



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2020) 2359 final

- English translation of the French version which is authentic -

Brussels, 19 January 2021

TEXTE EN

MINUTES

**of the 2359th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 2 December 2020
(morning)**

PV(2020) 2359 final

- English translation of the French version which is authentic -

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Single sitting: Wednesday 2 December 2020 (morning)

The sitting opened at 9.12 with Ms von der LEYEN, 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	
Mr BORRELL i FONTELLES	High Representative / Vice-President	Items 1 to 15 (in part)
Mr ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Ms GABRIEL	Member	Items 1 to 9 (in part)
Mr SCHMIT	Member	
Mr GENTILONI	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	Items 1 to 15 (in part)
Ms FERREIRA	Member	
Ms KYRIAKIDES	Member	Items 1 to 9 (in part)
Mr REYNDEERS	Member	
Ms DALLI	Member	
Ms VÁLEAN	Member	
Ms URPILAINEN	Member	
Ms SIMSON	Member	
Mr SINKEVIČIUS	Member	
Ms McGUINNESS	Member	

Attended by videoconference:

Mr VÁRHELYI	Member
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Absent:

Ms JOHANSSON	Member
Mr LENARČIČ	Member

The following sat in to represent an absent Member of the Commission:

Ms WEBBER	Chef de cabinet to Ms JOHANSSON
Ms PAUWELS	Deputy Chef de cabinet to Mr LENARČIČ

The following also sat in:

Mr SEIBERT	Chef de cabinet to the PRESIDENT	Items 8 (in part) to 15
Mr CALLEJA CRESPO	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	
Ms PETKOVA	Director of Coordination and Administration in the PRESIDENT's Office	
Mr FLOSDORFF	Executive Adviser in the PRESIDENT's Office	
Mr WHELAN	Adviser in the PRESIDENT's Office	Items 10 and 11
Mr HAUGAARD	Adviser in the PRESIDENT's Office	Item 9
Ms HILI	Adviser in the PRESIDENT's Office	Items 12 to 14
Mr SMITH	A member of the PRESIDENT's staff	Item 9
Ms KIRÁLY	Chef de cabinet to Ms GABRIEL	Items 9 (in part) to 15
Mr ROSSIDES	Chef de cabinet to Ms KYRIAKIDES	Items 9 (in part) to 15
Ms SPINANT	Deputy Chief Spokesperson of the Commission	
Ms ALLOUIS-LE LOSTEC	Head of Unit in the Secretariat-General	

Secretary: Ms JUHANSONE, Secretary-General, assisted by Ms DEPREZ, Director in the Secretariat-General.

1. AGENDAS

(OJ(2020) 2359/FINAL; SEC(2020) 2359/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) 2359)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 30 November 2020.

3. APPROVAL OF THE 2356TH, 2357TH AND 2358TH MEETINGS OF THE COMMISSION (11, 18 AND 24 NOVEMBER 2020)

(PV(2020) 2356)

The Commission approved the minutes of its 2356th meeting, and decided to hold over approval of the minutes of its 2357th and 2358th meetings until a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2020) 186)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Friday 27 November 2020 (RCC(2020) 186).

It paid particular attention to the following points.

4.1. HORIZONTAL MATTERS

i) 2021-2027 Multiannual Financial Framework

(point 1.1 of the IRG record)

- Proposal for a retroactivity package for sectoral basic acts

The Commission approved the line set out in SI(2020) 417/4 and /5.

- Completion of pillar assessments and update of Financial Framework Partnership Agreements in line with 2018 Financial Regulation – Transition arrangements

The Commission approved the line set out in SI(2020) 420.

ii) 2021-2027 Multiannual Financial Framework – Trilogues

(point 1.1.1 of the IRG record)

- Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition 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(2020) 414.

- Amendment of Regulation (EU) No 1303/2013 as regards exceptional additional resources and implementing arrangements under the ‘Investment for growth and jobs’ goal to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and preparing a green, digital and resilient recovery of the economy (REACT-EU) (Regulation) – NOVAKOV & KREHL report – 2020/0101 (COD)

The Commission approved the line set out in SI(2020) 421.

- EU Anti-Fraud Programme (Regulation) – DEUTSCH report – 2018/0211 (COD)

The Commission approved the line set out in SI(2020) 425.

iii) 2021-2027 Multiannual Financial Framework – Council Dossiers
(point 1.1.3 of the IRG record)

- Amendment of Decision No 1313/2013/EU on a Union Civil Protection Mechanism (Decision) – ANDROULAKIS report – 2020/0097 (COD)

The Commission approved the line set out in SI(2020) 413/2.

- Research and Training Programme of the European Atomic Energy Community for the period 2021-2025 complementing Horizon Europe – the Framework Programme for Research and Innovation (Council Regulation) – KUMPULA-NATRI report – 2018/0226 (NLE)

The Commission approved the line set out in SI(2020) 424.

- Draft Council Decision establishing a European Peace Facility – HR(2018) 94

The Commission approved the line set out in SI(2020) 423.

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

The Commission approved the line set out in SI(2020) 426.

4.2. LEGISLATIVE MATTERS

iv) Trilogues
(point 3.1 of the IRG record)

- Amendment of Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information (Regulation) – DE LANGE report – 2019/0101 (COD)

The Commission approved the line set out in SI(2020) 415/2.

- Amendment of Regulation (EC) No 767/2008, Regulation (EC) No 810/2009, Regulation (EU) 2017/2226, Regulation (EU) 2016/399, Regulation (EU) XX/2018 [Interoperability Regulation], and Decision 2004/512/EC and repeal of Council Decision 2008/633/JHA (Regulation) – RANGEL report – 2018/0152A (COD)

The Commission approved the line set out in SI(2020) 418.

- Prevention of the dissemination of terrorist content online (Regulation) – JAKI report – 2018/0331 (COD)

The Commission approved the line set out in SI(2020) 410.

- 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(2020) 422/2.

