



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2022) 2419 final

- English translation of the French version which is authentic -

Brussels, 17 June 2022

TEXTE EN

MINUTES

of the 2419th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 25 May 2022

(morning)

PV(2022) 2419 final

- English translation of the French version which is authentic -

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Single sitting: Wednesday 25 May 2022 (morning)

The sitting opened at 9.08 with Ms VESTAGER in the chair.

Present:

Ms VESTAGER	Executive Vice-President	
Mr BORRELL i FONTELLES	High Representative / Vice-President	Items 1 to 11.1
Mr ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	Items 1 to 11.1 (in part)
Mr SCHINAS	Vice-President	
Ms GABRIEL	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	
Ms KYRIAKIDES	Member	
Mr REYNDERS	Member	
Ms DALLI	Member	
Ms JOHANSSON	Member	
Mr LENARČIČ	Member	
Ms VÁLEAN	Member	Items 8 to 11.2 (in part)
Ms SIMSON	Member	
Mr SINKEVIČIUS	Member	
Ms McGUINNESS	Member	

Absent:

Ms von der LEYEN	President
Mr TIMMERMANS	Executive Vice-President
Mr DOMBROVSKIS	Executive Vice-President

Mr HAHN	Member
Mr SCHMIT	Member
Mr GENTILONI	Member
Mr VÁRHELYI	Member
Ms URPILAINEN	Member

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

Mr AGOTHA	Expert in Mr TIMMERMANS's Office
Ms VEGNERE	Deputy Chef de cabinet to Mr DOMBROVSKIS
Ms BIKAR	Member of Mr HAHN's staff
Ms BERTULESSI	Deputy Chef de cabinet to Mr SCHMIT
Mr FRISS	Deputy Chef de cabinet to Mr GENTILONI
Ms TEEDUMÄE	Deputy Chef de cabinet to Mr VÁRHELYI
Mr LAHTI	Chef de cabinet to Ms URPILAINEN

The following also sat in:

Mr SEIBERT	Chef de cabinet to the PRESIDENT
Mr CALLEJA CRESPO	Director-General, Legal Service
Ms AHRENKILDE HANSEN	Director-General, DG Communication
Ms SPINANT	Deputy Chief Spokesperson of the Commission
Ms HILI	Adviser in the PRESIDENT's Office
Mr VALERO	Secretariat-General
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) 2419/FINAL; SEC(2022) 2419/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) 2419)

The Commission considered the Secretary-General's report on the weekly meeting of Chefs de cabinet held on Monday 23 and Tuesday 24 May 2022.

3. APPROVAL OF THE MINUTES

The Commission held over approval of the minutes of its 2416th, 2417th and 2418th meetings of 3, 11 and 18 May 2022 for a later date.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2022) 126)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Friday 20 May 2022 (RCC(2022) 126).

The Commission approved the lines proposed for the following points:

- **Digital operational resilience for the financial sector and amendment of Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014 and (EU) No 909/2014 (Regulation) – KELLEHER report – 2020/0266 (COD)**

Line set out in SI(2022) 164.

- **Operational police cooperation (Council Recommendation) – 2021/0415 (CNS)**

Line set out in SI(2022) 171.

The Commission took note of the following points:

- **Consumer credits (Directive) – KONEČNÁ report – 2021/0171 (COD)**

Information set out in SI(2022) 163.

- **Establishment of a collaboration platform to support the functioning of Joint Investigation Teams and amendment of Regulation (EU) 2018/1726 (Regulation) – AZMANI report – 2021/0391 (COD)**

Information set out in SI(2022) 169.

- **Amendment of Regulation (EU) 2018/1727 of the European Parliament and the Council and Council Decision 2005/671/JHA, as regards the digital information exchange in terrorism cases (Regulation) – 2021/0393 (COD)**

Information set out in SI(2022) 173.

- **Automated data exchange for police cooperation ('Prüm II'), amendment of Council Decisions 2008/615/JHA and 2008/616/JHA and Regulations (EU) 2018/1726, 2019/817 and 2019/818 of the European Parliament and of the Council (Regulation) – RANGEL report – 2021/0410 (COD)**

Information set out in SI(2022) 156.

