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From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 1)/Council
Subject: Draft Council Conclusions on Special Report No 28/2016 "Dealing with serious cross-border threats to health in the EU: important steps taken but more needs to be done"

1. On 10 January 2017, the Permanent Representatives Committee instructed¹ the Working Party on Public Health to examine the European Court of Auditors' Special Report No 28/2016² entitled 'Dealing with serious cross-border threats to health in the EU: important steps taken but more needs to be done'.
2. The Working Party examined the report at its meeting on 16 February 2017 and agreed on the attached draft Council conclusions by written procedure³.
3. The Permanent Representatives Committee is therefore invited to approve these draft Council conclusions and to submit them to the Council for adoption.

¹ 15772/16 FIN 895 PHARM 69 PROCIV 90.

² OJ C 459, 9.12.2016, p. 15.

³ WK 2613/2017 and WK 2946/2017.

**Draft Council conclusions on the European Court of Auditors' Special Report No 28/2016:
"Dealing with serious cross-border threats to health in the EU:
important steps taken but more needs to be done"**

THE COUNCIL OF THE EUROPEAN UNION:

1. WELCOMES the Special Report of the European Court of Auditors No 28/2016: "Dealing with serious cross-border threats to health in the EU: important steps taken but more needs to be done".
2. RECALLS that Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC⁴ lays down rules on epidemiological surveillance, monitoring, early warning of, and combating serious cross-border threats to health, including preparedness and response planning related to those activities, in order to coordinate and complement national policies and aims to support cooperation and coordination between the Member States in order to improve the prevention and control of the spread of severe human diseases across the borders of the Member States, and to combat other serious cross-border threats to health in order to contribute to a high level of public health protection in the Union. It also clarifies the methods of cooperation and coordination between the various actors at Union level and establishes the Health Security Committee ('HSC').
3. Further RECALLS that, while the scope of Decision No 2119/98/EC⁵ covered communicable diseases, the scope of Decision No 1082/2013/EU is extended to also cover threats of biological, chemical, environmental and unknown origin, and STRESSES that preparedness and response planning is an essential element for effective monitoring, early warning of and combating such threats.

⁴ OJ L 293, 5.11.2013, p. 1.

⁵ OJ L 268, 3.10.1998, p. 1.

4. UNDERLINES that the Member States have the main responsibility for health policy and that EU action in this area should be designed to complement and support Member States' activities.
5. RECOGNISES the complexity of implementing Decision No 1082/2013/EU in view of the competences of the EU and the Member States, the multitude of actors and complex structures in place within Member States and in the international context, and the fact that serious threats keep emerging.
6. TAKES NOTE of the main findings of the Court presented in the Special Report and of its recommendations, which concern, in particular, the need to speed up the development and implementation of the new elements introduced by Decision No 1082/2013/EU, and to tackle the operational and strategic challenges facing the HSC in the coordination of the response to serious cross-border threats to health in liaison with the Commission, and to further upgrade the Early Warning and Response System ('EWRS').
7. WELCOMES the Commission's reply to the findings of the Court and the initiatives already taken to implement those recommendations and, in particular, the Commission's intention to work closely with the Member States on the development of a strategic HSC roadmap towards a more effective coordination of preparedness and response to serious cross-border threats to health, and on the modernisation of the EWRS in close cooperation with the European Centre for Disease Prevention and Control ('ECDC'). The modernisation of the EWRS should *inter alia* aim to ensure that the EWRS and other rapid alert and information systems at Union level are linked to each other in order to avoid, as far as possible, structural duplication of alert notifications by the competent authorities of the Member States.

8. ENCOURAGES the Commission and the Member States to continue to work closely together, notably within the HSC, towards the full implementation of Decision No 1082/2013/EU, thereby taking into account related international initiatives and seeking to further clarify and develop:
- the roles of the HSC working groups, in order to ensure that their work is well structured around technical issues and serves as an input to the HSC, and
 - the role of the ECDC.
9. INVITES the Commission to report regularly to the Council on progress in the implementation of Decision 1082/2013/EU.
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