



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2023) 2455 final

- English translation of the French version which is authentic -

Brussels, 7 June 2023

TEXTE EN

MINUTES

of the 2455th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 3 May 2023

(morning)

PV(2023) 2455 final

- English translation of the French version which is authentic -

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Single sitting: Wednesday 3 May 2023 (morning)

The sitting opened at 9.06 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President	
Ms VESTAGER	Executive Vice-President	
Mr DOMBROVSKIS	Executive Vice-President	Items 8 to 13
Mr BORRELL i FONTELLES	High Representative / Vice-President	
Mr ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Ms GABRIEL	Member	Items 8 to 13
Mr SCHMIT	Member	
Mr GENTILONI	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	
Ms KYRIAKIDES	Member	
Ms DALLI	Member	
Ms JOHANSSON	Member	
Mr LENARČIČ	Member	
Ms VÁLEAN	Member	Items 8 and 9, 10/12 (in part) and 13
Ms URPILAINEN	Member	
Ms SIMSON	Member	
Ms McGUINNESS	Member	

(3 May 2023)

Absent:

Mr TIMMERMANS	Executive Vice-President
Mr REYNDEERS	Member
Mr VÁRHELYI	Member
Mr SINKEVIČIUS	Member

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

Mr AGOTHA	Expert in Mr TIMMERMANS's cabinet
Ms PERIGNON	Deputy Head of Cabinet to Mr REYNDEERS
Ms TEEDUMÄE	Deputy Head of Cabinet to Mr VÁRHELYI
Ms PREISING	Head of Cabinet to Mr SINKEVIČIUS

The following also sat in:

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

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

1. AGENDA

(OJ(2023) 2455/FINAL)

The Commission took note of that day's agenda.

2. WEEKLY MEETING OF HEADS OF CABINET

The Commission took note of the conclusions, presented by the Secretary-General, of the weekly meeting of Heads of Cabinet held on Tuesday 2 May 2023.

3. APPROVAL OF THE MINUTES

The Commission held over approval of the minutes of its 2451st, 2452nd, 2453rd and 2454th meetings of 22 and 29 March, and 18 and 26 April 2023 for a later date.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2023) 99)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Thursday 27 April 2023 (RCC(2023) 99).

The Commission approved the lines proposed for the following points:

- **Amendment of Regulations (EC) N° 767/2008, (EC) N° 810/2009 and (EU) 2017/2226 of the European Parliament and of the Council, Council Regulations (EC) N° 1683/95, (EC) N° 333/2002, (EC) N° 693/2003 and (EC) N° 694/2003 and Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure (Regulation) – NEMEC report – 2022/0132 (COD)**

Line set out in SI(2023) 123.

- **Amendment of Directive (EU) 2019/1153 of the European Parliament and of the Council, as regards access of competent authorities to centralised bank account registries through the single access point (Directive) – RADEV report – 2021/0244 (COD)**

Line set out in SI(2023) 124/2.

- **Protection of the environment through criminal law and replacement of Directive 2008/99/EC (Directive) – MANDERS report – 2021/0422 (COD)**

Line set out in SI(2023) 126/2.

- **Certain provisions for fishing in the GFCM (General Fisheries Commission for the Mediterranean) Agreement area (recast) (Regulation) – ILČIĆ report – 2021/0248 (COD)**

Line set out in SI(2023) 127.

- **Oral Question O-000015/2023 – Towards a strong and sustainable EU algae sector**

Line set out in SP(2023) 232.

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

- **Commission replies to the legislative resolutions adopted by the European Parliament at its part-session of March II 2023**

Line set out in SP(2023) 227.

- **Commission replies to the non-legislative resolutions adopted by the European Parliament at its February II and March I 2023 part-sessions**

Line set out in SP(2023) 228/3.

The Commission approved the line proposed for the following point, for transmission to the European Economic and Social Committee:

- **Follow-up to opinions of the European Economic and Social Committee – Plenary session of January 2023**

Line set out in SC(2023) 15/2.

The Commission took note of the following point:

- **Amendment of Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and better information (Directive) – BORZAN report – 2022/0092 (COD)**

Information set out in SI(2023) 111/2.

