



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2022) 2433 final

- English translation of the French version which is authentic -

Brussels, 16 November 2022

TEXTE EN

MINUTES

of the 2433rd meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 12 October 2022

(morning)

PV(2022) 2433 final

- English translation of the French version which is authentic -

EN

TABLE OF CONTENTS

Attendance list	5-6
1. AGENDAS (OJ(2022) 2433/FINAL; SEC(2022) 2433/FINAL)	7
2. WEEKLY MEETING OF CHEFS DE CABINET (RCC(2022) 2433)	7
3. APPROVAL OF THE MINUTES (PV(2022) 2428; PV(2022) 2429; PV(2022) 2430).....	7
4. INTERINSTITUTIONAL RELATIONS (RCC(2022) 186)	7
5. COORDINATION OF EXTERNAL ACTION (RCC(2022) 36).....	12
6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS.....	12
6.1. WRITTEN PROCEDURES APPROVED (SEC(2022) 348 ET SEQ.).....	12
6.2. EMPOWERMENT (SEC(2022) 349 ET SEQ.)	12
6.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2022) 350 ET SEQ.)	12
6.4. SIGNIFICANT WRITTEN PROCEDURES (SEC(2022) 351 AND /2)	13
7. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2022) 352 AND /2).....	13
7.1. DG AGRICULTURE AND RURAL DEVELOPMENT – APPOINTMENT OF A DEPUTY DIRECTOR-GENERAL AT GRADE AD15/16 (PERS(2022) 66 TO /3).....	13
7.2. DG COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY – APPOINTMENT OF A DEPUTY DIRECTOR-GENERAL AT GRADE AD15/16 (PERS(2022) 67 TO /3).....	14
7.3. DG JUSTICE AND CONSUMERS – APPOINTMENT OF A DEPUTY DIRECTOR- GENERAL AT GRADE AD15/16 (PERS(2022) 68 TO /3)	14

7.4. DG TRADE – APPOINTMENT OF A DEPUTY DIRECTOR-GENERAL AT GRADE AD15/16 (PERS(2022) 69 TO /3)	15
7.5. DG ECONOMIC AND FINANCIAL AFFAIRS – TRANSFER OF AN AD14 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS	15
7.6. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – PROPOSAL FOR APPOINTMENT OF THE CHAIR OF THE SINGLE RESOLUTION BOARD (SRB) (PERS(2022) 58 TO /3)	16
7.7. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – PROPOSAL FOR THE APPOINTMENT OF A MEMBER OF THE BOARD / DIRECTOR OF RESOLUTION PLANNING AND DECISIONS AT THE SINGLE RESOLUTION BOARD (SRB) (PERS(2022) 59 TO /3)	16
7.8. SECRETARIAT-GENERAL / REGULATORY SCRUTINY BOARD (RSB) – RESIGNATION OF AN AD14 MEMBER OF THE TEMPORARY STAFF UNDER ARTICLE 47 OF THE CONDITIONS OF EMPLOYMENT OF OTHER SERVANTS OF THE EUROPEAN UNION	17
7.9. SECRETARIAT-GENERAL / REGULATORY SCRUTINY BOARD (RSB) – EXTERNAL PUBLICATION (AT GRADE AD14) OF THE VACANCY NOTICE FOR A PRINCIPAL ADVISER (PERS(2022) 64)	17
7.10. HEALTH EMERGENCY PREPAREDNESS AND RESPONSE AUTHORITY (HERA) – INTERNAL AND INTERINSTITUTIONAL PUBLICATION (AT GRADE AD15/16), AND EXTERNAL PUBLICATION (AT GRADE AD15) OF THE VACANCY NOTICE FOR A DIRECTOR-GENERAL (PERS(2022) 65)	18
7.11. EUROPEAN ANTI-FRAUD OFFICE – AMENDMENT OF THE ORGANISATION CHART (SEC(2022) 276)	18
7.12. DG BUDGET – SECOND COMPLEMENTARY ALLOCATION OF HUMAN RESOURCES FOR 2022 (SEC(2022) 362)	19
8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – ENFORCING EU LAW FOR A EUROPE THAT DELIVERS (COM(2022) 518 AND /2; RCC(2022) 190)	19

9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMMUNICATION ON EU ENLARGEMENT POLICY (COM(2022) 528 TO /4; SWD(2022) 332 TO /3; SWD(2022) 333 TO /3; SWD(2022) 334 AND /2; SWD(2022) 335 AND /2; SWD(2022) 336 AND /2; SWD(2022) 337 TO /3; SWD(2022) 338 AND /2; RCC(2022) 192).....	21
10. PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON A EUROPEAN YEAR OF SKILLS 2023 (COM(2022) 526 TO /3; RCC(2022) 191)	27
11. OTHER BUSINESS.....	31
<i>OUTCOME OF THE FIRST MEETING OF THE EUROPEAN POLITICAL COMMUNITY AND OF THE INFORMAL MEETING OF HEADS OF STATE OR GOVERNMENT (PRAGUE, 6 AND 7 OCTOBER 2022).....</i>	
	31

Single sitting: Wednesday 12 October 2022 (morning)

