



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2023) 2463 final

- English translation of the French version which is authentic -

Brussels, 6 September 2023

TEXTE EN

MINUTES

of the 2463rd meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 5 July 2023

(morning)

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Single sitting: Wednesday 5 July 2023 (morning)

The sitting opened at 9.10 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 ŠEFČOVIČ	Vice-President	
Ms JOUROVÁ	Vice-President	
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	
Mr HAHN	Member	
Mr SCHMIT	Member	
Mr GENTILONI	Member	Items 1 to 14 (in part)
Ms FERREIRA	Member	
Mr REYNDERS	Member	
Ms JOHANSSON	Member	
Mr LENARČIČ	Member	
Mr VÁRHELYI	Member	Items 1 to 8/13
Ms URPILAINEN	Member	
Mr SINKEVIČIUS	Member	
Ms McGUINNESS	Member	

Absent:

Mr DOMBROVSKIS	Executive Vice-President
Mr BORRELL i FONTELLES	High Representative/ Vice-President
Mr WOJCIECHOWSKI	Member
Mr BRETON	Member
Ms KYRIAKIDES	Member
Ms DALLI	Member
Ms VÁLEAN	Member
Ms SIMSON	Member

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

Ms VEGNERE	Deputy Head of Cabinet to Mr DOMBROVSKIS	
Mr VILLARINO	Head of Cabinet to Mr BORRELL	
Mr BALASSONE	Head of Cabinet to Mr GENTILONI	Items 14 (in part) to 16
Mr GOLUBIEWSKI	Head of Cabinet to Mr WOJCIECHOWSKI	
Ms CAUDET	Deputy Head of Cabinet to Mr BRETON	
Mr ROSSIDES	Head of Cabinet to Ms KYRIAKIDES	
Ms GERHARDS	Deputy Head of Cabinet to Ms DALLI	
Ms NALIN	Ms VĂLEAN's cabinet	
Mr KADARIK	Deputy Head of Cabinet to Ms SIMSON	Items 1 to 15

The following also sat in:

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 VAN KEMSEKE	Adviser in the PRESIDENT's cabinet	Items 8/13
Ms HILI	Adviser in the PRESIDENT's cabinet	Item 7
Ms DEWANDRE	Policy Coordinator in the PRESIDENT's cabinet	Item 14
Mr SAMPEDRO MARCOS	Policy Coordinator in the PRESIDENT's cabinet	Item 15
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. AGENDAS

(OJ(2023) 2463/FINAL; SEC(2023) 2463/FINAL)

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

2. WEEKLY MEETING OF HEADS OF CABINET

(RCC(2023) 2463)

The Commission considered the Secretary-General's report on the weekly meeting of Heads of Cabinet held on Tuesday 4 July 2023.

3. APPROVAL OF THE MINUTES

(PV(2023) 2459; PV(2023) 2459, 2ND PART)

The Commission approved the minutes of its 2459th meeting of 7 June 2023, and held over approval of the minutes of its 2460th, 2461st and 2462nd meetings of 13, 20 and 28 June 2023 for a later date.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2023) 138)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held on Friday 30 June 2023 (RCC(2023) 138).

The Commission approved the lines proposed for the following points:

- **Improving working conditions in platform work (Directive) – GUALMINI report – 2021/0414 (COD)**

Line set out in SI(2023) 265/2.

- **Establishment of the European Defence Industry Reinforcement through Common Procurement Act (Regulation) – KRASNODEBSKI report – 2022/0219 (COD)**

Line set out in SI(2023) 271.

- **Harmonised rules on fair access to and use of data (Data Act) (Regulation) – DEL CASTILLO VERA report – 2022/0047 (COD)**

Line set out in SI(2023) 272.

- **Amendment of Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) and Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (Directive) – KANEV report – 2022/0104 (COD) – Reporting of environmental data from industrial installations and establishment of an Industrial Emissions Portal (Regulation) – KANEV report – 2022/0105 (COD)**

Line set out in SP(2023) 335/2.

- **Protection of persons who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation') (Directive) – WÖLKEN report – 2022/0117 (COD)**

Line set out in SP(2023) 339.

- **Laying-down of conservation and management measures applicable in the Area covered under the Southern Indian Ocean Fisheries Agreement (SIOFA) (Regulation) – PIMENTA LOPES report – 2022/0348 (COD)**

Line set out in SP(2023) 341.

- **Council Decision (EU) 2022/2572 of 19 December 2022, requesting the**

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Commission to submit a study complementing the impact assessment of the proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115 of the European Parliament and of the Council, and to propose follow-up actions, if appropriate in view of the outcomes of the study

Line set out in SI(2023) 275/2.

- **Appointment of the members of the Scientific and Technical Committee 2023-2028 (Council Decision)**

Line set out in SI(2023) 251/2.

- **Closing of the Cooperation and Verification Mechanism for Bulgaria and Romania**

Line set out in SI(2023) 276.

The Commission approved the line proposed for the following point, for transmission to the European Parliament:

- **Commission replies to the non-legislative resolutions adopted by the European Parliament at its part-session of May I 2023**

Line set out in SP(2023) 345/3.

