



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2022) 2415 final

- English translation of the French version which is authentic -

Brussels, 18 May 2022

TEXTE EN

MINUTES

**of the 2415th meeting of the Commission
held in Brussels
(Berlaymont)
on Wednesday 27 April 2022
(morning)**

PV(2022) 2415 final

- English translation of the French version which is authentic -

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Single sitting: Wednesday 27 April 2022 (morning)

The sitting opened at 9.09 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President	
Mr TIMMERMANS	Executive Vice-President	
Ms VESTAGER	Executive Vice-President	
Mr DOMBROVSKIS	Executive Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Ms GABRIEL	Member	
Mr GENTILONI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	Items 9/10 (in part) to 17
Ms KYRIAKIDES	Member	
Ms DALLI	Member	
Ms JOHANSSON	Member	
Mr LENARČIČ	Member	

Absent:

Mr BORRELL i FONTELLES	High Representative / Vice-President
Mr SCHMIT	Member
Mr WOJCIECHOWSKI	Member
Mr REYNDERS	Member
Ms VÁLEAN	Member
Mr VÁRHELYI	Member

Ms URPILAINEN	Member
Ms SIMSON	Member
Mr SINKEVIČIUS	Member
Ms McGUINNESS	Member

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

Ms BERGENFELT	Senior Adviser in Mr BORRELL's Office
Mr KASEL	Chef de cabinet to Mr SCHMIT
Ms STAWOWY	Member of Mr WOJCIECHOWSKI's staff
Ms PERIGNON	Deputy Chef de cabinet to Mr REYNERS
Mr GOETZ	Chef de cabinet to Ms VÁLEAN
Ms TEEDUMÄE	Deputy Chef de cabinet to Mr VÁRHELYI
Mr LAHTI	Chef de cabinet to Ms URPILAINEN
Mr GRASSI	Chef de cabinet to Ms SIMSON
Mr ŠATŪNAS	Chef de cabinet to Mr SINKEVIČIUS
Mr POWER	Chef de cabinet to Ms McGUINNESS

The following also sat in:

Mr CALLEJA CRESPO	Director-General, Legal Service
Ms AHRENKILDE HANSEN	Director-General, DG Communication
Ms SPINANT	Deputy Chief Spokesperson of the Commission
Ms PETKOVA	Director of Coordination and Administration in the PRESIDENT's Office
Ms HILI	Adviser in the PRESIDENT's Office
Ms ALLOUIS-LE LOSTEC	Head of Unit in the Secretariat-General

Secretary: Ms JUHANSONE, Secretary-General, assisted by Ms DEPREZ, Director in the Secretariat-General.

1. AGENDAS

(OJ(2022) 2415/FINAL; SEC(2022) 2415/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(2022) 2415)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 25 and Tuesday 26 April 2022.

3. APPROVAL OF THE MINUTES

(PV(2022) 2410; PV(2022) 2411; PV(2022) 2412; PV(2022) 2412, 2ND PART; PV(2022) 2413; PV(2022) 2413, 2ND PART)

The Commission approved the minutes of its 2410th, 2411th, 2412th and 2413th meetings of 8, 16, 21 and 23, and 30 March 2022, and decided to hold over approval of the minutes of its 2414th meeting of 5 April 2022 for a later meeting.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2022) 107)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Friday 22 April 2022 (RCC(2022) 107).

The Commission approved the lines proposed for the following points:

- **Amendment of Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting (Directive) – DURAND report – 2021/0104 (COD)**

Line set out in SI(2022) 109.

- **Single Market For Digital Services (Digital Services Act) and amendment of Directive 2000/31/EC (Regulation) – SCHALDEMOSE report – 2020/0361 (COD)**

Line set out in SI(2022) 116.

- **Resilience of critical entities (Directive) – ŠIMEČKA report – 2020/0365 (COD)**

Line set out in SI(2022) 118.

- **Information accompanying transfers of funds (Regulation – recast) – URTASEN & KANKO report – 2021/0241 (COD)**

Line set out in SI(2022) 122/2.

- **Amendment of Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (Directive) – AGIUS SALIBA report – 2021/0291 (COD)**

Line set out in SP(2022) 224.

- **Amendment of Annexes IV and V to Regulation (EU) 2019/1021 of the European Parliament and of the Council on persistent organic pollutants (Regulation) – HOJSÍK report – 2021/0340 (COD)**

Line set out in SP(2022) 226.

- **Conference on the Future of Europe – Preparation of the final Conference plenary (Strasbourg, 29 and 30 April 2022)**

Line set out in SPI(2022) 25/2.

The Commission approved the lines set out for the following points, for transmission to the European Parliament:

- **Commission replies to the non-legislative resolutions adopted by the European Parliament at its part-session of December 2021 (4th and last part)**

Line set out in SP(2022) 238.

- **Commission replies to the legislative resolutions adopted by the European Parliament at its part-session of March II 2022**

Line set out in SP(2022) 214.