The sitting opened at 9.10 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 ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	Items 10 and 11
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Ms GABRIEL	Member	
Mr SCHMIT	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	
Mr REYNDERS	Member	
Ms DALLI	Member	
Ms JOHANSSON	Member	
Mr VÁRHELYI	Member	Items 1 to 9

Absent:

Mr DOMBROVSKIS	Executive Vice-President
Mr BORRELL i FONTELLES	High Representative / Vice-President
Mr GENTILONI	Member
Ms KYRIAKIDES	Member
Mr LENARČIČ	Member
Ms VÁLEAN	Member

Ms URPILAINEN	Member
Ms SIMSON	Member
Mr SINKEVIČIUS	Member
Ms McGUINNESS	Member

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

Mr HAGER	Chef de cabinet to Mr DOMBROVSKIS	
Mr BRIENS	Deputy Chef de cabinet to Mr BORRELL	
Ms NIKOLAY	Chef de cabinet to Ms JOUROVÁ	Items 1 to 9
Mr BUTI	Chef de cabinet to Mr GENTILONI	
Ms OJALA	Deputy Chef de cabinet to Ms KYRIAKIDES	
Ms SIMKIĆ	Chef de cabinet to Mr LENARČIČ	
Mr GOETZ	Chef de cabinet to Ms VÁLEAN	
Ms BORISSOVA	Expert in Ms URPILAINEN's office	
Mr KADARIK	Deputy Chef de cabinet to Ms SIMSON	
Mr ŠATŪNAS	Chef de cabinet to Mr SINKEVIČIUS	
Ms DRZEWOŠKA	Expert in Ms McGUINNESS's office	

The following also sat in:

Mr SEIBERT	Chef de cabinet to the PRESIDENT	
Mr CALLEJA CRESPO	Director-General, Legal Service	
Ms AHRENKILDE HANSEN	Director-General, DG Communication	
Ms SPINANT	Deputy Chief Spokesperson of the Commission	
Ms PETKOVA	Director of Coordination and Administration in the PRESIDENT's office	
Ms CABRAL	Adviser in the PRESIDENT's office	Item 10
Ms HILI	Adviser in the PRESIDENT's office	Item 8
Mr VALERO	Secretariat-General	

Secretary: Ms JUHANSONE, Secretary-General, assisted by
Ms ALLOUIS-LE LOSTEC, Head of Unit in the Secretariat-General.

1. AGENDAS

(OJ(2022) 2433/FINAL; SEC(2022) 2433/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(2022) 2433)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 10 and Tuesday 11 October 2022.

3. APPROVAL OF THE MINUTES

(PV(2022) 2428; PV(2022) 2429; PV(2022) 2430)

The Commission approved the minutes of its 2428th, 2429th and 2430th meetings of 7, 13 and 18 September 2022, and held over approval of the minutes of its 2431st and 2432nd meetings of 28 September and 4 October 2022 for a later date.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2022) 186)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Friday 7 October 2022 (RCC(2022) 186).

The Commission approved the lines proposed for the following points:

- **Amendment of Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013, as regards restrictions to the**

access to Union waters (Regulation) – KARLESKIND report – 2021/0176 (COD)

Line set out in SI(2022) 338.

- **Amendment of Council Regulation (EC) No 1224/2009, and amendment of Council Regulations (EC) No 768/2005, (EC) No 1967/2006, (EC) No 1005/2008, and Regulation (EU) No 2016/1139 of the European Parliament and of the Council as regards fisheries control (Regulation) – AGUILERA report – 2018/0193 (COD)**

Line set out in SI(2022) 339.

- **Batteries and waste batteries, repeal of Directive 2006/66/EC and amendment of Regulation (EU) 2019/1020 (Regulation) – BONAFÈ report – 2020/0353 (COD)**

Line set out in SI(2022) 340/2.

- **‘Fit for 55’ – Ensuring a level playing field for sustainable air transport (Regulation) – GADE report – 2021/0205 (COD)**

Line set out in SI(2022) 333.

- **Amendment of Regulation (EU) 2015/760 as regards the scope of eligible assets and investments, the portfolio composition and diversification requirements, the borrowing of cash and other fund rules and as regards requirements pertaining to the authorisation, investment policies and operating conditions of European long-term investment funds (Regulation) – HOOGEVEEN report – 2021/0377 (COD)**

Line set out in SI(2022) 323/3.

- **‘Fit for 55’ – Amendment of Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (Regulation) – NIINISTÖ report – 2021/0201 (COD)**

Line set out in SI(2022) 309.

- **Objection pursuant to Rule 112(2) and (3) of the European Parliament’s Rules of Procedure on Commission Implementing Regulation (EU) 2022/1480 of 7 September 2022 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of active substances, including 8-hydroxyquinoline, chlorotoluron and difenoconazole – 2022/2785 (RSP)**

Line set out in SP(2022) 581.

- **Fixing of the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2023 and amendment of Regulation (EU) 2022/109 as regards certain fishing opportunities in other waters (Council Regulation) – 2022/0244 (NLE)**

Line set out in SI(2022) 341.

- **Framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level (Council Regulation) – 2021/0294 (NLE)**

Line set out in SI(2022) 343.

- **Non-recognition of Russian travel documents issued in occupied foreign regions (Decision) – 2022/0274 (COD)**

Line set out in SI(2022) 344.

- **Protection of the Union and its Member States from economic coercion by third countries (Regulation) – LANGE report – 2021/0406 (COD)**

Line set out in SI(2022) 342/2.

