



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

PV(2024) 2479 final

- English translation of the French version which is authentic -

Brussels, 5 March 2024

TEXTE EN

MINUTES

of the 2479th meeting of the Commission

held in Brussels

(Berlaymont)

on Wednesday 24 January 2024

(morning)

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PV(2024) 2479 final

- English translation of the French version which is authentic -

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Single sitting: Wednesday 24 January 2024 (morning)

The sitting opened at 9.11 with Ms von der LEYEN, President, in the chair.

Present:

Ms von der LEYEN	President	
Ms VESTAGER	Executive Vice-President	Items 1 to 19.4 (in part)
Mr DOMBROVSKIS	Executive Vice-President	
Mr ŠEFČOVIČ	Executive Vice-President	
Mr BORRELL i FONTELLES	High Representative / Vice-President	
Ms JOUROVÁ	Vice-President	Items 1 to 19.4 (in part)
Ms ŠUICA	Vice-President	
Mr SCHINAS	Vice-President	Items 1 to 19.4 (in part)
Mr HAHN	Member	
Mr SCHMIT	Member	
Mr GENTILONI	Member	
Mr WOJCIECHOWSKI	Member	
Mr BRETON	Member	
Ms FERREIRA	Member	
Ms KYRIAKIDES	Member	Items 1 to 19.4 (in part)
Mr REYNDERS	Member	
Ms DALLI	Member	
Ms JOHANSSON	Member	Items 1 to 19 (in part)
Mr LENARČIČ	Member	
Ms VÁLEAN	Member	Items 8.5 to 15/17 (in part) and 19 (in part)
Mr VÁRHELYI	Member	Items 8.5 to 19.4
Ms SIMSON	Member	

Mr SINKEVIČIUS	Member
Ms McGUINNESS	Member
Mr HOEKSTRA	Member

Absent:

Ms URPILAINEN	Member
Ms IVANOVA	Member

The following sat in to represent an absent Member of the Commission:

Mr SCHULTE	Head of Cabinet to Ms IVANOVA
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The following also sat in:

Mr SEIBERT	Head of Cabinet to the PRESIDENT	
Mr CALLEJA CRESPO	Director-General, Legal Service	
Ms SPINANT	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	Item 19.3
Mr WHELAN	Adviser in the PRESIDENT's cabinet	Items 9 to 17
Mr BAERT	Adviser in the PRESIDENT's cabinet	Items 9 to 17
Ms CABRAL	Adviser in the PRESIDENT's cabinet	Items 15 to 18
Ms SEMLALI	Policy Assistant in the PRESIDENT's cabinet	
Ms ALLOUIS-LE LOSTEC	Head of Unit in the Secretariat-General	
Mr CHARLES	Secretariat-General	

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

1. AGENDAS

(OJ(2024) 2479/FINAL; SEC(2024) 2479/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(2024) 2479)

The Commission considered the Secretary-General's report on the weekly meeting of Heads of Cabinet held on Monday 22 January 2024.

3. APPROVAL OF THE MINUTES

The Commission held over approval of the minutes of its 2475th, 2476th, 2477th and 2478th meetings of 29 November, 6 and 12 December 2023 and 10 January 2024 for a later date.

4. INTERINSTITUTIONAL RELATIONS

(RCC(2024) 54)

The Commission took note of the record of the meeting of the Interinstitutional Relations Group (IRG) held by videoconference on Friday 19 January 2024 (RCC(2024) 54).

The Commission approved the lines proposed for the following points:

- **Establishing a common framework for media services in the internal market (European Media Freedom Act) and amendment of Directive 2010/13/EU (Regulation) – VERHEYEN report – 2022/0277 (COD)**

Line set out in SI(2024) 37.

- **Laying-down of harmonised conditions for the marketing of construction products, amendment of Regulation (EU) 2019/1020 and repeal of Regulation (EU) 305/2011 (Regulation) – DOLESCHAL report – 2022/0094 (COD)**

Line set out in SI(2024) 9.

- **Liability for defective products (Directive) – BOTOŞ & ARIMONT report – 2022/0302 (COD)**

Line set out in SI(2024) 20.

- **Amendment of Regulation (EU) N° 2019/1009 as regards the digital labelling of EU fertilising products (Regulation) – GRAPINI report – 2023/0049 (COD)**

Line set out in SI(2024) 21.

- **Establishment of a framework of measures for strengthening Europe’s net-zero technology products manufacturing ecosystem (Net Zero Industry Act) (Regulation) – EHLER report – 2023/0081 (COD)**

Line set out in SI(2024) 22/2.

- **Amendment of Directive 2009/138/EC as regards proportionality, quality of supervision, reporting, long-term guarantee measures, macro-prudential tools, sustainability risks, group and cross-border supervision (Directive) – FERBER report – 2021/0295 (COD)**

Line set out in SI(2024) 15.

- **Establishment of a Union certification framework for carbon removals (Regulation) – PEREIRA report – 2022/0394 (COD)**

Line set out in SI(2024) 30.

- **Establishment of the European Disability Card and the European Parking Card for persons with disabilities (Directive) – ĎURIŠ NICHOLSONOVÁ report – 2023/0311 (COD)**

Line set out in SI(2024) 23.

- **Ambient air quality and cleaner air for Europe (recast – Directive) – LÓPEZ report – 2022/0347 (COD)**

Line set out in SI(2024) 24.

