EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2024) 2506 final

- English translation of the French version which is authentic -

Brussels, 28 November 2024

TEXTE EN

MINUTES

of the 2506th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 13 November 2024

(morning)

PV(2024) 2506 final

- *English translation of the French version which is authentic –*

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Single sitting: Wednesday 13 November 2024 (morning)

The sitting opened at 9.05 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President	
Ms VESTAGER	Executive Vice-President	
Mr DOMBROVSKIS	Executive Vice-President	Items 8 and 9
Mr ŠEFČOVIČ	Executive Vice-President	
Mr BORRELL i FONTELLES	High Representative / Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Mr SCHMIT	Member	
Mr GENTILONI	Member	
Mr WOJCIECHOWSKI	Member	
Ms FERREIRA	Member	Items 8 (in part) and 9
Ms KYRIAKIDES	Member	
Mr REYNDERS	Member	
Ms DALLI	Member	
Mr LENARČIČ	Member	
Ms URPILAINEN	Member	
Ms McGUINNESS	Member	

Absent:

Ms JOHANSSON	Member
Mr VÁRHELYI	Member

Ms SIMSON	Member
Ms IVANOVA	Member
Mr HOEKSTRA	Member

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

Ms WEBBER	Head of Cabinet to Ms JOHANSSON
Ms TEEDUMÄE	Deputy Head of Cabinet to Mr VÁRHELYI
Mr KADARIK	Deputy Head of Cabinet to Ms SIMSON
Mr DIMITROV	Member of Ms IVANOVA's cabinet
Mr MES	Member of Mr HOEKSTRA's cabinet

The following also sat in:

Mr SEIBERT	Head of Cabinet to the PRESIDENT
Mr CALLEJA CRESPO	Director-General, Legal Service
Ms SPINANT	Director-General, DG Communication
Mr MAMER	Head of the Spokesperson's Service and Chief Spokesperson of the Commission
Mr ADAM	Deputy Head of Cabinet to the PRESIDENT
Mr CALACEAN	Adviser in the PRESIDENT's cabinet
Mr TAQUET-GRAZIANI	Acting Head of Unit in the Secretariat-General
Ms BUKA	Secretariat-General

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

1. AGENDAS
(OJ(2024) 2506/FINAL; SEC(2024) 2506/FINAL)

The Commission took note of that day's agenda and of the tentative agendas for forthcoming meetings.

2. WEEKLY MEETING OF HEADS OF CABINET
(RCC(2024) 2506)

The Commission considered the Secretary-General's report on the weekly meeting of Heads of Cabinet held on Monday 11 November 2024.

3. APPROVAL OF THE MINUTES

The Commission held over approval of the minutes of its 2504th and 2505th meetings of 22 and 30 October 2024 for a later date.

4. INTERINSTITUTIONAL RELATIONS
(RCC(2024) 148)

The Commission took note of the outcome of the written exchange of the Interinstitutional Relations Group (GRI) for the week from 4 to 8 November 2024 (RCC(2024) 148).

The Commission approved the lines proposed for the following points:

– **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 2023/2124 of the European Parliament and of the Council of 4 October 2023 on certain provisions for fishing in the**

agreement area of the General Fisheries Commission for the Mediterranean (GFCM) – ZOVKO report – 2024/0098 (COD)

Line set out in SI(2024) 367.

– **Interinstitutional Ethics Body – Approval of the Memorandum of Understanding detailing the costs to be shared between the parties and the practical modalities of reimbursement**

Line set out in SPI(2024) 31.

The Commission approved the line proposed for the following point, for transmission to the European Parliament:

– **Commission replies to the non-legislative resolutions adopted by the European Parliament at its March 2024 part-session (11-14 March)**

Line set out in SP(2024) 547.

The Commission took note of the following point:

– **Thematic discussions in the Council Working Party on the United Kingdom on strengthened cooperation with the United Kingdom (part three)**

Information set out in SI(2024) 366.

5. COORDINATION OF EXTERNAL ACTION (RCC(2024) 41)

The Commission took note of the operational conclusions in RCC(2024) 41 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 6 November 2024.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED (SEC(2024) 264 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 28 October and 10 November 2024.

