



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2019) 2283 final

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

Brussels, 6 March 2019

TEXTE EN

MINUTES

of the 2283rd meeting of the Commission

held in Strasbourg

(Winston Churchill building)

on Tuesday 12 February 2019

(afternoon)

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PV(2019) 2283 final

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

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8. COMMUNICATION TO THE COMMISSION ON THE
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Single sitting: Tuesday 12 February 2019 (afternoon)

The sitting opened at 13.13 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President
Mr TIMMERMANS	First Vice-President
Mr ANSIP	Vice-President
Mr KATAINEN	Vice-President
Mr HAHN	Member
Ms MALMSTRÖM	Member
Mr MIMICA	Member
Mr ARIAS CAÑETE	Member
Mr ANDRIUKAITIS	Member
Mr AVRAMOPOULOS	Member
Ms THYSSEN	Member
Mr STYLIANIDES	Member
Ms BULC	Member
Ms BIENKOWSKA	Member
Ms JOUROVÁ	Member
Mr NAVRACSICS	Member
Ms CREȚU	Member
Ms VESTAGER	Member
Mr MOEDAS	Member
Sir Julian KING	Member

Absent:

Ms MOGHERINI	High Representative / Vice-President
Mr ŠEFČOVIČ	Vice-President
Mr DOMBROVSKIS	Vice-President
Mr OETTINGER	Member
Mr VELLA	Member
Mr MOSCOVICI	Member
Mr HOGAN	Member
Ms GABRIEL	Member

The following sat in to represent absent Members of the Commission:

Mr PETROCELLI	A member of Ms MOGHERINI's staff
Mr WYNANDS	Chef de cabinet to Mr DOMBROVSKIS
Mr HAENICKE	A member of Mr OETTINGER's staff
Mr MUELLER	Chef de cabinet to Mr VELLA
Mr DARMON	Mr MOSCOVICI's Office
Mr POWER	Chef de cabinet to Mr HOGAN
M. MATEO GOYET	A member of Ms GABRIEL's staff

The following also sat in:

Ms MARTÍNEZ ALBEROLA	Chef de cabinet to the PRESIDENT	
Mr ROMERO REQUENA	Director-General, Legal Service	
Mr PESONEN	Director-General, DG Communication	
Mr SCHINAS	Head of the Spokesperson's Service and Chief Spokesperson of the Commission	
Mr MOTO	European Political Strategy Centre	
Mr THOLONIAT	Adviser in the PRESIDENT's Office	
Ms ARKI	PRESIDENT's Office	
Mr HUSAK	Chef de cabinet to Ms BIENKOWSKA	Item 8
Mr SNELS	Secretariat-General	
Ms ANDREEVA	Commission Spokesperson's Service	

Secretary: Mr SELMAYR, Secretary-General, assisted by Mr AYET PUIGARNAU, Director in the Secretariat-General.

1. AGENDAS

(OJ(2019) 2283/FINAL; SEC(2019)2283)

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

2. WEEKLY MEETING OF CHEFS DE CABINET

(RCC(2019) 2283)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 11 February 2019.

3. APPROVAL OF THE MINUTES OF THE 2280TH, 2281ST AND 2282ND MEETINGS OF THE COMMISSION (23 AND 30 JANUARY AND 6 FEBRUARY 2019)

(PV(2019) 2280 AND /2)

The Commission approved the minutes of its 2280th meeting, and decided to hold over approval of the minutes of its 2281st and 2282nd meetings until a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2019) 16)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 8 February 2019 (RCC(2019) 16).

It paid particular attention to the following points.

4.1. HORIZONTAL MATTERS

i) 2021-2027 Multiannual Financial Framework – Trilogues

(point 1.1.1 of the IRG record)

- Common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, and the European Maritime and Fisheries Fund and financial rules for those and for the Asylum and Migration Fund, the Internal Security Fund and the Border Management and Visa Instrument (Regulation) – NOVAKOV & KREHL report – 2018/0196 (COD)

The Commission approved the line set out in SI(2019) 120.

ii) 2021-2027 Multiannual Financial Framework – February 2019 part-session of Parliament

(point 1.1.2 of the IRG record)

- Exchange, assistance and training programme for the protection of the euro against counterfeiting for the period 2021-2027 (Pericles IV programme) (Regulation) – DE JONG report – 2018/194 (COD)

The Commission took note of SP(2019) 105 and /2.