- **Urban wastewater treatment (recast - Directive) – TORVALDS report – 2022/0345 (COD)**

Line set out in SI(2024) 25/2.

- **Measures to reduce the cost of deploying gigabit electronic communications networks and repeal of Directive 2014/61/EU (Gigabit Infrastructure Act) (Directive) – MITUȚA report – 2023/0046 (COD)**

Line set out in SI(2024) 28.

- **Amendment of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims (Directive) – BJÖRK & RODRÍGUEZ PALOP report – 2022/0426 (COD)**

Line set out in SI(2024) 29.

- **Establishment of conservation, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries, amendment of Regulation (EU) 2019/1241 of the European Parliament and of the Council and Council Regulation (EC) N° 1224/2009, and repeal of Council Regulation (EEC) N° 1899/85 and Regulation (EU) N° 1236/2010 (Regulation) – GUERREIRO report – 2023/0206 (COD)**

Line set out in SI(2024) 31.

- **Single European Sky:**
 - **Implementation of the Single European Sky (recast – Regulation) – MARINESCU report – 2013/0186 (COD)**
 - **Amendment of Regulation (EU) 2018/1139 as regards the capacity of the European Union Aviation Safety Agency to act as Performance Review Body of the Single European Sky (Regulation) – LIBERADZKI report – 2020/0264 (COD)**

Line set out in SI(2024) 34/2.

- **Outcome of the negotiations on the revised Protocol on Cooperation between the European Commission and the European Committee of the Regions**

Line set out in SR(2024) 1.

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 November II 2023 part-session**

Line set out in SP(2024) 25/2.

The Commission took note of the following point:

– **Results of the European Parliament’s January I 2024 part-session**

Information set out in SP(2024) 682.

**5. COORDINATION OF EXTERNAL ACTION
(RCC(2024) 4; RCC(2024) 5)**

The Commission took note of the operational conclusions in RCC(2024) 4 and RCC(2024) 5 of the meetings of the Group for External Coordination (EXCO) held by videoconference on Wednesday 10 and 17 January 2024.

6. MONITORING THE APPLICATION OF EUROPEAN UNION LAW

STATE AID AND OTHER COMPETITION RULES

The Commission’s decision on this agenda item is recorded in the special minutes.

7. WRITTEN PROCEDURES, EMPOWERMENT AND DELEGATION OF POWERS

**7.1. *WRITTEN PROCEDURES APPROVED
(SEC(2024) 10 ET SEQ.)***

The Commission took note of the Secretariat-General’s memoranda recording decisions adopted between 8 and 21 January 2024.

**7.2. *EMPOWERMENT
(SEC(2024) 11 ET SEQ.)***

The Commission took note of the Secretariat-General's memoranda recording decisions adopted between 8 and 21 January 2024.

7.3. DELEGATION / SUBDELEGATION OF POWERS
(SEC(2024) 12 ET SEQ.)

The Commission took note of the Secretariat-General's memoranda recording decisions adopted under the delegation and subdelegation procedures between 8 and 21 January 2024 archived in Decide.

7.4. SIGNIFICANT WRITTEN PROCEDURES
(SEC(2024) 13 TO /3)

The Commission took note of the significant written procedures for which the time limit expired between 15 and 26 January 2024.

8. ADMINISTRATIVE AND BUDGETARY MATTERS
(SEC(2024) 14)

ADMINISTRATIVE MATTERS
(PERS(2024) 6/2)

8.1. DG EDUCATION, YOUTH, SPORT AND CULTURE – APPOINTMENT
OF A PRINCIPAL ADVISER AT GRADE AD14/15
(PERS(2024) 7 TO /3)

The Commission had before it applications under Article 29(1)(a)(i) and (iii) of the Staff Regulations for the post of Principal Adviser – Director of the European Education and Culture Executive Agency (EACEA) in DG Education, Youth, Sport and Culture (PERS(2024) 7).

It took note of the opinions of the Consultative Committee on Appointments of 27 September and 16 November 2023 (PERS(2024) 7/2 and /3).

The Commission proceeded to compare the applicants' qualifications for the post. On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms IVANOVA, it then decided to appoint Ms Sophie BEERNAERTS to the post.

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

**8.2. EUROSTAT – INTERNAL AND INTERINSTITUTIONAL PUBLICATION, AT GRADE AD14/15, AND EXTERNAL PUBLICATION, AT GRADE AD14, OF THE VACANCY NOTICE FOR A DIRECTOR POST
(PERS(2024) 9)**

On a proposal from Mr HAHN, in agreement with the PRESIDENT and after consulting Mr GENTILONI, the Commission decided to authorise the publication, under Article 29(1)(a)(i) and (iii), Article 29(1)(b) and Article 29(2) of the Staff Regulations, of the vacancy notice set out in PERS(2024) 9 for the post of Director of the 'Business and trade statistics' Directorate at Eurostat.

This decision would take effect immediately.

8.3. DG EUROPEAN CIVIL PROTECTION AND HUMANITARIAN AID OPERATIONS (ECHO) – TRANSFER OF AN AD14 OFFICIAL UNDER ARTICLE 7 OF THE STAFF REGULATIONS

On a proposal from Mr HAHN, in agreement with the PRESIDENT, and after consulting Ms VĂLEAN and Mr LENARČIČ, the Commission decided to transfer, in the interest of the service, under Article 7 of the Staff Regulations, Ms Michela MATUELLA, an AD14 official appointed as Director of the 'Waterborne' Directorate in DG Mobility and Transport, to the post of Director of the 'Emergency Response Coordination Centre' Directorate in DG European Civil Protection and Humanitarian Aid Operations (ECHO).