6.2. EMPOWERMENT (SEC(2024) 265 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 28 October and 10 November 2024.

6.3. DELEGATION / SUBDELEGATION OF POWERS (SEC(2024) 266 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 28 October and 10 November 2024 archived in D*e*cide.

6.4. SIGNIFICANT WRITTEN PROCEDURES (SEC(2024) 267 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 11 and 22 November 2024, and of the finalisation written procedure.

7. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2024) 268/2)

ADMINISTRATIVE MATTERS
(PERS(2024) 69/2)

7.1. DG INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES – CLOSURE OF THE SELECTION PROCEDURE FOR A POST OF DIRECTOR AT GRADE AD14/15

On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms VESTAGER, the Commission decided to close the selection procedure for the post of Director of Directorate ‘Ecosystems II: Tourism, Textiles, Digital Transformation of Industry and Social Economy’ in DG Internal Market, Industry, Entrepreneurship and SMEs, without making an appointment.

This decision would take effect immediately.

7.2. DG HUMAN RESOURCES AND SECURITY – APPOINTMENT OF A DIRECTOR AT GRADE AD14/15
(PERS(2024) 70 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 ‘Finance, Legal and Partnerships’ Directorate in DG Human Resources and Security (PERS(2024) 70).

It took note of the opinions of the Consultative Committee on Appointments of 31 March and 13 April 2023 (PERS(2024) 70/2 and /3).

The Commission proceeded to compare the applicants’ qualifications for the post. On a proposal from Mr HAHN, in agreement with the PRESIDENT, it then decided to appoint Mr Christian LINDER to the post.

This decision would take effect on 1 January 2025.

7.3. SECRETARIAT GENERAL – ADOPTION OF A LIST OF CANDIDATES FOR THE POST OF EUROPEAN DATA PROTECTION SUPERVISOR (EDPS)
(PERS(2024) 43 TO /5)

The Commission took note of the information in PERS(2024) 43/3 and, on a proposal from Mr HAHN, in agreement with the PRESIDENT, decided:

– to approve the opinions of the Consultative Committee on Appointments of 16 October and 6 November 2024 (PERS(2024) 43/4 and /5), to adopt the list of candidates, presented in alphabetical order, for the post of European Data Protection Supervisor (EDPS) and to consider this list as the Commission proposal: Mr Bruno GENCARELLI, Mr François PELLEGRINI, Ms Anna POULIOU and Mr Wojciech WIEWIÓROWSKI;

– to instruct the Secretary-General to forward this list to the European Parliament and to the Council.

These decisions would take effect immediately.

7.4. DG BUDGET – COMPLEMENTARY ALLOCATION OF HUMAN RESOURCES FOR 2024
(SEC(2024) 275/2)

The Commission approved the Communication in SEC(2024) 275/2 concerning the complementary allocation of human resources for 2024.

7.5. DG HUMAN RESOURCES AND SECURITY – A SOLUTION TOWARDS INCREASED ATTRACTIVENESS FOR EU STAFF IN LUXEMBOURG
(SEC(2024) 276)

Mr HAHN explained that the agreement between the European Commission, the Grand Duchy of Luxembourg and the Federation of Luxembourgish Hospitals on the Joint Sickness Insurance Scheme should help to make the Luxembourg site more attractive for EU staff by reducing the cost of hospital care in Luxembourg. In that connection, he noted that around 13 000 EU officials and temporary staff members worked for EU institutions and bodies in Luxembourg, more than 3 000 of whom worked for the European Commission.

The Commission took note of the information in SEC(2024) 276 and decided:

– to approve the Memorandum of Understanding between the European Commission, the Federation of Luxembourgish Hospitals and the Grand Duchy of Luxembourg on the Joint Sickness Insurance Scheme;

– to authorise the Member of the Commission responsible, Mr HAHN, to sign the Memorandum of Understanding with the Luxembourg authorities on behalf of the European Commission.

These decisions would take effect immediately.

8. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON A PUBLIC INTERFACE CONNECTED TO THE INTERNAL MARKET INFORMATION SYSTEM FOR THE DECLARATION OF POSTING OF WORKERS AND AMENDING REGULATION (EU) NO 1024/2012 (COM(2024) 531 TO /3; SWD(2024) 258 AND /2; RCC(2024) 145)

Ms VESTAGER welcomed the presentation of this proposal before the end of the Commission’s term of office, as the Regulation would reduce the administrative burden on businesses temporarily sending workers to another Member State. The proposal for a Regulation, which was included in that year’s work programme, therefore contributed to the Commission's target of reducing the administrative burden on business by 25%.