- Amendment of Regulation (EU) 2017/1129 as regards the EU Recovery prospectus and targeted adjustments for financial intermediaries to help the recovery from the COVID19 pandemic (Regulation) – KOVAŘÍK report – 2020/0155 (COD)

The Commission approved the line set out in SI(2020) 428.

- Amendment of Directive 2014/65/EU as regards information requirements, product governance and position limits to help the recovery from the COVID-19 pandemic (Directive) – FERBER report – 2020/0152 (COD)

The Commission approved the line set out in SI(2020) 429/2.

- Amendment of Regulation (EU) 2017/2402 laying down a general framework for securitisation and creating a specific framework for simple, transparent and standardised securitisation to help the recovery from the COVID-19 pandemic (Regulation) – TANG report – 2020/0151(COD)

The Commission approved the line set out in SI(2020) 433.

- v) European Parliament dossiers – December 2020 part-session**
(point 3.2 of the IRG record)

Ordinary legislative procedure – First reading

- Amendment of Decision No 445/2014/EU establishing a Union action for the European Capitals of Culture for the years 2020 to 2033 (Decision) – ZOVC0 report – 2020/0179 (COD)

The Commission approved the line set out in SP(2020) 632/2.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

- vi) Non-legislative matters**
(point 4.1 of the IRG record)

- European Cybersecurity Industrial, Technology and Research Competence Centre and Network of National Coordination Centres (Regulation) – ANDRESEN report – 2018/0328 (COD)

The Commission approved the line set out in SI(2020) 416.

4.4. RELATIONS WITH PARLIAMENT

vii) Action to be taken on Parliament's legislative resolutions and other resolutions of a legal nature

(SP(2020) 616/2)

The Commission decided to empower the Members of the Commission responsible for the sectors in question, in agreement with the PRESIDENT and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2020) 616/2, drawn up following the November II 2020 part-session of Parliament, the contents of which were noted.

viii) Action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its October II 2020 part-session

(point 5.6.1 of the IRG record)

The Commission approved document SP(2020) 598 on the action taken on the legislative opinions and non-legislative resolutions adopted by Parliament at its October II 2020 part-session, for transmission to Parliament.

ix) Parliament resolutions based on Article 225 of the Treaty on the Functioning of the European Union (TFEU)

(point 5.7 of the IRG record)

- Digital Finance: emerging risks in crypto-assets – Regulatory and supervisory challenges in the area of financial services, institutions and markets – KOVAŘÍK report – 2020/2034 (INL)

The Commission approved the line set out in SP(2020) 633.

x) Results of Parliament's November II 2020 part-session

(point 5.8.1 of the IRG record)

The Commission took note of the information on Parliament's part-session held from 23 to 26 November 2020 in Brussels, set out in SP(2020) 600.

4.5. OTHER MATTERS

- xi) Position to be taken by the European Union within the Joint Committee established under the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons as regards the amendment of Annex II to that Agreement on the coordination of social security schemes (Council Decision) – 2020/0326 (NLE) / Position to be adopted, on behalf of the European Union, within the EEA Joint Committee, concerning the amendment to Annex VI (Social Security) to the EEA Agreement (Council Decision) – 2020/0327 (NLE)**

(point 7.1 of the IRG record)

The Commission approved the line set out in SI(2020) 430.

- xii) Conclusion of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part (Council Decision) – 2016/0205 (NLE) / Signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the**

other part – 2016/0206 (NLE)

(point 7.2 of the IRG record)

The Commission approved the line set out in SI(2020) 432.

**5. COORDINATION OF EXTERNAL ACTION
(RCC(2020) 113)**

The Commission took note of the operational conclusions in RCC(2020) 113 of the meeting of the Group for External Coordination (EXCO) held by videoconference on Wednesday 25 November 2020.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**6.1. WRITTEN PROCEDURES APPROVED
(SEC(2020) 390 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 November 2020.

**6.2. EMPOWERMENT
(SEC(2020) 391 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 23 and 27 November 2020.

**6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2020) 392 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 23 and 29 November 2020 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES

(SEC(2020) 393 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 30 November and 4 December 2020 and of the finalisation written procedures initiated following the weekly meeting of Chefs de cabinet on Monday 30 November 2020.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2020) 394 AND /2)

ADMINISTRATIVE MATTERS

(PERS(2020) 114 AND /2)

7.1. DG ECONOMIC AND FINANCIAL AFFAIRS – APPOINTMENT OF AD14/15 DIRECTOR

(PERS(2020) 115 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' Directorate in DG Economic and Financial Affairs (PERS(2020) 115).

It took note of the opinions of the Consultative Committee on Appointments of 17 and 19 November 2020 (PERS(2020) 115/2 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 HAHN, in agreement with the PRESIDENT and after consulting Mr GENTILONI, it then decided to appoint Ms Isabel GRILO to the post.

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

**7.2. DG INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2020) 116 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 ‘Competitiveness and Outreach’ Directorate in DG Internal Market, Industry, Entrepreneurship and SMEs (PERS(2020) 116).

It took note of the opinions of the Consultative Committee on Appointments of 18 and 19 November 2020 (PERS(2020) 116/2 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 HAHN, in agreement with the PRESIDENT and after consulting Mr BRETON, it then decided to appoint Ms Outi SLOTBOOM to the post.

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

**7.3. DG COMPETITION – APPOINTMENT OF AD14/15 PRINCIPAL ADVISER
(PERS(2020) 117 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 ‘Ex-post Economic Evaluation’ in DG Competition (PERS(2020) 117).

It took note of the opinions of the Consultative Committee on Appointments of 24 July and 10 September 2020 (PERS(2020) 117/2 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 HAHN, in agreement with the PRESIDENT, and after consulting Ms VESTAGER, it then decided to appoint Mr Thomas DEISENHOFER to the post.

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

7.4. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF A SECONDMENT IN THE INTEREST OF THE SERVICE TO A POST OF HEAD OF EU DELEGATION AT GRADE AD9/14 (PERS(2020) 118)

The Commission took note of the information in point 1 of PERS(2020) 114/2 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided to approve, under Article 95(2) of the Staff Regulations, the proposal to second Mr Koenraad CORNELIS, in the interest of the service, to the post of Head of the EU Delegation to Chad (at grade AD9/14).