- **Information exchange between law enforcement authorities of Member States, repeal of Council Framework Decision 2006/960/JHA (Directive) – DÜPONT report – 2021/0411 (COD)**

Information set out in SI(2022) 157.

- **European Union Drugs Agency (Regulation) – SANTOS report – 2022/0009 (COD)**

Information set out in SI(2022) 170.

- **Amendment of Directive 2010/40/EU on the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport (Directive) – PLUMB report – 2021/0419 (COD)**

Information set out in SI(2022) 165.

- **Deployment of alternative fuels infrastructure, and repeal of Directive 2014/94/EU of the European Parliament and of the Council (Regulation) – ERTUG report – 2021/0223 (COD)**

Information set out in SI(2022) 166.

- **Use of renewable and low-carbon fuels in maritime transport and amendment of Directive 2009/16/EC (Regulation) – WARBORN report – 2021/0210 (COD)**

Information set out in SI(2022) 167.

- **Ensuring a level playing field for sustainable air transport (Regulation) – GADE report – 2021/0205 (COD)**

Information set out in SI(2022) 168/2.

- **Amendment of Directive 2003/25/EC as regards the inclusion of improved stability requirements and its alignment with stability requirements defined by the International Maritime Organisation (Directive) – ZĪLE report – 2022/0036 (COD)**

Information set out in SI(2022) 172.

– **Results of Parliament’s May I 2022 part-session**

Information set out in SP(2022) 298.

**5. COORDINATION OF EXTERNAL ACTION
(RCC(2022) 22)**

The Commission took note of the operational conclusions in RCC(2022) 22 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 18 May 2022.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**6.1. WRITTEN PROCEDURES APPROVED
(SEC(2022) 216 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 16 and 22 May 2022.

**6.2. EMPOWERMENT
(SEC(2022) 217 ET SEQ.)**

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 16 and 22 May 2022.

**6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2022) 218 ET SEQ.)**

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 16 and 22 May 2022 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES

(SEC(2022) 219 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 23 and 25 May 2022, and of the finalisation written procedures.

6.5. GRANTING OF AN EMPOWERMENT AND A DELEGATION OF POWERS RELATING TO THE EUROPEAN REGIONAL DEVELOPMENT FUND, THE EUROPEAN SOCIAL FUND+, THE COHESION FUND, THE JUST TRANSITION FUND, THE EUROPEAN MARITIME, FISHERIES AND AQUACULTURE FUND, THE ASYLUM, MIGRATION AND INTEGRATION FUND, THE INTERNAL SECURITY FUND AND THE INSTRUMENT FOR FINANCIAL SUPPORT FOR BORDER MANAGEMENT AND VISA POLICY FOR THE 2021-2027 PROGRAMMING PERIOD

(C(2022) 3600)

The Commission decided to grant:

- an empowerment to the Members of the Commission with responsibility for, respectively, the European Regional Development Fund, the European Social Fund+, the Cohesion Fund, the Just Transition Fund, the European Maritime, Fisheries and Aquaculture Fund, the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy for the 2021-2027 programming period, to adopt, in agreement with the PRESIDENT, certain decisions on behalf of the Commission and

under its responsibility, subject to the conditions laid down in Articles 3 to 6 of this Decision;

- a delegation of powers to the Directors-General responsible for Regional and Urban Policy, Employment, Social Affairs and Inclusion, Maritime Affairs and Fisheries and Migration and Home Affairs, to adopt or approve, in agreement with the PRESIDENT, certain decisions on behalf of the Commission and under its responsibility, subject to the conditions laid down in Articles 3 to 6 of this Decision.

The Commission adopted the decision in C(2022) 3600.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2022) 220 AND /2)

ADMINISTRATIVE MATTERS

(PERS(2022) 30 AND /2)

7.1. DG RESEARCH AND INNOVATION – APPOINTMENT TO A FUNCTION OF PRINCIPAL ADVISER AT GRADE AD14/15

(PERS(2022) 31 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Adviser/Director of the European Research Council Executive Agency (ERCEA) in DG Research and Innovation (PERS(2022) 31).

It took note of the opinions of the Consultative Committee on Appointments of 2 and 24 March 2022 (PERS(2022) 31/2 and /3).

The Commission then examined the applicants' qualifications for the post. It also considered their ability, efficiency and conduct in the service. On a

proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms GABRIEL, it then decided to appoint Ms Laurence MOREAU to the post.

