



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

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

Brussels, 22 April 2020

TEXTE EN

MINUTES

of the 2331st meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 25 March 2020
(morning)

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Single sitting: Wednesday 25 March 2020 (morning)

The sitting opened at 9.00 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN President

The following members attended by videoconference or teleconference:

Mr TIMMERMANS	Executive Vice-President
Ms VESTAGER	Executive Vice-President
Mr DOMBROVSKIS	Executive Vice-President
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 REYNERS	Member
Ms DALLI	Member
Ms JOHANSSON	Member
Mr LENARČIČ	Member
Ms VÁLEAN	Member
Mr VÁRHELYI	Member
Ms URPILAINEN	Member

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Ms SIMSON	Member
Mr SINKEVIČIUS	Member

The following also sat in:

Mr SEIBERT	Chef de cabinet to the PRESIDENT
Ms RISO	Deputy Chef de cabinet to the PRESIDENT
Mr FLOSDORFF	Executive Adviser in the PRESIDENT's Office
Mr MAMER	Head of the Spokesperson's Service and Chief Spokesperson of the Commission
Mr HEMMELGARN	Secretariat-General
Ms SPINANT	Commission Spokesperson's Service

The following also sat in by videoconference or teleconference:

Mr ROMERO REQUENA	Director-General, Legal Service
Ms AHRENKILDE HANSEN	Director-General, DG Communication
Mr LEARDINI	Deputy Secretary-General
Ms PETKOVA	Director of Coordination and Administration in the PRESIDENT's Office
Ms VILA NUÑEZ	Policy Coordinator in the PRESIDENT's Office
Ms ALLOUIS-LE LOSTEC	Secretariat-General
Ms STANCIULESCU	Secretariat-General

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

1. AGENDAS

(OJ(2020) 2331/FINAL; SEC(2020) 2331/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(2020) 2331)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 23 March 2020.

3. APPROVAL OF THE MINUTES OF THE 2326TH, 2328TH, 2329TH AND 2330TH MEETINGS OF THE COMMISSION (19 FEBRUARY AND 4, 10 AND 18 MARCH 2020)

The Commission held over approval of the minutes of its 2326th, 2328th, 2329th and 2330th meetings for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2020) 41)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 20 March 2020 by videoconference and teleconference (RCC(2020) 41).

It paid particular attention to the following points.

4.1. HORIZONTAL ITEM

i) 2021-2027 Multiannual Financial Framework – European Parliament

- Draft motion for a European Parliament resolution, under Article 225 of the Treaty on the Functioning of the European Union ‘A safety net to protect the beneficiaries of the EU programmes – Setting up a Multiannual Financial Framework contingency plan’ – OLBRYCHT & MARQUES report – 2020/2051 (INL)

The Commission approved the line set out in SP(2020) 129 and /2.

4.2. LEGISLATIVE MATTERS

ii) Trilogue

- Union regime for the control of exports, transfer, brokering, technical assistance and transit of dual-use items (Regulation – recast) – BUCHNER report – 2016/0295 (COD)

The Commission approved the line set out in SI(2020) 96.

iii) Council dossiers

- Amendment of Regulation (EU) 2019/1838 as regards certain fishing opportunities for 2020 in the Baltic Sea and other waters, and correction and amendment of Regulation (EU) 2020/123 as regards certain fishing opportunities for 2020 in Union and non-Union waters (Council Regulation) – 2020/0037 (NLE)

The Commission approved the line set out in SI(2020) 98/2.

- Amendment of Regulation (EU) 1303/2013, Regulation (EU) 1301/2013 and Regulation (EU) 508/2014 as regards specific measures to mobilise investments in the health care systems of the Member States and in other

sectors of their economies in response to the COVID-19 outbreak [Coronavirus Response Investment Initiative] (Regulation) – OMARJEE report – 2020/0043 (COD) / Amendment of Council Regulation (EC) 2012/2002 in order to provide financial assistance to Member States and countries negotiating their accession to the Union seriously affected by a major public health emergency (Regulation) – OMARJEE report – 2020/0044 (COD)

The Commission approved the line set out in SI(2020) 104.

iv) European Parliament dossier

- Amendment of Regulation (EEC) 95/93 on common rules for the allocation of slots at Community airports (Regulation) – 2020/0042 (COD)

The Commission approved the line set out in SP(2020) 132.