The Commission approved the line proposed for the following point, for transmission to the Committee of the Regions:

- **Follow-up to opinions of the Committee of the Regions – Plenary session of March 2023**

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

The Commission took note of the following points:

- **‘Fit for 55’ – 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)**

Compromise text in SP(2023) 336, further to note SI(2023) 102, which the Commission had already approved on 18 April 2023.

- **‘Fit for 55’ – Use of renewable and low-carbon fuels in maritime transport and amendment of Directive 2009/16/EC (Regulation) – WARBORN report – 2021/0210 (COD)**

Compromise text in SP(2023) 337, further to note SI(2023) 96 already approved by the Commission on 5 April 2023 by written procedure.

- **‘Fit for 55’ – Energy Efficiency (Directive – recast) – FUGLSANG report – 2021/0203 (COD)**

Compromise text in SP(2023) 338, further to note SI(2023) 62, which the Commission had already approved on 22 March 2023.

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

Compromise text in SP(2023) 342, further to notes SI(2023) 107 and SI(2023) 127, which the Commission had already approved on 18 April and 3 May 2023.

- **Establishment of a framework of measures for strengthening Europe’s semiconductor ecosystem (Chips Act) (Regulation) – NICA report – 2022/0032 (COD)**

Compromise text in SP(2023) 347, further to note SI(2023) 119, which the Commission had already approved on 26 April 2023.

- **Amendment of Regulation (EU) 2018/1727 of the European Parliament and**

of the Council and Council Decision 2005/671/JHA, as regards the digital information exchange in terrorism cases (Regulation) – JAKI report – 2021/0393 (COD)

Compromise text in SP(2023) 343, further to note SI(2023) 534, which the Commission had already approved on 21 December 2022 by written procedure.

- **Amendment of Council Decision 2005/671/JHA, as regards its alignment with Union rules on the protection of personal data (Directive) – JAKI report – 2021/0399 (COD)**

Compromise text in SP(2023) 344, further to note SI(2023) 187, which the Commission had already approved on 31 May 2023.

- **Authorisation addressed to France to negotiate a bilateral agreement with Algeria on matters related to judicial cooperation in civil and commercial matters (Decision) – CICUREL report – 2023/0028 (COD)**

Information set out in SI(2023) 266/2.

5. COORDINATION OF EXTERNAL ACTION (RCC(2023) 27)

The Commission took note of the operational conclusions in RCC(2023) 27 of the meeting of the Group for External Coordination (EXCO) held on Wednesday 28 June 2023.

6. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

6.1. WRITTEN PROCEDURES APPROVED (SEC(2023) 236 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 26 June and 2 July 2023.

6.2. EMPOWERMENT
(SEC(2023) 237 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 26 June and 2 July 2023.

6.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2023) 238 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 26 June and 2 July 2023 archived in Decide.

6.4. SIGNIFICANT WRITTEN PROCEDURES
(SEC(2023) 239 AND /2)

The Commission took note of the significant written procedures for which the time limit expired between 3 and 7 July 2023 and of a finalisation written procedure.

7. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS: 2023 RULE OF LAW REPORT – THE RULE OF LAW SITUATION IN THE EUROPEAN UNION

(COM(2023) 800 TO /3; SWD(2023) 801 AND /2; SWD(2023) 802 AND /2; SWD(2023) 803 AND /2; SWD(2023) 804 AND /2; SWD(2023) 805 AND /2; SWD(2023) 806 AND /2; SWD(2023) 807 AND /2; SWD(2023) 808 TO /3; SWD(2023) 809 TO /3; SWD(2023) 810 TO /3; SWD(2023) 811 TO /3; SWD(2023) 812 TO /3; SWD(2023) 813 AND /2; SWD(2023) 814 AND /2;

**SWD(2023) 815 AND /2; SWD(2023) 816 AND /2; SWD(2023) 817 TO /3;
SWD(2023) 818 AND /2; SWD(2023) 819 AND /2; SWD(2023) 820 AND /2;
SWD(2023) 821 TO /3; SWD(2023) 822 TO /3; SWD(2023) 823 TO /3;
SWD(2023) 824 AND /2; SWD(2023) 825 AND /2; SWD(2023) 826 AND /2;
SWD(2023) 827 AND /2; RCC(2023) 143)**

The PRESIDENT introduced the presentation to the College of the 2023 annual report on the rule of law in the Union, stressing that it was a cornerstone of the Commission's work to ensure the protection of the fundamental principles of the rule of law in all Member States. She pointed out that 12 directorates-general and 27 teams – one for each Member State – had contributed to the drafting of this report. This illustrated the scale of the task and the exhaustive nature of a fact-based analysis which had resulted in a report that was both objective and balanced.

Ms JOUROVÁ, in turn, highlighted the considerable work involved in this annual assessment of the rule of law situation in each Member State. This year's report covered all 27 Member States and, for the first time, included an assessment of the implementation of the recommendations made by the Commission the previous year. She welcomed the fact that 65% of the previous year's recommendations had been addressed, fully or in part.