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

7.2. *DG INFORMATICS – TRANSFER OF AN AD15 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS*

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Maria Beatriz SANZ REDRADO, an AD15 official and currently Director of the ‘General Affairs’ Directorate in the European Anti-Fraud Office, to the post of Director of the ‘Strategy and Resources’ Directorate in DG Informatics.

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

7.3. *EUROPEAN ANTI-FRAUD OFFICE – TRANSFER OF AN AD15 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS*

On a proposal from Mr HAHN, in agreement with the PRESIDENT, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Petra KNEUER, an AD15 official and currently Director of the ‘Strategy and Resources’ Directorate in DG Informatics, to the post of Director of the ‘General Affairs’ Directorate in the European Anti-Fraud Office.

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

**7.4. DG ENERGY – AMENDMENT OF THE ORGANISATION CHART
(SEC(2022) 207)**

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Ms SIMSON, the Commission decided:

- to create a temporary post of Deputy Director-General, for an initial duration of 24 months, which could be extended;
- to create an Energy Platform Task Force (EPTF) for an initial duration of 24 months, which could be extended; the Task Force would manage the Platform in close coordination with the Member States, regions and neighbouring countries in order to negotiate with third countries and plan and implement the measures and investments required to diversify and secure the European Union's energy supply; the Task Force would report to the Deputy Director-General, whose post was newly created, would be headed by a Director and would comprise three units;
- to create a temporary post of Head of the Task Force, at Director level, for an initial period of 24 months, which could be extended;
- to create two temporary units (ENER.TF.1 and ENER.TF.2) for an initial period of 24 months, which could be extended;
- to temporarily transfer unit ENER.A.3 and rename it unit ENER.TF.3;
- to approve the new organisation chart set out in SEC(2022) 207.

These decisions would take effect on 1 June 2022.

**7.5. DG ENERGY – TRANSFER OF AN AD15 OFFICIAL UNDER
ARTICLE 7 OF THE STAFF REGULATIONS**

On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms VĂLEAN and Ms SIMSON, the Commission decided to

transfer in the interest of the service, under Article 7 of the Staff Regulations, Mr Matthew BALDWIN, an AD15 official and currently Deputy Director-General in charge of Directorates C, D and E in DG Mobility and Transport, to the newly created post of Deputy Director-General in DG Energy.

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

7.6. DG ENERGY – TRANSFER OF AN AD14 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS

On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms SIMSON, the Commission decided to transfer in the interest of the service, under Article 7 of the Staff Regulations, Ms Cristina LOBILLO BORRERO, an AD14 official and currently Director of the ‘Energy Policy: Strategy and Coordination’ Directorate in DG Energy, to the newly created post of Director/Head of the Energy Platform Task Force (EPTF) in DG Energy.

This decision would take effect on 1 June 2022.

**7.7. ANNUAL ACTIVITY REPORTS OF THE COMMISSION DEPARTMENTS FOR 2021
(INFO(2022) 17)**

The Commission took note of the information in INFO(2022) 17.

**8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – TOWARDS A DIRECTIVE ON CRIMINAL PENALTIES FOR THE VIOLATION OF UNION RESTRICTIVE MEASURES
(COM(2022) 249 AND /2; RCC(2022) 132)**

9. PROPOSAL FOR A COUNCIL DECISION ON ADDING THE VIOLATION OF UNION RESTRICTIVE MEASURES TO THE AREAS OF CRIME LAID DOWN IN ARTICLE 83(1) OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION

(COM(2022) 247 AND /2; RCC(2022) 132)

10. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON ASSET RECOVERY AND CONFISCATION

(COM(2022) 245 TO /3; SWD(2022) 245; SWD(2022) 246; SEC(2022) 245; RCC(2022) 132)

At the invitation of Ms VESTAGER, Ms JOUROVÀ presented to the College the sanctions and confiscation package presented that day for adoption, which Ms JOUROVÀ said was of particular importance in the current context.

In particular, following the Russian invasion of Ukraine, the Commission had adopted unprecedented restrictive measures against Russia and political and economic figures close to power. However, to guarantee the effectiveness of the restrictive measures adopted, it was now necessary to make sure that they were effectively implemented and that any violation did not go unpunished.