4.3. RELATIONS WITH PARLIAMENT

**v) Results of Parliament's March I 2020 part-session
(SP(2020) 18)**

The Commission took note of the information on Parliament's part-session held on 9 and 10 March 2020 in Brussels, set out in SP(2020) 18.

4.4. OTHER BUSINESS

vi) Preparation of annual Rule of Law Report – State of Play

The Commission took note of SI(2020) 101 and /2.

**vii) Commission statement on Albania for the General Affairs Council
conclusions on enlargement and stabilisation and association process
(Brussels, 24 March 2020)**

The Commission approved the line set out in SI(2020) 105.

5. COORDINATION OF EXTERNAL ACTION
(RCC(2020) 51/2)

The Commission took note of the operational conclusions in RCC(2020) 2 of the meeting of the Group for External Coordination (EXCO) held by videoconference and teleconference on Wednesday 18 March 2020.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED
(SEC(2020) 114 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 22 March 2020.

6.2. EMPOWERMENT
(SEC(2020) 115 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 16 and 20 March 2020.

6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2020) 116 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 16 and 20 March 2020 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES
(SEC(2020) 117 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 23 and 27 March 2020.

7. OTHER BUSINESS

EARTHQUAKE IN CROATIA

The PRESIDENT opened the meeting by expressing her sincerest sympathy for and the Union's solidarity with Croatia, which was hit by an earthquake on Sunday 22 March, during its Presidency of the European Union in the first half of 2020 and as it is dealing with the COVID-19 health crisis.

By videoconference from Zagreb, Ms ŠUIČA reported on the thankfully very limited number of lives lost. However, she reported that residents were in a difficult situation, faced with the fear of aftershocks and substantial material damage, making it more complicated to comply with the confinement measures due to the pandemic, and therefore giving cause to fear that the health situation in the country could deteriorate.

She expressed her profound thanks to the Member States and to the Union, which had demonstrated a solidarity that had been particularly appreciated.

The Commission took note of this information.

8. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2020) 118 AND /2)

ADMINISTRATIVE MATTERS
(PERS(2020) 15 AND /2)

At the invitation of the PRESIDENT, Mr HAHN presented two additional proposals for administrative decisions on senior management in the Commission which he was submitting directly to the College for approval.

Mr HAHN explained that it was proposed to appoint Mr Wolfgang BURTSCHER, currently Deputy Director-General of DG Research and Innovation, to the post of Director-General of DG Agriculture and Rural Development, with effect from 1 April 2020.

It was also proposed to appoint Ms Kerstin JORNA, currently Deputy Director-General of DG Economic and Financial Affairs, to the post of Director-General of DG Internal Market, Industry, Entrepreneurship and SMEs, also with effect from 1 April 2020.

Mr HAHN highlighted the great skills, outstanding career and recognised expertise of Mr Wolfgang BURTSCHER and Ms Kerstin JORNA, who would be valuable assets in their new posts.

**8.1. DG AGRICULTURE AND RURAL DEVELOPMENT – APPOINTMENT
OF AN AD15/16 DIRECTOR-GENERAL**
(PERS(2019) 113 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) of the Staff Regulations for the post of Director-General of DG Agriculture and Rural Development (PERS(2019) 113 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 24 January and 18 February 2020 (PERS(2019) 113/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr WOJCIECHOWSKI, it then decided to appoint Mr Wolfgang BURTSCHER to the post.

This decision would take effect on 1 April 2020.

8.2. DG INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES – APPOINTMENT OF AN AD15/16 DIRECTOR-GENERAL (PERS(2019) 114 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) of the Staff Regulations for the post of Director-General of DG Internal Market, Industry, Entrepreneurship and SMEs (PERS(2019) 114 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 27 January and 6 February 2020 (PERS(2019) 114/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr BRETON, it then decided to appoint Ms Kerstin JORNA to the post.

This decision would take effect on 1 April 2020.