She pointed out that the exercise remained highly sensitive, as it touched on the institutional powers of the Member States. The Member States had embraced it because the report provided an objective analysis of their situation with regard to respect for the rule of law. She reminded the College that each Member State had its own particular governance system, which made it necessary to adapt the assessments and recommendations to each country.

Ms JOUROVÁ highlighted the three main benefits of the annual Rule of Law Report, namely that: (i) along with having a preventive effect, it compelled the Member States to pay constant attention to rule of law issues, (ii) it served as a framework for the dialogue between the Commission and the Member States on the

protection of the rule of law, and (iii) it enabled the identification and assessment of trends from year to year.

In particular, this year's report had identified negative trends in the fight against corruption and the protection of media independence. New recommendations had been drawn up in response to these trends, and they would need to be accompanied by the implementation of all relevant EU legislation in both areas, which constituted fundamental aspects of the rule of law.

Ms JOUROVÁ stressed that the structure of the report and the methodology underlying the assessments had not changed since the last reporting cycle, which contributed to the high degree of transparency of the process and ensured equal treatment of all Member States. The report was structured around four pillars, namely: (i) national justice systems, (ii) anti-corruption frameworks, (iii) media pluralism, and (iv) institutional checks and balances.

She noted that, generally speaking, this year's assessment showed relatively stable trends, which seemed to confirm the report's effectiveness as a preventive mechanism. Moreover, the Rule of Law Report should be seen in conjunction with other tools that allowed the EU to address rule of law deficiencies in the Member States. These included infringement proceedings, the procedure to protect the EU's founding values under Article 7 of the Treaty on European Union (TEU), the conditionality mechanism and the assessment of national recovery and resilience plans. As a result, some recommendations did not appear in this annual report as they had already been made in another context directly relevant to respect for the rule of law.

Lastly, Ms JOUROVÁ pointed out that, for Bulgaria and Romania, this year's reporting cycle would fully replace the Cooperation and Verification Mechanism put in place for these two Member States. Indeed, this mechanism would be closed definitively, as the progress of the two Member States was considered sufficient to meet the commitments made at the time of their accession to the EU. They had

therefore joined the rule of law mechanism at EU level, which covered all Member States.

Mr REYNDERS stressed the exhaustive nature of this fourth report, which now took the pulse of the rule of law situation in each Member State on the basis of an established methodology using the same data sources as the previous year's report. He added that the scope of the report and the evaluation criteria were also well defined and that the latter had been established on the basis of European standards recognised and applied by, in particular, the Council of Europe.

The methodology used had been updated following the State of the Union address given by the PRESIDENT in 2021, in which she had announced the addition of country-specific recommendations. Mr REYNDERS stressed that Member States were now also consulted on the formulation of the recommendations concerning them and had the opportunity to make factual corrections.

In this context, he highlighted the extent of the consultations held between February and April 2023 in the context of the visits to the 27 Member States, during which the Commission had discussed rule of law developments with national authorities, including judicial and law enforcement authorities, as well as with other stakeholders, such as journalists' associations and civil society organisations. He noted in particular that national administrations had been very responsive to consultations on the recommendations concerning them.

Mr REYNDERS stressed the preventive nature of the annual cycle, which should be used to promote the rule of law and prevent problems from arising or worsening. He welcomed the fact that significant progress had been made or full implementation achieved on more than a quarter of the recommendations, and that some progress had been identified for around 40% of the recommendations.

Focusing more specifically on the recommendations related to national justice systems, he explained that the evaluation criteria concerned their independence, quality and effectiveness. In this area, the annual report showed that many Member States had implemented important reforms to strengthen judicial

independence. These concerned, for example, measures to increase the independence and effectiveness of Councils for the Judiciary, to improve the procedures for the appointment of judges and the functioning of the highest courts, or to strengthen the autonomy of prosecution services. However, in some Member States the remuneration of judges and prosecutors posed a challenge for the recruitment of qualified judicial staff. Mr REYNDERS also pointed out that structural concerns remained regarding judicial independence in some Member States.

As far as institutional checks and balances were concerned, Member States had continued to improve the quality of their legislative processes and involve stakeholders in these processes – a trend identified in previous rule of law reports. Constitutional courts continued to play a key role in the system of checks and balances, and national human rights institutions, ombudsmen and other independent authorities had seen their powers strengthened in some Member States.

In the context of the European Semester, the Commission had also agreed with several Member States to include concrete milestones and targets in their recovery and resilience plans, in order to address a number of recommendations relevant to the rule of law.

Mr REYNDERS concluded his presentation by stressing the robustness and quality of this fourth report, which was now an essential tool for ensuring the protection of the rule of law in the EU. While concerns related to the rule of law remained in some Member States, the report had become a key driver for change and positive reforms. He urged the Members of the College to explain to Europe's citizens the many direct implications of the rule of law for their daily lives, so as to secure their lasting involvement in protecting it.