She explained that that was the main aim of the proposed package, which should close existing loopholes and make the EU sanctions system more effective.

As regards the proposal for a Council Decision, she said that the Commission was proposing to expand the list of ‘eurocrimes’ in Article 83(1) of the Treaty on the Functioning of the European Union (TFEU) by adding the violation of restrictive measures to the list of cases of serious crimes involving a cross-border dimension and a need to act at the EU level.

She also noted that when it came to dealing with violations of restrictive measures, the current landscape in the EU was highly fragmented, with some Member States treating it as a criminal offence and others as an administrative offence. Some

Member States provided for the possibility of imprisonment, others only of fines, and the range of fines was immense. This created a real risk of impunity or of forum shopping.

That was why the Commission was proposing to the Council to take the decision unanimously to extend the list.

Once taken, the Decision would then – in a second step – make it possible to table a proposal for a Directive to harmonise the definitions and level of penalties for such a crime in all of the EU.

That minimum harmonisation would make sure that those aiming to violate restrictive measures paid a heavy price, wherever restrictive measures were infringed within the EU.

The Communication accompanying the draft Decision set out the Commission's views concerning the content of the future proposal for a Directive so that Member States were informed early on.

Finally, making the violation of restrictive measures a crime would also make it possible to confiscate the proceeds of the crime through the proposal for a Directive on asset recovery and confiscation, which was the third element of the proposed package.

She concluded her presentation by stressing the importance of continuing to increase pressure on the Russian regime and its main supporters by equipping the EU with the necessary means to punish any violation of the restrictive measures adopted, thereby strengthening its credibility on the international stage.

Mr REYNDERS pointed out that restrictive measures could be adopted by the Council on the basis of Article 215 of the Treaty on the Functioning of the European Union (TFEU), against third countries, entities or individuals. Such measures could include asset freezes, travel bans, arms embargoes, import and export restrictions or restrictions on the provision of key services such as banking services.

But even if Article 215 TFEU provided a legal basis for the Council to adopt the ‘necessary provisions’ in the event of the adoption of EU restrictive measures, it did not allow for the approximation of criminal law definitions and the types and levels of criminal penalties.

For that reason, the Commission proposed to use the Article 83(1) TFEU legal basis to meet a need for harmonisation, given the substantial differences between the national systems of the Member States. He gave some examples and explained that in 13 Member States the violation of EU restrictive measures could be both an administrative offence or a criminal offence, whereas in 12 Member States it was only a criminal offence, and in 2 Member States there were only administrative penalties.

Concerning prison sentences, in 14 Member States the maximum length of imprisonment was between two and five years, whereas in eight Member States maximum sentences of between eight and twelve years were possible.

He also said that the patchwork of different definitions and penalties in Member States meant that the same infringement could be punished with different penalties and different enforcement levels, thereby creating a risk of an undesirable search for the most favourable jurisdiction, commonly referred to as ‘forum shopping’, which could even lead to impunity for those subject to restrictive measures, along with the associates, bankers and lawyers who facilitated the violation of EU restrictive measures.

This fragmentation amongst Member States politically weakened the enforcement of EU restrictive measures, which justified the three initiatives included in the proposed package.

He noted in particular that an annex to the Communication contained an illustrative list of possible provisions to be included in the future proposal for a Directive, as well as suggestions for the scope, definitions, offences, penalties, aggravating and mitigating circumstances, jurisdiction rules and limitation periods.

With regard to the offences, Mr REYNDERS explained that the proposed measures targeted those that benefited from violating EU restrictive measures but also those that facilitated such violations, which meant that both oligarchs and their associates, whether lawyers or bankers, would fall within the scope of the offences.

Similarly, as regards penalties, the Commission was suggesting that both natural and legal persons could be subject to penalties to ensure that all possible violations of EU restrictive measures were properly penalised.

In this context, the annex to the Communication, although somewhat unusual, should allow Member States to be fully aware of the Commission's intentions with regard to its forthcoming proposal for a Directive, which had to be preceded by the Member States' unanimous adoption of the proposal for a Council Decision presented that day.

Mr REYNDERS ended by noting the link between the Communication and, firstly, the proposal for a Council Decision on the violation of restrictive measures and, secondly, the proposal for a Directive on asset recovery and confiscation. In particular, the fact that the violation of EU restrictive measures would be criminalised meant that it would be possible or easier to confiscate the proceeds of that crime.