- **Emergency intervention to address high energy prices (Council Regulation) – 2022/0289 (NLE)**

Line set out in SI(2022) 337/2.

- **2020 discharge**

- **EU general budget – Council and European Council – GARCÍA MUÑOZ report – 2021/2108 (DEC)**

- **EU general budget – European Economic and Social Committee – GARCÍA MUÑOZ report – 2021/2111 (DEC)**

Line set out in SP(2022) 574.

- **‘Fit for 55’ – Amendment of Regulation (EU) 2019/631 as regards strengthening the CO₂ emission performance standards for new passenger cars and new light commercial vehicles in line with the Union’s increased climate ambition (Regulation) – HUITEMA report – 2021/0197 (COD)**

Line set out in SI(2022) 356/2.

- **Establishment of an annual ‘EU day for the victims of the climate crisis’ on 15 July**

Line set out in SPI(2022) 54/2.

The Commission approved the lines proposed for the following points, for transmission to Parliament:

- **Commission replies to the legislative resolutions (and list of non-legislative resolutions without formal reply) adopted by the European Parliament at its part-session of September 2022**

Line set out in SP(2022) 564.

- **Commission replies to the non-legislative resolutions adopted by the European Parliament at its part-session of June II 2022**

Line set out in SP(2022) 563/2.

The Commission took note of the following points:

- **Adaptation of a number of legal acts in the area of Justice providing for the use of the regulatory procedure with scrutiny to Article 290 of the Treaty on the Functioning of the European Union (Regulation) – POSPÍŠIL report – 2016/0399 (COD)**

Compromise text in SP(2022) 560, further to note COM(2022) 339, which the Commission had already approved on 11 July 2022.

- **Fuels**
 - **‘Fit for 55’ – Use of renewable and low-carbon fuels in maritime transport and amendment of Directive 2009/16/EC (Regulation) – WARBORN report – 2021/0210 (COD)**
 - **‘Fit for 55’ – Deployment of alternative fuels infrastructure, and repeal of Directive 2014/94/EU of the European Parliament and of the Council (Regulation) – ERTUG report – 2021/0223 (COD)**

Information set out in SP(2022) 571 and SP(2022) 572.

– **Results of the European Parliament’s October I 2022 part-session**

Information set out in SP(2022) 553.

**5. COORDINATION OF EXTERNAL ACTION
(RCC(2022) 36)**

The Commission took note of the operational conclusions in RCC(2022) 36 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 5 October 2022.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**6.1. WRITTEN PROCEDURES APPROVED
(SEC(2022) 348 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 3 and 9 October 2022.

**6.2. EMPOWERMENT
(SEC(2022) 349 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 3 and 9 October 2022.

**6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2022) 350 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted under the delegation and subdelegation procedures between 3 and 9 October 2022 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES

(SEC(2022) 351 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 10 and 14 October 2022 and of a finalisation written procedure.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2022) 352 AND /2)

ADMINISTRATIVE MATTERS

(PERS(2022) 63 AND /2)

**7.1. DG AGRICULTURE AND RURAL DEVELOPMENT – APPOINTMENT
OF A DEPUTY DIRECTOR-GENERAL AT GRADE AD15/16**

(PERS(2022) 66 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of Directorates F and I in DG Agriculture and Rural Development (PERS(2022) 66).

It took note of the opinions of the Consultative Committee on Appointments of 20 June and 14 July 2022 (PERS(2022) 66/2 and /3).

The Commission then examined 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 Ms Magdalena KOPCZYNSKA to the post.

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

**7.2. DG COMMUNICATION NETWORKS, CONTENT AND TECHNOLOGY
– APPOINTMENT OF A DEPUTY DIRECTOR-GENERAL AT GRADE
AD15/16**

(PERS(2022) 67 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of Directorates B, D, F, G and I in DG Communication Networks, Content and Technology (PERS(2022) 67).

It took note of the opinions of the Consultative Committee on Appointments of 29 April and 9 June 2022 (PERS(2022) 67/2 and /3).

The Commission then examined 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 Renate NIKOLAY to the post.

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

**7.3. DG JUSTICE AND CONSUMERS – APPOINTMENT OF A DEPUTY
DIRECTOR-GENERAL AT GRADE AD15/16**

(PERS(2022) 68 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of Directorates B and E in DG Justice and Consumers (PERS(2022) 68).

It took note of the opinions of the Consultative Committee on Appointments of 28 February and 13 May 2022 (PERS(2022) 68/2 and /3).

The Commission then examined the applicants' qualifications for the post. On a proposal from Mr HAHN, in agreement with the PRESIDENT and after

consulting Ms DALLI and Mr REYNDERS, it then decided to appoint Mr Nils BEHRNDT to the post.

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

**7.4. DG TRADE – APPOINTMENT OF A DEPUTY DIRECTOR-GENERAL
AT GRADE AD15/16
(PERS(2022) 69 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General in charge of Directorates D and E in DG Trade (PERS(2022) 69).

It took note of the opinions of the Consultative Committee on Appointments of 1 May and 15 July 2022 (PERS(2022) 69/2 and /3).

The Commission then examined the applicants' qualifications for the post. On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr DOMBROVSKIS, it then decided to appoint Mr Leopoldo RUBINACCI to the post.