8.3. DG HUMAN RESOURCES AND SECURITY – SPECIAL ADVISERS TO THE COMMISSION FROM 1 APRIL 2020 TO 31 MARCH 2021 (PERS(2020) 16)

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

- to adopt the list of special advisers to Members of the Commission for the period from 1 April 2020 to 31 March 2021, unless stated otherwise, set out in PERS(2020) 16;

- by way of derogation from the provisions under point 6, second paragraph, of Commission Decision C(2007) 6655 of 19 December 2007 on the rules on special advisers to the Commission, to authorise the Member of the Commission responsible for the budget and human resources, Mr HAHN, to conclude addenda to the existing contracts in the event of duly justified and urgent needs, subject to the availability of sufficient budgetary appropriations;
- to authorise the Director-General of DG Human Resources and Security to implement this decision by signing contracts of employment on behalf of the authority empowered to conclude contracts of employment.

These decisions would take effect immediately.

8.4. DG EUROPEAN CIVIL PROTECTION AND HUMANITARIAN AID OPERATIONS (ECHO) / DG MIGRATION AND HOME AFFAIRS – APPOINTMENT OF AD15 DIRECTOR AND INTERNAL PUBLICATION OF AN AD14/15 DIRECTOR POST (PERS(2020) 17)

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr LENARČIČ and Ms JOHANSSON, the Commission decided:

- to transfer in the interest of the service, under Article 7 of the Staff Regulations, Mr Johannes LUCHNER, currently Director of the ‘Emergency Management and rescEU’ Directorate in DG European Civil Protection and Humanitarian Aid Operations (ECHO), to the post of Director of the ‘Strategy and General Affairs’ Directorate in DG Migration and Home Affairs;
- to authorise the publication, under Article 29(1)(a)(i) and (iii) of the Staff Regulations, of the vacancy notice in PERS(2020) 17 for the post of Director of the ‘Emergency Management and rescEU’ Directorate in DG European Civil Protection and Humanitarian Aid Operations (ECHO).

The date of effect of the transfer of Mr Johannes LUCHNER was set as 16 April 2020, and the publication authorisation would take effect immediately.

8.5. DG HEALTH AND FOOD SECURITY – EXTENSION OF THE TERM OF OFFICE OF THE EXECUTIVE DIRECTOR OF THE CONSUMERS, HEALTH, AGRICULTURE AND FOOD EXECUTIVE AGENCY (CHAFEA)

The Commission took note of the information set out in point 3 of PERS(2020) 15 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms KYRIAKIDES, decided to extend the term of office of Ms Véronique WASBAUER as Executive Director of the Consumers, Health, Agriculture and Food Executive Agency (CHAFEA) for the duration of the implementation of the Union's current programmes entrusted to the Agency, or until she was appointed to another post at the Commission.

This decision would take effect on 1 April 2020.

9. JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – EU ACTION PLAN ON HUMAN RIGHTS AND DEMOCRACY 2020-2024

(JOIN(2020) 5 TO /3; RCC(2020) 48)

10. JOINT PROPOSAL FOR A RECOMMENDATION OF THE COUNCIL TO THE EUROPEAN COUNCIL ON THE ADOPTION OF A DECISION IDENTIFYING THE STRATEGIC OBJECTIVES OF THE UNION TO BE PURSUED THROUGH THE EU ACTION PLAN ON HUMAN RIGHTS AND DEMOCRACY 2020-2024

(JOIN(2020) 6; RCC(2020) 48)

Mr BORRELL presented the joint communication on the EU action plan on human rights and democracy in the world for the period 2020-2024, as well as a proposal for a recommendation from the Council that the European Council adopt the action plan, which was in the Union's strategic interest, and thereby enable a more efficient implementation procedure for the plan.

He explained that the overall framework set out in the communication would give each EU delegation the possibility of drawing up an action plan for human rights and democracy tailored to the economic and political circumstances in each third country; the challenge would lie in ensuring it was implemented in practical terms.

He added that the joint proposal for a recommendation to the Council aimed to encourage a faster and more efficient decision-making procedure which, if approved, would allow the European Council to adopt the action plan unanimously. However, in future, the Council could resort to qualified majority voting for the adoption of concrete measures to implement the new action plan, which would constitute a major step forward towards a more assertive Union. He felt that the current context should be favourable and encourage Member States to accept more frequent use of qualified majority voting.

Moreover, the action plan allowed room for the Union's new political priorities, such as climate neutrality and the digital transition, while emphasising the EU's role on the international stage.

