



UNIVERSITY  
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*Research Laboratory  
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*JEAN MONNET CENTRE OF EXCELLENCE  
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## European Highlights E-magazine Vol. 4/ 2019

### Parliament elects Ursula von der Leyen as first female Commission President

With 383 votes in favour, the European Parliament elected Ursula von der Leyen President of the next European Commission in a secret ballot on 16 July.

She is set to take office on 1 November 2019 for a five-year term. There were 733 votes cast, one of which was not valid. 383 members voted in favour, 327 against, and 22 abstained.

Parliament currently comprises 747 MEPs as per the official notifications received by member state authorities, so the threshold needed to be elected was 374 votes, i.e. more than 50% of its component members. President Sassoli formally announced the requisite number before the results were revealed in plenary. The vote was held by secret paper ballot.

The Commission President-elect will now send official letters to the member states' heads of state or government inviting them to propose their candidates for members of the Commission. Hearings of the nominees in Parliament's competent committees are scheduled to take place from 30 September to 8 October. The full college of Commissioners then needs to be elected by Parliament, most likely in its 21-24 October session.

EP President David Sassoli said:

"On behalf of Parliament, I congratulate you on your election as President of the European Commission.



Now begins a very important phase for the European institutions; we will have to prepare for the hearings of the Commissioners-designate, which, as you know, will be very thorough on the part of the members of this Parliament.

We expect that the issues you spoke about today in front of the plenary chamber will also be examined in depth and followed up by the members of your college during the hearings in the competent Parliament committees.

The next few years will be very important for the future of the European Union and we can only tackle them successfully if there is close and full cooperation between the institutions."

<http://www.europarl.europa.eu/news/en/press-room/20190711IPR56824/parliament-elects-ursula-von-der-leyen-as-first->

### Strength in unity: Commission makes recommendations for the EU's next strategic agenda 2019-2024

Brussels, 30 April 2019

Ahead of the meeting of EU27 leaders in Sibiu, Romania, on 9 May 2019, the European Commission is today setting out a number of policy recommendations for how Europe can shape its future in an increasingly multipolar and uncertain world.

With the European Parliament elections on 23-26 May 2019 and the change of political leadership of the EU institutions that will follow, the time has come for new policy orientations and new priorities. As both the priorities we set and the way we explain and engage with Europeans will be decisive in strengthening our Union, the Commission is also making suggestions on how to better communicate our collective decisions. Together, these form the Commission's contribution to the next strategic agenda for 2019-2024.

[https://europa.eu/rapid/press-release\\_IP-19-2309\\_en.htm](https://europa.eu/rapid/press-release_IP-19-2309_en.htm)

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## Fight against money laundering and terrorist financing: Commission assesses risks and calls for better implementation of the rules

Brussels, 24 July 2019

The European Commission is today adopting a Communication and four reports that will support European and national authorities in better addressing money laundering and terrorist financing risks. The Juncker Commission put strong EU rules in place with the fourth and the fifth Anti-Money laundering directives and reinforced the supervisory role of the European Banking Authority. The reports stress the need for their full implementation while underlining that a number of structural shortcomings in the implementation of the Union's anti-money laundering and counter terrorist financing rules still need to be addressed. Today's package will serve as a basis for future policy choices on how to further strengthen the EU anti-money laundering framework.

The supranational risk assessment report is a tool to help Member States identify and address money laundering and terrorist financing risks. It is adopted every two years by the Commission since 2017.

The report shows that most recommendations of the first supranational risk assessment have been implemented by the various actors. However, some horizontal vulnerabilities remain, particularly with regard to anonymous products, the identification of beneficial owners and new unregulated products such as virtual assets. Some of these will be addressed by the upcoming transposition of the fifth Anti-Money Laundering Directive. The report also recalls that Member States still have to fully transpose the fourth Anti-money laundering directive. The Commission calls upon Member States to **implement the directive fully and follow the recommendations** of this report. This would improve cooperation between supervisors, raise awareness among obliged entities and provide further guidance on beneficial ownership identification.