Companies providing cross-border services in the single market regularly sent workers for a short period – often only a few days – to another EU country. This type of posting was therefore an essential part of the single market. In 2022, around five million postings had been declared in the EU and the trend was increasing. Formalities introduced by Member States to declare posted workers had created a sizeable administrative burden for companies wishing to provide cross-border services. Companies considered it one of the main administrative barriers in the single market for services.

Ms VESTAGER pointed out that, to make it easier to declare the posting of workers, the Commission proposal set up a multilingual public portal that would be integrated into the Internal Market Information System (IMI). The proposal introduced no obligations for Member States, which would be able to use the common European portal on a voluntary basis to declare posted workers. While several Member States had asked the Commission to create a common portal, others had indicated their intention to continue using their own electronic ones.

She added that the Commission was not proposing any changes to the existing rules on posting of workers in EU law. She explained that setting up such a portal required an EU Regulation for three reasons: (i) to provide a legal basis empowering the Commission to create the portal, (ii) to allow the processing of personal data and (iii) to make the necessary amendment to the Regulation on the Internal Market Information System, as the portal would be integrated into it.

Ms VESTAGER drew attention to the advantages offered by the public portal in terms of simplification, as companies would be able to submit their posting declarations in one place and with a uniform set of information applicable to all Member States using the interface. A lot of the information could also be reused for subsequent declarations once encoded in the portal, while respecting EU data protection rules.

The specific content of the standard form would be specified by the Commission in an implementing act drawn up on the basis of input from the participating Member States. Those Member States could also submit proposals to the Commission for changes to the standard form. The current EU declaration system for postings in the road transport sector would be used as a model, as the national authorities were already familiar with that format. The portal could also provide a digital solution for Member States that had not yet digitalised their posting declarations.

Ms VESTAGER concluded her presentation by emphasising that the proposal was the result of extensive consultations with Member States and social partners. Volunteer Member States would start implementing the Regulation and others could choose to come on board once they were convinced about the usability of the tool. This would demonstrate the EU's ability to provide practical digital solutions that reduced the administrative burden for businesses and authorities.

Mr DOMBROVSKIS stressed the importance of the proposed Regulation; although technical, it was a good example of the way forward in reducing the administrative burden on business. The proposal combined use of digital tools with a reduction in the amount of data required. The Commission's approach had three goals: (i) deepening the single market, (ii) reducing the reporting burden on companies and (iii) facilitating administrative cooperation and enforcement of posted workers' rights.

He pointed out that the proposal illustrated how simplification could be combined with upholding the EU's fundamental values and principles, particularly as regards social rights. However, the initiative would only work if Member States were committed. Mr DOMBROVSKIS was confident that the platform and common form would be used by a growing number of Member States, thus maximising the benefits.

Mr SCHMIT stressed the usefulness of the Regulation in simplifying the posting of workers, while preserving the existing legal framework in that area. The proposal answered requests from many businesses with cross-border activities, in particular SMEs.

The use of the portal and the common form for the electronic declaration of posting of workers would not only reduce costs for companies, but also improve the reliability of the information collected, the effectiveness of labour inspections and the safeguarding of posted workers' rights.

Lastly, Mr SCHMIT stressed that Member States' participation in the system was voluntary. He hoped that, once the common electronic form had been adopted, most Member States would recognise its potential and sign up. This would enhance the competitiveness of the single market and make Member States' labour markets function better.

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

– the observation that the initiative responded to requests from Heads of State or Government at their informal meeting in Budapest on 8 November to submit specific proposals on reducing the administrative burden and reporting obligations for businesses;

– similar concerns expressed by young European entrepreneurs, who found it difficult to adapt to the complex administrative systems in each Member State;

– the need for a targeted communication strategy to promote the common portal and encourage more Member States to use it;

– the challenges posed by the decentralised structure for supervising companies operating in the single market, which imposed additional reporting requirements;

– hence the advisability of strengthening European supervision, particularly with regard to data protection and consumer protection.