Ms JOHANSSON reminded the College that the 2022 annual report on the rule of law situation in the EU had been the first to include anti-corruption frameworks. She noted that the Commission's assessment in this area had led to recommendations of

a legislative and non-legislative nature, some of which required an implementation period of more than one year.

Corruption remained a major concern for both EU citizens and businesses, as revealed by a special Eurobarometer survey carried out this year on citizens' attitudes towards corruption. The survey had shown that 64% of Europeans believed that corruption was unacceptable. A growing majority of 70% of citizens and 65% of businesses believed that corruption was widespread in their country.

In the fight against corruption, EU Member States were among the best performers in the world, but there were large disparities between them. Compared to the previous year, 10 Member States had improved their performance this year, 5 had achieved the same score and 12 had scored lower.

Ms JOHANSSON noted that the assessment of anti-corruption frameworks took into account five key areas, namely: (i) citizens' perceptions, (ii) national anti-corruption strategies and their implementation, (iii) strengthening the capacity of the anti-corruption institutions and legal framework, (iv) eliminating obstacles to investigations, and (v) strengthening the prevention and integrity framework. She pointed out that this year a new area of assessment had been added – the fight against high-level corruption – and that the report had focused more specifically on the financing of political parties and public procurement.

Ms JOHANSSON concluded her presentation by saying that this year's report contained 47 recommendations addressed to Member States concerning the fight against corruption, two thirds of which focused on prevention.

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

- the College's support for this important exercise in assessing the protection of the main elements of the rule of law, which required continuous monitoring and regular adjustments and should never be taken for granted;

- the very operational character of the rule of law cycle, which had tangible effects and led to positive reforms, as evidenced by the fact that 65% of the recommendations addressed to the Member States the previous year had been implemented;
- the central role of the rule of law in promoting our European way of life and as the heart of democracy in Europe;
- the particular attention to be paid to the fight against corruption at local, national and European level, which should also be treated as a key element of a Security Union;
- the importance of ensuring the consistency of the Commission's assessments under the various EU instruments with rule of law relevance, including the national recovery plans, the conditionality mechanism, the Article 7 TEU procedure and infringement procedures;
- the preventive effect of the report, which should make it possible to identify any shortcomings in advance without prejudging the assessments carried out in other frameworks with direct relevance for the rule of law.

Ms JOHANSSON explained that national anti-corruption frameworks needed to be strengthened further in a number of Member States, given the mixed findings of the annual report in this regard. She said that longer-term efforts would be required to combat this scourge effectively and at all levels.

Mr REYNDERS concluded the discussion by noting that the report would now serve as a reference for Member States to initiate debates at national level and to guide their national reform programmes. In this context, he said that the Commission was ready to continue supporting Member States in implementing this year's recommendations, including through bilateral technical dialogues.

Following these presentations, the Commission approved the Communication in COM(2023) 800/3 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, together with the staff working documents in SWD(2023) 801/2 to SWD(2023) 807/2, SWD(2023) 808/3 to SWD(2023) 812/3, SWD(2023) 813/2 to SWD(2023) 816/2, SWD(2023) 817/3, SWD(2023) 818/2 to SWD(2023) 820/2, SWD(2023) 821/3 to SWD(2023) 823/3 and SWD(2023) 824/2 to SWD(2023) 827/2, the contents of which were noted.

- 8. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – ENSURING RESILIENT AND SUSTAINABLE USE OF EU’S NATURAL RESOURCES
(COM(2023) 410 TO /3; RCC(2023) 141)**
- 9. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE PRODUCTION AND MARKETING OF PLANT REPRODUCTIVE MATERIAL IN THE UNION, AMENDING REGULATIONS (EU) 2016/2031, 2017/625 AND 2018/848 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, AND REPEALING COUNCIL DIRECTIVES 66/401/EEC, 66/402/EEC, 68/193/EEC, 2002/53/EC, 2002/54/EC, 2002/55/EC, 2002/56/EC, 2002/57/EC, 2008/72/EC AND 2008/90/EC (REGULATION ON PLANT REPRODUCTIVE MATERIAL)
(COM(2023) 414 AND /2; SWD(2023) 410; SWD(2023) 414; SWD(2023) 415; SEC(2023) 414; RCC(2023) 141)**
- 10. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE PRODUCTION AND MARKETING OF FOREST REPRODUCTIVE MATERIAL, AMENDING REGULATIONS (EU) 2016/2031 AND 2017/625 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AND REPEALING COUNCIL DIRECTIVE 1999/105/EC (REGULATION ON FOREST REPRODUCTIVE MATERIAL)**

(COM(2023) 415 AND /2; SWD(2023) 410; SWD(2023) 414; SWD(2023) 415; SEC(2023) 414; RCC(2023) 141)

11. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON PLANTS OBTAINED BY CERTAIN NEW GENOMIC TECHNIQUES AND THEIR FOOD AND FEED, AND AMENDING REGULATION (EU) 2017/625

(COM(2023) 411 AND /2; SWD(2023) 411; SWD(2023) 412 AND /2; SWD(2023) 413; SEC(2023) 411; RCC(2023) 141)

12. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2008/98/EC ON WASTE

(COM(2023) 420 TO /3; SWD(2023) 420; SWD(2023) 421; SWD(2023) 422; SEC(2023) 420; RCC(2023) 141)

13. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON SOIL MONITORING AND RESILIENCE (SOIL MONITORING LAW)

(COM(2023) 416 TO /3; SWD(2023) 423 TO /3; SWD(2023) 416 TO /3; SWD(2023) 417 TO /3; SWD(2023) 418 TO /3; SEC(2023) 416; RCC(2023) 141)

The PRESIDENT asked Mr TIMMERMANS and Mr SINKEVIČIUS to present the proposed package of measures on the sustainable use of key natural resources, which would also strengthen the resilience of the European Union's agricultural and food sectors.