This decision would take effect from 1 February 2024.

**8.4. COMMUNICATION FROM THE PRESIDENT TO THE COMMISSION
ON GUIDELINES ON ETHICAL STANDARDS FOR THE
PARTICIPATION OF THE MEMBERS OF THE EUROPEAN
COMMISSION IN THE ELECTION CAMPAIGN TO THE EUROPEAN
PARLIAMENT**

(P(2024) 2; RCC(2024) 58)

**8.5. COMMUNICATION FROM THE PRESIDENT TO THE COMMISSION
ON GUIDELINES FOR THE PARTICIPATION OF MEMBERS OF THE
EUROPEAN COMMISSION IN ELECTION CAMPAIGNS AT MEMBER
STATE LEVEL**

(P(2024) 3; RCC(2024) 58)

The PRESIDENT stated that the aim of these decisions was to strengthen the existing guidelines on the participation of Commissioners in European elections and develop clear guidance for participation in national elections. She stressed the need for a strict separation between the roles of Commissioner and candidate, in particular as regards the use of Commission resources, be they human, budgetary or IT resources.

During the discussion which followed, the Commission raised the following main points:

- the support of the Members of the College for these guidelines, which were considered particularly timely in view of the forthcoming European elections and the planned national elections in several Member States;
- the wish expressed by some for even tighter rules to ensure transparency and the separation of roles during election campaigns;

- the suggestion that Members of the Commission intending to stand for election should inform the public of the concrete steps they were taking to dissociate their institutional role from their election campaign;
- the importance of clear guidelines for Members of the Commission participating in election campaigns on the separation of official trips and travel for the purpose of a campaign;
- the role that the Secretariat-General should play in monitoring compliance with these guidelines;
- issues relating to the required distinction between institutional and campaign accounts on social media;
- the importance of ensuring a level playing field for all candidates, and the benchmark represented in this context by the rules applicable to Members of the European Parliament.

In response to the points raised, and at the invitation of the PRESIDENT, the Director-General of the Legal Service explained that the principle of independence of the Members of the Commission stemmed from Article 17 of the Treaty on European Union and Article 245 of the Treaty on the Functioning of the European Union. As had been established under the previous Commission, the Members of the College could participate in the European elections while continuing to carry out their duties in the Commission. The current decision strengthened the 2019 guidelines on participation in electoral campaigns at EU level, with a focus on integrity and the separation of the roles of Commissioner and candidate.

The Members of the College were required to create a separate visual identity when campaigning as candidates in the European elections, in particular by creating separate social media accounts for the campaign. However, they could continue to use their current account for institutional purposes, and

could redirect their subscribers to the newly created campaign account. He added that the Commission's resources could not be used to manage these campaign accounts.

The PRESIDENT confirmed the importance of using separate social media accounts for institutional and campaign activities of the Members of the College, as well as of having clear rules on work-related travel, and indicated that the guidelines will be adapted accordingly. She concluded by stressing the level playing field that must exist for all candidates and the need to prevent any perception of conflict of interest.

Following this exchange of views, the Commission took note of the PRESIDENT's Communications in P(2024) 2 and P(2024) 3.

9. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND TO THE COUNCIL – ADVANCING EUROPEAN ECONOMIC SECURITY – AN INTRODUCTION TO FIVE NEW INITIATIVES

(COM(2024) 22 AND /2; RCC(2024) 57)

10. PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ON THE SCREENING OF FOREIGN INVESTMENTS IN THE UNION AND REPEALING REGULATION (EU) 2019/452 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

(COM(2024) 23 AND /2; SWD(2024) 23; SWD(2024) 24; RCC(2024) 57)

11. WHITE PAPER ON EXPORT CONTROLS

(COM(2024) 25 TO /3; RCC(2024) 57)

12. WHITE PAPER ON OPTIONS FOR ENHANCING SUPPORT FOR RESEARCH AND DEVELOPMENT INVOLVING TECHNOLOGIES WITH

DUAL-USE POTENTIAL**(COM(2024) 27 TO /3; RCC(2024) 57)****13. WHITE PAPER ON OUTBOUND INVESTMENTS****(COM(2024) 24 TO /3; RCC(2024) 57)****14. PROPOSAL FOR A COUNCIL RECOMMENDATION ON ENHANCING RESEARCH SECURITY****(COM(2024) 26 AND /2; RCC(2024) 57)**

By way of introduction, Ms VESTAGER briefly mentioned the uncertainty of the current geopolitical context, which further increased the relevance of the economic security strategy adopted by the Commission in June 2023. She felt that the package of measures proposed that day provided a timely opportunity to strengthen the EU's economic security. She pointed out that it was not about proposing a transfer of competences between the Member States and the Union, but rather was a matter of moving forward together on the basis of joint initiatives.

Of the four risk categories identified for in-depth assessment in the 2023 strategy, this package mainly concerned technological security and technology leaks, which were at the heart of competition between the major powers. The first stage of this assessment had consisted of a mapping of critical technologies, which had been carried out in October 2023 and set out in a Commission Recommendation identifying four technological areas: artificial intelligence, advanced semiconductors, quantum technologies and biotechnologies.