Finally, he pointed out that the implementation of the previous action plan was being assessed and would result in a report, which would be submitted to Parliament and the Council. The report should allow lessons to be learned from the measures undertaken in each third country, so that action plan could be devised according to their needs for the subsequent period.

Following this presentation, the Commission:

- approved the joint communication in JOIN(2020) 5/3 for transmission to

Parliament and the Council, and, for information, to the national parliaments;

- approved the joint proposal for a recommendation of the Council to the European Council in JOIN(2020) 6, for transmission to the Council, and, for information, to Parliament and the national parliaments.

11. LATEST DEVELOPMENTS CONCERNING THE CORONAVIRUS (COVID-19) PANDEMIC AND THE EUROPEAN UNION'S RESPONSE (INFO(2019) 15)

The PRESIDENT asked the Members of the College to give an update on the measures taken by the Commission since its last meeting to combat the COVID-19 pandemic in a resolute and coordinated way across the Union, and to reassess the situation to date.

To facilitate the exchange of information and coordination within the College in these times of social distancing and teleworking, she explained the way in which she intended to organise the preparatory work for the Commission's decisions, and reminded the meeting that decision-making is and remains the prerogative of the College, by oral or written procedure.

She explained that each morning she reviewed the situation with a number of Members of the Commission and steered the actions to be taken or the work to be undertaken on that basis.

To do so, from now on she would draw on the work of thematic clusters in which the Members of the Commission would take part on the basis of their areas of responsibility. One of these thematic clusters was focused on a **global vaccine**, another on **macroeconomic aspects** and a third on the **recovery phase**. She invited those vice-presidents who so wished to follow the work of this third cluster in order to have an overview of the recovery strategy which, once all the conditions had been met, would cover all policies.

Lastly, she pointed out that, as part of its management of the crisis, the Commission was also drawing up from the expertise of Health Advisory Panel, composed of epidemiologists and virologists from the different Member States. This group was chaired by her and co-chaired by Ms KYRIAKIDES.

A detailed and wide-ranging discussion followed, in the course of which the Commission raised the following main points:

Health aspects and joint procurement of medical equipment (Mr BRETON, Ms KYRIAKIDES and Mr VÁRELHYI)

- reference to the confinement and social distancing measures adopted in a majority of Member States in the context of a steady increase in the number of persons who had contracted COVID-19 and the number of deaths in the Union;
- the usefulness of the twice-weekly videoconferences between the commissioner responsible and the health ministers of the Member States in order to ensure regular monitoring of the measures implemented and close coordination of the work on the basis of the recommendations of the advisory panel on COVID-19 set up by the Commission;
- the announcement, despite the continuing seriousness of the situation, of signs that the spread of the disease in Italy had slowed down; if correct, these confirmed the tangible effects of the confinement and social distancing measures implemented;
- the urgent need to supply personal protective equipment, which had prompted the Commission to organise joint public procurement for which the first offers, for protective masks and gloves, would enable the Member States to cover their needs and conclude purchasing contracts with suppliers quickly; the announcement of the forthcoming submission of offers for the supply of respirators, laboratory equipment and screening tests for COVID-19;
- the importance of ascertaining as accurately as possible the needs, stocks and

capacities available for each type of equipment in all the Member States, hence the desirability of helping to share this information between the Member States and the Commission;

- the need to take into account the needs of the Western Balkan partners in the calls for tender launched by the Commission, and ensuring that the supply of medical equipment to that region was not harmed by any export restrictions;
- the value of mobilising undertakings that were converting their production in order to meet the needs of the fight against the pandemic, without, however, neglecting other sources of supply;
- the indication that three decisions had been adopted setting out harmonised standards for medical and protective equipment, which would enable these essential products to be rapidly sold in the single market in accordance with high safety criteria;
- the need to identify the peak of the epidemic in each Member State in order to ensure that equipment was provided in a timely manner to effectively fight against COVID-19;
- a recommendation, in the context of the health crisis, to postpone by a year the entry into force of the Regulation on medical devices;
- the desirability of close coordination with the European Parliament and the Council to ensure that the measures taken to fight COVID-19 were adopted rapidly;
- the case for starting now to consider the measures that would enable people to return to work at the end of the pandemic, while preventing a new outbreak of COVID-19, in particular through the use of screening tests and the application of protective measures;