Mr TIMMERMANS noted that the Fit for 55 package had been presented in 2021 in order to deliver on the climate pillar of the European Green Deal. The package being tabled that day supplemented the previous proposals on restoring the natural environment and reducing chemical pesticides in order to strengthen the nature pillar of the Green Deal. The Commission was committed to implementing the Paris Agreement and to taking action on the climate through the Fit for 55 measures. The aim now was to ensure the same level of commitment for the Global Biodiversity Framework adopted in Montreal in December 2022. Climate

and nature went hand in hand, as nature was an essential part of tackling the climate crisis.

Under the Fit for 55 measures, the European Union had decided to reduce its net greenhouse gas emissions by at least 55% by 2030. Achieving this objective would depend on the ability of soils and forests to remove carbon from the atmosphere and store it. Mr TIMMERMANS also explained that healthy soil absorbed more carbon and helped ensure better climate change preparedness. More resilient soil also provided additional income opportunities for farmers and land managers, including through carbon farming.

He noted that, for soils and forests to be regenerated, nature needed to be restored. But this could not happen, nor could the EU's climate goals be achieved, while nature was being destroyed by chemical substances; in his view, the proposal on pesticides adopted by the Commission the previous year was therefore essential.

Mr TIMMERMANS said that the proposals on new genomic techniques and reproductive materials provided solutions to replace these harmful chemicals. If plants were more resistant to drought or pests from the outset, they would be able to withstand extreme climatic conditions and would require fewer pesticides to grow and produce foodstuffs.

As for the changes to legislation on plant and forest reproductive material, he noted that sustainability requirements would be put in place for all plant reproductive material. The new rules on forest reproductive material would also help foresters to plant suitable trees in the right conditions, thereby helping to achieve the objective of planting three billion new trees by 2030.

Mr TIMMERMANS then turned to the proposal on new genomic techniques. These techniques could produce the same results as conventional, natural breeding or targeted breeding but were much more rapid, accurate and efficient. The proposal made a clear distinction between plants produced using genomic techniques that were comparable to plants that grew naturally or were produced via traditional processes and plants with more complex modifications. These two categories would

be subject to different requirements in order to reach the market, given their different characteristics and risk profiles. Plants in the first category would have to be included in a central register. Plants in the second category would be subject to the authorisation process set out in the Directive on genetically modified organisms (GMO). These new genomic techniques would not be authorised for use in organic farming.

Mr TIMMERMANS stressed that the proposals were the result of an in-depth consultation and were based on sound scientific data. Under the proposals, procedures would be put in place to maintain a high level of protection for human health and the environment.

As regards food waste, he noted that more than 59 million tonnes of food were wasted each year in the EU, which was more than 130 kg per person. Producing this food put considerable pressure on the land, using pesticides, water and fertilisers. To illustrate the point, he noted that, if food waste were a Member State, it would be the fifth largest emitter of greenhouse gases in the EU. Wasting food was unacceptable, especially given that 30 million people in Europe did not have enough food to eat and, globally, famine was on the rise again. Given this situation, it was proposed that, by 2030, the Member States should reduce food waste by 10% in the processing and manufacturing sectors and by 30% in retail, restaurants, the food services sector and households.

Mr TIMMERMANS concluded by noting that the proposals presented that day were closely linked to the proposals on nature restoration and the sustainable use of pesticides, which were currently being scrutinised as part of the interinstitutional legislative process.

Mr SINKEVIČIUS explained that half of the world's gross domestic product depended on nature and that 75% of our crops depended on pollination. Climate-related damage was estimated at EUR 560 billion over the period from 1980 to 2021. In August 2022, severe droughts in the EU had caused agricultural production losses of 5-10% on average for crops such as maize, sunflower and soya.

He stressed that, with the package presented, the Commission was reiterating clearly its continued commitment to combating the unsustainable use of natural resources. The Nature Restoration Act was thus accompanied by a set of proposals that formed a very coherent package, based on natural and technological solutions.

With regard to the soil proposal, Mr SINKEVIČIUS noted that soil was an essential natural resource whose value had not yet been sufficiently recognised, including in the EU legal framework. He explained that healthy soils were the basis for 95% of food consumed by humans, in addition to being home to more than 25% of global biodiversity. They were therefore essential for building resilience to natural disasters, achieving climate neutrality and zero pollution, reversing biodiversity loss and halting desertification.