The PRESIDENT wound up the discussion by stressing that the proposal was a major step forward in the Commission's response to concerns about the considerable administrative burden. This burden arose not only from European rules but also from national and regional measures. She referred to the conclusions of Mr DRAGHI's report on European competitiveness, which highlighted the importance of proposing a 28th common scheme for the entire EU, given the 27 different national reporting systems. Companies that wished to grow were free to use this voluntary scheme. The ultimate goal was for all Member States to sign up, so that businesses and workers could benefit fully from the single market. An approach based on a coalition of volunteer Member States was therefore essential to demonstrate the added value of joint action and encourage others to come on board.

Following these presentations, the Commission approved the proposal for a Regulation in COM(2024) 531/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the European Data Protection Supervisor and the national parliaments, together with the staff working document distributed as SWD(2024) 258/2, the contents of which were noted.

9. OTHER BUSINESS

9.1. LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

Mr BORRELL summarised the latest developments in EU external relations, emphasising the possible economic and geopolitical implications of the US election results.

As for the situation in Ukraine, Mr BORRELL briefed the College on his recent visit to Kiyv, where he had been able to observe the remarkable growth of the Ukrainian defence industry and its capacity for innovation in spite of the challenges posed by the war. He underlined the importance of supporting this industry and bolstering Ukraine’s independent defence capacities, which offered better value for money than supplying EU armaments and then reimbursing the Member States. To this end, the first tranche of EUR 1.5 billion intended for the European Peace Facility included EUR 400 million to support the Ukrainian defence industry.

Mr BORRELL noted that the military situation remained difficult, with Russia making slow but steady advances, and with significant loss of life on both sides. He shared Ukrainian concerns regarding the continuity of US support and the restrictions imposed on the use of the equipment supplied, which could not be used to directly target military facilities in Russia. Regardless of future US decisions, the EU needed to maintain its commitment towards Ukraine. This was essential for European security. In this connection, he referred to the Foreign Affairs Council and the Foreign Affairs Council (Defence) that would take place the following week, where he would make a concerted push for more military support. He would also suggest looking into the possibility of using frozen Russian assets, in addition to their windfall profits, to finance reconstruction in Ukraine.

Before contemplating reconstruction, however, the priority was to prevent the destruction of infrastructure, especially in the energy sector. He therefore called for greater air defence support, pointing out that Ukraine was struggling to intercept the majority of Russian missiles and that the east of the country remained vulnerable. He also stressed the need to supply more ammunition and welcomed the fact that the EU had reached its target of providing Ukraine with one million shells, even if it had taken six months longer than expected. Lastly, he underlined the importance of military training and equipping brigades, which was key to strengthening the capacities of the Ukrainian army in addition to increasing personnel.

Mr BORRELL expressed his concern regarding the rapprochement between Russia and North Korea, especially as regards what Pyongyang might seek to obtain in return for its military support, such as advances in sophisticated military technology. Although it was unlikely that North Korea would significantly strengthen its ability to attack South Korea, this could not be ruled out. In this context, he welcomed the recent partnership agreements concluded with Japan and South Korea, which offered a solid framework for boosting security cooperation with these two countries. He concluded by pointing out that South Korean society was much better prepared for a possible conflict than European societies.

The PRESIDENT stated that, while the EU’s shortcomings as regards productivity and security had recently been highlighted in the reports of Mr Draghi and Mr Niinistö, what was really new was the increased sense of urgency. Referring to the discussions at the recent informal meeting of Heads of State or Government in Budapest, she stressed that Europe was facing a historic moment when it was essential to turn words into action.

The PRESIDENT expressed her concern regarding the heavy human toll suffered by Ukraine and her admiration for the Ukrainian defence industry’s production and innovation capacity.

The Commission took note of this information.

9.2. 2025 ANNUAL BUDGET

Mr HAHN briefed the College on the progress of negotiations on the 2025 annual budget. He was optimistic that an agreement could be reached in the days to follow. The last points to clarify mainly concerned two issues: i) the sources of funding intended to cover the interest on loans contracted under the NextGenerationEU programme, and ii) the proposed regional emergency support to reconstruction (RESTORE), which sought to assist Member States affected by climate disasters, in particular the impact of advance payments on the Member States' financial resources.

The Commission took note of this information.

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The meeting closed at 9.48.