5. COORDINATION OF EXTERNAL ACTION (RCC(2023) 20)

The Commission took note of the operational conclusions in RCC(2023) 20 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 26 April 2023.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED

(SEC(2023) 156 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 24 and 30 April 2023.

6.2. EMPOWERMENT

(SEC(2023) 157 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 24 and 30 April 2023.

6.3. DELEGATION / SUBDELEGATION OF POWERS

(SEC(2023) 158 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 24 and 30 April 2023 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES

(SEC(2023) 159 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 2 and 5 May 2023 and of a finalisation written procedure.

7. ADMINISTRATIVE AND BUDGETARY MATTERS

(SEC(2023) 160)

ADMINISTRATIVE MATTERS

(PERS(2023) 42)

DG COMMUNICATION – AMENDMENT OF THE ORGANISATION CHART AND INTERNAL AND INTERINSTITUTIONAL PUBLICATION, AT GRADE AD14/15, AND EXTERNAL PUBLICATION, AT GRADE AD14, OF DIRECTOR POSTS

(PERS(2023) 43; PERS(2023) 44; PERS(2023) 45; PERS(2023) 46; SEC(2023) 177)

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

- by derogation from the Commission Decision on middle management staff (C(2016) 3288 final), to upgrade to Director level the post of Head of the Commission Representation in Berlin;
- by derogation from the Commission Decision on middle management staff (C(2016) 3288 final), to temporarily upgrade to Director level the posts of Head of the Commission Representation in Sofia, in Budapest and in Warsaw, for an initial period corresponding to the term of office of each holder, a period which could be extended;
- to authorise, with immediate effect and implementation, the internal publication of the vacancy notice in PERS(2023) 43 for the post of Head of the Commission Representation in Berlin, under Article 29(1)(a)(i) and (iii) of the Staff Regulations;
- to authorise, with immediate effect and implementation, the internal and interinstitutional publication of the vacancy notices in PERS(2023) 44 and PERS(2023) 45 for the posts of Head of the Commission Representation in Budapest and Head of the Commission Representation in Warsaw, under Article 29(1)(a)(i) and (iii) and Article 29(1)(b) of the Staff Regulations;
- to authorise, with immediate effect and implementation, the internal and interinstitutional publication, and also external publication, of the vacancy notice

in PERS(2023) 46 for the post of Head of the Commission Representation in Sofia, under Article 29(1)(a)(i) and (iii), Article 29(1)(b) and Article 29(2) of the Staff Regulations;

- to approve the upgrading to Head of Unit level or equivalent of the posts of Head of the Regional Representation in Bonn and of the Head of the Regional Representation in Munich;
- to approve the new organisation chart set out in SEC(2023) 177.

Unless otherwise stated, these decisions would take effect immediately and would enter into force on 1 September 2023.

8. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON ESTABLISHING THE ACT IN SUPPORT OF AMMUNITION PRODUCTION

(COM(2023) 237 TO /3; RCC(2023) 108)

The PRESIDENT introduced the proposal for the Act in Support of Ammunition Production (ASAP) presented to the College that day, stressing the urgent need for support for Ukraine at this critical stage in Russia's war of aggression.

Ms VESTAGER noted that, while it had been a significant challenge to draft the legislation so expeditiously, it was vital to ensure that Ukraine could be provided with the ammunition it needed quickly. She explained that the proposed instrument should be seen through the wider lens of the three-track approach approved by the European Council, the first two tracks dealing respectively with the transfer of existing ammunition stockpiles and the common procurement of new ammunition, to be financed through the European Peace Facility.

With regard to that day's proposal – the third track – it was important for the EU budget to be able to contribute to supporting the industrial capacity needed to produce

such ammunition. To this end, the Commission was currently able to mobilise EUR 500 million from the European Defence Fund and from the future European defence industry reinforcement through common procurement act (EDIRPA). Although the budgetary sacrifice made at the expense of these two instruments was not ideal, it was essential given the priority the EU attached to supporting Ukraine. Consideration would have to be given, however, to refinancing these instruments, so that they could meet their objectives in full.