***Mobility, supply of the internal market and repatriation of EU nationals
(Ms JOHANSSON, Mr LENARČIČ and Ms VÁLEAN)***

- the importance of maintaining the integrity and functioning of the internal market in order to ensure the supply of medical equipment to the national markets, at a time when numerous Member States had introduced export restrictions at the EU's internal borders;
- the need to take into account the situation of the micro-states located in the EU such as the Vatican, Andorra, San Marino and Monaco;
- from this standpoint, the case for setting up a working group (COVID-19 Clearing House) bringing together the Commission's departments and the national authorities, with the task of ensuring the coordination of the measures implemented and acting as an information exchange forum;
- the utility of rapidly putting in place Green Lanes in all the trans-European networks and all means of transport, as well as Transit Corridors in order to re-establish the flow of trade and the movement of cross-borders workers, transport and service providers across the EU's internal borders;
- the information to be distributed to operators and interested parties on the arrangements put in place, particularly through a dedicated website and recommendations to the Member States, so as to introduce a harmonised approach to the Green Lanes and Transit Corridors; in addition, the information to be given to operators and workers in the transport sector concerning the health and safety rules to be followed, which would be regularly monitored by the Commission;
- a reminder of the publication of recommendations on the possibility of temporarily exempting the transport sector from certain rules applicable to it, in particular as regards the limits on working time;
- the announcement of upcoming guidelines on the air freight sector;

- a further announcement concerning the creation, under the EU Civil Protection Mechanism, of the first-ever strategic stockpile of emergency medical supplies, shared by the Member States; Romania would host part of this joint stockpile and respirators and protective masks were due to be sent there shortly;
- encouragement for the other Member States to volunteer to store part of the stockpile; hence the intention to increase the rate of Commission financing for the stockpile, since the hosting Member State was responsible for purchasing the supplies;
- the repatriation to date of 1,755 EU nationals and of 400 third-country nationals; the fact that more than 70 repatriation flights were scheduled to take place thanks to funding made available by the Commission;
- an indication that the draft amending budget for 2020 would include an additional envelope in order to provide an optimal response to the demand for repatriation;

Trade matters (Mr HOGAN, Mr GENTILONI and Mr BRETON)

- the fact that restrictions on imports remained in place in a number of Member States, a situation that the Commission would need to monitor closely;
- the need to address the shortage of paracetamol in certain Member States by lifting the export restrictions introduced by a number of third countries; the importance of high-level contacts to achieve this;
- the need for the EU to explain to its trading partners, particularly in the G7, the reasons behind the export authorisation scheme that it had put in place as part of the fight against COVID-19, which could not be viewed as a restriction on trade;
- despite this, the importance of ensuring that the EU became self-sufficient so that it was able to rapidly meet its own needs;

***The economic, budgetary and social consequences of the pandemic
(Ms VESTAGER, Mr DOMBROVSKIS, Mr HAHN, Mr SCHMIT,
Mr GENTILONI, Mr WOJCIECHOWSKI, Ms FERREIRA and
Mr SINKEVIČIUS)***

- a reminder of the exceptional measures taken in recent days, and in record time, by the Commission, the Member States, the European Central Bank (ECB) and the European Investment Bank (EIB) to support EU citizens and businesses that had been badly affected by the current crisis;
- the immediate priorities these measures were designed to address, namely the need to (i) ensure that healthcare facilities had all the financial and material resources they needed, (ii) provide liquidity for companies in difficulty owing to the COVID-19 crisis and (iii) safeguard the jobs and incomes of employees and self-employed workers;
- a reminder of the triggering, on 20 March, of the general escape clause in the Stability and Growth Pact, which allowed Member States to deviate temporarily from the budgetary requirements in force in order to address the significant slowdown in economic activity in the euro area and the EU as a whole, while protecting the sustainability of their public finances in the medium term;
- the value of this clause, which allowed all Member States to adopt the targeted and temporary budgetary measures that were required to deal with the pandemic and its economic and social consequences;
- the need to emphasise that this clause applied to both the preventive and corrective aspects of the Stability and Growth Pact, but that triggering it did not suspend any ongoing procedures under the Pact;
- a mention of the Member States' very positive response to the urgent measures adopted by the Commission, including the adoption of the temporary framework for State aid;