- Justice programme (Regulation) – WEIDENHOLZER & HAUTALA report – 2018/0208 (COD)

The Commission approved the line set out in SP(2019) 107.

- Mechanism to resolve legal and administrative obstacles in a cross-border context (Regulation) – VAN MILTENBURG report – 2018/0198 (COD)

The Commission approved the line set out in SP(2019) 125.

iii) Other horizontal matter

(item 1.2 of the IRG record)

- Interinstitutional Agreement on a mandatory Transparency Register – COM(2016) 627

The Commission approved the line set out in SPI(2019) 7.

4.2. LEGISLATIVE MATTERS

iv) Trilogues

(item 3.1 of the IRG record)

- The protection of persons reporting on breaches of Union law (Directive) – ROZIÈRE report 2018/0106 (COD)

The Commission approved the line set out in SI(2019) 82.

- Strengthening the security of identity cards of Union citizens and of residence documents issued to Union citizens and their family members exercising their right of free movement (Regulation) – DEPREZ report – 2018/0104 (COD)

The Commission approved the line set out in SI(2019) 112.

- Amendment of Directive (EU) 2017/1132 as regards the use of digital tools and processes in company law (Directive) – ZWIEFKA report – 2018/0113 (COD)

The Commission approved the line set out in SI(2019) 113.

- Transparency and sustainability of the EU risk assessment in the food chain, amendment of Regulation (EC) 178/2002 [on general food law], Directive 2001/18/EC [on the deliberate release into the environment of GMOs], Regulation (EC) 1829/2003 [on GM food and feed], Regulation (EC) 1831/2003 [on feed additives], Regulation (EC) 2065/2003 [on

smoke flavourings], Regulation (EC) 1935/2004 [on food contact materials], Regulation (EC) 1331/2008 [on the common authorisation procedure for food additives, food enzymes and food flavourings], Regulation (EC) 1107/2009 [on plant protection products] and Regulation (EU) 2015/2283 [on novel foods] (Regulation) – AYUSO report – 2018/0088 (COD)

The Commission approved the line set out in SI(2019) 114.

- Promotion of fairness and transparency for business users of online intermediation services (Regulation) – SCHALDEMOSE report – 2018/0112 (COD)

The Commission approved the line set out in SI(2019) 115/2.

- Amendment of Regulation (EC) 469/2009 concerning the supplementary protection certificate for medicinal products (Regulation) – DE GRANDES PASCUAL report – 2018/0161 (COD)

The Commission approved the line set out in SI(2019) 116/3.

- Adaptation of a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (Regulation) – SZÁJER report – 2016/0400 (COD)

The Commission approved the line set out in SI(2019) 117.

- European citizens' initiative (Regulation) – SCHÖPFLIN report – 2017/0220 (COD)

The Commission approved the line set out in SI(2019) 141.

(12 February 2019)

- Conservation measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation and repeal of Council Regulation (EC) 2115/2005 and Council Regulation (EC) 1386/2007 (Regulation) – SERRÃO SANTOS report – 2018/0304 (COD)

The Commission approved the line set out in SI(2019) 122.

- Multi-annual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea (Regulation) – AGUILERA GARCÍA report – 2018/0050 (COD)

The Commission approved the line set out in SI(2019) 140.

- Conservation of fishery resources and protection of marine ecosystems through technical measures, amendment of Council Regulations (EC) No 1967/2006, (EC) 1098/2007, (EC) 1224/2009 and Regulations (EU) 1343/2011 and (EU) 1380/2013 of the European Parliament and of the Council, and repeal of Council Regulations (EC) 894/97, (EC) 850/98, (EC) 2549/2000, (EC) 254/2002, (EC) 812/2004 and (EC) 2187/2005 (Regulation) – MATO report – 2016/0074 (COD)

The Commission approved the line set out in SI(2019) 145/2.