The second step was now to ensure that the instruments used by the EU and its Member States were fit for the purpose of mitigating risks. This required the EU to follow the approach set out in the June 2023 economic security strategy to 'promote, protect and build partnerships' to limit its vulnerabilities and strategic dependencies. This included nurturing advanced technologies and avoiding their transfer out of the EU. Ms VESTAGER explained that, as a result, that day's proposals focused on export controls, outward and inward investment, and research security.

With regard to the Recommendation on research security, she pointed out that much had already been done under the Horizon Europe programme, but that the programme covered only part of the research conducted within the EU. She therefore considered it important for Member States to step up their research security efforts beyond Horizon Europe. She noted that, while openness and international cooperation were an integral part of the work of researchers, the international landscape was becoming increasingly complex, and security was a real and growing concern. The Commission therefore wanted to enable researchers to navigate this complexity and continue their international cooperation securely, in full respect of academic freedom and without an excessive increase in the administrative burden.

With regard to dual-use research, Ms VESTAGER mentioned the multitude of technologies that could be used both in the civilian domain and in the field of defence, such as GPS data, night vision technologies, drones or thermal imaging. She explained that these technologies were extremely important for Europe's competitiveness and security. She felt that support for research and development in the field of dual-use technologies should be strengthened, as too strict a distinction was currently made when funding research. Strengthening that support was the aim of the White Paper on the basis of which the Commission was launching a consultation on three options for stimulating research and innovation in this area.

Ms VESTAGER added that there were different views on the subject and that it was therefore important for the Commission to remain neutral, not to exclude alternatives upfront and to present the pros and cons of each option as objectively as possible in order to allow for an open debate.

Mr DOMBROVSKIS explained that the Commission's economic security strategy emphasised the fundamental need to strike a balance between, on the one hand, opening the EU to trade and foreign investment and, on the other, security imperatives. While the European economy benefited greatly from this openness, the risks to Europe's economic security needed to be minimised. He therefore

considered that EU action should be clearly targeted, proportionate and based on risk assessments carried out in close cooperation with Member States and industry. He added that the economic security strategy provided for measures to be taken under each of the headings related to promotion, protection and partnerships, which were all essential, although that day's measures were primarily focused on the protection aspects.

Mr DOMBROVSKIS then presented the three initiatives in the field of trade policy.

He first addressed the legislative proposal to revise the EU Regulation on the screening of foreign direct investments to enhance its effectiveness. In his view, this represented an adjustment of the rules rather than a radical change. Indeed, over the last three years, the Commission had examined more than 1 200 foreign direct investments under the existing Regulation. Based on this experience, along with an in-depth evaluation and extensive public consultations, the Commission was now proposing to improve the efficiency of the system through the following actions: (i) ensure that all Member States had a screening mechanism and that national rules were better harmonised, (ii) define a minimum sectoral scope for screening of foreign investments by Member States, focusing on the most high-risk transactions, and (iii) extend EU screening to investments by EU investors ultimately owned by third-country individuals or companies.

Mr DOMBROVSKIS then turned to the two other initiatives, presented in the form of White Papers, and stressed the close link between them. Indeed, when the EU controlled the export of certain dual-use goods and technology, care must also be taken not to allow the production of the same goods and technology in authoritarian countries on the basis of investments or transfers of know-how from the EU. He noted that these two initiatives were extremely sensitive for the Member States, as they concerned their own competences in the field of security and, therefore, their national sovereignty. He therefore considered it imperative to work closely with the Member States in these areas, which was the reason for presenting two White Papers.

He explained that the first White Paper launched a process of consultation with Member States and stakeholders on how to identify the risks arising from outgoing investments from the EU for a well-defined set of technologies, with a view to preventing them from ending up in the wrong hands. The EU did not currently have information that could support policy making in this area. Therefore, the Commission wanted to establish a solid evidence base and develop a common risk assessment in close cooperation with the Member States. The EU would then be able to take informed decisions on the necessity and nature of the measures to be adopted.

The second White Paper aimed to stimulate discussion with a view to closer European coordination in the area of export controls on dual-use technologies. Mr DOMBROVSKIS explained that short- and medium-term actions were being considered in full respect of the existing multilateral regimes and the prerogatives of Member States. In the short term, it was proposed, *inter alia*, to introduce uniform controls at EU level for goods that would normally have been agreed upon in multilateral frameworks. This measure came in response to the deadlock in decision-making processes within certain international forums. In the medium term, taking into account the current geopolitical context and the fast-changing technological landscape, it was proposed to bring forward the evaluation of the current EU Dual-Use Regulation to early 2025 instead of 2026-2028 as scheduled originally.

Mr DOMBROVSKIS concluded his presentation by stressing that the initiatives being tabled that day contributed to the gradual but steady process of implementing the EU's economic security strategy.

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

- the importance of the proposed series of measures and the need to address the EU's strategic position in the context of global markets in consultation with Member States and stakeholders;
- the practical solutions that needed to be found for situations where an investor wished to sell a position in a critical sector to a potential buyer who was seen as problematic by the EU;
- the need to strengthen dialogue and reach consensus among Member States in a step-by-step approach, given the direct impact of the measures on the common foreign and security policy.