This decision would take effect immediately.

7.5. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF A LIST OF CANDIDATES FOR A POST OF HEAD OF EU DELEGATION AT GRADES AD9/14 (PERS(2020) 119)

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided to approve the list of candidates for the post of Head of the EU Delegation to Trinidad and Tobago (at grade AD9/14) set out in PERS(2020) 119.

The competent authority of the European External Action Service would make the final appointments on the basis of this list.

This decision would take effect immediately.

7.6. DG HUMAN RESOURCES AND SECURITY – APPROVAL OF LISTS OF CANDIDATES FOR POSTS OF HEAD OF EU DELEGATION AND DEPUTY HEAD OF EU DELEGATION AT GRADES AD9/14 (PERS(2020) 120)

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided to approve the lists of candidates for the posts of Head of the EU Delegation to Cameroon (at grade AD9/14) and Uzbekistan (at grade AD9/14), and also for the post of Deputy Head of the EU Delegation to Ukraine (at grade AD9/14) set out in PERS(2020) 120.

The competent authority of the European External Action Service would make the final appointments on the basis of these lists.

This decision would take effect immediately.

8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – STAYING SAFE FROM COVID-19 DURING WINTER (COM(2020) 786 TO /3; RCC(2020) 193)

The PRESIDENT invited Mr SCHINAS and Ms KYRIAKIDES to present the Communication on ‘Staying safe from COVID-19 during winter’.

Mr SCHINAS explained that the purpose of the Communication was to give Member States factual advice based on objective data, without imposing any specific measures on them. The COVID-19 infection curve was showing a slight improvement and one of the main priorities now was to ensure that the European

Medicines Agency (EMA) was able to authorise a vaccine that was safe and effective.

He then stressed the three key messages of the Communication. First, the end-of-year period would not be the usual type of festive season, given the public health restrictions. Second, any decision to lift lockdown measures needed to be based solely on epidemiological data. Third, the measures taken needed to be consistent across the EU.

He wished to take the opportunity to praise the exceptional work accomplished over the months by Ms KYRIAKIDES, the Directorate-General for Health and Food Safety, the Secretariat-General and all the Commission departments that had been involved in coordinating the Union's pandemic response.

Ms KYRIAKIDES stressed that the current public health situation was very serious and that every 17 seconds, a person lost their life in the EU as a result of COVID-19. With the end-of-year holiday period approaching, the situation could worsen significantly if efforts were relaxed too quickly.

The guidance provided by the Commission to the Member States since the start of the pandemic had been consistent and the measures to control and mitigate the spread of coronavirus should continue over the coming months, until the vaccines had been sufficiently deployed. This principle held in particular with respect to the end of the year and the remainder of winter, when individual and collective actions would save lives.

For all that, she did not underestimate the mental strain that the restrictions placed on citizens, which was why the Commission was calling on Member States to ensure access to psychosocial support to people who needed it.

Ms KYRIAKIDES nevertheless saw cause for hope in the fact that vaccines were on the horizon less than ten months after the start of the pandemic in the EU.

In addition, full or partial lockdowns in many Member States in recent weeks had driven down infection numbers and reduced the burden on hospitals. But this week had still seen the death rate rise, with some 5 000 deaths per day in Europe.

Compliance with the guidance was still the order of the day, namely avoiding closed spaces, crowded places, and close-contact settings, together with the use of masks and hand washing. If all Member States offered sufficient capacity for testing and contact tracing, including via the use of corresponding apps, chains of transmission could be broken. If everyone ensured that healthcare systems were reinforced, the Union would moreover be better placed to manage new epidemics.

Lastly, Ms KYRIAKIDES talked about the need for a coordinated approach to ensure safe travel ahead of the end-of-year holidays. 91% of intensive care capacity was currently deployed and January 2021 could be a very critical month in this respect. Citizens therefore needed clear information on the testing, isolation and quarantine rules in place, which would also help to combat the ever more powerful disinformation campaigns. Citizens also needed a roadmap for the way out of the pandemic. If the easing of restrictions were tied to clear and visible targets, it would be easier for people to comply with precautionary measures.

She concluded by stressing that her task for the start of the coming year was to do all she could to avoid a third wave.

The PRESIDENT also praised the sterling work of Ms KYRIAKIDES and her teams. It was difficult to strike the right balance between the hope raised by the arrival of successful vaccines on the one hand and, on the other, the need to explain to citizens that three to four months would still be needed after their rollout before vulnerable people were no longer at risk of infection.

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

- the exceptional work done by the Commission in the fight against the COVID-19 pandemic, in particular thanks to excellent cooperation between the departments concerned;
- the lack of harmonisation of testing and quarantine measures put in place in the EU for travellers;
- the fact that there was no scientific evidence to demonstrate that travellers posed a greater infection risk than other citizens;
- the information that the European Union Aviation Safety Agency (EASA) would launch its platform for exchanging data connected with the passenger locator form between a limited number of Member States in mid-December 2020;
- on the subject of the complex and divergent quarantine rules from one Member State to another, the fact that the Commission had approved internal rules allowing members of its staff to work remotely from their home countries for as many as 14 days before the end-of-year holiday period to allow them to spend the holiday season with their families.

Ms KYRIAKIDES acknowledged that, while there was no proof that travellers were a high-risk factor in terms of spreading the virus, the Member States were none the less under significant political pressure to show that they were taking effective measures to limit its spread. She had received calls from a number of ministers asking the Commission to continue its coordination efforts even after the authorisation of a COVID-19 vaccine.

The PRESIDENT confirmed that the cooperation the EU had developed over recent months to manage the pandemic had strengthened the trust of Member States and citizens in its institutions.

Following these presentations, the Commission approved the Communication in

COM(2020) 786/3, subject to a final general clean-up of the text, for transmission to Parliament and the Council, and, for information, to the national parliaments.

9. JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL – A NEW EU-US AGENDA FOR GLOBAL CHANGE

(JOIN(2020) 22 TO /4; RCC(2020) 194)

The PRESIDENT introduced the College's discussion on the joint communication entitled 'A new EU-US agenda for global change' submitted for its approval that day.

For the first time, the EU was taking the initiative of proposing to a new US administration an agenda for transatlantic cooperation based on the areas in which EU and US interests converged, where their joint influence could best be leveraged and where global leadership was required.

Over and above the historical reasons that bound the EU and the United States together, there were numerous specific and objective reasons for re-establishing a close working relationship between the two parties. Together, the United States and the EU had one billion inhabitants, one-third of the world's GDP and 60% of foreign direct investment at international level.

However, she warned that the transatlantic relationship would not be taken up again at the same point as four years ago, since the United States, the EU and the world had evolved since then. She stressed in particular that the EU had affirmed itself at global level by promoting its political priorities. She also observed that trade was now just one of several priorities for transatlantic cooperation; the communication tabled that day proposed adding to these the fight against the COVID-19 pandemic and the fight against climate change as the main areas around which joint action could have a knock-on effect on the rest of the world.

She pointed out that it had been the European Union which, in the last four years, had succeeded in persuading its international partners to contribute to major global initiatives. Thus, it had continued to encourage implementation of the Paris Agreement on climate change. It could also congratulate itself on being the main donor to the COVID-19 Vaccine Global Access Facility (COVAX), established to ensure that the whole world got access as soon as possible to a safe and reliable vaccine which was regarded as a global public good. The United States' participation in this facility would send a strong message.

As regards the longer-term fight against climate change, here too the EU's commitment to achieving the objective of climate neutrality by 2050 had been decisive, leading to similar commitments from China, South Africa and South Korea. She emphasised the high expectations about the United States' committing to such a goal. This would be a logical follow-up to the decision announced by the President elect, Joe BIDEN, that the United States was to rejoin the Paris agreements, and would have significant symbolic value at the start of his term. Most of the world's countries would thus be working towards the same objective.

The PRESIDENT also referred to the President elect's interest when she had discussed with him the idea of a green tech alliance, which could also raise awareness on the part of other countries.

Lastly, she referred to the important work to be done to restore and strengthen multilateralism and reform the World Trade Organization (WTO) and the World Health Organization (WHO). The change in the US government team could put an end to the current deadlock and revive a constructive momentum for these important reforms.

Mr BORRELL said that the communication would be used as a basis for the discussions at the next Foreign Affairs Council, on 7 December, and the European Council on 11-12 December, which he hoped would endorse the Commission's proposed new EU-US agenda. He reminded the meeting of the difficulties that had

marked the bilateral relationship in recent years, whether in trade, foreign policy or within the North Atlantic Treaty Organization (NATO).

He welcomed the fact that thanks to the change in administration in Washington, it was now possible to envisage a rapprochement that would support the ambitions of a geopolitical Commission, ambitions based on open strategic autonomy and closer alliances with its main partners.

He highlighted the EU's stated willingness to cooperate and make use of the many possible synergies with the United States, in particular in the field of security and foreign affairs. In particular, he noted its ambition to continue close cooperation in relations with the countries of the EU's neighbourhood, the Near and Middle East, Africa and Latin America, in efforts to address instability in the Eastern Mediterranean and in establishing a structured dialogue on China.

Mr BORRELL explained that although the United States envisaged its relationship with the EU first and foremost in bilateral terms and within NATO, it was now necessary to develop common approaches on a number of issues which went well beyond these narrow limits.

The PRESIDENT then gave the floor to the executive vice-presidents, pointing out that they would be responsible for coordinating heavy dossiers in future relations with the United States and that Mr TIMMERMANS would be coordinating the dossier on climate change.

Ms VESTAGER said that a stronger and more proactive Europe would be a better partner for the United States. She welcomed the fact that the very timely agenda proposed by the Commission to the new US administration highlighted particularly well this fundamental aspect of the relationship that the EU envisaged for the coming years.

She referred to the numerous issues of common interest to the EU and the United States, in particular the development of green technologies, which, if well managed, would provide a demonstration of the value of working together.

Mr DOMBROVSKIS felt that the agenda proposed that day contained the first structural elements of the relationship envisaged with the United States with the arrival of its new leadership team, and sent an important political message. The United States and the EU were still each other's main trade and investment partners.

The EU had recently sent clear signals of its willingness to establish a closer relationship with the United States. This relationship should also cover the operating rules for international trade, particularly in the context of the WTO.

However, he noted that the EU-US trade disputes concerning the subsidies granted to *Boeing* and *Airbus*, and the question of US customs duties on imports of steel and aluminium from the EU, would have to be settled, and compromises would have to be reached on complex issues such as digital taxation or global political priorities in trade.

On all these questions, he underlined the importance of a favourable regulatory environment and referred to the possibility of establishing an EU-US Trade and Technology Council to reduce trade barriers, while guaranteeing both parties' strategic autonomy.

In the short term, he felt that EU-US cooperation could be started as of now on a wide range of initiatives to create a positive working dynamic for issues of common interest.

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

- the significant evolution of the European approach to the transatlantic relationship, largely due to the EU's stated desire to strengthen its resilience and open strategic autonomy;

- the importance of the EU asserting its positions, including on contentious issues such as the extraterritorial sanctions imposed by the US authorities;
- the lasting imprint that the outgoing administration might leave on the US political landscape and the fact that the next government could have limited room for manoeuvre to coordinate its positions with the EU's;
- the need to underscore the coherence of the EU's positions on climate change and multilateralism during a period in which the United States had fundamentally called into question its support for concerted action on issues requiring a global approach;
- the hope that the EU would continue to assert itself on the international stage by reinforcing and making full use of its foreign and defence policy, as well as its monetary policy;
- highlighting of the converging interests of the EU and the United States in the reform of the WTO, which justified a common approach in order to effectively regulate world trade by ensuring a level playing field, particularly with regard to China;
- a mention of the expected benefits for world trade of a US economic recovery plan;
- in the context of growth recovery, the need for the EU to reiterate its call for coordination of international debt relief efforts within the framework of the G20 and to take the initiative of restoring dialogue with the United States on development aid;
- on foreign policy, the desirability of setting out a common approach to relations with the EU's neighbouring countries, particularly in the Western Balkans and the Middle East;

- the importance of supporting the organisation of a summit for democracy proposed by the new US administration, given the importance the EU attached to democratic values and defence of the rule of law;
- the relevance of such a summit from the perspective of the Conference on the Future of Europe, the purpose of which would be to set out a vision for the future based on the democratic values on which the EU was founded;
- the value of involving civil society, business and think tanks as broadly as possible in shaping this common vision for the future.

