



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2017) 2237 final

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

Brussels, 14 February 2018

TEXTE EN

MINUTES

of the 2237th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 20 December 2017

(morning)

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

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Single sitting: Wednesday 20 December 2017 (morning)

The sitting opened at 10.19 with Mr JUNCKER, President, in the chair.

Present:

Mr JUNCKER	President	
Mr TIMMERMANS	First Vice-President	Items 1 to 14.5
Ms MOGHERINI	High Representative / Vice-President	
Mr ANSIP	Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Mr DOMBROVSKIS	Vice-President	
Mr KATAINEN	Vice-President	
Mr OETTINGER	Member	
Mr HAHN	Member	Items 13 (in part) and 14
Ms MALMSTRÖM	Member	
Mr MIMICA	Member	Item 14
Mr ARIAS CAÑETE	Member	
Mr VELLA	Member	
Mr ANDRIUKAITIS	Member	
Mr AVRAMOPOULOS	Member	
Ms THYSSEN	Member	
Mr STYLIANIDES	Member	
Mr HOGAN	Member	
Ms BULC	Member	
Ms BIENKOWSKA	Member	
Ms JOUROVÁ	Member	
Mr NAVRACSICS	Member	
Ms VESTAGER	Member	
Mr MOEDAS	Member	
Sir Julian KING	Member	
Ms GABRIEL	Member	

Absent:

Mr MOSCOVICI

Member

Ms CREȚU

Member

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

Mr FELKE	Deputy Chef de cabinet to Mr MOSCOVICI
Mr DE MICHELIS	Chef de cabinet to Ms CREȚU

The following also sat in:

Mr SELMAYR	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	
Ms METTLER	Head of the European Political Strategy Centre	
Ms MICHOU	Deputy Secretary-General	Items 14.1 to 14.4 (in part)
Ms MARTÍNEZ ALBEROLA	Deputy Chef de cabinet to the PRESIDENT	
Mr SHOTTER	Chief adviser in the PRESIDENT's Office	Items 14.1 to 14.4 (in part)
Ms DEJMEK-HACK	Adviser in the PRESIDENT's Office	Items 1 to 13, and 14.5
Mr SZOSTAK	Adviser in the PRESIDENT's Office	Items 14.1 to 14.3, and 14.5 (in part)
Ms ARKI	PRESIDENT's Office	
Mr SMULDERS	Chef de cabinet to Mr TIMMERMANS	Items 1 to 14.5
Mr WYNANDS	Chef de cabinet to Mr DOMBROVSKIS	Item 14.5
Mr BEHRNDT	Chef de cabinet to Mr MIMICA	Items 1 to 13
Mr BARNIER	Chief negotiator and Head of the Article 50 Task Force	Items 1 to 13

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

1. AGENDAS

(OJ(2017) 2237/FINAL; SEC(2017) 532/FINAL)

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(2017) 2237)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 18 December.

3. APPROVAL OF THE MINUTES OF THE 2233RD, 2234TH, 2235TH AND 2236TH MEETINGS OF THE COMMISSION (22 AND 29 NOVEMBER, AND 6 AND 12 DECEMBER)

(PV(2017) 2233)

The Commission held over approval of the minutes of its 2233rd, 2234th, 2235th and 2236th meetings for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2017) 154)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 15 December (RCC(2017) 154).

It paid particular attention to the following points.

4.1. LEGISLATIVE MATTERS

i) Trilogues

(point 3.1 of the IRG record)

- ‘Omnibus Proposal’ – Financial rules applicable to the general budget of the Union and amending Regulation (EC) 2012/2002, Regulations (EU) 1296/2013, (EU) 1301/2013, (EU) 1303/2013, (EU) 1304/2013, (EU) 1305/2013, (EU) 1306/2013, (EU) 1307/2013, (EU) 1308/2013, (EU) 1309/2013, (EU) 1316/2013, (EU) 223/2014, (EU) 283/2014, (EU) 652/2014 of the European Parliament and of the Council and Decision 541/2014/EU of the European Parliament and of the Council (Regulation) – GRÄSSLE / ASHWORTH report – 2016/0282 (COD)

The Commission approved the line set out in SI(2017) 625/2 and /3.

