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COVER NOTE

From: Presidency
To: Delegations

Subject: Legislative programming
– Letter from the Presidency to the Commission

Delegations will find attached a letter on legislative programming from the Presidency to the European Commission as follow-up to the exchange of views held at the Council (General Affairs) meeting of 20 September 2022.



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GAC 20 September 2022

Follow-up letter on Legislative programming

Dear President von der Leyen,

Dear Vice-President Šefčovič,

On behalf of the Council, I wish to thank you for the Letter of Intent of 14 September which, together with the Annual Foresight Report, charts the main legislative priorities envisaged by the Commission for 2023 and launches the annual legislative programming process.

We all agree that the EU is facing an unprecedented multiplicity of crises — from geopolitics, energy, economic with the continuously rising cost of living, to climate — which require a decisive and innovative set of solutions. After the coronavirus pandemic, the return of war to Europe with Russia's unprovoked and unjustified aggression against Ukraine represents a significant political, security, economic and humanitarian challenge as well as a further test of the EU's solidarity and capacity to act. A unified and resolute approach to dealing with the war and its consequences as well as the impacts of other crises on European citizens and the economy whilst defending the values on which the EU is founded will be crucial in 2023 and beyond.

As you clearly stated in the Letter of Intent, the success of the EU's response to the challenges of today and tomorrow lies in its solidarity and unity. On behalf of the Presidency, I assure you of our firm determination to advance on this path and make progress on current and upcoming legislative proposals.

At its meeting of 20 September, the Council held an exchange of views on the legislative outlook as presented by the Commission in its Letter of Intent and the 2022 Strategic Foresight Report.



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Ministers appreciated the Commission's analysis and input, including the link between the Conference on the Future of Europe and the legislative programming exercise in a number of policy areas. Whilst the individual positions and priorities expressed by Member States certainly varied, Ministers were generally in agreement with the broad issues that were identified as requiring the Union's primary attention for the year to come. The following paragraphs outline the general views emerging from our discussion.

General considerations

Ministers commended the Commission's work on Strategic Foresight as a key tool for decision-makers and the focus of the 2022 Report — the synergies and tensions between the green and digital transitions.

In the context of geopolitical uncertainty and vulnerability of global supply chains, the Commission's emphasis on strategic autonomy and addressing dependencies on authoritarian regimes in critical areas was welcomed by Ministers, with particular focus on the energy crisis and the need for rapid European solutions to shield European households and businesses. Delegations also appreciated the Commission's ambitions to defend democracy in particular in the face of hybrid threats and to enhance corruption eradication. We need to increase capacity to protect our values in particular against foreign interference and strengthen EU's defence and security capabilities.

Support to Ukraine

Delegations welcomed the Commission's commitment to supporting Ukraine and underlined the need for further assistance. Such support should be multidimensional, including financial and military aid as well as continuous assistance to both internally displaced persons (IDPs) within Ukraine and refugees temporarily residing in neighbour countries and EU Member States. Several Ministers also underlined the importance of Ukraine's integration into the Single Market and the free roaming area. Besides, the EU should be prepared to take a leading role in Ukraine's post-war reconstruction.



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Energy

In their interventions, Ministers repeatedly highlighted the urgency of the energy crisis and the need for an effective response from the EU. The announced revision of the electricity market rules was generally welcomed, as was the proposal to decouple gas and electricity prices. Ministers expressed their expectations of a swift preparation of concrete proposals from the Commission to effectively tackle energy prices and improve functioning of energy markets. In several interventions, they stressed the importance of interconnectivity of the EU's energy sector, supported ending the EU's dependency on Russian fossil fuels and called for investments into renewable energy and greater diversification of energy sources in order to develop decarbonised energy mixes.

Single Market and the economy

The enhancement of the Single Market represented one of the main subjects of the ministerial discussion. At the occasion of the Single Market's 30th anniversary in 2023, some delegations called for its further deepening through the removal of barriers, especially in the services sector, to harness its full power in times of economic slowdown. Several ministers highlighted the importance of competitiveness for securing economic growth and providing employment opportunities for European citizens, especially when youth is concerned. Some delegations called for a revision of the EU competition framework and state aid rules. Ministers welcomed the Commission's decision to support SMEs through a relief package, as well as plans to revise the EU's economic governance framework. Furthermore, addressing skills and the proposal to name 2023 as the European Year of Skills were supported.

Green and digital transitions, strengthening supply chains

Ministers appreciated the long-term outlook presented in the 2022 Strategic Foresight Report with regard to securing access to critical raw materials and rare earths, and welcomed Commission's plan to put forward the Critical Raw Materials Act. Lowering the EU's dependency on unreliable states and increasing the supply chains resilience is crucial for the development of European industries



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and the EU's ability to deliver on its commitments under the green and digital transitions, in particular its climate objectives. Furthermore, several delegations mentioned diversification and stress tests of supply chains, also mentioned in relation to food security.

Most Ministers underlined the importance of the twin transition in the new geopolitical context. Delegations called for further work on the enhancement of the EU's digital infrastructure and resilience. With increased securitisation of technology policy, the EU should enhance its cybersecurity and resilience to hybrid threats.

Enlargement, international trade and the EU's global role

With respect to enlargement, several delegations supported the commitment to the European perspective of Ukraine, Republic of Moldova and Georgia, alongside the Western Balkans. Ministers stressed the need for credibility in enlargement negotiations and securing concrete outcomes during the process, in accordance with the new methodology.

On trade, Ministers welcomed the Commission's plans to strengthen the EU's cooperation with like-minded partners and avoid the creation of new dependencies in trade relations, with the ambition to enhance the EU's global standing in an increasingly multipolar world.

Many delegations highlighted the need to strengthen EU's diplomatic outreach towards third countries, to fight against the rising influence of authoritative regimes and especially the false Russian narrative regarding its aggression against Ukraine. The need to update the human rights sanctions regime was also mentioned in this context. Several Ministers also stressed that the EU should continue bolstering its green and digital diplomacy including the cooperation with like-minded partners on international standards.

Mental health and social policy

The Commission's initiative on a comprehensive approach to mental health was appreciated by many delegations, particularly as one of the key demands coming



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from citizens in the context of the Conference on the Future of Europe. Demography as a key aspect of the EU's future and resilience, and the need to reflect this in the EU's long-term vision, were also highlighted by some Ministers. Some Ministers made a call for the full implementation of the European pillar of social rights.

The views summarised in this letter represent the initial reaction from the side the Council at this stage of the process and I hope they can feed into the Commission's preparation of its Work Programme 2023.

I look forward to further discussions with the Commission and the European Parliament in the next steps of the legislative programming exercise, in accordance with the Interinstitutional Agreement on Better Law-Making.

Yours sincerely,

Mikuláš Bek

Minister for European Affairs

Czech Republic