The PRESIDENT closed the discussion by pointing out that the Commission had pursued a de-risking rather than a decoupling policy since the beginning of its term of office. She reiterated the beneficial aspects of the vast majority of international trade for all parties involved, while acknowledging the risks of it being misused for geopolitical purposes, above all in a context of mounting global polarisation. She therefore stressed the importance of understanding the dynamics in play in order to allow the EU to develop effective tools against the risks identified and to take concrete steps for the future.

Following these presentations, the Commission:

- approved the Communication in COM(2024) 22/2 for transmission to the European Parliament and the Council and, for information, to the European Economic and Social Committee, the Committee of the Regions and the national parliaments;
- adopted the proposal for a Regulation in COM(2024) 23/2 for transmission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions, the European Data Protection Supervisor and the national parliaments, together with the staff working documents distributed as SWD(2024) 23 and SWD(2024) 24;

- approved the White Papers in COM(2024) 25/3, COM(2024) 27/3 and COM(2024) 24/3, for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and, for information, to the national parliaments;
- adopted the proposal for a Council Recommendation in COM(2024) 26/2 for transmission to the Council, and, for information, to the European Parliament, the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

15. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS – BOOSTING START-UPS AND INNOVATION IN TRUSTWORTHY ARTIFICIAL INTELLIGENCE

(COM(2024) 28 TO /4; RCC(2024) 59)

16. PROPOSAL FOR A COUNCIL REGULATION AMENDING REGULATION (EU) 2021/1173 AS REGARDS AN EUROHPC INITIATIVE FOR START-UPS TO BOOST EUROPEAN LEADERSHIP IN TRUSTWORTHY ARTIFICIAL INTELLIGENCE

(COM(2024) 29 AND /2; RCC(2024) 59)

17. COMMISSION DECISION ESTABLISHING THE EUROPEAN ARTIFICIAL INTELLIGENCE OFFICE

(C(2024) 390 TO /3; RCC(2024) 59)

The PRESIDENT expressed great satisfaction with this package of measures aimed at helping European start-ups to benefit from artificial intelligence (AI) in tune with the European Union's values. AI's development hinged on the availability of significant computing power and, therefore, of high-performance computers

(‘supercomputers’). She pointed out that, at the beginning of the Commission’s term of office, none of the top ten world-class supercomputers had been located in the EU, and welcomed the fact that four of them were now on European soil, for the benefit of EU companies.

Ms VESTAGER explained that the proposed package of measures was indeed intended to support European start-ups and small and medium-sized enterprises (SMEs) in the development of trustworthy AI. Moreover, this approach was in line with the objectives of the digital decade policy programme 2030. The PRESIDENT’s recent speech at the World Economic Forum in Davos had emphasised that the EU’s future competitiveness hinged on developing artificial intelligence and that Europe had to lead the way towards using AI responsibly.

The measures tabled followed on from the political agreement reached in December 2023 on the EU’s Artificial Intelligence Act and highlighted the EU’s willingness and capacity to support innovation in AI. In particular, excellence and trust went hand in hand: by providing the legal certainty that AI developers and users needed, the EU’s AI Act would be a catalyst for innovation. However, it was necessary to build a thriving AI ecosystem in Europe alongside EU legislation.

Ms VESTAGER therefore stressed the transformative nature of generative AI, pointing out that more than half of EU enterprises had already integrated this technology into their operations or were considering doing so in the near future in order to increase their efficiency and maintain their global competitiveness. AI could equally bring major breakthroughs for society, for example in areas such as climate change, health, and mobility. However, the vast majority of underlying models of generative AI were being developed today beyond the EU’s borders and were supported in particular by the computing power of large American companies and access to their data.

In this context, Ms VESTAGER welcomed the PRESIDENT’s announcement, in the 2023 State of the Union address, that Europe’s supercomputers and the common

European data spaces would be made available to innovative start-ups and European SMEs to test their AI models. With this in mind, it was proposed to amend the Regulation establishing the European High Performance Computing Joint Undertaking ('EuroHPC JU'), which aimed to create thriving AI factories across the EU.

She also stressed the importance of having data in all European languages so that AI benefited everyone. Two Decisions establishing European Digital Infrastructure Consortia (EDICs) in the field of AI were therefore being adopted in parallel by written procedure. One focused on developing large language models in Europe, and the other dealt with the use of AI to create digital twins of European cities.

Ms VESTAGER ended by referring to the Decision establishing a European AI Office in order to help implement the governance structures agreed by the co-legislators. Like the recent structures created under the Digital Services Act and the Digital Markets Act, the Office would form an integral part of the Commission so as to optimise the use of resources. Specifically, the Decision was very clear about the Office operating in full compliance with the Commission's internal rules and procedures, and not interfering with the existing competences of other EU services, agencies or bodies. Nevertheless, the Office would allow the Commission to ensure the correct application of the EU's AI Act, and would send a strong signal to the G7 partners on the EU's determination to maintain its leading role in developing guardrails on AI's responsible use.

Mr BRETON, for his part, stressed the crucial contribution made by the current Commission to the organisation and regulation of the EU information space. He referred to the five Regulations drawn up by the Commission to bring the new digital internal market to life: the European Data Governance Act (DGA), the Digital Services Act (DSA), the Digital Markets Act (DMA), the Data Act and finally the AI Act.