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

**7.5. DG ECONOMIC AND FINANCIAL AFFAIRS – TRANSFER OF AN
AD14 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS**

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr GENTILONI and Mr LENARČIČ, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Bernadette FREDERICK, an AD14 official and currently Director of the 'General Affairs' Directorate in DG Civil Protection and Humanitarian Aid Operations (ECHO), to the post of Director of the 'Resources and Performance Management' Directorate in DG Economic and Financial Affairs.

This decision would take effect on 1 January 2023.

**7.6. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – PROPOSAL FOR APPOINTMENT OF THE CHAIR OF THE SINGLE RESOLUTION BOARD (SRB)
(PERS(2022) 58 TO /3)**

The Commission took note of the information set out in point 2 of PERS(2022) 63 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Ms McGUINNESS, decided:

- to propose the appointment of Mr Dominique LABOUREIX to the post of Chair of the Single Resolution Board (SRB);
- to ask Ms McGUINNESS, the Member of the Commission responsible, to communicate this decision to the European Parliament and to inform the Council.

These decisions would take effect immediately.

**7.7. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – PROPOSAL FOR THE APPOINTMENT OF A MEMBER OF THE BOARD / DIRECTOR OF RESOLUTION PLANNING AND DECISIONS AT THE SINGLE RESOLUTION BOARD (SRB)
(PERS(2022) 59 TO /3)**

The Commission took note of the information set out in point 3 of PERS(2022) 63 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Ms McGUINNESS, decided:

- to propose the appointment of Ms Tuija TAOS to the post of Member of the Board / Director of Resolution Planning and Decisions at the Single Resolution Board (SRB);

(12 October 2022)

- to ask Ms McGUINNESS, the Member of the Commission responsible, to communicate this decision to the European Parliament and to inform the Council.

These decisions would take effect immediately.

**7.8. SECRETARIAT-GENERAL / REGULATORY SCRUTINY BOARD (RSB)
– RESIGNATION OF AN AD14 MEMBER OF THE
TEMPORARY STAFF UNDER ARTICLE 47 OF THE CONDITIONS OF
EMPLOYMENT OF OTHER SERVANTS OF THE EUROPEAN UNION**

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided to accept the request for resignation submitted, in accordance with Article 47 of the Conditions of Employment of Other Servants of the European Union, by Mr Antonio NICITA, currently Principal Adviser / Member of the Regulatory Scrutiny Board (RSB) at the Secretariat-General, with effect from 13 October 2022.

This decision would take effect immediately.

**7.9. SECRETARIAT-GENERAL / REGULATORY SCRUTINY BOARD (RSB)
– EXTERNAL PUBLICATION (AT GRADE AD14) OF THE VACANCY
NOTICE FOR A PRINCIPAL ADVISER
(PERS(2022) 64)**

The Commission took note of the information set out in point 5 of PERS(2022) 63 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr ŠEFČOVIČ, the Commission decided to authorise the external publication, under Article 29(2) of the Staff Regulations, of the vacancy notice set out in PERS(2022) 64 for the post of Principal Adviser / Member of the Regulatory Scrutiny Board (RSB) at the Secretariat-General, with a view to drawing up a shortlist of candidates who could be recruited as a member of the temporary staff, in accordance with

Article 2(a) of the Conditions of Employment of Other Servants of the European Union.

This decision would take effect immediately.

**7.10. HEALTH EMERGENCY PREPAREDNESS AND RESPONSE AUTHORITY (HERA) – INTERNAL AND INTERINSTITUTIONAL PUBLICATION (AT GRADE AD15/16), AND EXTERNAL PUBLICATION (AT GRADE AD15) OF THE VACANCY NOTICE FOR A DIRECTOR-GENERAL
(PERS(2022) 65)**

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Ms KYRIAKIDES, the Commission decided to authorise the publication, under Article 29(1)(a)(i) and (iii), Article 29(1)(b) and Article 29(2) of the Staff Regulations, of the vacancy notice set out in PERS(2022) 65 for the post of Director-General / Head of the Health Emergency Preparedness and Response Authority (HERA).

This decision would take effect immediately.

**7.11. EUROPEAN ANTI-FRAUD OFFICE – AMENDMENT OF THE ORGANISATION CHART
(SEC(2022) 276)**

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

- to create a temporary post of Principal Adviser for Anti-Fraud Policy, a post which would be abolished upon the jobholder's departure;
- to reinstate to this newly created post, in accordance with Article 40(4)(d) of the Staff Regulations, Mr Florin POSTICA, an AD14 official currently on leave on personal grounds, with effect from 16 March 2023;

- to approve the new organisation chart set out in SEC(2022) 276.

Unless indicated otherwise, these decisions would take effect immediately.

**7.12. DG BUDGET – SECOND COMPLEMENTARY ALLOCATION OF
HUMAN RESOURCES FOR 2022
(SEC(2022) 362)**

The Commission approved the Communication in SEC(2022) 362.

This decision would take effect immediately.

**8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND
SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS –
ENFORCING EU LAW FOR A EUROPE THAT DELIVERS
(COM(2022) 518 AND /2; RCC(2022) 190)**

The PRESIDENT thanked the Members of the Commission involved in drafting the Communication. She pointed out that the number of infringements of European law amounted to 847 in 2021 compared with 900 in 2020 and 645 in 2018, and stressed that the Commission had to ensure not only the protection of the rule of law, but also compliance with the legal bases of European law.