The Commission took note of the following points:

- **Amendment of Regulation (EU) 2016/794, as regards Europol's cooperation with private parties, the processing of personal data by Europol in support of criminal investigations, and Europol's role on research and innovation (Regulation) – ZARZALEJOS report – 2020/0349 (COD)**

Compromise text in SP(2022) 225, further to note SI(2022) 26, which the Commission had already approved on 8 February 2022.

- **Election of the members of the European Parliament by direct universal suffrage, repeal of Council Decision (76/787/ECSC, EEC, Euratom) and Act concerning the election of the members of the European Parliament by direct universal suffrage annexed to that decision (Council Regulation) – RUIZ DEVESA report – 2020/2220 (INL)**

Information set out in SP(2022) 230/2.

– **Results of the European Parliament’s April 2022 part-session**

Information set out in SP(2022) 195.

**5. COORDINATION OF EXTERNAL ACTION
(RCC(2022) 17; RCC(2022) 18)**

The Commission took note of the operational conclusions in RCC(2022) 17 and RCC(2022) 18 of the meetings of the Group for External Coordination (EXCO) held by videoconference on Wednesday 6 and 20 April 2022.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**6.1. WRITTEN PROCEDURES APPROVED
(SEC(2022) 171 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 4 and 24 April 2022.

**6.2. EMPOWERMENT
(SEC(2022) 172 ET SEQ.; SEC(2022) 177 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 4 and 24 April 2022.

**6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2022) 173 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted under the delegation and subdelegation procedures between 4 and 24 April 2022 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES

(SEC(2022) 174 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 25 and 29 April 2022.

7. OTHER BUSINESS

LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

The PRESIDENT referred to the announcement made by Gazprom that day that it was unilaterally halting its gas supplies to Poland and Bulgaria, which had refused to pay in roubles.

She pointed out that while this announcement concerned these two Member States directly, it also had an impact beyond, since they were both transit centres for gas being sent to other countries. She added that other Member States would probably soon be faced with similar Russian measures.

At the end of March, the Russian President had published a decree stating that gas purchases by countries considered ‘unfriendly’ were now to be paid for in roubles, by means of a conversion mechanism set up through special accounts which were to be opened with Gazprombank. The PRESIDENT pointed out that the contracts concluded with the Member States for gas purchases stipulated that supplies were to be paid in euros or dollars. With the mechanism imposed by Russia, importing companies not only faced a risk in terms of their payment but risked breaching the sanctions imposed by the EU on Russia following its military aggression against Ukraine.

The PRESIDENT informed the College that the Member States would be meeting that day within the Gas Coordination Group and that a meeting of the Committee of the Permanent Representatives (Coreper) would be held a few hours later to present

a coordinated and united response by the 27 Member States to the suspension of Russian gas supplies to Poland and Bulgaria.

The Commission took note of this information.

8. ADMINISTRATIVE AND BUDGETARY MATTERS (SEC(2022) 175)

ADMINISTRATIVE MATTERS (PERS(2022) 21)

At the invitation of the PRESIDENT, Mr HAHN presented a proposal for an administrative decision that was being submitted directly to the College for approval.

DG MOBILITY AND TRANSPORT – ADOPTION OF A LIST OF CANDIDATES FOR THE POST OF EXECUTIVE DIRECTOR OF THE SINGLE EUROPEAN SKY ATM RESEARCH 3 JOINT UNDERTAKING, AT GRADE AD14

(PERS(2022) 22 TO /3)

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided:

- to approve the list of two candidates, presented in alphabetical order, set out in point 1 of PERS(2022) 21, for the post of Executive Director of the Single European Sky ATM Research 3 (SESAR 3) Joint Undertaking in Brussels, and to consider this list as the Commission proposal;
- to ask Ms^oVĂLEAN, the Member of the Commission responsible, to communicate this decision to the Governing Board of the Joint Undertaking.

These decisions would take effect immediately.

9. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON PROTECTING PERSONS WHO ENGAGE IN PUBLIC PARTICIPATION FROM MANIFESTLY UNFOUNDED OR ABUSIVE COURT PROCEEDINGS ('STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION')

(COM(2022) 177 AND /2; SWD(202) 117; RCC(2022) 110)

10. COMMISSION RECOMMENDATION ON PROTECTING JOURNALISTS AND HUMAN RIGHTS DEFENDERS WHO ENGAGE IN PUBLIC PARTICIPATION FROM MANIFESTLY UNFOUNDED OR ABUSIVE COURT PROCEEDINGS ('STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION')

(C(2022) 2428 AND /2; RCC(2022) 110)

The PRESIDENT opened the discussion on the initiatives presented by the Commission with a view to protecting people who engaged in public participation from manifestly unfounded or abusive court proceedings, noting that such proceedings (strategic lawsuits against public participation or 'SLAPPs') were a particular form of harassment, used primarily against journalists and human rights defenders to prevent them from speaking out on matters of general interest.