The PRESIDENT concluded the discussion by reminding that the Secretary-General of NATO would be invited to the meeting of the College on 15 December, at which the transatlantic relationship would be discussed. This visit was part of the geopolitical approach that the Commission had chosen and that it would follow to design a new transatlantic agenda fit for today's global landscape, based on shared values and history and also on a shared interest in building a stronger, more peaceful and more prosperous world.

Following these presentations, the Commission approved the joint Communication in JOIN(2020) 22/4 for transmission to Parliament, the European Council and the Council and, for information, to the national parliaments.

**10. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS ON THE EUROPEAN DEMOCRACY ACTION PLAN (EDAP)
(COM(2020) 790 TO /3; RCC(2020) 189)**

The PRESIDENT asked Ms JOUROVÁ to present to the College the Communication proposing a 'European Democracy Action Plan'.

Ms JOUROVÁ said that citizens' trust in democracy had been eroded and that it was high time to take steps to rebuild it. The European Democracy Action Plan would help to do this, in line with one of the six main ambitions of the current Commission, namely to make a new push for democracy. It would constitute a first package of measures to be taken to strengthen democracies and enable them to better withstand the threats they faced, for example the dissemination of misleading information orchestrated from abroad. The action plan was part of a broad framework coming as it did on top of the forthcoming legislation on digital services and markets and the media action plan presented today.

The general objective of the European Democracy Action Plan was to protect the integrity of elections so that they remained free and fair, but also to strengthen media freedom and freedom of expression and, finally, to effectively combat disinformation and interference.

As regards the integrity of elections, Ms JOUROVÁ said that over recent years election campaigns had moved on line but no rules had been adopted. The action plan therefore aimed to fill that gap with (i) legislation on transparency of political advertising to enable the general public to know when they were faced with electoral advertising, who was financing it and what microtargeting criteria had been used, (ii) revision of the statute of European political parties to make them more transparent and accountable, and (iii) assistance to national authorities to protect the integrity of elections.

With regard to media freedom and media pluralism, the media were not only an economic sector but also an essential pillar of democracy. That was why there was a need to increase the transparency of media ownership and create a safer environment for journalists, who were increasingly the victims of attacks. The Commission would therefore propose, among other things, a recommendation on the safety of journalists and an initiative to counter the use of abusive lawsuits.

Ms JOUROVÁ emphasised that disinformation was the most sensitive element of

the measures proposed by the Commission on this point. No one should impose their own version of the truth, which was why this part of the action plan focused primarily on protecting freedom of expression. It stressed the identity of producers and distributors, funding sources and recipients, all facts which had to be verified. The point was to improve the Code of Practice.

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

- the need to pay attention to fundamental rights and the rule of law as well as the importance of free elections, particularly in the context of the current COVID-19 pandemic;
- the case for getting national parliaments and the general public directly involved in a debate on democracy, and the important role that the Conference on the Future of Europe would play in that respect;
- the benefit of greater transparency in media ownership and the dissemination of accurate and objective information;
- the need for better protection of the free media to strengthen democracy threatened by a combination of malicious disinformation and digital technology;
- the need for the EU to set an example, including for its international partners, and to keep an eye on what happened in its digital space, with the involvement of responsible on-line platforms and an obligation for those platforms to better monitor the algorithms they used;
- a reference to the future legislation on digital services and markets, to the initiative on paid political advertising and to the forthcoming Commission report on citizenship, which would complement the action plan.

Following this presentation, the Commission, on a proposal from the PRESIDENT, confirmed the formal adoption of the Communication in COM(2020) 790/3 by the

finalisation written procedure, the deadline for which was set at 10.00 on Thursday 3 December 2020 (PE/2020/8693).

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – EUROPE’S MEDIA IN THE DIGITAL DECADE – AN ACTION PLAN TO SUPPORT RECOVERY AND TRANSFORMATION (COM(2020) 784 AND /2; RCC(2020) 190)

Ms VESTAGER presented to the College the Communication entitled ‘Europe’s media in the digital decade: an action plan to support recovery and transformation’, which was designed to support a sector that was crucial for the democratic life of the EU and had been badly hit by the current crisis. She stressed that there could be no democracy without the media and without pluralistic sources of information that allowed citizens to form an opinion so that they could then make informed choices.

She noted that the social media had in some ways ‘privatised’ information. This opened up new possibilities but also threw up new challenges. Against the background of growing disinformation, it was very important to support the audiovisual and media sector so that it could continue to offer reliable and pluralistic information and succeed in its digital transition.

She therefore felt that the action plan for the media and the audiovisual sector went hand in hand with the European Democracy Action Plan, also being presented that day, which sought to strengthen media freedom and pluralism throughout Europe, focusing in particular on the protection of journalists. It was also fully in line with the upcoming legislative proposals from the Commission on digital services and markets, which would set out to modernise the legal framework applicable to this sector in the Union.

Ms JOUROVÁ noted the paradox of the current pandemic, which had led to record audiences for the main media outlets, in particular because of the lockdown measures, while the income of businesses in the sector was at a historic low owing to the loss of advertising revenues. In this context, she explained that EU support for the sector was justified not only by the need to preserve its economic viability and jobs, but also by the fundamental importance of independent and pluralistic media in democratic life. That was why this action plan went together with – and was inseparable from – the European Democracy Action Plan.