- emphasis of the significant budget support measures already adopted by the Member States, which equated to almost 2% of their gross domestic product (GDP), in addition to the facilities granted to increase liquidity, amounting to more than 13% of GDP;
- a reference to the proactive and determined policy adopted by the European Central Bank with a temporary asset purchase programme worth some 750 billion euros;
- the overall assessment of a package of large-scale monetary and budgetary measures which had been deployed very rapidly as part of a coordinated response to the pandemic, in which each level had played its part;
- information on different work strands in the Eurogroup that had met on 24 March:
 - (i) firstly, the possibility of recourse to the European Stability Mechanism (ESM), which could see Member States in the euro area authorised to individually request an Enhanced Conditions Credit Line (ECCCL) from the ESM, as a precautionary measure, worth around 2% of their gross domestic product; the issues that were still undecided regarding the conditions and duration of these credit lines, over which the Member States were divided;
 - (ii) secondly, the European Investment Bank's proposal for a 25 billion euro pan-European guarantee, which could bring support for the EU's small and medium-sized enterprises to 200 billion euros, subject to additional guarantees from the Member States;
 - (iii) thirdly, a possible Commission initiative under Article 122(2) of the Treaty on the Functioning of the European Union, according to which the Council, on a proposal from the Commission, may grant, under certain conditions, Union financial assistance to a Member State in difficulties or seriously threatened with severe difficulties caused by exceptional

occurrences beyond its control; the financial support which could thereby be granted to short-time working schemes in the Member States in order to save those jobs that could be saved, which would require, however, finding an appropriate budget heading; the positive signal that the Commission would be sending by putting forward that initiative, even if the EU's budgetary resources were limited;

- the enormous progress made in a few days in order to offer the Member States considerable room for manoeuvre in managing the health crisis and protecting their economies, in particular through the temporary framework for State aid and the facilities to guarantee the financing of salaries in companies, defer the payment of taxes or bring forward the payment of certain EU funding;
- special mention of the direct aid which would allow up to EUR 800,000 to be granted to an undertaking with urgent liquidity needs, on the one hand and the extension of short-term export credit insurance to all the Member States and all economic sectors, on the other hand;
- the question to be considered of the guarantees that could be provided, where necessary, for the losses incurred by the companies that were currently converting their production to support the fight against COVID-19;
- the message to be reiterated in order to explain that the temporary framework for State aid was not intended to help the banks, for example, but rather their customers;
- the absolute priority of protecting jobs in the EU; the recognition of the considerable cost of the short-time working arrangements that the Member States were starting to introduce; highlighting, however, of the even greater cost that would burden unemployment insurance systems if the Member States were not taking those measures;
- a mention of the work underway to allow the EU to support the financing of those short-time working arrangements under Article 122(2) of the Treaty on the

Functioning of the European Union;

- the prominence to be given to that support in view of its political importance in the eyes of citizens, who should understand what the Union was doing in concrete terms to help them;
- with regard to the free movement of workers, the valuable contribution of the guidelines prepared by the Commission on border management measures intended to protect public health and ensure the availability of essential goods and services;
- the need for a guarantee of free movement for (i) workers performing essential functions, (ii) workers in certain categories of employment such as posted work and seasonal work, and (iii) cross-border workers; the efforts made in that regard in order to achieve a coordinated approach at EU level to avoid discrimination between European workers;
- the benefit of creating measures allowing the Member States to support airlines, which had been very hard hit by the travel restrictions currently in force;
- the important steps taken to ensure that cohesion policy helped to provide liquidity to the Member States, for example by pressing ahead with the financing of projects for 2020, and to give them considerable room for manoeuvre in managing the national allocations intended for them in order to meet their current needs in terms of support for health systems and SMEs;
- the constructive role that the Commission must play in order to accompany measures to support the economy, in parallel with the Council and the Eurogroup, so as to ensure that fairness and convergence were maintained between the Member States in terms of growth and employment;
- the advisability of providing aid to support the fisheries and aquaculture sector, which was in great difficulty due to the impossibility of applying the current physical distancing rules on fishing vessels and the collapse of markets;