Ms JOUROVÁ presented the proposal for a Directive and the Recommendation tabled that day, emphasising that they were part of the work performed by the current Commission to protect and promote the EU's basic values of democracy, the rule of law, equality and freedom. Initiatives to support media freedom and pluralism in the EU had been announced in the European Democracy Action Plan adopted by the Commission in December 2020. These initiatives came in addition to the first Recommendation which the Commission had addressed to Member States in September 2021 on the safety of journalists and would be added to by the Commission's next legislative initiative on media freedom.

Abusive litigation against journalists, particularly independent journalists, and

human rights defenders was on the increase in the EU, as had been noted in several reports on the rule of law. She referred to the example of the Maltese journalist Daphne CARUANA GALIZIA, against whom over 40 such proceedings were pending, principally for defamation, in particular in the UK, at the time of her murder in 2017.

In Ms JOUROVÁ's opinion it was important to take action, whilst maintaining a balance between freedom of expression and of information, on the one hand, and the right to access to justice and the right to the protection of privacy and of reputation, on the other. She explained that the package of measures proposed by the Commission was the outcome of in-depth preparatory work with the various stakeholders, Member States and the European Parliament.

She pointed out that Member States and their courts were not legally well equipped to handle such cases. Given the cross-border dimension of these proceedings and the issue of forum shopping, it was even more difficult for the people targeted to defend themselves.

In her view the legislative and non-binding measures proposed to combat SLAPPS addressed these problems from all perspectives. Thus, she noted that the proposal for a Directive, which focused on cross-border civil cases, provided for safeguards against manifestly abusive proceedings, by enabling the courts (i) to dismiss speedily manifestly unfounded claims, (ii) to identify swiftly elements indicating that a case was abusive and order a series of measures of compensation for the persons targeted, and (iii) to impose dissuasive penalties on claimants. She added that the proposed Directive also protected journalists and human rights defenders who were EU nationals from SLAPPS brought against them in non-EU countries.

Ms JOUROVÁ then turned to the non-binding Recommendation that the Commission was addressing to the Member States to encourage them to harmonise their national legal frameworks by providing the necessary safeguards, similar to those provided for at EU level, to deal with domestic cases of SLAPPS. Against this

backdrop, training, legal support, awareness raising and data collection would be provided to tackle the problem comprehensively.

She added that Member States needed to take firm action to deal with some of the root causes of SLAPPs by, for example, reviewing their legal frameworks with respect to defamation and ensuring that it was dealt with primarily as a civil and administrative, and not a criminal law, matter, and abolishing custodial sentences for defamation from their legal systems.

Ms JOUROVÁ closed her presentation by emphasising that democracy and the rule of law could only be protected when those that acted as watchdogs could work freely without self-censorship, and when the general interest prevailed over private considerations.

In the course of the discussion that followed, the Commission raised the following main points:

- the importance of the measures proposed that day on a vital issue for democracy, which was exposed to constant threats to its values, and the contribution made by the Commission's initiatives within the context of the Union of equality;
- the fact that information was a public good, as was the existence of independent media, and that both needed a secure environment in order to exist;
- reference to the recently launched public consultation on EU legislation on media freedom, which aimed to prevent the intervention of shareholders in the work of editorial staff, to clarify the rules necessary for pluralistic sources of information and to prevent journalists from engaging in self-censorship;
- reference also to the recent interinstitutional agreement on legislation on digital services, a solid framework protecting citizens and freedom of expression in the European Union.

The PRESIDENT wound up the discussion by thanking Ms JOUROVÁ for her

excellent work, and Mr BRETON and Ms VESTAGER for the success of the interinstitutional negotiations on the legislation on digital services referred to during the discussion.

Following these presentations, the Commission:

- adopted the proposal for a Directive in COM(2022) 177/2, for transmission to the European Parliament, the Council and the national parliaments, together with the staff working document distributed as SWD(2022) 117, the contents of which were noted;
- adopted the Recommendation in C(2022) 2428/2 and decided to notify it to the Member States and to publish it, for information, in the Official Journal of the European Union, together with the staff working document distributed as SWD(2022) 117.

11. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – ATTRACTING SKILLS AND TALENT TO THE EU

(COM(2022) 657 TO /3; RCC(2022) 112)

12. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL CONCERNING THE STATUS OF THIRD-COUNTRY NATIONALS WHO ARE LONG-TERM RESIDENTS (RECAST)

(COM(2022) 650 AND /2; SWD(2022) 650; SWD(2022) 651; SEC(2022) 200; RCC(2022) 112)

13. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON A SINGLE APPLICATION PROCEDURE FOR A SINGLE PERMIT FOR THIRD-COUNTRY NATIONALS TO RESIDE AND WORK IN THE TERRITORY OF A MEMBER STATE AND ON A