The report on the interconnection of central bank account registries sets out a number of elements to be considered for a possible interconnection of bank account registries and data retrieval systems. The Commission suggests that such a system could possibly be a decentralised system with a common platform at EU level. To achieve the interconnection, legislative action would be required, following consultation with Member States' governments, Financial Intelligence Units, law enforcement authorities and Asset Recovery Offices.

Today's reports will inform the future debate on further action in this area, including with regard to the obligations of financial institutions and the powers and tools necessary for effective supervision. The current degree of integration of the banking market will also require further work on the cross-border aspects of the anti-money laundering/terrorist financing framework. The Commission will continue to monitor closely the implementation of EU anti-money laundering rules by the Member States.

[https://ec.europa.eu/commission/presscorner/detail/en/ip\\_19\\_4452](https://ec.europa.eu/commission/presscorner/detail/en/ip_19_4452)



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## European Citizens' Initiative: Commission registers 4 new initiatives and concludes that 1 is legally inadmissible

Brussels, 30 April 2019

Today the European Commission decided to register 4 new European Citizens' Initiatives: 'The fast, fair and effective solution to climate change', 'Ending the aviation fuel tax exemption in Europe', 'Cohesion policy for the equality of the regions and sustainability of the regional cultures' and 'PRO-NUTRISCORE'. At the same time, the Commission decided it cannot register a European Citizens' Initiative entitled 'Stopping trade with Israeli settlements operating in the Occupied Palestinian Territory'. The initiative is legally inadmissible as it manifestly falls outside the Commission's powers to act according to the EU Treaties.

At this stage in the process, the Commission has not analysed the substance of the initiatives, but only their legal admissibility. Should any of the 4 registered initiatives receive 1 million statements of support within 1 year from at least 7 different Member States, the Commission will analyse it and react within 3 months. The Commission can decide either to follow the request or not, and in both instances would be required to explain its reasoning.

[https://europa.eu/rapid/press-release\\_IP-19-2298\\_en.htm](https://europa.eu/rapid/press-release_IP-19-2298_en.htm)

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## EU-Japan trade agreement enters into force

Brussels, 31 January 2019

The Economic Partnership Agreement (EPA) between the EU and Japan enters into force on 1 February 2019. Businesses and consumers across Europe and in Japan can now take advantage of the largest open trade zone in the world.

The Economic Partnership Agreement removes the vast majority of the €1 billion of duties paid annually by EU companies exporting to Japan. Once the agreement is fully implemented, Japan will have scrapped customs duties on 97% of goods imported from the EU. The agreement also removes a number of long-standing non-tariff barriers, for example by endorsing international standards on cars. It will also break down barriers for key EU food and drink exporters to 127 million Japanese consumers and will increase export opportunities in a range of other sectors. Annual trade between the EU and Japan could increase by nearly €36 billion once the agreement is implemented in full.

The EU and Japan have agreed to set ambitious standards on sustainable development, and the text includes for the first time a specific commitment to the Paris climate agreement.

The Economic Partnership Agreement is now in force.

[https://europa.eu/rapid/press-release\\_IP-19-785\\_en.htm](https://europa.eu/rapid/press-release_IP-19-785_en.htm)

# Europeans that made history

**Dimitrios Evrigenis**

**(1925 – 1986)**

## *An idealist of European Integration*

The late Professor Dimitrios Evrigenis was born in Thessaloniki.

He studied law at the Law School of the Aristotle University and received his doctorate there. In 1958 he became a lecturer at the same University. In 1961 he was appointed as a professor and taught for four years until he was tenured in 1965.

In 1967 he was appointed General Secretary of the Ministry of Northern Greece's interim government. In 1968 he was arrested, imprisoned, exiled and suspended from his university position because he was a member of the Democratic Defense.

In 1974 he was elected a member of the Hellenic Parliament (1974-1977) and served as Deputy Minister of National Education and Religious Affairs (1974-1975) contributing to the establishment of the Law School of the Democritus University in Thrace.

In 1977 he founded the Center for International and European Economic Law (CIEEL) of which was he was first the Secretary and then the Director.

At the same time he was elected Judge of the European Court of Human Rights (ECtHR) and in 1982 he began serving in the United Nations Committee on the Elimination of Racial Discrimination.

