



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

**PV(2019) 2278 final**

**- English language version of the French text which is authentic -**

Brussels, 23 January 2019

# TEXTE EN

## MINUTES

**of the 2278<sup>th</sup> meeting of the Commission**

**held in Brussels**

**(Berlaymont)**

**on Wednesday 9 January 2019**

**(morning)**

—

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**EN**

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**Single sitting: Wednesday 9 January 2019 (morning)**

The sitting opened at 10.20 with Mr JUNCKER, President, in the chair.

**Present:**

|                 |                                         |
|-----------------|-----------------------------------------|
| Mr JUNCKER      | President                               |
| Mr TIMMERMANS   | First Vice-President                    |
| Ms MOGHERINI    | High Representative /<br>Vice-President |
| Mr ANSIP        | Vice-President                          |
| Mr ŠEFČOVIČ     | Vice-President                          |
| Mr DOMBROVSKIS  | Vice-President                          |
| Mr KATAINEN     | Vice-President                          |
| Mr OETTINGER    | Member                                  |
| Mr HAHN         | Member                                  |
| Mr MIMICA       | Member                                  |
| Mr ARIAS CAÑETE | Member                                  |
| Mr VELLA        | Member                                  |
| Mr ANDRIUKAITIS | Member                                  |
| Mr AVRAMOPOULOS | Member                                  |
| Ms THYSSEN      | Member                                  |
| Mr MOSCOVICI    | Member                                  |
| Mr STYLIANIDES  | Member                                  |
| Mr HOGAN        | Member                                  |
| Ms BULC         | Member                                  |
| Ms BIENKOWSKA   | Member                                  |
| Ms JOUROVÁ      | Member                                  |
| Mr NAVRACSICS   | Member                                  |
| Ms CREȚU        | Member                                  |
| Sir Julian KING | Member                                  |
| Ms GABRIEL      | Member                                  |

Absent:

|              |        |
|--------------|--------|
| Ms MALMSTRÖM | Member |
| Ms VESTAGER  | Member |
| Mr MOEDAS    | Member |

The following sat in to represent an absent Member of the Commission:

Mr VICENTE

Chef de cabinet to Mr MOEDAS

Items 1 to 6

The following also sat in:

Ms MARTÍNEZ ALBEROLA

Chef de cabinet to the PRESIDENT

Mr ROMERO REQUENA

Director-General, Legal Service

Secretary: Mr SELMAYR, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General, for items 1 to 6.

**1. AGENDAS**

**(OJ(2019) 2278/FINAL; SEC(2019) 2278)**

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

The PRESIDENT opened the meeting by offering the Members of the Commission his best wishes for 2019 and wishing them an excellent year both personally and professionally. For their first meeting of the year, he proposed discussing with them the main challenges the Commission would face in 2019, particularly in view of the European Parliament elections in May.

**2. WEEKLY MEETING OF CHEFS DE CABINET**

**(RCC(2019) 2278)**

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 7 January 2019.

**3. APPROVAL OF THE MINUTES OF THE 2275<sup>TH</sup>, 2276<sup>TH</sup> AND 2277<sup>TH</sup> MEETINGS OF THE COMMISSION (5, 11 AND 19 DECEMBER 2018)**

**(PV(2018) 2275; PV(2018) 2275, 2<sup>ND</sup> PART; PV(2018) 2276; PV(2018) 2276, 2<sup>ND</sup> PART)**

The Commission approved the minutes of its 2275<sup>th</sup> and 2276<sup>th</sup> meetings and decided to hold over approval of the minutes of its 2277<sup>th</sup> meeting for a later meeting.

#### **4. INTERINSTITUTIONAL RELATIONS**

##### **4.1. LEGISLATIVE MATTERS**

- i) Establishment of Horizon Europe – the Framework Programme for Research and Innovation, and laying down of its rules for participation and dissemination (Regulation) – NICA report – 2018/0224 (COD)**  
(SI(2019) 1 and /2)

The Commission approved the line set out in SI(2019) 1/2.

- ii) European Labour Authority (Regulation) – LENAERS report – 2018/0064 (COD)**  
(SI(2019) 2 and /2)

The Commission approved the line set out in SI(2019) 2/2.

- iii) Unfair trading practices in business-to-business relationships in the food supply chain (Directive) – DE CASTRO report – 2018/0082 (COD)**  
(SI(2019) 3)

The Commission approved the line set out in SI(2019) 3.

- iv) Negotiations with the United Kingdom for an agreement setting out the arrangements for its withdrawal from the Union under Article 50 of the Treaty on European Union – Council decisions on the signing and on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community**  
(SI(2018) 770)

The Commission approved the line set out in SI(2018) 770.

- v) InvestEU Programme (Regulation) – FERNANDES & GUALTIERI report – 2018/0229 (COD)**  
(SP(2019) 2 and /2)

The Commission approved the line set out in SP(2019) 2/2.