Moving on from the figures quoted, she welcomed the excellent cooperation between the departments concerned: 90% of the cases had been resolved before a potential referral to the Court of Justice of the European Union. The Commission must stand its ground in the face of the numerous infringements of common European values concerning, for instance, ‘golden passports’, media freedom and the pre-eminence of European primary law.

The PRESIDENT concluded her presentation by stressing that the Commission was monitoring all these issues closely and was ready to act if necessary.

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

- the fact that the Commission had worked hard since the beginning of its term of office on the correct application of European law, and that many cases had been resolved and had not needed to be referred to the Court of Justice;
- a reminder of what could be done through dialogue and cooperation with the Member States, and also of the other tools available, including infringement procedures, the European Semester, the recovery plans and the general regime of conditionality for the protection of the EU budget;
- the importance, for the purposes of Better Regulation, of making sure that European law was able to withstand the test of time while evolving where necessary, for example in relation to technology where there was constant progress, and the fact that the trend, in terms of legal technique, was to give preference to regulations over directives;
- a reminder that the enforcement of European law was an important instrument for the internal market, and a daily working tool for the Commission departments concerned;
- the vital need to implement the various EU policies at national level and, in this context, the importance of adopting a more strategic approach that would enable to provide greater help and support for Member States, which sometimes lacked the necessary resources and administrative capacity to act;
- the fact that the Commission itself, as part of the interinstitutional negotiation process, should ensure that changes and additions to its proposals did not cause additional difficulties for the Member States concerned when implementing the relevant texts;
- the importance for the Member States of having statistical data in future on the

number of infringement cases, broken down by sector and by Member State.

Following this presentation, the Commission agreed, on a proposal from the PRESIDENT, that the Communication in COM(2022) 518/2 would be formally adopted by the finalisation written procedure, the deadline for which was set at 10.00 on Thursday 13 October 2022 (PE/2022/7332).

9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COMMUNICATION ON EU ENLARGEMENT POLICY

(COM(2022) 528 TO /4; SWD(2022) 332 TO /3; SWD(2022) 333 TO /3; SWD(2022) 334 AND /2; SWD(2022) 335 AND /2; SWD(2022) 336 AND /2; SWD(2022) 337 TO /3; SWD(2022) 338 AND /2; RCC(2022) 192)

The PRESIDENT introduced the College's discussion on the 2022 Communication on EU enlargement policy, which was proposed for approval that day. She pointed out that Ukraine, Moldova and Georgia were not yet covered by the assessment of the progress of candidate countries in the accession process, as the decision of the European Council to grant candidate status to Ukraine and Moldova and a European perspective for Georgia had only been taken in the summer, but that these countries would be part of the exercise from next year.

She nonetheless highlighted that the enlargement process should be seen more than ever in the geopolitical context arising from Russia's military aggression against Ukraine on 24 February. The return of war in Europe had added an extra dimension to the enlargement process in terms of maintaining trust and hope in the Western Balkans.

Although the Communication and the country-specific evaluation reports identified significant backsliding in certain candidate countries, the Commission would always

favour a constructive approach based on the progress observed. In Bosnia and Herzegovina, for example, while progress was still modest, the new government appeared determined to implement the necessary reforms, which justified the encouraging message in the evaluation report.

The PRESIDENT pointed out in general that the Communication and country-specific reports contained very clear messages addressed to each country, and that the progress made on the recommendations given to each candidate country would be discussed by the Heads of State or Government at the European Council meeting on 29 and 30 June next year.

Mr VÁRHELYI presented the various elements of the package in more detail, placing them in the context of the crisis caused by Russia's aggression against Ukraine, which had directly affected stability in the Western Balkans in the fields of energy and agricultural supplies and in terms of price stability.

He pointed out in this respect that the EU's role should not merely consist of highlighting the need to implement all necessary reforms, but should also include motivating accession candidate countries by encouraging them to maintain their efforts.

He felt that, in this context, the EU's enlargement policy was a geostrategic investment in the peace, stability, security and socio-economic growth of the European continent.

In the short term, he called for the EU's contribution to strengthening the resilience of the Western Balkan countries to be stepped up, employing the full potential of the economic and investment plan devoted to them. Noting that just 10% of the total planned budget had been spent so far, he felt this was not enough and that its implementation should thus be accelerated.

Mr VÁRHELYI also called for measures to be envisaged rapidly to strengthen the energy resilience of the Western Balkans in order to address the pressing needs of

candidate countries and to fill a vacuum which might otherwise be occupied by other third countries wishing to expand their influence in the region. In this context, he felt that a short-, medium- and long-term action plan needed to be devised, in close consultation with the countries in question. This plan would aim to reduce dependence on Russian gas, develop the connectivity of the Western Balkans energy networks with those of the EU, increase production of renewable energy and promote energy efficiency, mainly in public and private buildings. Eventually, one billion euros could be mobilised to finance a wide range of projects aimed at strengthening the energy resilience of candidate countries.