In 1984 he was elected a member of the European Parliament and quickly became a prominent member. On January 26<sup>th</sup> 1986 Evrigenis died suddenly in Strasbourg at the age of 61.

His multifaceted actions remain unsurpassed. In his lifetime he was a Professor, a MP, a Minister of MEP, a Judge at the ECtHR, and the Director of a Research Centre.

With Evrigenis' support many of his assistants went on to become teachers, judges, or officials in the European institutions. Moreover, at least 40 young people who never knew Evrigenis have associated their careers with him by becoming beneficiaries of a scholarship in his name (the Evrygeneio). Since 1987 the CIEEL grants these scholarships and continues to provide, despite any individuals economic crisis, making the name Dimitrios Evrigenis still relevant despite the fact that 27 years have passed since his death.



The information of this short biography is based on the biography written in the summer of 1990 by the late Professor Argyris Fatouros in the volume of the University of Aristotle dedicated to Dimitrios Evrigenis «Annales», pp. 9-10

# Back to basics about the EU

## The European Commission

The European Commission is the EU's **politically independent executive arm**. It is alone responsible for drawing up proposals for new European legislation, and it implements the decisions of the [European Parliament](#) and the Council of the EU.

### What does the Commission do?

#### Proposes new laws

The Commission is the sole EU institution tabling laws for adoption by the Parliament and the Council that:

- protect the interests of the EU and its citizens on issues that can't be dealt with effectively at national level;
- get technical details right by consulting experts and the public.

#### Manages EU policies & allocates EU funding

- Sets EU spending priorities, together with the Council and Parliament.
- Draws up annual budgets for approval by the Parliament and Council.
- Supervises how the money is spent, under scrutiny by the Court of Auditors.

#### Enforces EU law

- Together with the Court of Justice, ensures that EU law is properly applied in all the member countries.

#### Represents the EU internationally

- Speaks on behalf of all EU countries in international bodies, in particular in areas of trade policy and humanitarian aid.
- Negotiates international agreements for the EU.

### Composition

**Political leadership** is provided by a team of 28 Commissioners (one from each EU country) – led by the Commission President, who decides who is responsible for which policy area.

The College of Commissioners is composed of the President of the Commission, its six Vice-Presidents, including the First Vice-President, the High Representative of the Union for Foreign Affairs and Security Policy, and 21 Commissioners, each responsible for a portfolio.

The **day-to-day running** of Commission business is performed by its staff (lawyers, economists, etc.), organised into departments known as Directorates-General (DGs), each responsible for a **specific policy area**.

### Appointing the President

The candidate is put forward by national leaders in the European Council, taking account of the results of the European Parliament elections. He or she needs the support of a majority of members of the European Parliament in order to be elected.

### Selecting the team

The Presidential candidate selects potential Vice-Presidents and Commissioners based on suggestions from the EU countries. The list of nominees has to be approved by national leaders in the European Council.

Each nominee appears before the European Parliament to explain their vision and answer questions. Parliament then votes on whether to accept the nominees as a team. Finally, they are appointed by the European Council, by a qualified majority.

The current Commission's term of office runs until 31 October 2019.

### How does the Commission work?

#### Strategic planning

The President defines the policy direction for the Commission, which enables the Commissioners together to decide strategic objectives, and produce the annual work programme.

#### Collective decision making

Decisions are taken based on collective responsibility. All Commissioners are equal in the decision-making process and equally accountable for these decisions. They do not have any individual decision-making powers, except when authorized in certain situations.

# Brexit

## Looking for Nemo in the Ocean



On 15 January 2019, the House of Commons voted against the deal put forward by May's government by 432 votes against to 202 votes for. Shortly afterwards, the Leader of the Opposition, Jeremy Corbyn, tabled a motion of no confidence in the government, a vote which was won by the Government by a margin of 325 to 306. Following the confidence vote, Corbyn voiced opposition to entering talks with the Government on Brexit, until May had ruled out the option of a no-deal Brexit. On 17 January, May rejected this offer, stating that ruling out a "no-deal" Brexit would be "impossible". On 28 January 2019, May expressed opposition to the backstop that she and the EU had agreed to and urged Conservative MPs to back a backbench amendment asking for the backstop to be replaced by an unspecified "alternative arrangement". On 29 January, this proposal, which was presented by MP Graham Brady, passed in the House of Commons by a margin of 317 votes to 301 votes.