Mr SCHINAS confirmed that the proposal for a Directive on asset recovery and confiscation represented the second pillar of the package.

He explained that, under the proposal for a Directive, three legal acts were being replaced by a single proposal, with the aim of simplifying and optimising all the tools available to the Member States for recovering and confiscating assets.

He pointed out that, in this context, one of the innovative approaches of the fight against organised crime was tracing the route of the funds to be seized and that, under this proposal, it would now be possible to determine what should be done with the assets once they had been identified.

He stressed that crime was increasingly international, with 70% of criminal groups operating in several Member States. He noted that, according to some estimates, the total revenue of criminal gangs in Europe amounted to around EUR 140 billion, only 1% of which had been confiscated, perfectly illustrating the scale of the challenge at hand.

Mr SCHINAS also informed the College of the parallel adoption by written procedure of the fourth progress report on the implementation of the EU Security Union Strategy. This report highlighted the security threats resulting from Russia's unprovoked and unjustified war against Ukraine and underlined the need for a coordinated EU approach on a whole series of issues. According to the report, the fight against organised crime was one of the main priorities for ensuring a Security Union for all.

Lastly, he emphasised the importance of the provisional political agreement recently reached with the co-legislators on the revision of the Network and Information Security Directive (NIS2), the main aim of which was to ensure a high common level of cybersecurity throughout the EU.

Ms JOHANSSON explained that criminal networks were increasingly violent and that 70% of them operated in at least three Member States. They employed intimidation and corruption, using their profits to buy silence and loyalty. She pointed out that the main aim of the proposal was to ensure that crime did not pay, by depriving criminals of their ill-gotten gains and limiting their ability to commit more crimes. The proposed rules would also apply to the violation of restrictive measures and guarantee the effective tracing, freezing, management and confiscation of proceeds derived from violating restrictive measures.

She also noted that the greed of criminals often translated into an ostentatious life of luxury that always left behind a trail, allowing the criminals to be identified. It was to this end that the Commission was now proposing to modernise the EU's rules on asset recovery.

She pointed out that, by extending the mandate of asset recovery offices, the proposal would allow them to swiftly trace and identify assets of individuals and entities subject to EU restrictive measures. These powers would also apply to criminal assets, including by urgently freezing property when there was a risk of assets disappearing.

She added that new types of crime, notably arms trafficking and extortion, would also be covered by the scope of the Directive. The proposal would also target unexplained wealth and thus the heads of criminal gangs, who would no longer be insulated from prosecution.

Lastly, she explained that the proposal would also set up asset management offices in all EU Member States to ensure that frozen property did not lose value, enabling the sale of frozen assets that could easily depreciate or were costly to maintain.

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

- the inadequate set-up of many national systems when it came to dealing with violations of restrictive measures and imposing sanctions, hence the need to harmonise existing frameworks;
- the importance of providing for the harmonisation of national systems within a robust legal framework, taking full account of the principles of the rule of law and the EU's international obligations;
- the case for considering the possible knock-on effect of the EU's actions concerning the violation of restrictive measures on other parts of the world, which might follow suit;
- the crucial need to guarantee the EU's credibility as regards the implementation of the restrictive measures under adoption, which had to be implemented

effectively, in particular by providing for sanctions in the event of their violation;

- the value of the package as an important step in making the sanctions system more effective and in addressing its shortcomings;
- the usefulness of giving the Member States guidance so that they had the appropriate infrastructure, legal instruments and resources to implement effectively the sanctions adopted at EU level;
- in this context, the idea of extending the mandate of the European Anti-Money Laundering Authority and even that of the European Public Prosecutor's Office, to better support the action taken by the Member States;
- the case for ensuring that the Russian regime contributed to Ukraine's future reconstruction efforts, given its responsibility for the destruction caused by the invasion;
- to this end, questions raised about the possibility of the EU contemplating confiscation powers similar to those exercised by the US authorities in Afghanistan to compensate the victims of the September 11 terrorist attacks in New York in 2001.