He then referred more specifically to the evaluation of the progress made by each candidate country, starting with Montenegro, where the delays observed in the introduction of reforms were due in large part to the political instability that had affected the country over the past year. The priority should now be to conclude the negotiation chapters, paying particular attention to the most critical matters such as freedom of expression, media freedom and the fight against corruption and organised crime.

As regards Serbia, he stressed the urgency of rapidly putting in place a government firmly attached to the EU's strategic direction and to the country's reform path. Further work and political commitment were needed to continue and deepen reforms and address shortcomings, in particular in the key areas of the judiciary, the fight against corruption and organised crime, media freedom, freedom of assembly and the domestic handling of war crimes. In particular, Serbia also needed as a priority to improve its rate of alignment with EU foreign and security policy, which had dropped substantially since the last assessment. On this point, he regretted the recent signing of a memorandum of understanding with the Russian foreign ministry, which had raised concerns as to the intentions of the Serbian government.

Nonetheless, the Serbian government had committed to aligning its visa policy with that of the EU by the end of the year. This issue was related to migration, where

close cooperation was required in order to reduce the flow of migrants passing through Serbia and ensure the effective implementation of asylum procedures.

Lastly, he stressed the need for the EU to maintain active support for dialogue between Belgrade and Pristina, to allow it to resume on the basis of a constructive approach.

Mr VÁRHELYI pointed out that Albania and North Macedonia had opened a new phase in their relations with the EU following the first intergovernmental conferences on accession negotiations on 19 July 2022. Nonetheless, the two countries needed to further intensify efforts in key areas such as the rule of law, the fight against corruption and the fight against organised crime. More specifically, Albania also needed to focus on property rights, minority issues and freedom of expression. He also stressed that Albania had shown itself to be a valuable ally of the EU as a non-permanent member of the UN Security Council, supporting the EU's positions on the Russian aggression against Ukraine.

On Kosovo¹, the Commission stood by its July 2018 assessment that Kosovo had fulfilled all visa liberalisation benchmarks and considered that the proposal, which was still pending in the Council, should be dealt with as a matter of urgency. However, Kosovo needed to step up its efforts to strengthen democracy, public administration, rule of law and the fight against corruption. Lastly, he noted the positive development in the Member States' position on an EU membership application, which could be formally submitted by Kosovo by the end of the year.

Mr VÁRHELYI then referred to the progress made by Bosnia and Herzegovina and noted the particular circumstances of the country, which had not yet been granted EU candidate status. In that regard, the perception of Bosnia and Herzegovina as a

¹ This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

candidate had been partially distorted by the fast-tracking of candidate status for Ukraine and Moldova in the summer. Bosnia and Herzegovina's position in the enlargement process therefore needed to be swiftly clarified. In that regard, in June 2022 the European Council had expressed its readiness to grant candidate country status to Bosnia and Herzegovina and had asked the Commission to report on the implementation of the 14 key priorities, paying special attention to eight of them that constituted a substantial set of reforms.

Mr VÁRHELYI pointed out that, despite political instability, the leaders of the political parties represented in the Parliamentary Assembly of Bosnia and Herzegovina had committed themselves to respecting the principles for ensuring the country functioned well and was advancing on the European path. The Commission therefore recommended that Bosnia and Herzegovina be granted candidate status by the Council, on the understanding that steps had to be taken on the eight substantial priorities identified. The subsequent fulfilment of all 14 key priorities would enable the Commission to recommend opening EU accession negotiations with Bosnia and Herzegovina.

Lastly, he briefly referred to the report on Turkey and noted that, in terms of democracy, rule of law and fundamental rights, the country had to reverse negative trends as a matter of priority, by addressing in particular the weakening of checks and balances in the political system. The negotiations had therefore not progressed, but Turkey remained a key partner for the EU in areas of common interest, such as migration, the fight against terrorism, the economy, trade, energy, food security and transport.

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

- the importance of the credibility of the enlargement process, and its impact inside and outside the EU in the current geopolitical context;

- the existing identification with Europe in the Western Balkans and the EU’s responsibility for the stability of the region;
- for some, the importance of reconciling public support for enlargement in the countries concerned with the less favourable economic reality of the region, especially through pre-accession tools, to support the green and digital transition and focus on critical raw materials;
- the difficult balance, which had been struck in the package, between the clear European perspective for the region and the related responsibilities and obligations;
- the significant differences between the position of Bosnia and Herzegovina and that of Ukraine or Moldova, the understanding that Bosnia and Herzegovina’s candidate status depended on it making additional efforts in the areas identified, and the fundamental nature of rule of law issues, such as the country’s constitutional and electoral reform and the prohibition of torture;
- Serbia’s lack of alignment on common foreign and security policy issues, its contribution to the Russian war effort and propaganda in the aggression against Ukraine, and its breaches of the rule of law and media freedom;
- the need to focus on the issue of visa-free travel in Serbia for some third countries, the importance of the fight against corruption and the consequences of the lack of alignment on migration policy;
- the importance of supporting cooperation between countries bordering the EU and FRONTEX, and the forthcoming signature of an agreement with North Macedonia on the deployment of border guards;
- the risks linked to political and economic instability in Turkey and the tenser situation in the Eastern Mediterranean, and the importance nevertheless of giving hope to pro-European forces in the country;

- the unacceptable circumvention of European sanctions against Russia, which must have clear criminal law consequences.