**COMMON SET OF RIGHTS FOR THIRD-COUNTRY WORKERS
LEGALLY RESIDING IN A MEMBER STATE (RECAST)**

**(COM(2022) 655; SWD(2022) 655; SWD(2022) 656; SEC(2022) 201;
RCC(2022) 112)**

- 14. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL AMENDING REGULATIONS (EC) NO 767/2008,
(EC) NO 810/2009 AND (EU) 2017/2226 OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL, COUNCIL REGULATIONS (EC) NO 1683/95, (EC)
NO 333/2002, (EC) NO 693/2003 AND (EC) NO 694/2003 AND
CONVENTION IMPLEMENTING THE SCHENGEN AGREEMENT, AS
REGARDS THE DIGITALISATION OF THE VISA PROCEDURE
(COM(2022) 658 AND /2; SWD(2022) 658; SWD(2022) 659; SEC(2022) 202;
RCC(2022) 112)**

The PRESIDENT asked Mr SCHINAS and Ms JOHANSSON to present to the College the package of measures proposed that day on legal migration and the proposal on the digitalisation of the visa procedure.

Mr SCHINAS explained that the proposals on legal migration were the last part of the toolbox that the current Commission would have presented in the context of migration policy during its term of office. The proposals had been drawn up in close cooperation with Mr SCHMIT.

The aim was to lay the foundations for a sustainable and common approach to labour migration in the EU. For the first time, the EU was proposing to move from the mere reception of third-country nationals to selection of the skills and professional profiles that it and its Member States would need in the coming years.

The initiatives were also designed to respond to the challenges facing the EU, in particular demographic trends, the recovery from the COVID-19 pandemic and the shortage of skilled workers, to name but a few.

Mr SCHINAS then briefly described the structure of the measures presented that day to establish a sustainable European policy on legal migration, pointing out that it was based on three essential pillars, namely a legislative pillar, an operational pillar and a final forward-looking pillar, which Ms JOHANSSON would present in detail.

The proposals were expected to be fairly well received given the high demand for skilled workers in the EU. However, the EU might be accused in some political quarters as paving the way for uncontrolled migration, whereas the whole point of putting in place legal migration was to help reduce irregular migration, and it could be suspended if circumstances so required.

Ms JOHANSSON pointed out that around 23 million third-country nationals were currently resident in the EU, of whom some 10 million held a long-term residence permit.

European employers were facing staff shortages in many professions, accounting for 14% of the EU workforce – including pipe fitters, nurses, welders, truck drivers, civil engineers and software developers.

Moreover, by 2070, the size of the working-age population would decline by about 10%, from 65% to around 55% of the total EU population.

The Commission was proposing a pragmatic and gradual approach to meeting this dual challenge. Legal migration should be seen as a policy like any other, especially since around 2.5-3 million people came legally to the EU each year, compared with 125 000-200 000 irregular arrivals.

Ms JOHANSSON then elaborated on the three main pillars of that day's proposals.

First, the legislative pillar aimed to provide a more effective and attractive framework for legal routes into the EU and to improve the mobility of third-country workers on its territory.

The procedure for applying for a single permit would thus be simplified and shortened, which would encourage employers to recruit internationally and therefore help to increase the EU's attractiveness, while addressing its labour shortages.

The Long-term Residence Directive was a key tool for integrating migrants into the EU. However, during its 15 years of application, the legislation had been under-utilised, with only 3 million people concerned. The Commission was therefore proposing to facilitate the conditions for acquiring long-term resident status and to improve intra-EU mobility and the rights of permit holders and their families.

For example, it was proposed to allow third-country nationals to cumulate residence periods in different Member States in order to fulfil the 5-year residence requirement or to count in full all periods of legal residence, including residence periods as students or beneficiaries of temporary protection.

The risk of fraudulent acquisition of long-term resident status linked to residence through investment schemes offered by some Member States was also addressed in the Commission's proposals.

Secondly, Ms JOHANSSON pointed out that the operational pillar proposed concrete and practical projects to support international job matching and better overall management of migration. In particular, the Commission was presenting a balanced proposal to operationalise partnerships aimed at attracting talent into the EU. Partner countries would need to cooperate on all aspects of migration management, including returns, readmission and reducing irregular migration. These partnerships were a positive and mutually beneficial incentive that met the needs of both sides.

They would initially be launched with partner countries in Africa and Asia, namely Morocco, Tunisia and Egypt by the end of the year and subsequently Pakistan, Bangladesh, Senegal and Nigeria.

In addition, in mid-2023 the EU would launch a talent pool, the first EU-wide platform matching European employers with the skills they could not find on the continent's labour market. As early as that summer, a pilot phase would be launched to map the skills of refugees fleeing the war in Ukraine and match them with employers' recruitment needs.

Ms JOHANSSON explained that the third pillar, which concerned a forward-looking legal migration policy, sought to examine the feasibility and added value of EU legislation with a view to (i) attracting long-term care workers – a common challenge for all Member States, (ii) establishing a European youth mobility scheme to offer young Europeans the opportunity to travel and work abroad so as to acquire experience and develop their skills, and (iii) introducing a new EU visa for innovative entrepreneurs with the aim of fostering innovation and stimulating the green and digital transition.

