

Brussels, 13 September 2023  
(OR. en)

12811/23

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**Interinstitutional File:  
2023/0805(NLE)**

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**INST 330**

**'I/A' ITEM NOTE**

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| 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<br>– Adoption |

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1. In accordance with the second paragraph of Article 246 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'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 15 May 2023, Ms Ursula VON DER LEYEN, President of the Commission, informed the Council that Ms Mariya GABRIEL had resigned from her post as a Member of the Commission<sup>1</sup>.

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<sup>1</sup> 9304/23.

3. On 3 July 2023, the Government of the Republic of Bulgaria nominated Ms Iliana IVANOVA for the vacant post.<sup>2</sup>
4. On 7 July 2023, the Council decided to consult the European Parliament on the appointment of Ms IVANOVA to the position of a Member of the European Commission.
5. The European Parliament delivered its opinion on 12 September 2023.
6. In reply to the letter by the Presidency of the Council of 12 September 2023<sup>3</sup>, on 13 September 2023 the President of the Commission notified her accord on the appointment of Ms IVANOVA as Member of the European Commission<sup>4</sup>.
7. In view of the above, the Permanent Representatives Committee is therefore invited to confirm its agreement on the Decision set out in document 12141/23 and to suggest that the Council adopt that Decision as an 'A' item at a forthcoming meeting.

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<sup>2</sup> 11262/23.

<sup>3</sup> 12874/23.

<sup>4</sup> 12971/23.