At the invitation of Ms VESTAGER, the Director-General of the Legal Service explained that under the current legal framework, the ability to seize assets at EU level was limited. He noted in particular that, while Article 215 TFEU allowed the EU to freeze assets, it was the national authorities that had the power to confiscate them pursuant to a decision taken in principle by a judge in a criminal court. This was why the Commission's proposals provided for harmonisation measures and the introduction of a new 'eurocrime' that would be the subject of a future proposal for a Directive.

He pointed out that the protection of the right to property and the principle of sovereign immunity placed legal limits on the power to confiscate assets, even though Article 215 TFEU allowed them to be frozen possibly for a long time. The confiscation of assets was therefore still, at the current stage of development of EU law, subject to the decision of a judge in a national criminal court. He added that the Legal Service was continuing to examine the different options.

Ms VESTAGER concluded the discussion by thanking the Commission's departments and stressing that the Commission would necessarily have to continue its discussions on this topic.

Following these presentations, the Commission:

- approved the Communication in COM(2022) 249/2 for transmission to the European Parliament and the Council and, for information, to the national parliaments;
- adopted the proposal for a Council Decision set out in COM(2022) 247/2 for transmission to the European Parliament and the Council and, for information, to the national parliaments;
- adopted the proposal for a Directive in COM(2022) 245/3 for transmission to the European Parliament, the Council, the European Economic and Social Committee, 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) 245, SWD(2022) 246 and SEC(2022) 245, the contents of which were noted.

11. OTHER BUSINESS

11.1. LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

Ms VESTAGER asked Mr BORRELL and Ms VĂLEAN to report to the College on the latest developments in the situation in Ukraine, and asked Mr ŠEFČOVIČ for an update on the EU's relations with the United Kingdom and Switzerland.

With regard to Ukraine, Mr BORRELL noted that on 24 May the Council had adopted a new assistance measure under the European Peace Facility which would enable the EU to help Member States provide military equipment to the Ukrainian armed forces. Following the three tranches of support already adopted this year, this fourth tranche worth EUR 500 million brought the total amount of the Facility to EUR 2 billion. This was only part of the European efforts to help Ukraine defend itself against Russia's military aggression, efforts that the Union was determined to continue.

On the ground, there was stalemate on the front line which could be broken at any time by either Ukraine or Russia, both of which were suffering serious losses of life. Russia was targeting hospitals, medical facilities, schools and shelters, and as a result Ukraine had reported a considerable number of injured civilians.

Mr BORRELL concluded by saying that opening peace negotiations was inconceivable at this stage since Russia had so far rejected any such proposal.

Taking the floor, M VĂLEAN referred to the logistical solutions put in place with EU support to enable Ukraine to export its cereal production given that Russia was continuing to block its access to Black Sea ports. Before the war, Ukraine used to export up to 5 million tonnes of cereals every month through these ports; this figure had fallen to 1.2 million tonnes in April. Cereal exports would have to be redirected towards rail, road and inland waterways, the objective being to reach a minimum of 3 million tonnes of exports per month.

In relation to the solidarity lanes, each Member State would have to designate a contact point which would act as a one-stop-shop to liaise with actors in

Ukraine's logistical chain and ensure that all problems under the control of their respective authorities were resolved quickly. These contact points would play an important role in exchanging up-to-date information on the situation at the various borders and at key transport infrastructure points, while at the same time identifying the storage capacities available in the EU for Ukrainian agricultural products.

A few days previously, the Commission had organised the first plenary meeting of the logistical matchmaking platform, which had brought together some 300 participants, including national contact points, Ukrainian authorities and market stakeholders from the EU and Ukraine.

Ms VĂLEAN referred to the other work in progress at EU level to complete this tough process of changing the way cereals were transported. She urged certain frontline Member States to reduce veterinary and phytosanitary requirements as soon as possible, especially where they were not stipulated in EU legislation.

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

- the EU's current positive image on the global scene because of its work in fighting the COVID-19 pandemic and its pivotal role in supporting Ukraine;
- realisation of the fact that the Russian narrative about the war in Ukraine and its consequences was continuing to gain ground;
- the link between the war in Ukraine and the issue of food security affecting many third countries. In this regard, and in order to avoid further disruption of the agricultural markets of developing countries because of massive aid, the need for Europe to promote increased food production at local level, particularly in Africa;

- the clear support of Member States for the development of the solidarity lanes proposed by the Commission.