- Establishment of a framework for interoperability between EU information systems (borders and visa) and amendment of Council Decision 2004/512/EC, Regulation (EC) 767/2008, Council Decision 2008/633/JHA, Regulation (EU) 2016/399 and Regulation (EU) 2017/2226 (Regulation) – LENAERS report – 2017/0351 (COD) / Establishment of a framework for interoperability between EU information systems (police and judicial cooperation, asylum and migration) (Regulation) – MELO report – 2017/0352 (COD)

The Commission approved the line set out in SI(2019) 124.

- Preparation for the United Kingdom's withdrawal from the Union – Amendment of Council Regulation (EC) 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, as regards the withdrawal of the United Kingdom from the Union (Regulation) – MORAES report – 2018/0390 (COD)

The Commission approved the line set out in SI(2019) 125.

- Marketing and use of explosives precursors, amendment of Annex XVII to Regulation (EC) 1907/2006 and repeal of Regulation (EU) 98/2013 on the marketing and use of explosives precursors (Regulation) – MAMIKINS report – 2018/0103 (COD)

The Commission approved the line set out in SI(2019) 135.

- Amendment of Directive 2008/106/EC on the minimum level of training of seafarers and repeal of Directive 2005/45/EC (Directive) – RIQUET report – 2018/0162 (COD)

The Commission approved the line set out in SI(2019) 128.

- European Labour Authority (Regulation) – LENAERS report – 2018/0064 (COD)
- The Commission approved the line set out in SI(2019) 129 and took note of the results of the meeting of Chefs de cabinet held on 11 February 2019 .Amendment of Regulation (EU) 1093/2010 establishing a European Supervisory Authority (European Banking Authority); Regulation (EU) 1094/2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority); Regulation (EU) 1095/2010 establishing a European Supervisory Authority (European Securities and Markets Authority); Regulation (EU) 345/2013 on European venture capital funds; Regulation

(EU) 346/2013 on European social entrepreneurship funds; Regulation (EU) 600/2014 on markets in financial instruments; Regulation (EU) 2015/760 on European long-term investment funds; Regulation (EU) 2016/1011 on indices used as benchmarks in financial instruments and financial contracts or to measure the performance of investment funds; Regulation (EU) 2017/1129 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market; and Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money-laundering or terrorist financing (Regulation) – KARAS & BERÈS report – 2017/0230 (COD)

The Commission approved the line set out in SI(2019) 130/2.

- Amendment of Regulation (EU) 2016/1011 on low carbon benchmarks and positive carbon impact benchmarks (Regulation) – GILL report – 2018/0180 (COD)

The Commission approved the line set out in SI(2019) 132.

- Pan-European Personal Pension Product (Regulation) – IN 'T VELD report – 2017/0143 (COD)

The Commission approved the line set out in SI(2019) 134.

- Banking Package – Amendment of Regulation (EU) 806/2014 as regards loss-absorbing and Recapitalisation Capacity for credit institutions and investment firms (Regulation) – HÖKMARK report – 2016/0361 (COD) / Amendment of Directive 2014/59/EU on loss-absorbing and recapitalisation capacity of credit institutions and investment firms and amending Directive 98/26/EC, Directive 2002/47/EC, Directive 2012/30/EU, Directive 2011/35/EU, Directive 2005/56/EC, Directive 2004/25/EC and Directive 2007/36/EC (Directive) – HÖKMARK report – 2016/0362 (COD) / Amendment of Regulation (EU) 575/2013 as

regards the leverage ratio, the net stable funding ratio, requirements for own funds and eligible liabilities, counterparty credit risk, market risk, exposures to central counterparties, exposures to collective investment undertakings, large exposures, reporting and disclosure requirements and amending Regulation (EU) 648/2012 (Regulation) – SIMON report – 2016/0360A (COD) / Amendment of Directive 2013/36/EU as regards exempted entities, financial holding companies, mixed financial holding companies, remuneration, supervisory measures and powers and capital conservation measures (Directive) – SIMON report – 2016/0364 (COD)

The Commission approved the line set out in SI(2019) 136.