- Establishment of a European Travel Information and Authorisation System (ETIAS) and amendment of Regulations (EU) 515/2014, (EU) 2016/399, (EU) 2016/794 and (EU) 2016/1624 (Regulation) – GÁL report – 2016/0357 (COD)

The Commission approved the line set out in SI(2017) 626.

- Establishment of conditions of entry and residence of third-country nationals for the purposes of highly skilled employment (‘Blue Card Directive’) (Directive) – MORAES report – 2016/0176 (COD)

The Commission took note of the information in SI(2017) 630.

- Amendment of Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers and Directive 2006/126/EC on driving licences (Directive) – LUNDGREN report – 2017/0015 (COD)

The Commission approved the line set out in SI(2017) 631.

ii) Council dossier

(point 3.3 of the IRG record)

- Framework for the free flow of non-personal data in the European Union (Regulation) – CORAZZA BILDT report – 2017/0228 (COD)

The Commission took note of the information in SI(2017) 618.

4.2. RELATIONS WITH THE EUROPEAN COUNCIL AND THE COUNCIL

iii) Non-legislative dossiers

(point 4.1 of the IRG record)

- Conclusion, on behalf of the European Union, of the Additional Protocol supplementing the Council of Europe Convention on the Prevention of Terrorism (CETS No 217) and the Convention itself (CETS No 196) (Council Decisions) – 2017/0265 (NLE) and 2017/0266 (NLE)

The Commission approved the line set out in SI(2017) 619.

iv) Latest developments in the Council

(point 4.4 of the IRG record)

- Transfer of the back-up of the Galileo Security Monitoring Centre located in the United Kingdom

The Commission approved the line set out in SI(2017) 627 (see also item 14.6 of these minutes).

4.3. RELATIONS WITH PARLIAMENT

v) Action to be taken on Parliament's legislative resolutions and other resolutions of a legal nature

(SP(2017) 813)

The Commission decided to empower the Members of the Commission responsible for the sectors in question, in agreement with the PRESIDENT and Mr TIMMERMANS and, if necessary, with the other Members concerned, to adopt the amended proposals for transmission to Parliament and the Council, as set out in SP(2017) 813, drawn up following the December part-session of Parliament, the contents of which were noted.

vi) Results of Parliament's December part-session

(SP(2017) 763; SP(2017) 795)

The Commission took note of the information in SP(2017) 763 and SP(2017) 795 on the proceedings of the part-session of Parliament held in Strasbourg from 11 to 14 December.

5. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

5.1. WRITTEN PROCEDURES APPROVED

(SEC(2017) 533 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 11 and 15 December.

5.2. EMPOWERMENT

(SEC(2017) 534 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 11 and 15 December.

5.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2017) 535 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedure between 11 and 15 December, as archived in Decide.

5.4. SENSITIVE WRITTEN PROCEDURES
(SEC(2017) 536 AND /2)

The Commission took note of the sensitive written procedures for which the time limit expired between 18 and 22 December and of the urgent written procedures and the finalisation written procedure initiated following the weekly meeting of Chefs de cabinet on Monday 18 December.

6. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2017) 537/2)

ADMINISTRATIVE MATTERS
(PERS(2017) 126/2)

**6.1. DG BUDGET – APPOINTMENT TO THE AD 15/16 POST OF DEPUTY
DIRECTOR-GENERAL AND ACCOUNTING OFFICER OF THE
COMMISSION**
(PERS(2017) 9 TO /4)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Deputy Director-General responsible for the Directorate, ‘Budget execution, (General Budget and European Development Fund)’ and Accounting Officer of the Commission in DG Budget (PERS(2017) 9 and /2).