Finally, Ms JOHANSSON presented the proposal on the digitalisation of visa procedures, which was not part of the measures on legal migration but of the Commission's initiatives on short-term visas.

The modernisation of the visa issuing process would facilitate travel to the EU for tourism and business. Half of those arriving in the EU with a Schengen visa considered the visa application procedure to be cumbersome, especially since many had to make long journeys to submit their application.

Ms JOHANSSON explained that that day's proposal would alleviate the burden of the paper-based procedure that was currently imposed on consulates. The Commission was proposing the creation of a fast, economical and web-based EU visa application platform for short stays, irrespective of the Member State of destination, which Member States would be able to join during a 5-year transition period while phasing out their national tools. The visa sticker would also be replaced by a digital visa, which would reduce the risk of forgery, fraud and theft.

In the course of the brief discussion that followed, the Commission raised the following main points:

- broad support for the legal migration package, as well as for the proposal on the digitalisation of the visa procedure;
- a reference to the close link between demographic change in the EU and the need for legal migration to compensate for the resulting loss of workers;
- the need to urgently address the shortage of health professionals;
- the importance of addressing the brain drain in the countries of origin of migrant workers and a reference to the ongoing work on this issue in the Commission.

The PRESIDENT wound up the discussion by stating that legal migration mainly concerned highly skilled workers, who could often decide which country to emigrate to. The Commission therefore considered it important to pay a great deal of attention to the communication on this issue in order to attract such highly skilled workers to the EU.

Following these presentations, the Commission:

- approved the Communication in COM(2022) 657/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and, for information, to the national parliaments;
- adopted the proposal for a Directive in COM(2022) 650/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2022) 651, SWD(2022) 650 and SEC(2022) 200, the contents of which were noted;

- adopted the proposal for a Directive in COM(2022) 655 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2022) 656, SWD(2022) 655 and SEC(2022) 201, the contents of which were noted;
- adopted the proposal for a Regulation in COM(2022) 658/2 for transmission to the European Parliament, the Council, the European Data Protection Supervisor and the national parliaments, together with the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2022) 658, SWD(2022) 659 and SEC(2022) 202, the contents of which were noted.

**15. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – COVID-19 – SUSTAINING EU PREPAREDNESS AND RESPONSE: LOOKING AHEAD
(COM(2022) 190 AND /2; RCC(2022) 111)**

The PRESIDENT opened the discussion on the Communication regarding a new phase in the management of the COVID-19 pandemic.

She stressed that the pandemic was not over, that it was important to remain vigilant and that the Communication aimed to encourage the Member States to prepare for the coming autumn and winter in case new variants emerged and caused infection rates to surge once more.

She suggested looking back to gauge how much progress had been made in two years. As things currently stood, 72% of the EU population was fully vaccinated and 52% had received booster doses. The EU had more vaccines than it required,

although there was a need to continue looking into ways of overcoming vaccine hesitancy among some of the EU's people.

Mr SCHINAS noted that the Communication being presented that day had originally been due for presentation to the European Council in March, but that events in Ukraine had changed the agenda for discussions between EU leaders. Be that as it may, the Commission's aim with this initiative was to send a balanced message that both reminded the Member States of the need to remain cautious and looked back at the Commission's successful management of the pandemic, while also highlighting a number of aspects to be taken into account in particular.

These aspects included (i) the continuation of vaccination efforts, recalling that the vaccines used in the EU provided effective, efficient protection from COVID-19, (ii) the call to move from emergency monitoring of the pandemic to regular monitoring, (iii) the invitation to Member States to prepare to reintroduce protective measures if necessary, (iv) the need to step up efforts to develop the second generation of vaccines, which would, if possible, be capable of protecting against several coronavirus variants, and to work on new treatments, (v) a Joint Communication aimed at re-establishing the facts, and lastly, (vi) the action that would be taken with the EU's partners, such as the United States, COVAX, the World Health Organization (WHO), international organisations and industry, as part of a global alert and response mechanism.

Ms KYRIAKIDES underscored the importance and timeliness of the Communication being presented that day. The EU was in a far better situation than it had been a few months ago thanks to the coordination of the response at EU level, the efforts made as regards vaccination and the natural immunity that had been built up by the EU's people. It was clear that the mortality rate was no longer so closely linked to the number of cases of the virus. According to the WHO, the number of cases worldwide had fallen by 25% the previous week. However, the pandemic was not over and it remained impossible to predict how it would progress in future. Even

as the Member States were easing restrictions, it was important to prepare for any eventuality that could arise in the coming autumn and winter.

This was why the Commission proposed that the Member States take action in a number of areas, particularly with a view to strengthening their ability to respond if needed, with a special focus on capacity in hospitals, continuing vaccination efforts given that 90 million Europeans had not yet been vaccinated, increasing the uptake of booster doses, improving vaccine coverage among children, and developing new, adapted vaccines and treatments.