Mr BRETON said that the pandemic had highlighted the fragile aspects of the media industry and the fragmentation of a market that was struggling to adapt to competition. Although there were considerable structural gaps to be filled, the digital transformation of the sector offered many possibilities, with technologies that would enable it to innovate and explore new business models. The target proposed in the action plan of earmarking 20% of expenditure for the digital field should be seen in this light.

He explained that the measures to boost the production and distribution of digital content would help realise that objective, firstly through the creation of a tool to help media companies discover all the funding options open to them at Union level. This tool would guide them in their applications for European support, whether it be under the 2021-2027 Multiannual Financial Framework or the national recovery and resilience plans. Secondly, investment in the audiovisual industry would be encouraged through a new initiative, MEDIA INVEST, which would set out to mobilise EUR 400 million over a 7-year period. Finally, a ‘NEWS’ initiative would be launched, bundling actions and measures to support the news media sector.

He noted that, in general, special attention would be paid to local media.

Mr BRETON said that, in the longer term, the action plan was also aimed at supporting the green and digital transformation of the sector through measures to (i) encourage European media data spaces for the purpose of sharing and

innovation, (ii) foster a European virtual and augmented reality industrial coalition to help the media in the EU take advantage of these immersive technologies, and launch a virtual reality media lab on projects for new ways of storytelling and interacting, and lastly (iii) facilitate discussions to enable the sector to achieve climate neutrality by 2050.

He ended by saying that, in helping companies to overcome the current crisis while encouraging them to change and modernise in the long term, the aim was also to enable the many talented players in the industry to be at the forefront of this new digital decade.

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

- the close connection between promoting pluralism in the audiovisual and media industry and holding the democratic debate that was at the heart of public life;
- the disruptive way in which new technologies were used, which explained in part the development of disinformation and made it all the more urgent for the industry's structural transformation to be properly supported;
- the pernicious effect of the use of algorithms, which led to the selection of the information made available to users, thereby restricting their access to pluralistic sources of information, which were nevertheless vital for the expression of critical thinking;
- the attempts by political power to take control of the media, even in some Member States, which were liable to endanger democracy and the rule of law in the Union;
- the importance of cushioning the effects of the crisis the sector was facing, which risked undermining the existence of investigative journalism and

networks of foreign correspondents in the major news media, although they played a key role in providing high-quality information.

The PRESIDENT concluded the discussion by stressing the importance of supporting investigative journalism in the context of implementing the action plan. She noted that an understanding of the challenges facing the audiovisual and media sector was a prerequisite for transforming it within a framework that must preserve its role in artistic creation and as part of the provision of high-quality, pluralistic information, a role that was vital to the exercise of democracy in the Union.

Following these presentations, the Commission, on a proposal from the PRESIDENT, agreed that the Communication in COM(2020) 784/2 would be adopted by the finalisation written procedure, the deadline for which was set at 10.00 on Thursday 3 December 2020 (PE/2020/8837).

12. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – STRATEGY TO STRENGTHEN THE APPLICATION OF THE CHARTER OF FUNDAMENTAL RIGHTS IN THE EU (COM(2020) 711 AND /2; RCC(2020) 188)

The PRESIDENT asked Ms JOUROVÁ and Mr REYNDEERS to present to the College the ‘Strategy to strengthen the application of the Charter of Fundamental Rights in the EU’, proclaimed in 2000 and made binding by the Treaty of Lisbon in 2009.

Ms JOUROVÁ said that with the strategy the Commission wanted to reaffirm its determination to strengthen the protection of fundamental rights in the EU, taking account of developments during the application of the Charter and in the light of the ten years of implementation of the first strategy adopted in 2010.

She mentioned the four strands around which the strategy was built, namely: (i) ensuring the effective application of the Charter by the Member States, (ii) empowering civil society, (iii) fostering the use of the Charter as a compass for the EU institutions, which had to continue to lead by example, and (iv) strengthening citizens' awareness of their rights under the Charter.

Ms JOUROVÁ said that, compared with the 2010 strategy, which focused on application of the Charter by the EU institutions, the present strategy focused on its application by the Member States.

From 2021, the Commission would present a new annual report on the application of the Charter in the EU, which would examine more closely how the Member States complied with it in a particular thematic area among the policy areas governed by EU law. Thus, in 2021 the first edition of this thematic report would look at the issue of fundamental rights in the digital age.

She also pointed out that all projects funded by the EU must comply with the Charter of Fundamental Rights, which constituted an enabling condition that was well known but had to be forcefully restated.

Mr REYNDERS called on the College to be more vigilant as regards compliance with this requirement with the advent of expenditure which could be significantly increased and accelerated by the Multiannual Financial Framework for 2021-2027 and the NextGenerationEU instrument.

He again stressed the importance of supporting the parties involved in applying the Charter. He highlighted the key role of fully operational and independent national human rights institutions, judges and other professionals in the justice field and defenders of rights.

He also noted the importance of raising awareness among European citizens of the rights guaranteed to them by the Charter and of ensuring that they were able to assert those rights effectively.

Lastly, he mentioned that the European Parliament was paying special attention to application of the Charter and would undoubtedly take an interest in the new thematic report to be drawn up from 2021. He did not rule out the possibility that there might be calls to produce one report per Member State, along the lines of the annual report on respect for the Rule of Law.

He concluded his presentation by stressing that the annual Rule of Law report, the new annual report on the application of the Charter, and the European Democracy Action Plan also being presented that day would help uphold fundamental values in the EU. They illustrated the Commission's comprehensive approach to promoting and protecting the fundamental rights and values on which the Union was founded.

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

- a reminder that the protection of fundamental rights could not be taken for granted and that the EU Charter had to make the fundamental values it embodied a reality for all;
- the observation that the Charter was the Union's cornerstone of equality – equality for all and in every sense of the word – which the Commission was determined to promote;
- the full support of the College for the four strands around which the strategy was built.