It took note of the opinions of the Consultative Committee on Appointments of 6 and 11 July (PERS(2017) 9/3 and /4).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Ms Rosa ALDEA BUSQUETS to the post.

This decision would take effect from 1 January 2018.

**6.2. DG MIGRATION AND HOME AFFAIRS – APPOINTMENT OF AN AD14/15 DIRECTOR
(PERS(2017) 122 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director, 'Migration and Security Funds; Financial Resources and Monitoring', in DG Migration and Home Affairs (PERS(2017) 122).

It took note of the opinions of the Consultative Committee on Appointments of 30 November and 14 December (PERS(2017) 122/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Mr AVRAMOPOULOS and also Mr TIMMERMANS, it decided to appoint Ms Beate GMINDER to the post.

This decision would take effect on a date to be determined.

**6.3. DG JUSTICE AND CONSUMERS – APPOINTMENT OF AD14/15 DIRECTOR
(PERS(2017) 103 TO /3)**

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director, 'Fundamental rights and rule of law', in DG Justice and Consumers (PERS(2017) 103).

It took note of the opinions of the Consultative Committee on Appointments of 19 October and 23 November (PERS(2017) 103/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Ms JOUROVÁ, and also Mr TIMMERMANS, Mr DOMBROVSKIS and Mr KATAINEN, it decided to appoint Mr Emmanuel CRABIT to the post.

This decision would take effect from 1 January 2018.

6.4. *ARTICLE 50 TASK FORCE – APPOINTMENT OF AD14/15 DIRECTOR (PERS(2017) 106 TO /3)*

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Director 'Strategy, coordination and communication' in the Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 of the TEU (PERS(2017) 106).

It took note of the opinions of the Consultative Committee on Appointments of 25 September and 19 October (PERS(2017) 106/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a proposal from Mr OETTINGER, in agreement with the PRESIDENT, it then decided to appoint Ms Stéphanie RISO to the post.

This decision would take effect from 1 January 2018.

6.5. *DG INTERNATIONAL COOPERATION AND DEVELOPMENT – AMENDMENT OF ORGANISATION CHART, TRANSFER AND SECONDMENT OF AD14 OFFICIAL*

On a proposal from Mr OETTINGER, in agreement with the PRESIDENT and after consulting Mr MIMICA and Ms MOGHERINI, the Commission decided:

- to create a temporary post of principal adviser in DG International Cooperation and Development; this post would be abolished upon the departure of the job holder;
- to transfer to the post, in the interest of the service, under Article 7 of the Staff Regulations, Mr Roberto RIDOLFI, currently Director of the ‘Planet and Prosperity’ Directorate in the same DG;
- to second Mr Roberto RIDOLFI, in the interest of the service, under Article 37(a) of the Staff Regulations, to the Food and Agriculture Organisation of the United Nations for a period of two years.

The Food and Agriculture Organisation of the United Nations undertakes to pay the salary for the post that Mr Roberto RIDOLFI is to fill as well as his contributions to the Joint Sickness and Insurance Scheme and to the pension scheme for the duration of his secondment.

These decisions would take effect on 1 January 2018.

**6.6. DG FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION – LIST OF CANDIDATES FOR THE POST OF MEMBER OF THE SINGLE RESOLUTION BOARD / DIRECTOR OF RESOLUTION PLANNING AND DECISIONS
(PERS(2017) 111 TO /3)**

The Commission noted the procedure followed, as set out in point 6 of PERS(2017) 126/2, and, on a proposal from Mr OETTINGER, in agreement with the PRESIDENT and Mr DOMBROVSKIS, decided:

- to approve the list of two candidates set out in alphabetical order in point 6 of PERS(2017) 126/2 for the post of Member of the Single

Resolution Board / Director of Resolution Planning and Decisions, and to consider this list as the Commission's proposal;

- to ask Mr DOMBROVSKIS to communicate this list to the Parliament and to inform the Council of the list;
- to ask Mr DOMBROVSKIS to present to the Commission in good time, following feedback from the European Parliament, the proposal for the appointment of the Member of the Single Resolution Board / Director of Resolution Planning and Decisions for transmission to the European Parliament for approval.