Ms VESTAGER underlined the targeted nature of the proposed Regulation, in terms of both its scope and timing. In particular, it would support production capacity for ammunition and ground-to-ground missiles, as well as some critical inputs, such as explosive powder, insofar as these were used exclusively for the defence products concerned. Its targeted scope meant that competition spillovers into the civilian realm could be avoided. In addition, the Regulation would cease to apply by mid-2025, at which point it would fall to the Commission to evaluate the situation in the unfortunate event that the war was still ongoing.

Lastly, she pointed out that, for the Regulation to be useful, it would have to be adopted quickly, which the Council was well aware of. She would contact the European Parliament shortly to request the use of the urgency procedure, which would take the discussion directly to the plenary.

Mr BRETON stated that Russia's war of aggression against Ukraine had reached a turning point and that, having played a major role at Ukraine's side since the start of the conflict, the EU now had to continue to support the country by providing military equipment, in particular ammunition and missiles.

He pointed out that, although Ukraine's partners were supplying artillery and tanks, Ukraine's artillery capacity was currently a quarter of that of Russia, which kept the Russian army in a position of strength. The EU had served as an arsenal for Ukraine since the start of the conflict, but it was now time to move towards a war economy and increase the rate of armament production, which had reached its lowest point in

the context of a long-lasting peace in Europe. The Member States had significantly reduced their investment in the defence sector as a ‘peace dividend’, with the result that the EU’s industrial capacity was now under pressure.

He referred to the strong commitment made by the EU to provide one million artillery shells to Ukraine within twelve months, emphasising that it was precisely to achieve this aim that, on 20 March 2023, the European Council had approved the three-track plan mentioned by Ms VESTAGER. This plan was intended to ensure the urgent delivery of ammunition and missiles to Ukraine and help Member States replenish their stocks.

Mr BRETON then presented in greater detail the proposal for a Regulation that represented the third track of the action plan. He explained that the Defence Joint Procurement Task Force had undertaken to map the production capacities of the EU defence industry. The aim of this unprecedented and detailed exercise was to measure the effort needed to increase ammunition production capacity and determine the arrangements for cooperation between the Member States in this sensitive sector.

Mr BRETON noted that, with regard to ammunition production, 15 companies had already been identified in 11 Member States, but none of these companies was able to respond to the demand alone. Moreover, the average duration of a project to boost industrial capacity was usually three years in the defence sector, which was far too long given the urgency of the situation. In order to ramp up its production capacities, the EU would also need skills, finance and equipment, which would have to be taken into account when this Act was implemented.

With regard to his visits to the companies in question, he noted that the Member States had maintained real production capacity in Europe, which was particularly developed in the central and eastern European countries. In this respect, it was useful to be able to use existing production capacities, given that the infrastructure needed was subject to various security constraints and often had to be located far from towns, meaning it could not be built quickly.

While using existing production capacities did save time, these facilities had lain idle for many years and therefore ammunition production could be increased only gradually. Since no Member State could respond to the demand alone, a comprehensive approach had to be taken in this area, taking account of different needs and bringing together the key players at European level.

Mr BRETON also stated that the industry was willing to work together. Such collaboration was vital, in particular on production chains, to ensure that equipment and raw materials, such as powder, fuses or explosives, needed to reach the target of one million rounds of ammunition per year, were available.

The EU Act in support of ammunition production was based on two pillars: a funding pillar and a regulatory pillar.

The first pillar comprised a support programme of EUR 500 million to provide financial assistance in the form of grants to various types of action in support of the efforts by Europe's defence industry to increase its production capacity and resolve the bottlenecks identified. Financial support would in particular be provided for actions contributing to (i) optimisation, modernisation or repurposing of existing production capacities; (ii) the establishment of new production capacities; (iii) the establishment of cross-border industrial partnerships, including through public-private partnerships aiming to ensure access to stocks of strategic components and raw materials; (iv) reconditioning of existing ammunition and missiles; and (v) re-skilling and training of the workforce needed to increase production capacity.