The House of Commons had also agreed to reject a no-deal Brexit in principle only, and also rejected other proposed amendments which would have given Parliament the power to extend Article 50 and block a no-deal Brexit.

On 13 March, the House voted against leaving the EU without a deal by 321 votes to 278. On 5 April, May sent a letter to European Council President Donald Tusk asking to extend the Brexit deadline until 30 June. In return, May pledged to make preparations for the European Parliament elections, in the event that a longer extension was needed. These preparations could be cancelled at any time, if the UK were to leave before 23 May, the first day of the elections.

At the 10 April 2019 emergency EU summit, the European Council agreed to a compromise between May's/Macron's short extension and Tusk's/Merkel's longer flexextension. The Brexit deadline will be delayed until 31 October 2019, with the option of an earlier withdrawal on the first day of the next month following ratification of the Withdrawal Agreement.

On 23 May 2019, European elections were held in the UK. The next day, Theresa May announced her resignation, that she would step down as leader of the Conservative Party on 7 June, and once a new Tory leader is selected, she would also resign as Prime Minister.

On 23 July 2019, Boris Johnson was elected leader. Almost immediately after his royal appointment as Prime Minister on 24 July 2019, EU officials reiterated once more that the Withdrawal Agreement, including the backstop, could not be renegotiated.

# Correspondence from the Court

## **Judgment of the General Court in case T-185/17**

### **PlasticsEurope v ECHA**

Research, information, education, statistics

Confirmation of the inclusion of Bisphenol A as a substance of very high concern on account of its properties as a substance toxic for reproduction

## **Judgment of the Court of Justice in Case C-410/18**

### **Aubriet**

Freedom of movement for persons

The method of calculating the minimum length of activity in the Grand Duchy of Luxembourg, required by that Member State, for the grant of financial aid to non-resident students who are children of cross-border workers is contrary to EU law

## **Judgment of the Court of Justice in Case C-622/17**

### **Baltic Media Alliance**

SERV

A Member State may, for reasons of public policy such as combating incitement to hatred, impose a temporary obligation to broadcast or retransmit a television channel from another Member State only in pay-to-view packages

## **Judgment of the General Court in case T-20/17**

### **Hungary v Commission**

State aid

The General Court annuls the Commission's decision finding that the Hungarian advertisement tax was incompatible with the EU State aid rules

## **Judgment of the General Court in case T-307/17**

### **adidas v EUIPO - Shoe Branding Europe (Représentation de trois bandes parallèles)**

Intellectual and industrial property

The General Court of the EU confirms the invalidity of the adidas EU trade mark which consists of three parallel stripes applied in any direction

## **Judgment of the Court of Justice in Joined Cases C-508/18, C-82/19 PPU PI , and C-509/18 PF**

### **OG (Parquet de Lübeck)**

Area of Freedom, Security and Justice

German public prosecutor's offices do not provide a sufficient guarantee of independence from the executive for the purposes of issuing a European arrest warrant

## **Judgment of the Court of Justice in Case C-235/17**

### **Commission v Hungary**

Free movement of capital

In cancelling the rights of usufruct over agricultural land in its territory that are held, directly or indirectly, by nationals of other Member States, Hungary has failed to fulfil its obligations arising from the principle of the free movement of capital and the right to property guaranteed by the Charter

## **Judgment of the Court of Justice in Case C-631/17**

### **Inspecteur van de Belastingdienst**

Social security for migrant workers

A seafarer who maintains his residence in his Member State of origin, whilst working for an employer established in a Member State on board a vessel flying the flag of a third State and travelling outside of the territory of the EU falls within the scope of the regulation on the coordination of social security systems

## **Judgment of the Court of Justice in Case C-129/18**

### **SM (Enfant placé sous kafala algérienne)**

Citizenship of the Union

A minor in the guardianship of a citizen of the EU under the Algerian kafala system cannot be regarded as a 'direct descendant' of that citizen

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