These decisions would take effect immediately.

**7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – STATE OF PLAY AND THE POSSIBLE WAYS FORWARD AS REGARDS THE SITUATION OF NON-RECIPROCITY WITH CERTAIN THIRD COUNTRIES IN THE AREA OF VISA POLICY AND ASSESSMENT OF THE EFFECTIVENESS OF THE RECIPROCITY MECHANISM PROVIDED FOR IN ARTICLE 1(4) OF COUNCIL REGULATION (EC) 539/2001
(COM(2017) 813 TO /3; RCC(2017) 161)**

**8. FIRST REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND TO THE COUNCIL UNDER THE VISA SUSPENSION MECHANISM
(COM(2017) 815 AND /2; SWD(2017) 480 AND /2; RCC(2017) 161)**

The Commission:

- approved the Communication in COM(2017) 813/3 for transmission to Parliament and the Council and, for information, to the national parliaments;

- approved the report in COM(2017) 815/2 for transmission to Parliament and the Council and, for information, to the national parliaments, together with the staff working document distributed as SWD(2017) 480/2, the contents of which were noted.

- 9. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE PRUDENTIAL REQUIREMENTS OF INVESTMENT FIRMS AND AMENDING REGULATIONS (EU) 575/2013, (EU) 600/2014 AND (EU) 1093/2010
(COM(2017) 790 AND /2; SWD(2017) 481; RCC(2017) 162)**
- 10. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE PRUDENTIAL SUPERVISION OF INVESTMENT FIRMS AND AMENDING DIRECTIVES 2013/36/EU AND 2014/65/EU
(COM(2017) 791 AND /2; SWD(2017) 481; RCC(2017) 162)**
- 11. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE (EU) 2016/97 AS REGARDS THE DATE OF APPLICATION OF MEMBER STATES' TRANSPOSITION MEASURES
(COM(2017) 792 AND /2; RCC(2017) 162)**

The Commission:

- adopted the proposal for a Regulation and the proposal for a Directive in COM(2017) 790/2 and COM(2017) 791/2 respectively, for transmission to Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the national parliaments, and for information to the Committee of the Regions, together with the staff working document distributed under SWD(2017) 481, the contents of which were noted;

- adopted the proposal for a Directive in COM(2017) 792/2 for transmission to Parliament, the Council and the European Economic and Social Committee and to the national parliaments.

**12. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON TRANSPARENT AND PREDICTABLE WORKING CONDITIONS IN THE EUROPEAN UNION
(COM(2017) 797 AND /2; SWD(2017) 478 AND /2; SWD(2017) 479 AND /2; SEC(2017) 543; RCC(2017) 160)**

The PRESIDENT asked Ms THYSSEN to present briefly the proposal for a Directive on transparent and predictable working conditions in the European Union, drawn up under his authority and that of Mr DOMBROVSKIS. The proposal was scheduled for adoption by written procedure on Thursday 21 December.

Ms THYSSEN explained that this proposal, which formed part of the European Pillar of Social Rights, aimed to broaden the scope of the 1991 Written Statement Directive by incorporating all work contracts, including those for atypical forms of employment. Moreover, it would provide the holders of such contracts with timely and accurate information on their working conditions. This balanced legislative text had been agreed in advance of this meeting by the Heads of Cabinet of the Commissioners.

The PRESIDENT welcomed this important and long-awaited proposal and congratulated Ms THYSSEN and her services on their excellent work.

Following this presentation, the Commission, on a proposal from the PRESIDENT, confirmed the adoption of the proposal for a Directive in COM(2017) 797/2 by the finalisation written procedure, the deadline for which was set at 10.00 on Thursday 21 December 2017 (PE/2017/9090).

