria and in its defence of US economic interests. In addition to this, there was the policy being implemented by Turkey with respect to Syria and the country's attitude towards both the EU and NATO. He also mentioned the stir caused by the recent statements that the French President, Emmanuel Macron, had made about NATO, which, he thought, would die down rapidly.

Mr BORRELL praised what NATO had achieved over 70 years, making it an irreplaceable body which, in his view, provided its members with a vital defence capability. He acknowledged, however, that Article 5 of the North Atlantic Treaty did not address all the current concerns. That was why he felt that the EU should develop its own defence capability, to complement NATO's, *inter alia* by increasing expenditure in this area.

Among the matters that he would be actively dealing with in the short term, he referred to the summit on Africa, which would be prepared at the next Foreign Affairs Council, and the Iran nuclear deal, which had to be upheld. Among the other major issues for the EU, he emphasised the possibility of an agreement between Turkey and Libya on the delimitation and division of their maritime exclusive economic zones, a subject which would also be on the agenda of the next Foreign Affairs Council.

The PRESIDENT took the view that the North Atlantic Treaty Organization was functioning well, but that that was not a reason for the EU not to equip itself with new foreign policy instruments and step up its efforts to develop the European Defence Fund.

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

– a call for vigilance on the subject of a possible agreement between Turkey and Libya delimiting their maritime exclusive economic zones; the risk of Turkey increasing pressure by drilling in the territorial waters of Cyprus at the very same time that sanctions against it were under discussion;

- at the same time, the EU's vital interest in maintaining a dialogue with Turkey, largely because of the migration issue;

- the changes that NATO would undergo over the next five to ten years and the response to those changes that the European Defence Action Plan would provide;

- the need to encourage unity among Members States in taking on the defence of the EU.

The PRESIDENT said that the College would hold a policy debate on the European Defence Union strategy in the spring, ahead of the June 2020 European Council which was to debate the matter.

The Commission took note of this information.

10.3. THE SITUATION IN ALBANIA FOLLOWING THE EARTHQUAKE OF 26 NOVEMBER 2019

The PRESIDENT asked Mr LENARČIČ and Mr VÁRHELYI to provide an update on the situation in Albania, a few days after the deadly earthquake in the country on 26 November.

Mr LENARČIČ explained that, at the request of Albania, the EU had granted emergency aid to the authorities to carry out search and rescue operations. In addition to the loss of human life, the injuries and destruction, the earthquake had prompted the movement of people to neighbouring countries. In his view, the EU should support the reconstruction of the country's infrastructure, which was why he suggested that the EU should take the initiative of launching a donors' conference.

Mr VÁRHELYI also described the extent of the damage caused by the earthquake and the subsequent movements of people towards the Republic of

North Macedonia and Kosovo[1]. He mentioned the possibility of turning to the European Investment Bank and the European Bank for Reconstruction and Development to provide Albania with economic aid. He also suggested funding reconstruction work with the money set aside for various programmes in Albania that it was no longer possible to implement because of the earthquake.

In the course of the brief discussion that followed, the Members of the Commission emphasised the importance of the EU making a significant gesture of solidarity towards Albania and backing this up by a statement that enabled the country to maintain its European orientation.

The PRESIDENT concluded by acknowledging that the idea of a donors' conference seemed to be appropriate in the circumstances.

The Commission took note of this information.

10.4. SITUATION IN MALTA

The PRESIDENT asked Ms JOUROVÁ to brief the College on the situation in Malta with regard to the investigation into the assassination of the investigative journalist Daphne Caruana Galizia in October 2017.

Ms JOUROVÁ informed the meeting that the investigation was still under way. It was being carried out with the support of Europol and a delegation of MEPs had visited on 3 and 4 December on a fact-finding mission. She stressed that, since the investigation fell within the competence of the Member State, the Commission had confined itself to recalling the fundamental principle whereby the investigation should be conducted by an

[1] This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244/99 and the International Court of Justice Opinion on the Kosovo declaration of independence.

independent judiciary. She considered that there was no objective reason to doubt compliance with this principle in the present case.

However, she deemed it advisable not to lose sight of the aspects concerning which the Commission was calling for a degree of vigilance from the standpoint of respect for the rule of law in Malta, although the possible use of the procedure laid down in Article 7(1) of the Treaty on European Union was not a consideration at this stage.

She began by recalling the efforts that the Commission had requested from the Maltese authorities on 5 June 2019 in its proposal for a Council Recommendation on the 2019 National Reform Programme of Malta. The Commission, supported by other bodies, had asked Malta to strengthen its overall governance framework, its mechanisms to fight corruption and money-laundering, and the independence of its judiciary, in particular the safeguards for judicial appointments and dismissals, and to establish a separate prosecution service.

She then referred to another worrying matter that the Commission had highlighted in its first report on the subject published on 23 January 2019, namely the ‘golden passport’ programmes introduced in three Member States, including Malta. These programmes enabled third-country nationals to obtain citizenship of a Member State, in this case Maltese nationality, solely on the basis of an investment made in the country. She felt that it was necessary to return to this issue, which posed a risk to the EU’s security, and announced that she would soon make concrete proposals.

In conclusion, Ms JOUROVÁ said that, as in all the other EU Member States, the situation in Malta would be assessed objectively in the context of the Rule of Law Report that the Commission would be publishing each year. Lastly, she added that Mr REYNDERS or herself would take part in the debate on the rule of law to be held at the European Parliament on 16 December.

Mr REYNDERS referred to the discussions that had been held on the situation in Malta at the Home Affairs Council on 3 December and those that would take place at the General Affairs Council on 10 December, which would examine the proceedings under way under Article 7(1) of the Treaty on European Union. He reminded the meeting of the infringement proceedings against Malta, in particular for insufficient transposition of the Fourth Anti-Money Laundering Directive. On the issue of golden passports, a meeting of experts would be held in a few days' time. He concluded by pointing out that the measures taken by Malta in response to the recommendations issued by the Commission in June 2019 would be evaluated in February 2020.

In the course of the ensuing brief discussion, the Commission reaffirmed the absolute need to refrain from any political interference in the investigation under way in Malta; made the point clearly that the concerns it expressed with regard to respect for the rule of law in a particular Member State had nothing to do with the political affiliation of governments; noted the unique expertise that Europol provided to the Member States; and, lastly, pointed out that the European Parliament retained control of its decisions to trigger, where appropriate, the procedure under Article 7(1) of the Treaty on European Union, independently of the Commission's positions.

The Commission took note of this information.

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The meeting closed at 12.05.