He pointed out that 60-70% of EU soils were degraded. The costs associated with soil degradation were estimated at over EUR 50 billion per year. The first-ever EU Soil Law provided a harmonised definition of soil health and established a comprehensive and coherent monitoring framework. The proposal brought several sources of soil data together in one place by combining soil sampling data from the EU's Land Use and Coverage Area frame Survey (LUCAS) with satellite data from Copernicus and with national and private data.

Sustainable management principles were being proposed which Member States were invited to follow when designing appropriate soil-management practices in collaboration with farmers and other landowners, taking into account local conditions. Mr SINKEVIČIUS said that the proposal also paved the way for additional income opportunities for farmers and landowners through a voluntary soil health certification scheme. He highlighted possible synergies with carbon farming and payments for ecosystem services. Lastly, he pointed out that the proposal addressed the problem of soil contamination, an unfortunate legacy of the past which had to be dealt with as a matter of urgency.

Mr SINKEVIČIUS then turned to the textiles part of the waste proposal, stressing that after food, housing and mobility, European consumption of textiles had the fourth biggest impact on the environment and climate change.

Providing some figures to illustrate the challenges, he explained that the EU generated around 12.6 million tonnes of textile waste per year. Clothing and footwear alone accounted for 5.2 million tonnes of waste, equivalent to 12 kg of waste per person every year. Currently, only 22% of used textiles were collected separately for reuse or recycling, the rest often being incinerated or landfilled and thus lost to the economy. This form of waste management was therefore resource inefficient and not in line with the principles of the circular economy or the waste hierarchy, leading to environmental damage in the EU and in third countries.

Mr SINKEVIČIUS stressed that the proposal aimed to involve industry much more closely in the circular economy of textiles by introducing mandatory and harmonised extended producer responsibility schemes for textiles in all EU Member States, and to create economic incentives to make textile products more sustainable and circular. He added that the proposed rules aimed to ensure that collected used textiles were sorted for reuse as a priority and, if they could not be reused, for recycling. He concluded by stating that common rules would ensure a level playing field in the single market.

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

- the College’s full support for the proposed measures;
- questions about new genomic techniques, and the link that could be established with the cultivation of genetically modified organisms (GMOs);
- the need, in this context, for food products to be clearly labelled in order to enable consumers to make an informed choice;

- a question about the funds available to cover the costs of the proposed package; a reference, in particular, to the administrative burden for farmers and landowners resulting from the soil proposal;
- the satisfaction expressed with regard to the inclusion in the waste proposal of the recommendations on food waste made by citizens in a specific panel linked to the Conference on the Future of Europe;
- with regard to textile waste, the need to also cover producers from third countries who imported their textile products into the EU, so as not to penalise European producers.

In response to the comments made, Mr SINKEVIČIUS pointed out that the waste proposal brought tangible benefits for small producers in the textile industry in Europe, as there were previously no rules governing this sector in the EU. With regard to the soil proposal, he explained that it had been drawn up in close cooperation with Mr WOJCIECHOWSKI's departments. In this context, he noted that approximately 20% of the costs would be borne by the Commission. He added that the proposal also involved the establishment of a portal providing information on soil quality free of charge, thus eliminating the need to go through a costly private soil assessment company in the event of a change of ownership.

Mr TIMMERMANS stressed that new genomic technologies should not be confused with genetically modified organisms and that the risks involved were not comparable. These technologies provided a solution to the problems caused by the use of pesticides as they made it possible to develop plants resistant to pests and disease vectors, which led to a reduction in the use of pesticides.

Following these presentations, the Commission:

- approved the Communication in COM(2023) 410/3 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 proposals for Regulations in COM(2023) 414/2 and COM(2023) 415/2, 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 staff working document, the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2023) 410, SWD(2023) 414, SWD(2023) 415 and SEC(2023) 414, the contents of which were noted;
- adopted the proposal for a Regulation in COM(2023) 411/2 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 staff working document, the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2023) 411, SWD(2023) 412/2, SWD(2023) 413 and SEC(2023) 411, the contents of which were noted;
- adopted the proposal for a Directive in COM(2023) 420/3 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 staff working document, the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2023) 420, SWD(2023) 421, SWD(2023) 422 and SEC(2023) 420, the contents of which were noted;
- adopted the proposal for a Directive in COM(2023) 416/3 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 two staff working documents, the impact assessment, the summary thereof and the opinion of the Regulatory Scrutiny Board in SWD(2023) 423/3, SWD(2023) 416/3, SWD(2023) 417/3, SWD(2023) 418/3 and SEC(2023) 416, the contents of which were noted.

14. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL – 2023 STRATEGIC FORESIGHT REPORT – SUSTAINABILITY AND PEOPLE’S WELLBEING AT THE HEART OF EUROPE’S OPEN STRATEGIC AUTONOMY (COM(2023) 376 TO /3; RCC(2023) 142)

Mr ŠEFČOVIČ noted that that year’s foresight report highlighted sustainability and citizens’ well-being as core elements of Europe’s open strategic autonomy. This was an important topic garnering political attention, as shown by the Beyond Growth Conference organised by the European Parliament in May 2023.