**13. RECOMMENDATION FOR A COUNCIL DECISION SUPPLEMENTING THE COUNCIL DECISION OF 22 MAY 2017 AUTHORISING THE OPENING OF NEGOTIATIONS WITH THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR AN AGREEMENT SETTING OUT THE ARRANGEMENTS FOR ITS WITHDRAWAL FROM THE EUROPEAN UNION UNDER ARTICLE 50 OF THE TREATY ON EUROPEAN UNION
(COM(2017) 830 TO /3)**

The PRESIDENT invited Mr BARNIER to report on the latest developments in the negotiations he was leading on behalf of the EU with the UK with a view to its withdrawal under Article 50 of the Treaty on European Union, in particular following the meeting of the European Council (Article 50) of 15 December 2017, and to present the Commission's recommendation for a Council Decision supplementing that of 22 May 2017 which authorised the opening of these negotiations.

Following this presentation, the Commission adopted the recommendation for a Council Decision set out in COM(2017) 830/3, for transmission to the Council and, for information, to the European Parliament.

14. OTHER BUSINESS

***14.1. REASONED PROPOSAL IN ACCORDANCE WITH ARTICLE 7(1) TEU REGARDING THE RULE OF LAW IN POLAND – PROPOSAL FOR A COUNCIL DECISION ON THE DETERMINATION OF A CLEAR RISK OF A SERIOUS BREACH BY THE REPUBLIC OF POLAND OF THE RULE OF LAW
(COM(2017) 835 AND /2; SEC(2017) 552/3)***

14.2. COMMISSION RECOMMENDATION REGARDING THE RULE OF LAW IN POLAND COMPLEMENTARY TO COMMISSION

**RECOMMENDATIONS (EU) 2016/1374, (EU) 2017/146 AND
(EU) 2017/1520
(C(2017) 9050 AND /2; SEC(2017) 552/3)**

**14.3. COMMISSION DECISION TO REFER A MATTER TO THE COURT OF
JUSTICE OF THE EUROPEAN UNION UNDER ARTICLE 258 TFEU –
2017/2119 – POLAND – INFRINGEMENT OF UNION LAW BY THE
LAW AMENDING THE LAW ON THE ORGANISATION OF
ORDINARY COURTS
SEC(2017) 560; SEC(2017) 552/3)**

At the invitation of the PRESIDENT, Mr TIMMERMANS took stock of the position regarding the rule of law in Poland, which the Commission had already discussed on several occasions, and presented the decisions he would submit to the Commission for adoption.

Following this presentation, the Commission:

- adopted the reasoned proposal set out in COM(2017) 835/2 for transmission to Parliament and the Council and, for information, to the national parliaments;
- approved the recommendation in C(2017) 9050/2 and decided to notify it to the addressee of the act in the authentic language and to publish it, for information, in the Official Journal of the European Union;
- adopted the Decision set out in SEC(2017) 560;
- noted the background note distributed as SEC(2017) 552/3.

**14.4. DISPUTE CONCERNING THE MARITIME AND LAND BORDERS
BETWEEN SLOVENIA AND CROATIA**

The PRESIDENT asked Mr TIMMERMANS to brief the meeting on the situation regarding the final award by the Arbitration Tribunal, delivered on

29 June 2017, in the case concerning the maritime and land borders between Slovenia and Croatia, which the parties had to implement by 29 December 2017.

**14.5. EQUIVALENCE OF THE LEGAL AND SUPERVISORY FRAMEWORK APPLICABLE TO STOCK EXCHANGES IN SWITZERLAND – DRAFT COMMISSION IMPLEMENTING DECISION ON THE EQUIVALENCE OF THE LEGAL AND SUPERVISORY FRAMEWORK APPLICABLE TO STOCK EXCHANGES IN SWITZERLAND IN ACCORDANCE WITH DIRECTIVE 2014/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
(INFO(2017) 127; RCC(2017) 163)**

Mr DOMBROVSKIS referred to the Draft Commission Implementing Decision on the equivalence of the legal and supervisory framework applicable to stock exchanges in Switzerland. Once adopted, this decision would testify to the compliance of the two Swiss stock exchanges with legal standards comparable to those required under the Markets in Financial Instruments Directive ('MIFID II') and Regulation. This decision followed on from the equivalence decisions adopted by the Commission at the beginning of the month with regard to the US, Hong Kong and Australia.