The EU budget contribution to the funding of projects would stand at around 40% of the project costs and the Commission planned to introduce incentives in the form of additional support to promote cross-border cooperation. All sources of funding would be considered, including the Cohesion Fund in so far as European support for ammunition production contributed to the re-industrialisation of certain European regions. More generally, the use of EU funding was also designed to send a signal to the financial markets and to unlock investments in the defence industry.

As for the regulatory pillar, Mr BRETON explained that the measures set out in the Regulation would safeguard the internal market from any proven or potential dysfunction and would strengthen the resilience of the European Defence Technological and Industrial Base (EDTIB) and the security of supply of ammunition and missiles. By way of illustration, use could be made of targeted measures to speed up administrative procedures at national level, appropriate measures to speed up joint procurement or temporary emergency measures to allow prioritising of orders in respect of European companies.

Mr BRETON concluded by saying that the ongoing mapping exercise showed that the situation of Europe's defence industry was far better than in other regions of the world. Moreover, the proposal for a Regulation being presented that day sent a strong message to Russia regarding the EU's unwavering support.

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

- the College's full and wholehearted support for the objectives pursued by the proposal and for the priority afforded to the EU's commitments to Ukraine in respect of the supply of ammunition;
- the appropriateness of EU action in the regional context, in the light of its potential to stimulate regional re-industrialisation and job creation;
- the potential role of the cohesion policy funds in support of the European defence industry;
- a call for a broader debate on how the European Investment Bank (EIB) supports EU policies;
- the value of adapting practices that made Member States the only actors on the arms market and in this connection the importance of quickly developing joint procurement in close cooperation with the relevant EU actors.

In reply to the questions raised during the discussion, Ms VESTAGER referred briefly to the question of the potential role of the European Investment Bank (EIB) in implementing the EU Act. She explained that, while pursuing in full its other public policy financing missions, especially in respect of the twin green and digital transitions, the Bank should none the less enhance its support to the European defence industry and joint procurement beyond its ongoing support to dual-use products.

Mr BRETON in turn stressed that the EIB's *raison d'être* was to serve the policy priorities of the EU and that numerous public banks were already financing the defence industry.

The PRESIDENT concluded by highlighting Ukraine's heroic resistance in the face of the Russian invader, and the EU's promise to support Ukraine for as long as was needed. She thanked the Members of the College and the Commission departments for preparing this proposal in record time. She urged the Members of the College to work in close collaboration with the European Parliament and the Council so that the Regulation could be adopted quickly by the co-legislators.

Following these presentations, the Commission adopted the proposal for a Regulation in COM(2023) 237/3, for transmission to the European Parliament, the Council, the European Economic and Social Committee and the national parliaments.

9. COMMISSION RECOMMENDATION ON COMBATING ONLINE PIRACY OF SPORTS AND OTHER LIVE EVENTS (C(2023) 2853 AND /2; RCC(2023) 105)

Ms VESTAGER considered that the Recommendation being submitted to the College that day was an important step in terms of tackling the illegal retransmission of live events, particularly sporting and cultural events such as sports competitions and concerts.

The Recommendation was a response to the European Parliament's resolution of May

2021, tabled on the basis of Article 225 of the Treaty on the Functioning of the European Union (TFEU). In its resolution, the European Parliament had called on the Commission to take measures to address the unauthorised streaming of live sports events, which caused significant revenue losses for event organisers and broadcasters. The Commission had decided to expand the scope of the recommended measures to cover live broadcasts of cultural events, given the similar problems experienced and mechanisms used in both cases.

Ms VESTAGER noted that the Commission had already acknowledged the challenges posed by counterfeiting and piracy in its Intellectual Property Action Plan adopted in 2020. Protecting intellectual property in the sports and cultural sectors was important not just for cultural diversity in its own right, but also in terms of the contribution those sectors made to Europe's economic recovery and resilience.

The European Union had recently adopted the Digital Services Act (DSA), which provided a means of tackling the streaming of illegal content by online platforms. On that point, she noted that very large platforms would have to implement the DSA from August 2023, while all other hosting service providers would have to do so from February 2024.