- the work currently being done within the Commission to finalise the proposal to be presented in the following days, examining the flexibility that could be granted to this sector within the existing framework; for example, the possibility of using the storage aid provided for under the European Maritime and Fisheries Fund (EMFF) or compensation for temporary cessation of activities, in budgetary neutral proportions;
- in the agricultural sector, which had been less hard hit by the crisis at this stage, the difficulties, however, encountered by agro-tourism and those to be expected with regard to seasonal workers;
- the measures provided for in the Commission’s forthcoming proposal, namely extension of the time-limits for Member States to apply for direct payments from 15 May 2020 to 15 June 2020, early access for farmers to direct payments and greater flexibility within national allocations under the second pillar of the common agricultural policy;
- a request that DG Budget be given sufficient early warning of any initiative designed to harness the flexibility of the Union’s instruments and funds, even if the proposed arrangements were neutral in budget terms;
- a note of caution regarding the implementation of flexibility measures at the end of the current Multiannual Financial Framework, on the one hand because they should be seen in the context of the liquidity still available in the budget, and on the other hand, because of their potential impact on the next Multiannual Financial Framework;
- the absolute need to prioritise the earliest possible conclusion of the interinstitutional negotiations on the next Multiannual Financial Framework for the period 2021-2027;

Future recovery plan (Ms VESTAGER, Mr GENTILONI, Mr BRETON and Ms FERREIRA)

- the many uncertainties affecting the short-term economic outlook, starting with how long the health crisis would last; the volatility which would undoubtedly characterise the exit from this crisis and the serious economic and social difficulties to be expected before a resumption of activity;
- hence the desirability of preparing for the aftermath of the COVID-19 crisis, which threatened not only economies but also European integration itself, as a result of the sometimes piecemeal national measures taken and the insufficient solidarity seen in some cases;
- the need to consider the idea of a large-scale economic recovery plan across the continent guided by a true European vision and mobilising all the instruments at the Union's disposal, in order to avoid Member States recovering at varying speeds;
- with this in mind, the advisability of learning lessons from the COVID-19 pandemic, from which a radically different EU, and rest of the world, would emerge, in order to make further progress in the creation of common budgetary tools aimed at avoiding recovery measures that were at odds with a single currency;
- the case of certain Member States which were already contemplating large-scale national recovery plans; hence the advisability of reminding all the Member States of the main common objectives to be pursued in order to achieve the Union's political priorities; the Commission's essential role in emphasising that the recovery plans had to be consistent with the pursuit of these objectives, comply with EU rules and ensure overall cohesion and solidarity, something which had not been done enough following the 2008 financial crisis;
- the financial recovery efforts to be pursued at EU level, estimated at around EUR 1.6 trillion; the issue of possible sources of financing, not to mention the

cost of borrowing part of the sum needed on the financial markets;

- the call to be made to the Member States to disclose their recovery plans to the Commission so that it could have an overview of the needs and efforts at EU level;

General aspects (in particular Mr ŠEFČOVIČ, Ms JOUROVÁ, Mr REYNDERS, Ms DALLI and Mr VÁRHELYI)

- the observation that the European Parliament was currently trying to establish working arrangements that would prevent the blocking of interinstitutional negotiations in the current exceptional circumstances;
- a call to ensure that the fundamental rights of citizens were respected, even in the exceptional context of a major crisis;
- the importance, also, of ensuring that equality remained at the heart of the European response to the pandemic, and a call for this value to be highlighted in all the measures taken by the Commission;
- reference to the possible impact of confinement measures or teleworking on certain social groups;
- further, in terms of the right to the protection of personal data, a call for vigilance regarding the temptation on the part of certain countries to collect data, particularly location data, that could undermine the privacy of the individuals concerned;
- in this respect, a reminder of the legal framework to be complied with regarding the processing of personal data, including in unprecedented times, particularly the requirements of lawfulness and proportionality, as reiterated in the European Data Protection Board statement of 19 March 2020 on the processing of personal data in the context of the COVID-19 outbreak;
- a call for the establishment of a comprehensive monitoring tool through the

EU Representations in the Member States;