Following these presentations, the Commission approved the Communication in COM(2020) 711/2 for transmission to Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions and, for information, to the national parliaments.

13. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – DIGITALISATION OF JUSTICE IN THE EUROPEAN UNION – A TOOLBOX OF OPPORTUNITIES

(COM(2020) 710 AND /2; SWD(2020) 540; RCC(2020) 188)

14. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON A COMPUTERISED SYSTEM FOR COMMUNICATION IN CROSS-BORDER CIVIL AND CRIMINAL PROCEEDINGS (E-CODEX SYSTEM), AND AMENDING REGULATION (EU) 2018/1726

(COM(2020) 712 AND /2; SWD(2020) 541; SWD(2020) 542; SEC(2020) 408; RCC(2020) 188)

The PRESIDENT then asked Ms JOUROVÁ and Mr REYNDERS to present to the College the Communication on digitalisation of justice in the European Union and the toolbox of measures identified to take advantage of all the opportunities offered by the digital age within a framework guaranteeing security and ethical standards.

Ms JOUROVÁ explained that the Communication incorporated a ‘toolbox’ aimed at assisting the Member States in their efforts to move towards digitalisation of their justice systems, and at improving cross-border judicial cooperation between the competent authorities at EU level.

Although situations varied substantially across the EU, it was important to accelerate the process of digitalising the justice systems to facilitate access to them, the need for which had been starkly demonstrated by the COVID-19 pandemic.

Mr REYNDERS noted that in order to improve access to justice and its efficiency both at the national and European levels, the toolbox put forward several different measures.

First, digital had to be the default option in cross-border judicial cooperation, and to this end the Commission would develop a legislative proposal aimed at digitalising the procedures for cross-border judicial cooperation in civil, commercial and criminal matters.

Secondly, the aim was to combat cross-border crime and encourage digital information exchanges on cross-border terrorism by establishing a collaborative platform for joint investigation teams.

The toolbox was also designed to enable better access to information through user-friendly electronic databases.

With regard to the IT tools required to guarantee secure cross-border cooperation in civil, commercial and criminal matters, the intention was that the e-CODEX system should be the reference tool. This software package enabled connections between national systems allowing users – judicial authorities, legal practitioners and members of the public – to send and receive acts, legal forms, evidence and other information securely and rapidly. However, the e-CODEX package was managed by a consortium of Member States and other organisations, and it was therefore important to ensure its long-term viability.

This was the goal of the legislative proposal also submitted that day to the College for adoption, proposing to entrust the further development and maintenance of the e-CODEX system to the European Union Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA).

Mr REYNDERS also drew the meeting's attention more generally to the current imbalance between the resources allocated to enforcement and those allocated to justice, which inevitably led to the latter being overburdened.

He noted that the Member States were being asked to include projects for the digitalisation of their justice systems in their national recovery and resilience plans.

Finally, the EU Justice Scoreboard would cover the digitalisation of justice from

2021.

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

- a reminder that for the purposes of digitalisation of justice, financial and technical support could be provided to the Member States through the Cohesion Fund;
- a reminder of the beneficial effects of the proper functioning of justice on the protection of citizens' rights, the economy, and the fight against terrorism and criminal organisations.

Following this discussion, the Commission:

- approved the Communication in COM(2020) 710/2 for transmission to Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, and, for information, to the national parliaments, together with the staff working document distributed as SWD(2020) 540, the contents of which were noted;
- adopted the proposal for a Regulation in COM(2020) 712/2 for transmission to the European Parliament, the Council and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2020) 541, SWD(2020) 542 and SEC(2020) 408, the contents of which were noted.

15. OTHER MATTERS

15.1. LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

The PRESIDENT asked Mr BORRELL to brief the College on the main recent developments in external relations.

Mr BORRELL began by reporting on the good results achieved at the meeting of EU Foreign Ministers with their counterparts from the 10 member states of the Association of Southeast Asian Nations (ASEAN) on 1 December. Most importantly, following long years of talks, the bilateral relationship had been upgraded to a strategic partnership. Noting the tremendous dynamism of that part of the world, he welcomed this outcome.

He then turned to recent developments in Iran and, in particular, the killing a few days earlier of a key player in the country's nuclear programme. He had issued a statement firmly condemning the killing. With regard to the 2015 Iran nuclear deal, a meeting of the Joint Commission of the Joint Comprehensive Plan of Action would be held in Vienna on 16 December.

Turning to the EU-Southern Neighbourhood Ministerial Meeting which he had chaired in Barcelona on 26 November in Mr VÁRHELYI's presence, he noted that the gulf between the two sides of the Mediterranean in terms of per capita income and demographic development was widening rapidly. In his view, the Union should step up its support for the three Maghreb countries (Morocco, Algeria and Tunisia) which played a key role in ensuring stability in that part of the world. A joint communiqué was being prepared for February 2021.

In addition, together with Jordan, he had co-chaired the fifth Union for the Mediterranean Regional Forum, also in Barcelona, on 27 November, at which the region's Foreign Ministers had marked the 25th anniversary of the Barcelona Declaration. The Ministers had restated their commitment to the principles and values enshrined in the Declaration.

Lastly, the Joint External Action Service had celebrated its tenth anniversary a few days previously.

Mr VÁRHELYI reported via video conference on his fruitful visit to Morocco. Similar visits to the neighbouring countries could be useful. The

Moroccan authorities had welcomed the Union's new approach to economic assistance.

In the ensuing discussion, it was pointed out that the Commission had announced a paradigm shift in efforts to tackle the external dimension of migration when the Pact on Migration and Asylum was presented on 23 September. One of the consequences of this far-reaching change should be that the various EU institutions worked in a more coordinated way with the aim of effectively preventing influxes of migrants rather than reacting after they had arrived in the Union.

The PRESIDENT thanked Mr BORRELL and said that these issues would be discussed at the Commission seminar scheduled for 15 January 2021.

The Commission took note of this information.