He welcomed the historic agreement that had been reached by the co-legislators in December 2023 on the AI Act, which he considered to be the cornerstone of efforts to establish guardrails for artificial intelligence, thereby strengthening trust in this technology. In this context, he believed that the package presented that day came just at the right time to counter the unfounded idea that Europe was merely regulating. The proposed measures were indeed intended to boost support for innovation policies and start-ups in the AI sector, by focusing in particular on the development of large generative AI models, which were used in various sectors of industry.

Mr BRETON highlighted in particular the importance of computing power to train large AI models, which represented a major investment for European start-ups. With this in mind, an important amendment to the EuroHPC Regulation was being proposed to enable the purchase and upgrading of AI supercomputers so that European start-ups could access them more easily. He emphasised that supercomputing capacity was one of Europe's key assets and that it was now a question of adapting the supercomputers to train models using graphic cards. The AI models with access to supercomputers would have to comply with EU rules and values. Developers could prove their compliance by signing up to the Commission's AI Pact announced the previous year.

He pointed out that the package also included a Communication setting out the measures to strengthen European capabilities in two key areas: the development of large AI models and the development of industrial applications. AI factories would thus be developed around supercomputers to serve as one-stop shops for AI: in addition to computing power, these AI factories would provide easier centralised access to the data, algorithms and scientific skills needed for AI start-ups. An initiative would also be launched to promote generative AI applications in industrial and public-sector settings.

Mr BRETON then highlighted the launch of European Digital Infrastructure Consortia (EDICs), which would allow multinational projects to be launched and

implemented by Member States under the Digital Europe Programme. These projects, closely linked to AI, would focus on language technologies, to support the development of large language models, and on the CitiVERSE, which was particularly important for the development of digital twins to optimise urban processes, such as transport systems and energy efficiency.

Lastly, with regard to the Commission Decision to establish a European AI Office, he specified that this structure would be housed within the Directorate-General for Communications Networks, Content and Technology (DG CNECT). It would play a key role in implementing EU regulations and would focus specifically on large AI models that had a systemic impact on the European single market. The Office would be set up immediately in order to have all the supervision elements in place before the Regulation started to apply in two years' time.

In conclusion, Mr BRETON stated that this series of measures proposed in addition to the AI Act would strengthen the EU's competitiveness, technological sovereignty and economic security. These measures were vital to help European start-ups and researchers become world leaders in trustworthy AI.

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

- the College's support for this tangible and timely package of measures, which complemented the legislative aspects covered by the Regulation on AI, and showed the EU's ability to support research and innovation;
- the international scope of the EU's work on AI and the EU's many partnerships in this area, not only with the G7 countries but also through support for relevant United Nations initiatives and digital partnerships with various regions of the world;

- the importance of the human element in the development of flourishing AI factories and the need in this respect to develop, retain and attract talent in the EU labour market, including by facilitating legal pathways for migration;
- the changes announced to the human resources policies of major companies that would have to be anticipated in order to protect the European labour market;
- the need for an inclusive approach that left no one behind, and the importance of lifelong training so that everyone could benefit from the opportunities offered by new technologies;
- the interest among citizens in these issues, as seen at the Conference on the Future of Europe and in the citizens' panels on virtual worlds, and the desire to ensure a balance between the benefits and risks of new technologies;
- the risks of potential abuse of the democratic system, and the discussions under way with digital technology companies to safeguard election campaigns, e.g. by identifying and removing deep fakes that could manipulate and mislead voters;
- the importance of protecting freedom of expression and the work of the professional media;
- the observation that the existing bias in the data used to train AI models could lead to new forms of discrimination;
- the internal security questions that would have to be taken more into account in the EU's digital policy, in particular to ensure that law enforcement authorities had access to the same tools as criminals;
- the importance of limiting the vulnerability of paperless systems to cyberattacks, especially in the financial sector;
- the necessary follow-up on the latest scientific developments to enable future generations to deal with major and potentially very rapid changes in society;

- the adoption in parallel of the Commission’s AI internal action plan, which should allow Commission staff to be released from routine tasks to concentrate on those tasks that could not be automated.

In reply to some of the points raised, Mr BRETON stressed the importance of continually adapting to technological developments. This would be made easier in particular by the constant monitoring carried out by experts in bodies such as the AI Office and the AI Board. He recalled that it was foreseen that the AI Regulation could be adapted to technological developments, in particular by raising or lowering the thresholds for triggering various obligations.

Following these presentations, the Commission:

- approved the Communication in COM(2024) 28/4 for transmission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions and, for information, to the national parliaments;
- adopted the proposal for a Council Regulation set out in COM(2024) 29/2 for transmission to the European Parliament, the Council and the European Economic and Social Committee and, for information, to the Committee of the Regions and the national parliaments;
- adopted the Commission Decision in C(2024) 390/3 and decided to publish it, for information, in the *Official Journal of the European Union*;
- empowered Mr BRETON to make a possible change to this Decision, in agreement with the PRESIDENT, in order to ensure the necessary alignment of the exclusively technical and legislative aspects of the text with the Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislative acts (2021/0106 (COD)), once it had been adopted by the co-legislators and published in the *Official Journal of the European Union*.