Turning to the latest developments in the EU's relations with the United Kingdom, Mr ŠEFČOVIČ pointed out that, a few weeks previously, the UK Government had announced its intention to table a bill revoking certain parts of the Protocol on Ireland/Northern Ireland concluded in the context of the Agreement on the withdrawal of the United Kingdom from the European Union. This bill would probably be tabled sometime in June.

He referred to the visit to Brussels, London and Dublin by the American delegation appointed by the US President in a bid to untangle the current crisis between the EU and the UK regarding the Protocol on Ireland/Northern Ireland. He noted that the United States strongly supported the position upheld by the EU, which proposed seeking pragmatic solutions within the framework of the Protocol in order to alleviate the difficulties caused by its application.

The Commission would pursue this approach while at the same time continuing its work on a legal text incorporating all the proposals it had made in October 2021 to ease checks on goods transported from Great Britain to Northern Ireland.

In conclusion, Mr ŠEFČOVIČ said that detailed arguments were being drafted to help the Members of the Commission to answer any specific questions that might be put to them in relation to this.

In the case of the Swiss Confederation, Mr ŠEFČOVIČ pointed out that the negotiations on the institutional framework agreement to govern the bilateral relationship with the EU had been halted a year previously at the request of the Swiss authorities. The EU had recently launched exploratory talks to investigate other options; Switzerland seemed to be in favour of replacing the framework agreement with five sectoral agreements on access to the

European single market. He underlined the principles on which the Union intended to remain firm, namely that these agreements were interdependent and contained a guillotine clause, and that they provided for uniform application of single market legislation, dynamic alignment by Switzerland with the *acquis communautaire*, State aid rules, a dispute settlement mechanism, the role of the Court of Justice of the European Union and a contribution to European cohesion policy. He would keep the Commission informed of any subsequent developments in these talks.

During the very brief discussion which ensued, the Commission expressed its full support for the work undertaken by Mr ŠEFČOVIČ in the search for viable compromises with the Swiss Confederation, and recalled the appreciation which the Irish people had expressed to the Commission for its unwavering support for the preservation of peace on the island of Ireland.

The Commission took note of this information.

11.2. DEVELOPMENTS IN THE HEALTH SITUATION IN THE EU

Ms VESTAGER asked Ms KYRIAKIDES to give an update on the health situation regarding the COVID-19 and monkeypox viruses.

Ms KYRIAKIDES reported that the EU continued to record a high number of COVID-19 infections, but the number of hospitalisations remained low. Vaccinations had plateaued, and while protection of the most vulnerable should continue to be encouraged, some Member States now had surplus stocks of vaccines. The Commission had negotiated new conditions in the contracts binding the EU to manufacturers, and requested that deliveries be postponed from the third to the fourth quarter. Talks had begun on deliveries of vaccines in 2023 and 2024.

She referred to the valuable work of the EU Scientific Advice Platform on COVID-19, the European Health Emergency Preparedness and Response

Authority (HERA), the European Centre for Disease Prevention and Control (ECDC) and the European Medicines Agency in monitoring the evolution of the pandemic and helping the EU to prepare for the possible emergence of new variants or new epidemic waves.

There were two other aspects requiring attention, namely: (i) the repercussions of the pandemic on the mental health of Europeans, which had been further aggravated by the anxiety created by the war in Ukraine, and (ii) cases of long COVID, which affected around 10% of those who had contracted the disease and was being studied in depth.

Ms KYRIAKIDES then turned to the monkeypox virus. The risk of transmission of this disease amongst the general population was low, with the exception of certain population groups and healthcare professions. She welcomed the speed with which the Commission had proposed a coordinated approach to help the Member States to contain the spread of this disease and to communicate on this issue. It was now the Member States themselves that asked the Commission to ensure such coordination. She also noted that only one company was manufacturing the smallpox vaccine in the EU.

The Commission and the relevant EU agencies were closely monitoring developments in the health situation.

In conclusion, she mentioned the concern over recent cases of severe hepatitis contracted by children in the EU, some of whom had required liver transplants. However, the number of cases had not increased dramatically. The ECDC was centralising the relevant information in order to be able to monitor developments closely, and it had provided advice to the Member States.

The Commission took note of this information.

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The meeting closed at 11.03.