- Prudential supervision of investment firms and amendment of Directives 2013/36/EU and 2014/65/EU (Directive) – FERBER report – 2017/0358 (COD) / Prudential requirements of investment firms and amendment of Regulations (EU) 575/2013, (EU) 600/2014 and (EU) 1093/2010 (Regulation) – FERBER report – 2017/0359 (COD)

The Commission approved the line set out in SI(2019) 143 and /2.

- Amendment of Directive 2009/73/EC concerning common rules for the internal market in natural gas (Directive) – BUZEK report – 2017/0294 (COD)

The Commission approved the line set out in SI(2019) 131/3.

v) European Parliament dossiers – February 2019 part-session
(point 3.2 of the IRG Record)

Ordinary legislative procedure – First reading

- Amendment of Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the

obligation to insure against such liability (Directive) – CHARANZOVÁ report – 2018/0168 (COD)

The Commission approved the line set out in SP(2019) 86.

- Preparation for the United Kingdom's withdrawal from the Union – Common rules ensuring basic road freight connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (Regulation) – DE MONTE report – 2018/0436 (COD)

The Commission approved the line set out in SP(2019) 120.

- Preparation for the United Kingdom's withdrawal from the Union – Common rules ensuring basic air connectivity with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union – TELIČKA report – 2018/0433 (COD)

The Commission approved the line set out in SP(2019) 121 and /2.

- Preparation for the United Kingdom's withdrawal from the Union – Certain aspects of aviation safety with regard to the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the Union (Regulation) – ZŁOTOWSKI report – 2018/0434 (COD)

The Commission took note of the compromise text in SP(2019) 122, further to note SI(2019) 51/2, which it had already approved on 23 January 2019.

- Amendment of Regulation (EC) 1073/2009 on common rules for access to the international market for coach and bus services (Regulation) – ZÍLE report – 2017/0288 (COD)

The Commission approved the line set out in SP(2019) 123.

- Amendment of Decision 1313/2013/EU on a Union Civil Protection Mechanism (Decision) – GARDINI report – 2017/0309 (COD)

The Commission took note of the compromise text in SP(2019) 124, further to note SI(2018) 758/2, which it had approved on 19 December 2018.

vi) Council dossiers

(point 3.3 of the IRG Record)

- Preparation for the United Kingdom's withdrawal from the Union – Position to be taken on behalf of the European Union in the Committee on Government Procurement concerning the accession of the United Kingdom of Great Britain and Northern Ireland to the Agreement on Government Procurement in the context of its withdrawal from the European Union (Council Decision) – 2019/0020 (NLE)

The Commission approved the line set out in SI(2019) 139.

4.3. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

vii) Programming of Council business

(SI(2019) 144)

The Commission took note of the information in SI(2019) 144 on the Council meetings between 14 and 27 February 2019.

viii) Non-legislative dossiers

(point 4.1 of the IRG record)

- Cyber diplomacy toolbox – Draft document with options for a diplomatic response to the malicious cyber activity of the Advanced Persistent Threat 10 (APT10)

The Commission took note of SI(2019) 123/2.

- ‘The Budapest Process’ – Ministerial conference (Istanbul, 20 February 2019)

The Commission approved the line set out in SI(2019) 126 and /2.

- United Nations Convention on the Rights of Persons with Disabilities of 13 December 2006 – Objection to Libya’s Declaration upon its ratification

The Commission approved the line set out in SI(2019) 142/2.

4.4. RELATIONS WITH PARLIAMENT

ix) Non-legislative dossiers

(point 5.1 of the IRG record)

- Recent state-terror activities by Iran in the EU – Major interpellation G-000008/2018

The Commission took note of SP(2019) 110.

- Human Germline Genome Modification – Oral question O-000013/2019

The Commission took note of document SP(2019) 130.

- Special Committee on Financial Crimes, Tax Evasion and Tax Avoidance (TAX3) – Follow-up to the hearing of 24 January 2019 – Replies to the written questions

The Commission approved the line set out in SP(2019) 127 and authorised the transmission of the replies to the written questions to Parliament.

5. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID AND OTHER COMPETITION RULES

The Commission’s decision on this item is recorded in the special minutes.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

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6.1. WRITTEN PROCEDURES APPROVED
(SEC(2019) 62 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 February 2019.

6.2. EMPOWERMENT
(SEC(2019) 63 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 4 and 8 February 2019.

6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2019) 64 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 4 and 8 February 2019 archived in Decide.

6.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2019) 65 TO /3)

The Commission took note of the sensitive written procedures for which the time limit expired between 4 and 8 February 2019.

7. OTHER BUSINESS

**COMMISSION DECISION ON THE ADMISSIBILITY OF THE PROPOSED
CITIZENS' INITIATIVE ENTITLED 'LET'S DEMAND SMARTER VAPING
REGULATION!'**
(C(2019)926)

Mr TIMMERMANS presented the draft decision for approval by the College on the registration of the proposed citizens' initiative entitled 'Let's demand smarter

vaping regulation!'. The initiative called on the Commission to amend Directive 2014/40/EU on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products so as to create specific legislation for vaping products clearly distinguishing them from tobacco and pharmaceutical products.

He reminded the meeting that in accordance with the conditions for admissibility provided for in Regulation (EU) 211/2011 on the European citizens' initiative, the proposed action must, in order to be registered, manifestly fall within the Commission's powers to submit proposals for legal acts for the purpose of implementing the Treaties, and fulfil the other conditions set out in Article 4(2) of that Regulation.

He noted that the request submitted by the proponents of the European citizens' initiative fell within the Commission's powers to propose legal acts for the purpose of implementing the Treaties, under the same provisions that provided the legal basis for Directive 2014/40/EU.

In conclusion, he pointed out that the College's task that day was to decide only on the legal admissibility of the proposal and not at this stage to analyse its substance or political expediency. If, in the space of a year, one million signatures were collected from citizens of at least seven Member States, the Commission would have three months to decide whether or not to consent to the requests, duly justifying its decision.

The Commission confirmed that the admissibility criteria under Article 4(2) of Regulation (EU) 211/2011 were fulfilled for the proposed citizens' initiative entitled 'Let's demand smarter vaping regulation!'. The Commission therefore decided to register the initiative, in accordance with document C(2019) 926, and authorised Mr TIMMERMANS to sign the decision on its behalf, to notify the organisers of the initiative thereof in the authentic language (English), and to publish it, for information, in the Official Journal of the European Union.

**8. COMMUNICATION TO THE COMMISSION ON THE
IMPLEMENTATION OF THE EUROPEAN DEFENCE INDUSTRIAL
DEVELOPMENT PROGRAMME (EDIDP)
DRAFT COMMISSION IMPLEMENTING DECISION ON THE
FINANCING OF THE EUROPEAN DEFENCE INDUSTRIAL
DEVELOPMENT PROGRAMME AND ON ADOPTION OF THE WORK
PROGRAMME FOR 2019-2020
(C(2019) 1022 TO /3; RCC(2019) 14)**

The PRESIDENT asked Mr KATAINEN and Ms BIEŃKOWSKA to present the Communication to the Commission on the implementation of the European Defence Industrial Development Programme (EDIDP) and the draft Implementing Decision attached to it concerning the financing of this programme and adoption of the work programme for 2019 and 2020.

Mr KATAINEN explained that the 2019-2020 work programme being presented that day prepared the ground for launching joint industrial projects on defence using funds from the Union budget for the development of defence capabilities under the European Defence Industrial Development Programme. It was therefore proposed that the Commission endorse the corresponding draft Implementing Decision, which would be formally adopted in a few weeks' time after consultation with the Member States.

Once the work programme had been adopted, the Commission would launch calls for proposals to be funded from the Union budget for 2019 and 2020. He felt that this initiative would help pave the way for the future European Defence Fund which the Commission had proposed for the period 2021 to 2027. The relevant proposal was currently under discussion by the European Parliament and the Council.

He welcomed the unprecedented efforts made by the Commission to step up cooperation between the Member States in defence research and the development of

industrial capacity in this sector. He noted with satisfaction that something which had been unthinkable only a few years ago was now becoming a reality in the Union.