18. PROPOSAL FOR A DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL AMENDING DIRECTIVE 2009/38/EC AS REGARDS THE ESTABLISHMENT AND FUNCTIONING OF EUROPEAN WORKS COUNCILS AND THE EFFECTIVE ENFORCEMENT OF TRANSNATIONAL INFORMATION AND CONSULTATION RIGHTS (COM(2024) 14 AND /2; SWD(2024) 9; SWD(2024) 10 AND /2; SWD(2024) 11; SEC(2024) 35; RCC(2024) 55)

Mr DOMBROVSKIS began by saying that European Works Councils (EWCs) were information and consultation bodies which ensured that employees were involved in transnational decisions in companies with over 1 000 employees, operating in at least two EU countries. There were currently around one thousand such EWCs, representing more than 16.6 million European workers; around twenty new EWCs were established each year.

The Commission had carried out an evaluation in 2018 which had confirmed that the existing Directive was fit for purpose. However, it had also identified shortcomings in the consultation process and the ability of these EWCs to enforce workers' rights. In 2023, the European Parliament had also adopted a Resolution under Article 225 of the Treaty on the Functioning of the European Union (TFEU) calling on the Commission to strengthen the role and capacity of EWCs. Today's proposal followed the PRESIDENT's commitment to respond to such resolutions of Parliament with a legislative proposal, thus complying with the 'Better Regulation' principles.

Mr DOMBROVSKIS pointed out that certain proposals put forward by the European Parliament's Committee on Employment and Social Affairs (EMPL) and by trade unions had been discarded, in particular those relating to the threat of very heavy fines for undertakings and a very broad definition of transnational issues. Those proposals would have undermined legal certainty, adversely affected

competitiveness and sent out a negative signal regarding social dialogue and business climate.

Mr DOMBROVSKIS ended by saying that this was a balanced proposal which would make tangible improvements to workers' information and consultation rights, preserve the capacity of businesses to take their own decisions, and strengthen their ability to protect business confidentiality.

Mr SCHMIT said that this was a proposal to amend the 2009 Directive on European Works Councils, following a consultation with social partners, and that it constituted another positive step in strengthening social dialogue in Europe and putting the principles of the European Pillar of Social Rights into action. The aim of the proposal was to facilitate the establishment of EWCs, increase the quality of the information and consultation process, ensure that EWCs had the necessary resources and capacity, and improve access to justice and strengthen sanctions.

Recalling in turn the shortcomings identified in the evaluation carried out in 2018 and the own-initiative resolution adopted by the European Parliament on this subject in February 2023, Mr SCHMIT went on to list the main changes made.

First, some exemptions were removed from the Directive which would allow an additional 5.4 million workers in 320 multi-national companies with pre-existing agreements to request the establishment of an EWC.

Second, the proposal clarified the definition of 'transnational' – it would now explicitly include cases where the consequences of the proposed measures could reasonably be expected to affect workers in at least one other Member State.

Third, the information and consultation of EWCs would be rendered more timely and, in some cases, more meaningful. EWC members needed to be consulted and receive a response to their opinion before the company management adopted a decision. By the same token, company management would have to justify restricting the further sharing of information or failure to disclose certain information on

transnational matters on the grounds of confidentiality.

Mr SCHMIT concluded by saying that Member States were also obliged to put in place effective, dissuasive and proportionate sanctions to enforce the Directive. There would be financial penalties if companies did not respect the consultation obligation prior to taking a decision.

Following these presentations, the Commission adopted the proposal for a Regulation in COM(2024) 14/2, 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(2024) 9, SWD(2024) 10/2, SWD(2024) 11 and SEC(2024) 35, the contents of which were noted.

19. OTHER BUSINESS

19.1. COMMISSION IMPLEMENTING DECISION ON THE REQUEST FOR REGISTRATION, PURSUANT TO REGULATION (EU) 2019/788 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, OF THE EUROPEAN CITIZENS' INITIATIVE ENTITLED 'BAN ON CONVERSION PRACTICES IN THE EUROPEAN UNION' (C(2024) 344)

19.2. COMMISSION IMPLEMENTING DECISION ON THE REQUEST FOR REGISTRATION, PURSUANT TO REGULATION (EU) 2019/788 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, OF THE EUROPEAN CITIZENS' INITIATIVE ENTITLED 'EUROPEAN CITIZENS' INITIATIVE IN DEFENCE OF AGRICULTURE AND RURAL ECONOMY IN EUROPE' (C(2024) 489)

Ms JOUROVÁ presented to the College two new European Citizens' Initiatives for registration by the Commission.

The first initiative entitled, in the authentic language (English), 'Ban on conversion practices in the European Union', called for a ban on interventions aimed at changing, repressing or suppressing the sexual orientation, gender identity and/or gender expression of LGBTIQ+ citizens, and for minimum standards for the rights, support and protection of victims of conversion practices.

The second initiative, entitled in the authentic language (Spanish), '*Iniciativa Ciudadana Europea en Defensa de la Agricultura y la Economía Rural en Europa*' ('European Citizens' Initiative in defence of agriculture and rural economy in Europe'), called for the protection of European agriculture and the rural economy through a regulatory framework based on several elements including priority use of agricultural land for food production, guaranteeing food sovereignty and addressing food chain issues and high prices.

Noting that the two requests for action did not manifestly fall outside the powers conferred on the Commission, Ms JOUROVÁ proposed that they should be registered. The organisers could then start collecting the necessary signatures, namely at least one million in seven Member States. Only after the organisers had obtained that number of signatures would the Commission examine the substance of the requests for action.