Under the DSA, providers would be required to take timely action whenever they were notified of illegal streaming activities. Rather than having to take action by a strict deadline, platforms would have to consider the type of illegal content concerned and the urgency of intervention required to limit any harm. For a live event, this meant that every effort would need to be made to stop the infringement as soon as notification was received of illegal streaming.

Lastly, Ms VESTAGER pointed out that the Recommendation was also addressed to the Member States, calling on them to improve the effectiveness of their enforcement efforts when stopping illegal activities. Some Member States were already very advanced in terms of issuing injunctions, and in some instances they had even extended this possibility to sporting organisations, which did not currently have

access to the same legal avenues as copyright holders.

She concluded her presentation by noting that the text included a review clause to determine after two and a half years whether the Recommendation had been sufficient to resolve the issues in question or whether further action was needed.

Mr BRETON pointed out that the issue of the illegal retransmission of sporting or cultural events was indeed addressed under the DSA. Once it entered into force on 25 August, the Act would enhance control and protection methods for the Member States and the Commission.

The Recommendation was therefore timely as it sought to encourage the Member States to use all the tools at their disposal, such as removal orders. Moreover, when implementing the DSA, Member States also needed to raise the industry's awareness of legal offerings, which ought to be developed, and strengthen oversight of broadcasters.

Mr BRETON concluded that an effective oversight and monitoring system would make it possible to assess the impact of the Recommendation. The 2025 review clause, which was aligned with a similar provision in the DSA, would provide an opportunity to consider the need for stricter measures.

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

- the observation that the Recommendation was the response to a request from the sectors concerned, particularly the creative cultural sector, which was now a major economic player, and also clarified everyone's responsibilities;
- the importance of monitoring implementation of the Recommendation, in conjunction with that of the Digital Services Act;
- the need for the Commission to encourage a balance between the protection of copyright and democratic access for all to something which was part of

Europeans' way of life, and the need to ensure that this point was clearly put across when communicating on this topic;

- the potential role of payment service providers who could be encouraged to cooperate; a reminder, however, that they were already tackling piracy and money laundering.

Following these presentations, the Commission agreed, on a proposal from the PRESIDENT, that the Commission Recommendation in C(2023) 2853/2 would be formally adopted by the finalisation written procedure, the deadline for which was set on Thursday 4 May 2023 (PE/2023/2717).

10. JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE ON THE FIGHT AGAINST CORRUPTION

(JOIN(2023) 12 TO /3; RCC(2023) 104)

11. JOINT PROPOSAL FOR A COUNCIL REGULATION ON RESTRICTIVE MEASURES AGAINST SERIOUS ACTS OF CORRUPTION

(JOIN(2023) 13 AND /2; RCC(2023) 104)

12. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON COMBATING CORRUPTION, REPLACING COUNCIL FRAMEWORK DECISION 2003/568/JHA AND THE CONVENTION ON THE FIGHT AGAINST CORRUPTION INVOLVING OFFICIALS OF THE EUROPEAN COMMUNITIES OR OFFICIALS OF MEMBER STATES OF THE EUROPEAN UNION AND AMENDING DIRECTIVE (EU) 2017/1371 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

(COM(2023) 234 AND /2; RCC(2023) 104)

The PRESIDENT introduced the College's discussion on the package proposed by

the Commission to combat corruption in the EU and worldwide. She referred to the commitment she had made on behalf of the Commission in her 2022 State of the Union address by announcing that the EU anti-corruption framework would be updated and the Common Foreign and Security Policy (CFSP) aligned accordingly.

She stressed in particular the importance and urgency of restoring trust in the democratic process and public institutions in the EU, especially in the light of developments in recent months. The latest cases had highlighted the vulnerability – including within EU institutions – to certain forms of influence peddling, which undermined citizens' trust and the credibility of the EU's external action on this issue.

Mr BORRELL pointed out that corruption was a global problem without boundaries and, according to a recent estimate, cost the world at least 5% of GDP and the EU economy more than EUR 120 billion per year. Corruption undermined democracy, rule of law, human rights, peace and international security, as well as sustainable development in Europe and the rest of the world.