Ms BIENKOWSKA explained that, for the first time in its history, the European Union was taking practical steps to encourage defence cooperation between the Member States by mobilising European budget resources in order to protect its security interests. Rapid progress was being made in defence cooperation, thanks to the impetus provided by the Commission and the political will of the Member States.

She noted that, before summer 2018, the European Parliament and the Council had agreed on the European Defence Industrial Development Programme, which the Commission had since been implementing. She pointed out that the projects financed would have to be consistent with the priorities defined under the Permanent Structured Cooperation, the Capability Development Plan and NATO.

Cooperation on defence research was already taking shape. Meanwhile, the aim of industrial cooperation was to help Member States to spend more effectively on defence, to reduce duplication in such spending and to optimise the use of funds in order to promote the emergence of an innovative European defence industry that could boost the EU's autonomy and technological leadership in this sector.

She felt that the initiative had proved its credibility, judging by the quality of the projects envisaged in the calls for proposals that would be launched once the work programme had been adopted. She agreed with Mr KATAINEN that this positive dynamic would help bring about the creation of the European Defence Fund for the period 2021-2027. She reminded the meeting of the Commission's proposal that this Fund be allocated 13 billion euros, covering both research and capability, in order to provide Europe with cutting-edge, interoperable defence technology and equipment in novel areas such as artificial intelligence, encrypted software, drone technology and satellite communications.

Ms BIENKOWSKA ended by saying that in a few weeks' time the College would be asked to formally adopt the Implementing Decision on the financing of the European Defence Industrial Development Programme. In the meantime, she asked the Members of the Commission to respect the confidentiality of the figures contained in the document laid before them that day, as they were still being be discussed with the Member States.

The PRESIDENT thanked Mr KATAINEN and Ms BIENKOWSKA for their excellent work.

The Commission approved the Communication addressed to it, as set out in C(2019) 1022/3, and endorsed the draft Implementing Decision set out in the annex to C(2019) 1022/3, in order to send it to the committee responsible for implementing the European Defence Industrial Development Programme, for consultation prior to adoption of the formal decision.

**9. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON CERTAIN ASPECTS OF RAILWAY SAFETY AND CONNECTIVITY WITH REGARD TO THE WITHDRAWAL OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FROM THE UNION
(COM(2019) 88 TO /3; RCC(2019) 18)**

At the invitation of the PRESIDENT, Ms BULC explained that, following in-depth discussions with the Member States regarding the preparations for a possible disorderly withdrawal of the United Kingdom from the Union, it had become clear that the Commission needed to adopt a proposal for additional contingency measures to mitigate the serious disruption that such a withdrawal would cause for rail traffic using the Channel Tunnel.

She indicated that the continuity of cross-border rail operations after the date of withdrawal would require bilateral agreements between the Member States

concerned and the United Kingdom, but that these agreements could only be concluded once the United Kingdom had become a third country.

The application of the EU's safety rules in the Channel Tunnel had been entrusted to a bi-national safety authority, created under the Treaty of Canterbury, signed by France and the United Kingdom on 12 February 1986, and the continuity of rail operations in the tunnel after the date of withdrawal would require this bi-national authority to adapt to the United Kingdom's third-country status.

In order to enable the parties affected to make the necessary arrangements and to avoid a situation whereby the Union, in the intervening period, would suffer the serious economic and social consequences of a possible complete interruption of rail traffic in the Channel Tunnel, she pointed out the need to extend the validity period of certain safety authorisations issued for the management and operation of cross-border infrastructure linking the EU and the United Kingdom. She stressed that this extension would be valid only for the period that was strictly necessary to conclude the requisite agreements, estimated at three months, and would be subject to the strict condition that the United Kingdom continued to apply the EU's safety rules.

Ms BULC concluded by thanking all of the departments involved in preparing the proposal in a very short space of time.

The Commission adopted, subject to a final general clean-up of the text, the proposal for a Regulation on certain contingency measures in the rail sector in COM(2019) 88/3 for transmission to Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions, and the national parliaments.

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The Commission's other discussions on certain agenda items are recorded in the special minutes.

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The meeting closed at 13.34.