Following this presentation, the Commission:

- confirmed that the citizens' initiative entitled 'Ban on conversion practices in the European Union' fulfilled the necessary conditions for registration. It therefore decided, in accordance with C(2024) 344, to inform the group of organisers and authorised Ms JOUROVÁ to sign the reply on behalf of the College, in the authentic language (English), to send it to the group of organisers of the initiative, and to publish it, for information, in the

Official Journal of the European Union;

- confirmed that the initiative entitled ‘European Citizen’s Initiative in defence of agriculture and rural economy in Europe’ fulfilled the necessary conditions for registration. It therefore decided, in accordance with C(2024) 489, to inform the group of organisers and authorised Ms JOUROVÁ to sign the reply on behalf of the College, in the authentic language (Spanish), to send it to the group of organisers of the initiative, and to publish it, for information, in the *Official Journal of the European Union*;
- agreed to transmit these decisions, for information, to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the national parliaments.

19.3. STRATEGIC DIALOGUE ON THE FUTURE OF THE COMMON AGRICULTURAL POLICY

The PRESIDENT indicated that, as announced in her last State of the Union address, a strategic dialogue on the future of European agriculture would be launched on Thursday 25 January in Brussels. This strategic dialogue would bring together a range of stakeholders, including farmers, researchers, representatives of food-chain trade unions and non-governmental organisations, who would participate *ad personam* and independently.

She considered that discussions should focus on ensuring opportunities for European farmers and meeting various obligations to protect biodiversity, with a view to encouraging policies to promote sustainable agriculture that were constructive without being prescriptive.

This dialogue would be prepared by small working groups that would listen to everyone, so that different scenarios could emerge regarding the future of European agriculture. The results of this strategic dialogue would be available

at the end of 2024 and would greatly influence the next Commission's work programme and guidelines.

During the discussion which followed, the Commission raised the following points:

- the need to listen to farmers, since they were the real architects of the future of European agriculture in the face of the many challenges it would have to overcome;
- the usefulness of a genuine dialogue with all stakeholders, including small and medium-sized farmers as well as large trade unions and other organisations, in order to strike a balance between the competitiveness of the sector, its sustainability and nature conservation;
- a reminder of discussions at the Agriculture and Fisheries Council on Tuesday 23 January, during which the presentation by Mr ŠEFČOVIČ and Mr WOJCIECHOWSKI on the future strategic dialogue had been very well received by the ministers present;
- the desirability of including sectoral representatives of agriculture in the strategic dialogue, for example as regards dairy farmers;
- the case for potentially amending the basic act concerning ‘good agricultural and environmental condition’ relating to fallow land (GAEC 8), in order to use that land for interim crops;
- the suggestion that technological deadlock should be overcome and, where appropriate, the opportunities offered by artificial intelligence should be used for the administrative aspects of farming.

The PRESIDENT concluded by highlighting the very positive experience of the strategic dialogue on clean technologies, and pointing out that it would be necessary to draw inspiration from it to draw up guidelines on which the

agricultural sector would be called upon to intervene.

The Commission took note of this information.

19.4. LATEST DEVELOPMENTS IN EXTERNAL RELATIONS

Mr BORRELL reported to the College on the main results of the Foreign Affairs Council held on 22 January, in particular as regards Russia's invasion of Ukraine and the conflict in the Middle East, as well as the latest external relations developments.

On the situation in Ukraine, he said that the Foreign Minister of Ukraine, Mr Dmytro Kuleba, had briefed the Council via video conference on the latest developments as regards hostilities on the ground. Russia had intensified missile and drone attacks on civilian targets in Ukraine, and was more of a threat to Europe than ever.

In this context, Mr BORRELL stressed that it was important that the EU increase its support for Ukraine, by providing greater and more predictable assistance. He also called for the ongoing work on security commitments to continue, and for momentum to be maintained as regards discussions in support of the peace formula at international level. He hoped that this would allow agreement to be reached on a EUR 5 billion top-up of the European Peace Facility, enabling the EU to respond to Ukraine's most urgent needs.

As regards immobilised Russian assets, he had agreed with foreign ministers to finalise work on the basis of the proposal presented by the Commission in December 2023 on the use of revenues from those assets.

Mr BORRELL then explained that, as regards the situation in the Middle East, the Council had held separate discussions with the foreign ministers of Israel, Palestine and the EU's Arab partners. The Council had agreed to work on the organisation of a preparatory peace conference in order to establish a comprehensive regional peace plan. The Foreign Affairs

Council had also stressed that the situation in Gaza remained catastrophic, with a growing number of civilian deaths, a risk of famine and a serious lack of humanitarian deliveries and access.

Mr BORRELL then addressed the security situation in the Red Sea. He explained that the Foreign Affairs Council had agreed in principle to establish an EU maritime security operation and, in this context, had examined the various options envisaged for the implementation of this mission, which would require a unanimous decision by the Member States.

Finally, he referred to his visit to Guatemala for the inauguration ceremony of the newly elected Social Democratic President Bernardo Arevalo on 15 January.

In the course of the discussion that followed, the Commission raised the issue of the progress made as regards the Act in Support of Ammunition Production, and the need to consider assistance to Ukraine in the longer term and to make a precise assessment of its needs in the coming years.

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 11.51.