- lastly, as regards the state of emergency declared or envisaged by certain Member States, the importance that liberty-curtailling measures taken in this context be proportionate and temporary, so that democratic principles were not unduly undermined;
- certain concerns at the manner in which the state of emergency was to be implemented in Hungary, since the powers conferred on the government in this regard would not be limited in time and the proportionality of the criminal offences created in order to combat the spread of misinformation and safeguard the confinement measures seemed, at first sight, to be questionable; the announcement of contacts with the Hungarian Minister of Justice;
- a call from one Member of the Commission to take into consideration instead the efforts deployed to stem the COVID-19 pandemic in Hungary, bearing in mind that a state of emergency could be declared there for a two-week period, renewable if necessary, that the Constitutional Court exercised control over the strict proportionality of the measures taken and that several Member States had introduced similar offences in their domestic law to penalise the spreading of misinformation relating to COVID-19;
- finally, looking beyond the management of the health crisis, a reminder of the importance of continuing work on respect for the rule of law in general;
- on this subject, doubts about whether the new Polish law on the organisation of the judicial system was compatible with the requirements of the independence of the judiciary, in particular because of the disciplinary regime and the procedure for appointing the First President of the Polish Supreme Court; hence the mention of the in-depth discussions currently under way, with the support of the Legal Service, on possible legal action.

At the PRESIDENT's invitation, Mr TIMMERMANS gave his analysis of the situation. He said that, in his view, the main challenge in this crisis was to ensure

that the Member States' reactions to this unprecedented situation, which he considered to be far worse than the financial crisis of 2008, did not lead to the de facto dismantling of the Union and the euro area. He therefore suggested that a fine balance had to be struck in the efforts being made on the one hand to manage the current crisis and, on the other, to make the vital preparations for a recovery plan for the future. He was extremely grateful for the unstinting efforts made by all the Members of the Commission to enable the 27 Member States to get through this very difficult period still united.

The PRESIDENT wound up the whole discussion by coming back briefly to certain aspects of the crisis that had been raised.

On the **health aspects**, she stressed the importance of the one-year moratorium on the entry into force of the Regulation on medical devices, which would allow a similar delay in the implementation of new standards at a time when the industry was facing an unprecedented crisis.

In addition, she had taken steps vis-à-vis the European Parliament so that it could speed up the adoption of the legislative initiatives taken in connection with the pandemic. She also called on the assistance of Mr ŠEFČOVIČ to ensure that the moratorium she had just referred to was adopted swiftly.

She then reported that she had met directly with the Indian Prime Minister, Narendra Modi, to discuss the lifting of restrictions imposed by India on exports of paracetamol, so that the Union could once again benefit from this source of supply.

As regards **mobility within the single market**, the PRESIDENT considered that the Commission should immediately address the question of the free movement of seasonal workers, under the responsibility of Mr SCHMIT, and pre-empt a potential problem that could result from the closing of some borders.

On the issue of **repatriations**, she suggested encouraging the Member States not to rule out the possibility of commercial flights, bearing in mind the Union's scant budgetary resources.

Turning to **questions of supply**, the PRESIDENT welcomed the success of the joint procurement procedure, which would make it possible to meet rapidly the Member States' needs for medical equipment, and demonstrated the effectiveness of the combined purchasing power of 25 EU Member States. She suggested that the Members of the Commission take this success as an opportunity to highlight the added value of the European Union, something which, regrettably, the Member States too often failed to point out to their citizens.

On the **budgetary aspects**, she supported what had been said about the need to adopt a prudent approach to introducing flexibility in these last few months of the Multiannual Financial Framework. She also asked that the measures to be put forward in the next few days to support the agriculture and fisheries sectors be coordinated and proposed together as a new, and last, round of flexibility measures.

She asked Ms FERREIRA to make contact very soon with the EU Court of Auditors to inform it of the provisions in existing regulations that could be relaxed in order to facilitate the use of the funding available under the Cohesion Fund.

Finally, the PRESIDENT thanked every Member of the Commission and their teams for the significant efforts they had made to maintain a collective line based on solidarity. While the unprecedented scale of the present health crisis was a consequence of the symmetrical shock that had caused it – unlike the 2008 financial crisis, which had been the result of an asymmetrical shock – she stressed the exemplary resilience which the Union must show in order to preserve its vital unity.

The Commission took note of this information.

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The meeting closed at 11.47