The Communication being presented that day was therefore intended to urge all the Member States not to let down their guard and instead use the current period of calm to prepare for potential new waves of COVID-19. Ms KYRIAKIDES added that the EU had to continue supplying vaccines worldwide. Lastly, she noted that the EU now had data on cases of long COVID – that is, people who were still suffering the consequences of the disease 12 weeks after contracting it – and that she intended to step up research in that area.

She closed by mentioning the current epidemiological situation in China and South Africa, which the EU was monitoring closely.

Mr BRETON made a number of remarks about the industrial dimension of managing the COVID-19 pandemic. The EU had now set up infrastructure enabling it to produce more than 4 billion vaccine doses a year. As a result, it was able to supply the entire world with safe, effective vaccines that would both combat the pandemic and prevent the serious difficulties that the pandemic could cause for global supply chains.

As regards the manufacturing plants themselves, in the Communication the Commission had announced the launch of a procurement procedure as part of the EU FAB project, which aimed to create a network of production capacity that could come online at any time in the event of a crisis to manufacture vaccines and

treatments using a range of technologies. All of the Member States had been consulted in this process.

Finally, Mr BRETON welcomed the excellent cooperation taking place between the Commission and the United States within the Joint COVID-19 Manufacturing and Supply Chain Taskforce in order to secure their supply chains. This could serve as a model for work with other partners. He also referred to the efforts made by both parties to ensure the availability of the raw materials needed for vaccine manufacturing and to the Single Market Emergency Instrument, which would make it possible to cope with any supply chain interruptions and shortages in future.

In the course of the discussion that followed, the Commission raised the following main points:

- a question about maintaining the Digital COVID Certificate now that the Member States were easing their travel restrictions;
- concern about the recent occurrence of severe cases of hepatitis, possibly due to an adenovirus, in children, and a question as to whether the European Health Emergency Preparedness and Response Authority (HERA) would address the matter;
- the preparatory work being done within the Commission to deal with a potential resurgence of COVID-19 in the coming autumn and winter, particularly as regards the administration of a second booster dose to staff; recognition of the work done by the Commission's Medical Service, which had administered around 50 000 vaccine doses since the pandemic broke out; the easing, in early April, of the restrictions that had been in place in the institution and the new working conditions applying to Commission staff after two years of tremendous efforts.

Ms KYRIAKIDES picked up on some of the points raised during the discussion.

Firstly, the EU had enough vaccine doses to offer vaccination to the over 5 million Ukrainian refugees who had taken refuge in the Member States, among whom vaccine coverage was relatively low. Efforts were being made to provide them with information in Ukrainian.

As far as travel was concerned, the Digital COVID Certificate was still in use. This certificate was an important European achievement.

Finally, Ms KYRIAKIDES turned to the worrying occurrence of severe cases of hepatitis in children aged between 1 and 16 in Europe. The outbreak could be due to an adenovirus. The European Centre for Disease Prevention and Control (ECDC) would publish a risk assessment report on the issue in the coming hours. The World Health Organization and the Member States were also investigating the matter.

The PRESIDENT wrapped up the discussion by noting that the vaccines developed in democratic countries were both reliable and effective.

Following these presentations, the Commission approved the Communication in COM(2022) 190/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and, for information, to the national parliaments.

**16. AD HOC EMPOWERMENT ON A GENERAL REGIME OF
CONDITIONALITY FOR THE PROTECTION OF THE UNION BUDGET –
NOTIFICATION IN ACCORDANCE WITH ARTICLE 6(1) OF
REGULATION (EU, EURATOM) 2020/2092
(C(2022) 2782; RCC(2022) 115)**

At the request of the PRESIDENT, Mr HAHN presented to the College an ad hoc empowerment with a view to adopting a written notification to be sent to the Hungarian authorities in accordance with Article 6(1) of Regulation

(EU, Euratom) 2020/2092 on a general regime of conditionality for the protection of the Union budget.

He explained that this empowerment concerned the sending, in agreement with the PRESIDENT, of a formal notification to Hungary under the rule of law conditionality.

He emphasised the importance of the notification which, as the first of its kind to be sent to a Member State, would set a precedent. He noted that, on the other hand, the handling of the notification would be procedurally closely linked to infringement proceedings and that the process would result in an exchange of correspondence between the Commission and the Member State concerned.

The decision on this notification had been announced by the PRESIDENT at the European Parliament's April plenary session. Mr HAHN had since then personally contacted the Hungarian authorities to inform them that the notification was about to be sent, following an informal exchange of letters which had not elicited a satisfactory response.

Mr HAHN justified this notification, stating that the Commission had reasonable grounds for considering that the breaches of the rule of law in Hungary affected or seriously risked affecting the sound financial management of the EU budget and the protection of EU financial interests in a sufficiently direct way. In practice, this notification would set out the Commission's concerns and conclude with a series of questions asking Hungary to clarify the problems raised or propose solutions.