Against that background, a comprehensive and ambitious fight against corruption also had to address the external dimension. While a lot had already been done in multilateral fora to combat the problem, those measures were not enough. The aim of the new sanctions regime proposed under the CFSP was therefore to tackle serious acts of corruption and misappropriation of funds. Those responsible for such acts, as well as those involved in them, would be banned from entering the EU and their assets in Europe frozen.

Mr BORRELL added that a proposal for a Council Decision, drawn up by his departments, would complement the package adopted by the Commission that day, in order to set out the political framework for the proposed new sanctions regime. This was a key issue for the Council, to be dealt with as a priority despite the different views among Member States on the measures to be taken to fight corruption.

Lastly, he welcomed the package's contribution regarding the internal dimension of corruption, which showed the EU's commitment to practising what it preached.

Mr DOMBROVSKIS then stressed the timeliness of the package, since the fight against corruption was higher on the agenda than ever. He referred in particular to the pressure put on certain mechanisms in the context of Russia's war of aggression against Ukraine. Following its withdrawal from the Council of Europe, Russia had also pulled out of a European convention on fighting corruption, while the illicit wealth of Russian oligarchs was spread throughout many EU Member States.

Anti-corruption sanctions, once adopted by Member States, would be an important element of a strong EU external policy. The proposed regime targeted serious acts of corruption worldwide, wherever they occurred. This would help better protect the EU's financial contributions to third countries, including through macro-financial assistance. The proposed framework would then be complemented by an annex listing the persons and organisations targeted by sanctions.

Mr DOMBROVSKIS pointed out that the proposed regime was based on the United Nations Convention against Corruption and also inspired by discussions on this topic in the Council. Similar regimes had also been put in place by the EU's partners such as the United States and Canada, whose sanctions regimes already targeted acts of corruption, including in the EU.

Ms JOUROVÁ welcomed the overall consistency of the proposed package and considered it essential for the EU to defend the same values inside and outside its borders. Action against corruption and abuse of power was absolutely necessary to maintain European citizens' trust in institutions. Corruption remained a concern for people across the EU: according to 2022 Eurobarometer data, 68% of European citizens believed that corruption was widespread in their country and only 31% considered that their government's efforts to fight corruption were effective.

As regards the internal dimension of the fight against corruption, Ms JOUROVÁ explained that the proposed measures were based on two pillars: prevention and repression. The main objective of the preventive pillar was to establish a culture of integrity and transparency, especially through awareness-raising, information and

education. The main aim of the repressive pillar was to harmonise the penalties imposed to guarantee a similar framework across Europe.

The Communication also set out the political context and announced a series of non-legislative initiatives such as setting up an anti-corruption network and deepening engagement with organisations such as the United Nations Office on Drugs and Crime (UNODC) and the Group of States against Corruption (GRECO).

Ms JOUROVÁ concluded by stressing that the proposals presented that day fitted together with other anti-corruption instruments put in place by the EU, in particular the annual rule of law report cycle, the general regime of budgetary conditionality, the proposal for European legislation on media freedom and the upcoming defence of democracy package.

The proposed tools also applied to EU institutions and their staff. She highlighted the proposal for an interinstitutional ethics body and referred to the additional measures proposed by the Commission to reinforce transparency in EU institutions. This work, which had long been planned, was all the more relevant given recent events in the European Parliament.

Mr SCHINAS, in turn, stressed the importance of addressing together the internal and external dimensions of the fight against corruption. Although the fight against corruption internally was considered essential throughout the EU, the situation in Member States varied greatly. Legislation covering certain forms of corruption such as bribery had existed since 2003, and the fight against corruption was an integral part of the European Semester process and the annual rule of law report cycle. However, this was the first time that the EU had taken a holistic approach to the issue, harmonising and aligning definitions while introducing minimum sanctions.

In terms of prevention, he stressed the importance of ensuring that appropriate structures were in place in each Member State, especially to facilitate reporting on cases of corruption. Lastly, with regard to the EU institutions, he highlighted the importance of setting up an interinstitutional ethics body and noted the Commission's

exemplary attitude, particularly with regard to transparency.