- vi) Amendment of Directive 2006/1/EC on the use of vehicles hired without drivers for the carriage of goods by road (Directive) – MONTEIRO DE AGUIAR report – 2017/0113 (COD)**  
(SP(2019) 3)

The Commission approved the line set out in SP(2019) 3.

#### **4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL**

- vii) Programming of Council business**  
(SI(2019) 17)

The Commission took note of the information in SI(2019) 17 on the Council meetings between 10 and 23 January 2019.

### **5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW**

#### ***INFRINGEMENTS – URGENT INDIVIDUAL CASES*** ***(SEC(2018) 512 AND /2; RCC(2018) 171)***

The Commission adopted the decisions in SEC(2018) 512/2.

### **6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS**

#### **6.1. WRITTEN PROCEDURES APPROVED** ***(SEC(2018) 504 ET SEQ.; SEC(2019) 37 ET SEQ.)***

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The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 December 2018 and 4 January 2019.

## **6.2. EMPOWERMENT**

**(SEC(2018) 505 ET SEQ.; SEC(2019) 38 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 17 December 2018 and 4 January 2019.

## **6.3. DELEGATION / SUBDELEGATION OF POWERS**

**(SEC(2018) 506 ET SEQ.; SEC(2019) 39 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 17 December 2018 and 4 January 2019, as archived in Decide.

## **6.4. SENSITIVE WRITTEN PROCEDURES**

**(SEC(2019) 40)**

The Commission took note of the sensitive written procedures for which the time limit expired between 7 and 11 January 2019.

# **7. POLICY DEBATE ON THE DRAFT GUIDELINES ON THE ETHICAL STANDARDS APPLICABLE TO THE PARTICIPATION OF MEMBERS OF THE EUROPEAN COMMISSION IN THE 2019 EUROPEAN PARLIAMENT ELECTION CAMPAIGN**

The PRESIDENT proposed discussing with the Members of the Commission the main challenges the Commission would face in 2019, in particular the conditions for their possible participation in the European Parliament election campaign in May.

The Commission held an initial in-depth exchange of views on the basis of the draft guidelines on the ethical standards applicable to such participation. This draft followed the revision of the Code of Conduct for Members of the

European Commission adopted by the College at its meeting on 31 January 2018, which authorised Members of the Commission to stand as and campaign as lead candidates or candidates in European elections, or to participate actively in the campaign, without having to take a leave of absence. It was pointed out that the revision of the Code of Conduct was only possible after the adaptation of the Framework Agreement on relations between the European Parliament and the European Commission. This adaptation had been proposed by the present Commission, which defined itself as a ‘political Commission’, and had been agreed on by the two institutions.

The PRESIDENT took note of the comments of the Members of the Commission, which would be taken into account when finalising the draft guidelines on the ethical standards applicable to the participation of Members of the Commission in the 2019 European Parliament election campaign.

He highlighted in particular the firm conviction of the College that the participation of Members of the Commission in the European elections as lead candidates or candidates, or their support for the campaigns of the various political parties, was part of the democratic life of the Union, as was the political parties’ contribution to forming European political awareness and expressing the will of the Union’s citizens.

Furthermore, he noted that the consensus expressed within the College on the fact that the College considered participation by the Members of the Commission in the citizens’ dialogues organised by the Commission in the months running up to the European elections – a participation requested by the PRESIDENT in his mission letters in order to bring citizens closer to the European project – to be not only possible, but desirable and even strongly encouraged. However, the PRESIDENT advised Commissioners standing as lead candidates or candidates to exercise a degree of restraint and to clearly separate their campaign activities.

In conclusion, the PRESIDENT said that the College would return to this issue in the near future when formally adopting the draft guidelines in question.

## **8. ADMINISTRATIVE AND BUDGETARY MATTERS**

### **ADMINISTRATIVE MATTERS**

#### ***WORK TO REINFORCE THE SECURITY OF BUILDINGS***

Mr OETTINGER informed the College of two projects currently being studied aimed at strengthening the security of the Berlaymont in Brussels. The work would concern the entrance to the garage on rue Stévin and the construction of an external visitor reception area on the current esplanade on the boulevard Charlemagne side.

The Commission took note of this information and expressed its support for the two projects presented by Mr OETTINGER.

## **9. OTHER BUSINESS**

### ***WITHDRAWAL OF THE UNITED KINGDOM UNDER ARTICLE 50 OF THE TREATY ON EUROPEAN UNION***

The PRESIDENT reported to the College on his contacts in the last few days with the British Prime Minister, Theresa May, on the subject of the withdrawal of the United Kingdom from the Union under Article 50 of the Treaty on European Union and, more specifically, on the debates currently under way in the British parliament on the draft Withdrawal Agreement.

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The meeting closed at 12.10.