The social and economic dimension of open strategic autonomy was one of the priorities of the programme of the current Spanish Presidency of the Council. In this context, that day’s Communication would be one of the main contributions to the informal European Council to be held in Granada on 6 October.

The 2023 Strategic Foresight Report built on the three previous editions, which had focused respectively on resilience (2020), open strategic autonomy (2021) and key technologies for the green and digital transitions (2022). The report was once again based on the results of a foresight exercise conducted by the Joint Research Centre (JRC), the detailed results of which would be published the following day in the form of a scientific paper.

Mr ŠEFČOVIČ explained that the Joint Research Centre study included four foresight scenarios describing alternative versions of a sustainable Europe in 2050. Based on a retrospective analysis, the study identified the main trends and challenges affecting EU policies. This analysis was reflected in the Communication, summarising the challenges and opportunities for the future with an impact on the three main aspects of sustainability, namely its social, economic and environmental facets. The analysis also formed the basis of the Communication’s proposals for 10 policy areas that would enable the EU to succeed in its transition towards sustainability.

Mr ŠEFČOVIČ went on to highlight two examples of this cross-cutting analysis. First, the Communication stressed that the ‘battle of narratives’ on the world stage was increasingly becoming a ‘battle of offers’, or a ‘battle of models’, particularly between democratic and authoritarian regimes. This meant that EU policies carried out primarily at national or European level had to take into account the impact on third countries, in order to address the challenge of sustainability collectively.

The Commission therefore recommended that the EU’s diplomatic action be strengthened in order to defend its values and interests, build a convincing global narrative, and forge broad international alliances and strategic partnerships on emerging technologies conducive to sustainability, particularly with regard to artificial intelligence. One practical idea in this regard was the creation of a future green transatlantic marketplace, establishing a free-trade area for net-zero technologies. This could facilitate access to incentive schemes and prevent discrimination, consequently supporting green investments and sustainable production.

Mr ŠEFČOVIČ mentioned as a second example the recommendation to further shift policy-making and economic indicators towards sustainable and inclusive well-being. In this context, the Communication presented the initial results of the work of a new interdepartmental group launched within the Commission, with a pilot project on gross domestic product (GDP) adjusted for health indicators. If the GDP per capita of the EU, the United States, China and India were adjusted according to such criteria, there would be an upward correction of 15.5% in 2040 for the EU, higher than that of the other countries.

This outcome was in line with the political message on Europe’s open strategic autonomy, as adopted by the College in the 2021 Strategic Foresight Report. The new report therefore set out a vision of the gradual shift towards adjusted GDP and the integration of this indicator into policy-making. This was a very important step forward, putting the EU at the forefront of the ongoing global discussions, in particular those on the reform of the international financial system and on the commitments made under the 2030 Agenda for Sustainable Development.

Mr ŠEFČOVIČ concluded his presentation by thanking the Members of the College and the departments concerned for the work done in preparing the last Strategic Foresight Report of this Commission's term of office. He announced that next year the annual communication would be replaced by the Global Trends Report, prepared every five years by the EU's interinstitutional foresight network (ESPAS).

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

- the advisability of measuring economic and social activity rather than growth, and extending the concept of gross domestic product (GDP) to other criteria such as the ecological factor ('green GDP');
- the Commission's role in foresight debates, as one of the only organisations to combine a foresight capacity with extended executive powers;
- the value in this context of the Commission organising foresight debates in Member States where the outlook was often shorter-term;
- the difficulty of isolating the economy from the much wider spectrum of public policies relating in particular to cohesion and social protection;
- the traditional indicators that had to be reconsidered, with a view to the establishment of a circular economy complying with principles and mechanisms different to those of an industrial economy;
- the role of sustainable finance in view of the huge investments needed for the green and digital transitions;
- the importance, however, of maintaining the EU's competitiveness, and sustainable growth that benefited European citizens;

- the attention to be paid to demographic trends, which highlighted the substantial reduction in the EU's working-age population, with many consequences for growth, employment and the viability of social protection systems;
- the need for the increase in the population's life expectancy, above and beyond its ageing, to be included in the analyses;
- in this context, the relevance of a broad debate on the renewal of the social contract between generations, with the aim of exploiting its full potential;
- the importance of continuing to promote economic and social convergence between Member States and between European regions, in particular by developing the potential of the most disadvantaged regions;
- the leading role of young people in the ongoing transformation of the economy and society, and the preparation and training required for them to find their place in it;
- the difficulty of extending traditional indicators to a wider range of environmental and social indicators, and of implementing green budgeting;
- the indispensable role of international partnerships in ensuring the EU's open strategic autonomy;
- in terms of foresight, the importance of never taking democracy for granted against a background of relative disillusionment regarding democratic values, and long-term tendencies which were in some cases beyond the control of government action;
- the need to promote a more participatory democracy to enable citizens to get involved in societal debates and to be fully involved in the decisions taken;
- in this regard, the relevance of the consultations conducted in the framework of the Conference on the Future of Europe, which had to be continued on a permanent basis.