Ms JOHANSSON pointed out that corruption was a bigger problem than people might think, even within the EU. She said that 60% of organised crime groups used corruption to achieve their aims, and gave the example of drug trafficking at EU ports. The majority of these criminal activities were cross-border in nature, with more than 70% of the criminal groups identified operating in at least three countries. The Communication provided for the establishment of a specialised anti-corruption network, which should facilitate cross-border investigations by law enforcement authorities.

She also highlighted the challenge of prosecuting crimes where the victims were often invisible, and said that the proposed new Directive aimed to address these problems by strengthening criminal anti-corruption legislation, judicial cooperation and the harmonisation of Member States' practices. The new Directive also focused on prevention, requiring all Member States to set up an anti-corruption body if they did not already have one.

Ms JOHANSSON added that the scope of criminalisation had been broadened beyond corruption to include, for example, misappropriation of funds, influence peddling, abuse of power, as well as obstruction of justice and illicit enrichment, while high-level sanctions and definitions were being harmonised at EU level. In this context, she explained that sanctions currently varied considerably from one Member State to another, ranging from 3 months to 15 years. The proposed measures set common high standards across the Union and harmonised the aggravating and mitigating circumstances to be taken into consideration.

She concluded by saying that there were very few prosecutions and even fewer convictions in corruption cases, not least because investigations could easily be hampered. To remedy this situation, the proposal set minimum rules on the statute of limitation, with periods between 8 and 15 years, in order to ensure sufficient time to bring corruption offences to justice.

Ms McGUINNESS highlighted the worrying infiltration of criminal groups into supervisory and law enforcement authorities. One of the objectives of the proposed package was to broaden the EU's sanctions toolbox to make it possible to target those responsible for serious acts of corruption worldwide, irrespective of where such acts were committed. Criminal sanctions against natural and legal persons would be strengthened and aggravating and mitigating circumstances harmonised. Measures such as travel bans and the freezing of assets could be implemented.

She concluded by stressing that the question of humanitarian derogations had been addressed by adding a recital stating that sanctions should not hinder the delivery of humanitarian aid or affect basic human needs.

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

- the broad support expressed by the Members of the College for a package of measures as an essential step in the fight against corruption;
- the welcome reference to the need to ensure unhindered delivery of humanitarian aid in the context of implementing sanctions and, for some, the case for going even further by considering a horizontal humanitarian exemption similar to that introduced by the United Nations and applied by the United States;
- the relatively low level of corruption involving EU funds, and the difference between perception and reality in this context;
- a reminder that there was also passive corruption, which also needed to be vigorously fought against.

Following these presentations, the Commission:

- approved the joint Communication in JOIN(2023) 12/3 for transmission to the European Parliament, the Council and the European Economic and Social Committee and, for information, to the Court of Justice of the European Union,

the European Central Bank, the Court of Auditors, the Committee of the Regions, the European Investment Bank, the European Data Protection Supervisor, the European Data Protection Committee, the European Ombudsman and the national parliaments;

- adopted the joint proposal for a Council Regulation in JOIN(2023) 13/2 for transmission to the Council;
- adopted the proposal for a Directive in COM(2023) 234/2 for transmission to the European Parliament, the Council and the national parliaments and, for information, to the Court of Justice of the European Union, the European Central Bank, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions, the European Investment Bank, the European Data Protection Supervisor, the European Data Protection Committee and the European Ombudsman.

13. OTHER BUSINESS

13.1. IMPORTS OF AGRI-FOOD PRODUCTS FROM UKRAINE

The PRESIDENT invited the Members responsible for the matter to brief the College on the multi-party agreement regarding imports of certain agri-food products from Ukraine.

Mr DOMBROVSKIS stressed the complexity of the situation and the efforts made by the Commission to secure an agreement that was acceptable to all parties. Intensive talks had taken place at all levels with the five Member States concerned (Bulgaria, Hungary, Poland, Romania and Slovakia) as well as with the Ukrainian authorities.

After 10 days of negotiations, the Commission had adopted, under the safeguard clause of the Autonomous Trade Measures Regulation, exceptional

and temporary preventive measures concerning imports of four agricultural products originating in Ukraine, namely wheat, maize, rapeseed and sunflower seeds. These measures were designed to reduce logistical bottlenecks affecting these products in the five Member States and would remain in force until 5 June 2023.