On receipt of this notification, the Hungarian authorities would have two months to reply and the Commission would then have one month to react, either by closing the case if the outstanding issues had been resolved or by submitting to the Council a proposal for targeted and proportionate measures, which could be retroactive or allow EU funding to be withheld. He stressed the importance of this procedure being closely coordinated with the implementation stages of the recovery and resilience plan and the conditions for access to the various cohesion funds.

The Council would then have one to three months to amend or approve the measures proposed by the Commission, by qualified majority. As soon as they had been implemented, the Commission would have to review the measures within one year and report back to the Council. He stressed that the approach was to seek solutions, not to create confrontation.

Mr HAHN noted that the content of the notification would not be a surprise for the Hungarian authorities, since it raised only issues already mentioned in various contexts, such as the European Semester of economic and budgetary policy coordination in the EU, the Commission's annual rule of law report, the Single Market Scoreboard and discussions in various international fora. He also pointed out that each of the questions put to the Hungarian authorities was more or less directly linked to the management of the EU budget, but that it was nevertheless necessary to choose the most appropriate instrument for resolving the problem identified.

He concluded his presentation by saying that the notification letter would be sent to the Hungarian authorities that day and that the Council and the European Parliament had been duly informed of this.

In the course of the brief discussion that followed, the Commission raised the following main points:

- overall support from Member States for the principle of rule of law conditionality in the management of the EU budget and funding;
- the need to base the Commission's proposals to implement the conditionality on sound analysis and well-founded arguments in order to avoid an appeal;
- the importance of clearly distinguishing the reforms planned in the context of the European Semester and the recovery and resilience plans from those required to restore the rule of law and to ensure the protection of the EU budget.

On the last point, the PRESIDENT confirmed that it was not enough for Member States to respond to positive incentives to access funding made available under the recovery and resilience plans, but that they should also implement the structural reforms planned in common agreement with each Member State in the context of the European Semester of economic and budgetary policy coordination in the EU.

Following this presentation, the Commission took the decision:

- to empower Mr HAHN, who was the Member of the Commission responsible for the budget, to adopt, in agreement with the PRESIDENT, on behalf of the Commission and under its responsibility, the final text of the written notification to be sent to the Hungarian authorities in accordance with Article 6(1) of Regulation (EU, Euratom) 2020/2092 on a general regime of conditionality for the protection of the Union budget, in accordance with points 5 to 9 of the communication at hand;
- to instruct Mr HAHN to inform the European Parliament and the Council of the notification and its content without delay.

The Commission adopted the decision in C(2022) 2782.

17. OTHER BUSINESS (CONTINUED)

17.1. COMMISSION IMPLEMENTING DECISION ON THE REQUEST FOR REGISTRATION OF THE PROPOSED EUROPEAN CITIZENS' INITIATIVE ENTITLED 'END THE SLAUGHTER AGE' PURSUANT TO REGULATION (EU) 2019/788 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (C(2022) 2753)

Ms JOUROVÁ presented a proposal for a Decision submitted to the College

for approval on the registration of a European citizens' initiative entitled, in the authentic language (Italian), *Facciamo finire le era dei Macelli* ('End the slaughter age').

The initiative essentially called on the Commission to propose legal acts with a view to (i) excluding livestock farming from activities eligible for agricultural subsidies and including ethical and ecological alternatives, such as cell farming and plant proteins, and (ii) introducing incentives for the production and sale of plant-based and cellular agricultural products.

Ms JOUROVÁ pointed out that the College's task that day was to decide only on the registration of the initiative and not at this stage to analyse its substance or political expediency.

She explained that the conditions for registering European citizens' initiatives were set out in Article 6(3) of Regulation (EU) 2019/788 of 17 April 2019 on the European citizens' initiative, which had repealed and replaced Regulation (EU) No 211/2011 with effect from 1 January 2020. One of those conditions was the requirement that no part of the citizens' initiative should manifestly fall outside the framework of the Commission's powers to submit a proposal for an EU legal act for the purpose of implementing the Treaties.

She noted that the request of the proponents of the European citizens' initiative 'End the slaughter age' fell within the Commission's powers to propose legal acts for the purpose of implementing the Treaties under Article 43(2) and Article 114 of the Treaty on the Functioning of the European Union.

Ms JOUROVÁ underlined that if, within a period of twelve months, the proposal gathered the minimum support required, in other words at least one million signatures from citizens of at least a quarter of the Member States, the Commission would then analyse the substance of the proposal.

The Commission would have a period of six months to submit its reasoned decision whether or not to take any action.

The Commission confirmed that the citizens' initiative 'End the slaughter age' fulfilled the necessary conditions for registration. It therefore decided, in accordance with C(2022) 2753, to inform the group of organisers and authorised Ms JOUROVÁ to sign the reply on behalf of the College, in the authentic language (Italian), to address it to the group of organisers of the initiative, and to publish it, for information, in the Official Journal of the European Union.

The Commission also agreed to transmit its decision, for information, to the European Parliament, the European Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

The Commission took note of this information.