Mr VÁRHELYI wound up the discussion by briefly returning to the case of Bosnia and Herzegovina. He indicated that the country had resumed its reform efforts with a view to EU membership, sometimes as a result of the incentives offered by the EU. He also noted that the population of Bosnia and Herzegovina was one of the most pro-European in the Western Balkans, which should ensure public support for the reforms sought. The recent reform of public procurement rules was a step in the right direction and part of the fight against corruption.

With regard to the circumvention of EU sanctions, the Commission remained vigilant and was conveying clear messages in this area, in particular to Turkey.

Lastly, he stressed the importance of alignment in foreign and security policy but added that the EU's enlargement methodology and criteria were clear and that alignment should not become a new accession criterion.

Following this presentation, the Commission approved, subject to a final clean-up, the Communication in COM(2022) 528/4 for transmission to the European Parliament, the Council, the Economic and Social Committee, and the Committee of the Regions and, for information, to the national parliaments, together with the country reports in staff working documents SWD(2022) 332/3, SWD(2022) 333/3, SWD(2022) 334/2, SWD(2022) 335/2, SWD(2022) 336/2, SWD(2022) 337/3 and SWD(2022) 338/2, the contents of which were noted.

**10. PROPOSAL FOR A DECISION OF THE EUROPEAN PARLIAMENT AND
OF THE COUNCIL ON A EUROPEAN YEAR OF SKILLS 2023
(COM(2022) 526 TO /3; RCC(2022) 191)**

The PRESIDENT asked Ms VESTAGER, Mr SCHINAS and Mr SCHMIT to present to the College the proposal for a Decision on a European Year of Skills 2023.

Ms VESTAGER noted that the green and digital transitions affected us all, and that it was therefore essential that everyone had the right skills to work and to participate fully in society and democracy.

The European Year of Skills would therefore have a broad focus on supporting learning and upskilling for everyone, whatever the type of work. Furthermore, the Digital Decade set targets for both basic and advanced digital skills, given that most jobs now had a digital element.

Ms VESTAGER also mentioned the launch of the structured dialogue with the Member States on digital education and skills, to which the PRESIDENT had referred the previous year in her State of the Union address.

The dialogue had continued this year, and the exchanges that had taken place within this framework had been focused on evaluating what needed to be done to pursue investments and reforms, to work with businesses and key stakeholders, and to ensure that all relevant parts of government were involved in delivering real changes. Implementation of the European Year of Skills was founded on this structured dialogue, expanding its scope beyond the digital and working with all those concerned.

Ms VESTAGER concluded her presentation by emphasising that the Year of Skills would be a year of implementation, a year of positive change and of ownership of that change on the ground.

Mr SCHINAS welcomed the PRESIDENT's announcement in her recent State of the Union address of the establishment of the European Year of Skills, taking place just after the European Year of Youth, both of which were closely linked to the European way of life.

The Commission had already been very active in the field of skills, in particular with the European Skills Agenda, the proposals on micro-credentials and individual learning accounts for lifelong learning and employability, as well as the establishment of the EU's talent pool to link skilled workers wishing to move to the EU with employers' needs.

Mr SCHINAS also stressed that funds were available in this area for the first time, for example in the national recovery and resilience plans, which included a substantial element dedicated to education and skills.

It was important to focus the European Year of Skills on delivering tangible results, as well as on the synergies between different areas. Achieving this objective would require a collective effort from all stakeholders, including all the Commissioners and their departments.

Mr SCHINAS also hoped that the theme of the European Year of Skills would be taken up throughout the European Union, bringing together all the parties concerned.

Mr SCHMIT emphasised the fact that the announcement of the launch of the European Year of Skills had already sent a very positive message in a period that was somewhat gloomy, to say the least. What was now needed was to follow up the announcement with some real substance.

The issue of skills was clearly linked to that of the labour market; it was also a horizontal and cross-sectoral matter. Mr SCHMIT stressed that many companies were currently suffering from shortages of highly-skilled, moderately-skilled and even low-skilled labour, with a negative impact on the European Union's global competitiveness.

Mr SCHMIT then referred to the relatively recent launch of the Pact for Skills, which in his view could be rendered more operational. He also emphasised how important it was, as a next step, to identify tangible measures with the various

stakeholders, in particular businesses, to make the European Year of Skills a success and to make adequate financial resources available, especially under the national recovery and resilience plans.

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

- the broad support for a proposal deemed necessary and timely;
- a reminder that the European Year of Skills 2023, which featured in the PRESIDENT’s recent State of the Union address, provided continuity with the European Year of Youth 2022;
- satisfaction with the objective of bringing more women and girls into the labour market – thereby contributing to the objective of halving the employment gender gap by 2030 – as well as young people and other under-represented groups, primarily in the field of science, technology, engineering and mathematics (STEM);
- the need to ensure that people’s skills, reskilling and upskilling matched demand, given that many companies were looking for specific profiles;
- in this context, the value of attracting workers, and in particular highly-skilled workers, from third countries;
- a reference to the agreement reached on the ‘EU Blue Card’ and the role played by the new EU Talent Partnership with third countries, and the need to make Europe as attractive and welcoming as possible for potential skilled workers wishing to emigrate;
- the contribution that could be made by the new European Innovation Agenda, adopted by the Commission in summer 2022 and aimed at creating 100 innovation bodies;

- the importance of taking into account intergenerational solidarity and territorial differences within the EU.