The Commission had undertaken to extend these measures for as long as they were needed, and had begun assessing imports of other products. Moreover, provision had been made for aid measures totalling EUR 100 million to support farmers in the Member States concerned.

Now that an agreement had been reached, the Member States in question had undertaken to revoke the measures they had introduced unilaterally to restrict imports of agricultural products from Ukraine. The situation was currently under control, but the solution was only a temporary measure until grain imports from Ukraine could be transported to the third countries for which they were intended.

Mr WOJCIECHOWSKI welcomed the solution that had been found at European level, which he considered to be the best possible outcome as it preserved the unity of the EU and the integrity of its internal market. He also welcomed the measures taken by the Commission to ensure the timely release of the second tranche of aid totalling EUR 100 million to support farmers in the Member States in question.

The Commission took note of this information.

13.2. LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

Mr BORRELL began by focusing on the progress made in talks concerning the

normalisation of relations between Kosovo* and Serbia. He referred to the high-level meeting that had taken place on 2 May as part of the dialogue held between the two parties thanks to mediation by the EU. The meeting had formally marked the transition from the negotiating phase to the implementation phase of the Agreement on the normalisation of relations between Kosovo* and Serbia, which included an implementation annex.

He welcomed the agreement concluded between the parties on the Declaration on Missing Persons, as more than 1 600 people were still missing as a result of the conflict. The next step would involve talks between the parties at an upcoming meeting in Brussels to discuss how to implement the Declaration.

Mr BORRELL also pointed out that a symbolically important first step had been taken towards establishing an association of Serb-majority municipalities, with the first draft statute having been submitted to the two parties by the management team comprising Kosovo* Serbs.

He then reported on the developments regarding the Israeli-Palestinian relations, referring in particular to his meeting with the Israeli Minister for Foreign Affairs and the meeting of the UN Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr BORRELL also referred to the situation in Sudan, where unrelenting efforts were being made to evacuate European citizens, with more than 30 flights having being chartered for that purpose. He stressed the growing needs of the Sudanese population against the backdrop of a mass exodus of refugees from Khartoum.

Lastly, he reported on his visit to Colombia for the International Conference on

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

the Political Process in Venezuela, and on relations between the EU and countries in Latin America and the Caribbean more generally. He stressed the strategic importance of Latin America and the Caribbean for the EU and pointed out that social justice was a key issue for countries in the region. In order for the twin green and digital transition to be accepted by EU partner countries, there also needed to be an accompanying focus on reducing social inequalities that demonstrated an understanding of the needs and priorities of local populations.

Mr BORRELL concluded by pointing out that the armed conflict between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) was still ongoing despite the agreement concluded in 2016, and considered that the peace process should continue to be given visible support. The security situation in the country was also a concern, as was the increasing influence of drug trafficking on Colombia's economy and society.

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

- the consequences of the tragic situation in Sudan in terms of migration flows, with an estimated 100 000 people already having left the country and refugee numbers expected to rise considerably further according to forecasts by the UN High Commissioner for Refugees (HCR);
- the waiting times being experienced by many refugees at the border as a result of checks carried out by border countries, owing in particular to the release of a large number of prisoners from Sudanese prisons;
- the efforts already made to tackle drug trafficking, for example by strengthening police cooperation with the countries concerned or through joint port-to-port surveillance operations, and, with that in mind, the risks of proposals to legalise certain drugs;

- the importance of the upcoming EU-Latin America and Caribbean Summit.

Following the discussion, Ms URPILAINEN took the floor to mention the upcoming adoption by written procedure of the EU's first-ever voluntary review of the implementation of the 2030 Agenda for Sustainable Development. She highlighted the relevance of this review, which looked at both internal and external aspects, as input for preparing for the upcoming global summits on sustainable development to be held in July and September. The progress made by the EU demonstrated its determination to achieve the 17 Sustainable Development Goals (SDGs) and to create a more sustainable and prosperous future and a fairer society for citizens around the world.

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 11.31.