17.2. SPRING MEETINGS OF THE INTERNATIONAL MONETARY FUND (IMF) AND THE WORLD BANK GROUP (WASHINGTON, 18-24 APRIL 2022)

The PRESIDENT invited Mr DOMBROVSKIS and Mr GENTILONI to report to the College on the spring meetings of the International Monetary Fund (IMF), the World Bank Group and the G7 and G20 finance ministers and central bank governors held in Washington from 18 to 24 April.

Mr DOMBROVSKIS explained that the situation in Ukraine had dominated the agenda of these meetings and that discussions had focused on the consequences of the war and the country's financing needs.

As regards the atmosphere, he said that at the meeting of G20 finance ministers and central bank governors and at the meeting of the International Monetary and Financial Committee (IMFC), some participants

had left the room when the Russian minister took the floor. He added that Russia had opposed the text of the final communiqué of the IMFC meeting. However, the G7 finance ministers and central bank governors had issued a statement on Ukraine. On the substance, he stressed that the EU representatives had made efforts to refute the Russian comments by emphasising that Russia alone was responsible for the consequences of its aggression against Ukraine on world energy and food prices.

According to estimates, Ukraine's short-term financing needs were between USD 5 billion and USD 7 billion per month for the next quarter. He reminded the meeting that the EU had granted macro-financial assistance of EUR 1.2 billion. He proposed speeding up disbursement of the second tranche of this assistance and suggested that it might be necessary to add a third tranche. The European Investment Bank (EIB) intended to provide Ukraine with a budget of EUR 1.5 billion, with a guarantee from the EU budget, which was still to be discussed.

Two events had been organised in support of Ukraine during these spring meetings, namely a ministerial round table for support to the country and a discussion among Heads of International Financial Institutions on support programmes for Ukraine and neighbouring countries.

Mr DOMBROVSKIS had presented the draft EU Ukraine Solidarity Trust Fund, which was in the early stages of development and to which international partners were willing to contribute.

Among the recent Commission support measures for Ukraine, he referred to the proposal for a regulation adopted that day by written procedure (PE/2022/2859 – COM(2022) 195) on temporary trade liberalisation supplementing trade concessions applicable to Ukrainian products under the EU-Ukraine Association Agreement. The EU was thus suspending all its

customs duties on imports of Ukrainian products for a renewable period of one year.

Mr GENTILONI also referred to the international context of the Ukrainian crisis. Having started as a regional issue, it had become a global one whose repercussions were moving from security to the economy.

Expert forecasts anticipated a slowdown in global growth and a recession for the Ukrainian and Russian economies.

He also said that the work of the G20 had progressed on a number of files.

In conclusion, he noted that the meeting organised by the US Secretary of the Treasury to discuss the sanctions against Russia had highlighted the interest of the United States in ways of limiting the rise in Russian oil prices.

A brief discussion followed, during which the Commission referred mainly to the influence of the European Union and its Member States in the IMF and the World Bank, with around one third of the votes, and the desire for better European coordination ahead of the meetings of these bodies.

The PRESIDENT concluded by returning to Ukraine's financing needs. She noted that the 'Stand Up for Ukraine' international donor conference organised by the Commission and Canada had raised EUR 9.1 billion for people fleeing the Russian invasion, in Ukraine and abroad, including EUR 1 billion from the Commission. In addition, the European Bank for Reconstruction and Development (EBRD) had announced an additional EUR 1 billion loan to cover the needs of those displaced as a result of the invasion. Out of the EUR 10.1 billion in pledges and funding from the EBRD, EUR 1.8 billion was intended for internally displaced persons in Ukraine and EUR 8.3 billion for refugees in EU Member States and neighbouring countries.

She pointed out that Ukraine also needed budgetary assistance in order to be able to pay the salaries and pensions of its officials.

With regard to the Ukraine Solidarity Trust Fund on which the EU was working, she called for a robust needs analysis and structure that would allow the support to respond effectively to those needs, involving international financial institutions, in particular the International Monetary Fund and the World Bank.

The Commission took note of this information.

17.3. LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

The PRESIDENT informed the College on her visit to New Delhi on 24 and 25 April, where she had met with the Indian President Ram Nath KOVIND and Prime Minister Narendra MODI for discussions on a wide range of topics.

As India had recently concluded a free trade agreement with Australia and was about to conclude another one with the United Kingdom, the PRESIDENT stressed the importance of relaunching the negotiation of a trade agreement with the EU, incorporating an investment agreement. It was in this context that she had wished to explain to her Indian counterparts the global impact of the war in Ukraine, since it undermined the fundamental principles of international relations and its consequences would affect India, in particular in terms of food security. Although India was self-sufficient in wheat production, it was highly dependent on Ukrainian imports of sunflower oil, a commodity which was essential for its population.

She called for exploitation of the untapped opportunities for trade between the EU and India, which were like-minded partners, although the EU accounted for 11% of Indian imports and India only 2% of EU imports. She stressed that it was in the interests of both sides to strengthen their ties at a time when India

was increasingly looking outwards and the geopolitical landscape was changing rapidly.

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 11.00.