15.2. 2021 ANNUAL BUDGET AND NEXTGENERATIONEU

The PRESIDENT reported on the inter-institutional discussions on the next Multiannual Financial Framework (MFF) for 2021 to 2027 and on the NextGenerationEU recovery plan, which were still being blocked by two Member States for reasons which related not to their substance but to the mechanism provided for in the next MFF to make European funding conditional on respect for the Rule of Law. She underlined the seriousness of this situation in the context of the acute economic and social crisis facing the Union as a result of the COVID-19 pandemic.

The Treaty on the Functioning of the European Union made provision for an automatic mechanism in this case, the provisional twelfths system. Under that mechanism, if the budget had not yet been finally adopted at the start of a budget year, an amount not exceeding one-twelfth of the previous year's budget could be spent each month in the new budgetary period. A new draft budget for 2021 would then be submitted to Parliament and the Council.

However, the provisional twelfths system would allow new commitments only for programmes which still had a legal basis on 1 January 2021. There would be very few such programmes at the end of the multiannual financial period. The programmes concerned were the first pillar of the Common Agricultural Policy, external action, humanitarian aid, microfinance support, the Galileo, Copernicus, ITER and Connecting Europe Facility programmes and administrative expenditure.

Cohesion policy, in particular, could no longer undertake new commitments, and nor could the Horizon Europe or Erasmus programmes.

If agreement could not be reached on the new system of own resources, the funding available would be so limited that the Commission would have no choice but to significantly delay payments under ‘old’ programmes, particularly in the case of cohesion policy. That would put the Member States in a very awkward position, as they would have to pay the funds themselves without being reimbursed. Up to 75% of the cohesion funds could be affected.

The lack of an agreement would therefore have serious consequences for the Member States individually and for the Union as a whole just when it had to get through an unprecedented crisis caused by COVID-19 and embark on a difficult recovery.

At the same time, departments were working on a complex but possible option whereby 25 Member States went ahead with NextGenerationEU and it was adapted accordingly. This option would be structured in such a way that if the two Member States which were currently preventing an agreement withdrew their objections at a later stage, it would then be possible to bring NextGenerationEU back within the EU-27 framework.

Nevertheless she remained hopeful that the 27 Member States would reach agreement on the whole package, i.e. the Multiannual Financial Framework

and the recovery plan. It was for the Council to achieve this by the end of December.

Mr HAHN said that the provisional twelfths system would come into force immediately if no agreement were reached. The final negotiations on the annual budget would be held on 3 and 4 December. They would be based on the assumption that agreement would be reached on the Multiannual Financial Framework, as was the fervent wish of the German Presidency of the Council, the European Parliament and a very large majority of Member States. It would still be possible for Parliament to adopt the Multiannual Financial Framework and the budget for 2021 at the next part-session in December, but it would also be necessary to secure the Council's agreement.

A very brief discussion followed during which a Member of the Commission asked how the Member States would be informed of the envisaged options and of the consequences of failure to reach agreement on the Multiannual Financial Framework and the Union's recovery plan.

The PRESIDENT said that the Member States had been informed at a meeting of the *Permanent Representatives Committee* (COREPER) on 27 November and that they would take their decisions in full knowledge of the facts. She closed the discussion by noting that she would keep the College informed of further developments.

The Commission took note of this information.

15.3. CURRENT STATE OF NEGOTIATIONS ON THE FUTURE RELATIONSHIP BETWEEN THE EUROPEAN UNION AND THE UNITED KINGDOM

The PRESIDENT gave an update on the state of negotiations between the EU and the United Kingdom on their future relationship, as the very last week of negotiations began.

On most issues the discussions were heading in the right direction, but there were certain stumbling blocks relating to the level playing field, fishing, and governance of the future bilateral agreement, for reasons which both sides considered fundamental.

Within these three areas some progress had been made, but in these complex discussions every detail counted and a balanced outcome had to be achieved.

She would keep the College informed of the progress of negotiations in the coming days.

Mr ŠEFČOVIČ noted that, with regard to the provisions relating to implementation of the Withdrawal Agreement, progress was being made on all the points under consideration in the highly detailed discussions that he was pursuing with his British counterparts. He thanked the Members of the College for their support in this process, stating that highly intensive talks were continuing.

It was possible that the United Kingdom's parliament would examine in the coming days a finance law that, like the internal market bill presented some weeks ago, would violate certain provisions of the Withdrawal Agreement that the United Kingdom had signed in October 2019.

The PRESIDENT closed the discussion by clarifying that if the EU and UK negotiators reached an agreement on the future relationship, the approval procedures on the European side would have to be completed before the end of the year, meaning that the European Parliament would have to meet at the very end of December. Were an agreement to be concluded after the end of this week, it would not be applied provisionally, since the European Parliament had to be able to approve it in due form under appropriate conditions.

The Commission took note of this information.

15.4. COMMISSION RESPONSE TO A RESOLUTION BY THE EUROPEAN PARLIAMENT PURSUANT TO ARTICLE 225 OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION

At the PRESIDENT'S invitation, Mr DOMBROVSKIS and Mr ŠEFČOVIČ reported that the College will respond favourably to a request submitted under Article 225 of the Treaty on the Functioning of the European Union, whereby the European Parliament asked the Commission for an appropriate proposal on matters on which it considered that a EU act was required for the purpose of implementing the Treaties (see also point 4.4 (ix) of these minutes).

They reminded the meeting of the current Commission's commitment to respond to European Parliament resolutions submitted pursuant to Article 255 with a legislative act, in full compliance with the principles of proportionality and subsidiarity and with the Interinstitutional Agreement on Better Law-Making.

In this case, the request was for a proposal for an act in the field of digital finance. Thanks to early and sustained contact with the European Parliament, the Commission had been able to take into account Parliament's concerns regarding the digital finance strategy for the EU that it had approved on 24 September 2020.

Mr DOMBROVSKIS and Mr ŠEFČOVIČ stressed the added value of close and early cooperation in this context, which was in the interests of both institutions and of the EU.

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The meeting closed at 12.39.