The new legal framework introduced by the 'MIFID II' Directive and Regulation would apply to securities traded in the Union from 3 January 2018. Consequently, EU businesses would be able to trade only on Union platforms or third-country platforms that had been the subject of an equivalence decision. Since many EU investment firms habitually carried out operations on the Berne and Zurich stock exchanges, the absence of an equivalence decision could create economic and organisational problems both for these firms and for Swiss operators.

In addition to these economic considerations, Mr DOMBROVSKIS considered that the Commission was facing a political issue, since

Switzerland had not yet made sufficient progress to allow the agreement on the common institutional framework to be signed with the Union. He stressed that in 2014, and again in February 2017, the General Affairs Council had pointed out that setting up this institutional framework was a prerequisite for any future agreement allowing Switzerland to participate in the EU Single Market. He acknowledged that the equivalence decision would effectively give the Swiss trading platforms access to the EU Single Market, but pointed out that in order to secure swift progress on the agreement on the institutional framework, it would be in the Union's interest to grant a time-limited equivalence decision, expiring on 31 December 2018, in order to prevent any market disturbance when the Markets in Financial Instruments Directive and Regulation came into force on 3 January, and at the same time to leave open the possibility of reassessing the situation in the light of the progress made in negotiating the institutional framework.

The PRESIDENT said that he was somewhat disappointed by the slowing down of the process to conclude the EU-Switzerland agreement on the common institutional framework, contrary to the undertakings expressed by the Swiss authorities in the recent exchanges with them. He reiterated the objective of obtaining results quickly as regards these negotiations, while noting the need to take steps without delay by adopting the equivalence decision in order to prevent any market disturbance. He stressed that this decision would have different implications in the case of Switzerland, due to its privileged access to the Single Market, compared with other third countries.

He wound up by thanking Mr DOMBROVSKIS for his presentation and explanations.

Following this presentation, the Commission, on a proposal from the PRESIDENT, unanimously agreed to formally adopt the decision by urgent written procedure, the deadline for which was set at 10.00 on Thursday

21 December (PE/2017/9507).

14.6. RELOCATION OF THE BACK-UP SITE FOR THE GALILEO SECURITY MONITORING CENTRE

Mme BIENKOWSKA reported briefly on the state of play concerning the procedure for relocating the back-up site for the Galileo Security Monitoring Centre. The Centre, which was currently located in the UK, had to be transferred to the territory of the Union of 27 due to the UK's withdrawal from the EU and security considerations (see also item 4.2.iv of these minutes). She pointed out that this Monitoring Centre was not an EU agency but a technical infrastructure, and that the open and transparent procedure by which the Commission would choose the new site was governed by the regulation on Galileo.

She outlined the different phases of this procedure, which had to take account of security requirements and the opinion of the programme committee. In August 2017 a call for expressions of interest had been launched to which eight Member States had responded. In October, the Commission had asked the candidate countries to prepare complete proposals. Six of them had done so.

A technical evaluation of these six proposals had been carried out by the Commission, the European External Action Service and the agencies in question. The Member States would be informed of the results of this evaluation on 5 January to allow them to study the proposal in detail with a view to the meeting on 18 January of the programme committee, which would vote by qualified majority. If the result of this vote was positive, the decision would be formally adopted by the College at the end of January. The site would then have to be accredited by the Security Accreditation Board.

In conclusion, she noted that one Member State had informed the Commission of its wish to modify its proposal after the close of the evaluation

process, which was not in accordance with the applicable rules. This information had been communicated to the Member State in question.

The Commission took note of this information.

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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 12.47.