



**Brussels, 4 July 2019  
(OR. en)**

**10797/19**

**INST 187**

**NOTE**

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| From:    | Permanent Representatives Committee  |
| To:      | Council  |
| Subject: | Proposal by the President of the European Commission on the non-replacement of Members of the Commission |

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1. On 2 July 2019 the European Commission sent a Proposal from the President of the Commission for a Council Decision on the non-replacement of Members of the Commission<sup>1</sup>.
2. Following the elections to the European Parliament, Vice-President Ansip and Commissioner Crețu have resigned from the Commission, with effect from 1 July 2019, in order to take up the seats in the European Parliament to which they were elected.
3. In accordance with Article 246 TFEU, the Council may, acting unanimously on a proposal from the President of the Commission, decide that a vacancy in the Commission need not be filled, in particular when the remainder of the Member's term of office is short.

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<sup>1</sup> 10712/19 REV1.

4. At its meeting on 3 July 2019, the Permanent Representatives Committee examined the proposal by the President of the European Commission and took note that the required unanimity could not be attained.
5. Therefore, the Council is invited:
  - a) to confirm that it is not in a position to adopt the said proposal since unanimity has not been attained and
  - b) to decide to inform the President of the European Commission thereof, via the draft letter in the Annex to this note.

Draft reply

From: Council of the European Union

To: President of the European Commission

Dear President Juncker,

Thank you for your proposal of 2 July 2019 for a Council Decision on the non-replacement of Members of the Commission.

The Council has examined the proposal. The unanimity needed to adopt such a decision, as required by Article 246 of the Treaty on the Functioning of the European Union, could not be attained. The procedure for the replacement of Mr Ansip and Ms Crețu, in their function as Members of the Commission, shall therefore be initiated.

(Complimentary close)

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