The PRESIDENT concluded the discussion by noting the continuous improvement in the quality of the Commission departments' foresight analyses. She called on the College to show vision and commitment in order to exercise the political leadership that citizens expect on major societal issues. Many positive trends were identified in the report that illustrated the profound transformation of European society that was under way.

Following this presentation, the Commission agreed, on a proposal from the PRESIDENT, that the Communication in COM(2023) 376/3 would be formally adopted by finalisation written procedure, the deadline for which was set at Thursday 6 July 2023 (PE/2023/4405).

**15. COMMUNICATION FROM THE COMMISSION ON THE EUROPEAN CITIZENS' INITIATIVE 'STOP FINNING – STOP THE TRADE'
(C(2023) 4489 AND /2; RCC(2023) 140)**

Ms JOUROVÁ began by saying that the proposed Communication was a response to the citizens' initiative entitled, in the authentic language (English), 'Stop Finning – Stop the Trade'. The initiative called on the Commission to take action to put an end to the trade in loose shark fins in the EU, including the import, export and transit of fins.

There were now ten European Citizens' Initiatives which had managed to reach the required thresholds of one million signatures collected in at least seven Member States. The Commission was preparing a response to these initiatives in the form of Communications.

The growing number of registered citizens' initiatives demonstrated that European citizens were increasingly using this participatory democracy tool to help shape EU policies. This had been made possible by the 2019 amendments to the Regulation on the European Citizens' Initiative which had made this instrument more accessible, in particular by allowing organisers to revise their initiative after a preliminary

assessment by the Commission.

Mr SINKEVIČIUS and Ms JOUROVÁ had met the organisers of this initiative on several occasions over the last few months and were therefore well aware of the current challenges and the urgent need to address them. Ms JOUROVÁ ended by saying that the proposed Communication provided a solid and balanced response, describing in detail the ongoing actions and the actions envisaged in the longer term.

Mr SINKEVIČIUS underlined the fact that the Communication on trade in shark fins addressed a real societal and environmental concern. It also showed how well the European Citizens' Initiative worked as an instrument of participatory democracy, conveying a very positive message to citizens.

Referring briefly to the background, he said that there were around 500 shark species worldwide. These species all played a vital role in maintaining the balance of marine ecosystems, but two-thirds were threatened with extinction. Sharks had always been a source of food, but demand for their fins had risen in recent decades, especially on Asian markets. As a result, finning had become one of the main threats to the conservation of these species, similar to the issue of ivory and the tusks of certain mammals.

Mr SINKEVIČIUS pointed out that the European Union already had an appropriate policy and a robust legal framework covering shark fishing, conservation and trade. The EU had adopted a Shark Finning Regulation back in 2003, which had been amended in 2013, and which banned retention on board, transshipment and landing of shark fins. A significant number of European citizens were now calling on the Commission to go further. Through the European Citizens' Initiative, they wanted the EU to extend the scope of the 2003 Regulation to ban not only landing but also trade in shark parts.

While Asian countries were the main market for shark fins, the EU was nevertheless a major player, accounting for 15% of worldwide catches. The EU should step up to the plate given that the US, Canada and the UK had already banned trade in loose shark fins.

Mr SINKEVIČIUS added that the aim of the Communication was to respond positively to the citizens' initiative because the Commission shared their concerns about the worrying situation of sharks around the world. He therefore proposed that the Commission should confirm that specific measures, including legislative measures, would be taken at a later stage, mindful of its better regulation principles.

First, an impact assessment would be launched by the end of 2023 on the environmental, social and economic consequences of a possible legislative proposal to extend the 'fins naturally attached' policy to internal EU trade and to international trade. In parallel, more detailed information on EU imports and exports would be collected by the end of 2024 in order to improve statistics on trade in shark products.

Second, the Commission would endeavour to improve the implementation of existing EU rules on monitoring fishing activities and markets, and to strengthen traceability measures.

Third, in order to ensure a level playing field for European operators, the Commission would continue to promote the implementation of conservation and management measures concerning shark species at international level. It would also support the fight against trafficking of shark fins, and encourage a reduction in demand for these products.

Mr SINKEVIČIUS ended by thanking the Members of the College and the Commission departments who had contributed to the preparation of the Communication.

Following these presentations, the Commission approved the Communication in C(2023) 4489/2 (i) for notification, in the authentic language (English), to the organisers of the initiative, (ii) for publication, for information, in the Official Journal of the European Union, and (iii) for transmission, for information, to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

16. OTHER BUSINESS

At the invitation of the PRESIDENT, Mr REYNDERS informed the College of the adoption on Tuesday 4 July, by written procedure, of a proposal for a Regulation to streamline cooperation between data protection authorities when enforcing the General Data Protection Regulation (GDPR) in cross-border cases.

He also pointed out that the new Adequacy Decision on the secure and reliable flow of personal data between the European Union and the United States should be adopted shortly.

The Commission took note of this information.

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The meeting closed at 11.15.