



Brussels, 8 October 2020
(OR. en)

11180/20

INST 221

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Council Decision taken by common accord with the President of the Commission appointing a Member of the European Commission
– Adoption

1. In accordance with Article 246(2) of the Treaty on the Functioning of the European Union: "*A vacancy caused by resignation, compulsory retirement or death shall be filled for the remainder of the Member [of the Commission]'s term of office by a new Member of the same nationality appointed by the Council, by common accord with the President of the Commission, after consulting the European Parliament and in accordance with the criteria set out in the second subparagraph of Article 17(3) of the Treaty on European Union.*"
2. In a letter dated 27 August 2020, Ms Ursula VON DER LEYEN, President of the Commission, informed the Council that Mr Phil HOGAN had resigned from his post as a Member of the Commission¹.

¹ 10556/20.

3. On 10 September 2020, the Government of Ireland nominated Ms Mairead McGUINNESS for the vacant post.²
4. On 14 September 2020, the Council decided to consult the European Parliament on the appointment of Ms McGUINNESS to the position of a member of the European Commission.
5. The European Parliament delivered its opinion on 7 October 2020.
6. In reply to the letter by the Council of 7 October 2020, on the same date the President of the Commission notified her accord on the appointment of Ms McGUINNESS as member of the European Commission ³.
7. In view of the above, the Permanent Representatives Committee is invited to suggest that the Council adopt the Decision taken by common accord with the President of the Commission appointing a Member of the European Commission, as finalised by the legal/linguistic experts and set out in document 11178/20, as an 'A' item at a forthcoming meeting.
8. That Decision will be published in the Official Journal of the European Union pursuant to the second subparagraph of Article 297(2) TFEU.

² 10684/20.

³ 11556/20.