The PRESIDENT noted that skills played an essential role not only for the economy, but they also affected all aspects of people's lives, including their private life.

The average unemployment rate in Europe was currently 6%, but experts feared that this encouraging figure masked a profound mismatch with workers' qualifications, which could rapidly lead to problems in the labour market.

She also noted that, alongside questions relating to young people, women and girls, and entry into the labour market, special attention should also be given to the issues of an ageing European society and of skilled migration to the EU.

In conclusion, the PRESIDENT mentioned the need for employers' associations and trade unions to come together, as they knew what they needed and how to achieve it.

Following these presentations, the Commission adopted the proposal for a Decision in COM(2022) 526/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

11. OTHER BUSINESS

OUTCOME OF THE FIRST MEETING OF THE EUROPEAN POLITICAL COMMUNITY AND OF THE INFORMAL MEETING OF HEADS OF STATE OR GOVERNMENT (PRAGUE, 6 AND 7 OCTOBER 2022)

The PRESIDENT briefed the College on two events she had attended the previous week in Prague, namely the first-ever meeting of the European Political Community and the informal European Council meeting.

The meeting of the European Political Community had brought together the leaders of 44 EU and European countries on 6 October to deepen mutual understanding between the countries in question and establish constructive dialogue on how to address the most pressing issues. She noted that the future of this new forum for dialogue and the organisation of the next steps were still to be determined.

The PRESIDENT then reviewed the results of the informal meeting of the European Council held on 7 October.

The first topic discussed at the meeting was the situation in Ukraine. The country urgently needed defence support, particularly in terms of air defence, as well as stable and reliable flows of financial aid. On that point, she noted that, from the following year onwards and for as long as the war lasted, Ukraine would receive European support of EUR 1.5 billion per month, supplemented by an additional EUR 1.5 billion from the United States and the international community.

The second main topic discussed by the European Council was energy, and the PRESIDENT noted that the leaders had based their discussions on the letter that she had sent them. Moreover, with a view to the formal meeting of the European Council to be held on 20 and 21 October, the Commission had been asked to present legislative proposals designed to influence the energy market.

Several avenues were currently being explored, including negotiations with alternative energy suppliers, intervention via the benchmark Title Transfer Facility, a cap on gas prices and joint procurement. A further option that would be explored was the possibility of using EU funds to guarantee a level playing field in the single market in terms of competition and State aid.

As for the next steps, the PRESIDENT explained that the options currently on the table with regard to intervention on the energy market would also be discussed at the informal meeting of energy ministers being held on the same day and that, in the coming days, the Commission would look at what exactly those options could entail in practical terms. She invited the Members of the Commission to take part in an informal videoconference over the weekend to discuss the draft legislative proposals and thereby prepare for the College's meeting the following week, with a view to the European Council on 20 and 21 October.

The PRESIDENT informed the College that the 20th National Congress of the Chinese Communist Party would be held on 16 October and would set out China's geostrategic path for the upcoming period. She proposed to invite Mr Kevin RUDD, the former Prime Minister of Australia and a sinologist, to attend an upcoming College meeting to interpret the outcome of the Congress.

At the invitation of the PRESIDENT, Mr REYNDEERS then briefed the College on his recent trip to Ukraine and on the negotiations on the EU-US Privacy Shield.

He had travelled to Ukraine on 9 October, where he had spoken to the Prosecutor General and representatives of civil society. The Ukrainian authorities were still calling for a special international war crimes tribunal to be established, whereas the EU was more in favour of a hybrid solution with the participation of the United Nations and Ukraine.

Many requests had been made asking for the EU to provide direct support to the European Court of Human Rights, as the Court was receiving a growing number of individual complaints from Ukrainian citizens. He also mentioned the need to finance a pilot project to rebuild prosecutors' offices in various Ukrainian cities, as they had been destroyed by the Russian army.

He said that the discussions had been very useful, particularly given that, in 2023, the Commission would begin evaluating Ukraine's progress on the road to EU accession, which would include an assessment of the rule of law. On that point,

Mr REYNDERS noted that Ukraine had already made progress with regard to tackling corruption, thanks to the involvement of international experts who had taken part in selection panels to appoint the members of various judicial bodies.

He added that his visit had not been able to proceed as planned owing to Russian attacks on Kyiv the following day. The impressive response by the Commission security services and by Ukrainian security services was very calm and organised. The attack was the first on Kyiv in three months, the general impression being that this was Russia's response to the explosion on the bridge linking Crimea and Russia as well as the progress being made by Ukrainian forces on the ground.

Lastly, Mr REYNDERS informed the College that, for the first time, he had been able to discuss a draft executive decree with his US counterparts with the aim of ensuring full compliance of the agreement in principle between the PRESIDENT and the US President Joe BIDEN on the transfer of personal data between the EU and the United States. He explained that the main issues discussed concerned intelligence services' access to personal data, compliance with the principles of necessity and proportionality, and the issue of independent judicial review of access to personal data. As regards procedure, he noted that a draft adequacy decision from the Commission could be ready in November, with final adoption expected to take place next spring, i.e. in around six months' time.

The Commission took note of this information.

*

* *

The meeting closed at 11.56.