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DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Employment, Social Policy, Health and Consumer Affairs)
13 and 14 March 2023

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MEETING ON MONDAY 13 MARCH 2023

1. Adoption of the agenda

The Council adopted the agenda set out in 7050/23.

2. Approval of "A" items

Non-legislative list

7169/23

The Council adopted all "A" items listed in document 7169/23, including all linguistic COR and REV documents presented for adoption.

EMPLOYMENT AND SOCIAL POLICY

Non-legislative activities

3. **European Semester 2023**

 6683/23

Exchange of views

The Council held an exchange of views on the European Semester, guided by a Presidency note in 6683/23.

a) **Joint Employment Report**

6059/23

Adoption

The Council adopted the Joint Employment Report as set out in 6059/23.

b) **Conclusions on the 2023 Annual Sustainable Growth Survey (ASGS) and Joint Employment Report (JER)**

6681/23

Approval

The Council approved the Council Conclusions on the 2023 Annual Sustainable Growth Survey and the Joint Employment Report as set out in 6681/23.

4. **One year into the Russian war of aggression against Ukraine: The employment and social situation in the EU, with a focus on the labour market situation of temporarily displaced persons from Ukraine¹**

 6686/2/23 REV 2

Exchange of views

The Council held an exchange of views on the employment and social situation in the EU, with a focus on the labour market situation of temporarily displaced persons from Ukraine, guided by a Presidency note in 6686/2/23 REV 2.


5. **Council Decision authorising Member States to ratify the 2019 ILO Convention on Violence and Harassment (No. 190)**

 6685/23

Exchange of views

¹ In the presence of the Special Advisor of Commissioner Schmit on Ukraine, the Minister of Social Policy of Ukraine and the Deputy Minister for European Integration in Ukraine.


Any other business

6. a) **Employment Committee (EMCO) and Social Protection Committee (SPC) Work Programmes 2023**  6674/23
Information from the respective Chairs 6687/23

The Council was informed of the 2023 Work Programme of both the Employment and the Social Protection Committees, as set out in 6674/23 and 6687/23.

- b) **Presentation of recommendations stemming from the mission of Special Advisor Asscher on Ukraine²**  6841/23
Information from the Commission

The Council was informed on the recommendations stemming from the mission of Special Advisor Asscher in Ukraine, based on 6841/23.

- c) **Current legislative proposals** 
(public deliberation in accordance with Article 16(8) of the Treaty on European Union)


- i) **Decision on a European Year of Skills 2023 - planned activities and work with stakeholders** 13365/22 + COR 1
Information from the Commission

The Council took note of the information provided by the Commission on the planned activities and work with stakeholders in the context of the European Year of Skills.

- ii) **Directive amending Directives 98/24/EC and 2004/37/EC as regards the limit values for lead and its inorganic compounds and diisocyanates** 6417/23 + ADD 1
Presentation by the Commission

The Council took note of the information provided by the Commission on the proposal for Directive amending the existing limit values for lead and its inorganic compounds and diisocyanates, as set out in 6417/23 + ADD 1.

² Information was provided by the Special Advisor of Commissioner Schmit on Ukraine. In the presence of the Minister of Social Policy of Ukraine and the Deputy Minister for European Integration in Ukraine.

- d) **Report from the Commission to the Council on the implementation of the Council Recommendation on access to social protection for workers and the self-employed**  5980/23

Information from the Commission

The Council was informed by the Commission on its Report on the implementation of the Council Recommendation on access to social protection for works and the self-employed, on the basis of 5980/23.

- e) **Report by the High-level group on the future of social protection and of the welfare state in the EU**  6816/23

Information from the Commission

The Council was informed on the Report by the High-level group on the future of social protection and of the welfare state in the EU on the basis of 6816/23.

- f) **Porto Social Forum (Porto, 25-27 May 2023)**  6912/23

Information from the Portuguese delegation

The Council took note of the information provided by the Portuguese delegation on the Porto Social Forum, on the basis of 6912/23.

- g) **Tripartite Social Summit (Brussels, 22 March)**  6786/23

Information from the Presidency and the Commission

The Council was informed by the Presidency and by the Commission of the Tripartite Social Summit that will take place on 22 March 2023, on the basis of 6786/23.

MEETING ON TUESDAY 14 MARCH 2023

HEALTH

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

7. **Regulation on fees and charges payable to EMA**   6089/23
Policy debate

The Council held a policy debate on the Regulation on fees and charges payable to EMA and agreed on the way forward suggested by the Presidency in its steering note. The Council also took note of comments by some delegations.

Non-legislative activities

8. **European Union Global Health strategy³**  6090/23
Exchange of views

The Council had an exchange of views on the European Union Global Health strategy. Statement by the Bulgarian, Polish, Lithuanian and Hungarian delegations is annexed to these Council minutes.

Any other business

9. a) **Implementation of the Medical Device Regulations**  6484/23
Information from the Commission

The Council took note of the information provided by the Commission on the implementation of the Medical Device Regulations, as well as of comments by several delegations.

³ In the presence of the Director of the ECDC.

b) Negotiations for an international agreement on pandemic prevention, preparedness and response, as well as complementary amendments to the International Health Regulations (2005)

 6405/23

Information from the Presidency and the Commission

The Council took note of the information from the Presidency and the Commission on the negotiations for an international agreement on pandemic prevention, preparedness and response, as well as complementary amendments to the International Health Regulations (2005).

c) Coordination and collaboration on post COVID-19 condition (Long Covid)

 6586/23

Information from the Netherlands delegation

The Council took note of the information from the delegation of the Netherlands on coordination and collaboration on Long Covid as set out in 6586/23 and of interventions by several delegations and the Commission.

d) Shortages of medicines in the EU market⁴

 6672/1/23 REV 1

Information from the Czech delegation, supported by the Austrian, Cyprus, Greek, Hungarian, Italian, Lithuanian, Maltese, Netherlands, Portuguese and Slovenian delegations

The Council took note of the information from the Czech delegation, supported by the Austrian, Cyprus, Greek, Hungarian, Italian, Lithuanian, Maltese, Netherlands, Portuguese, and Slovenian delegations, on the shortages of medicines in the EU market and of interventions by several delegations and of the reaction by the Commission and the European Medicines Agency.

⁴ In the presence of the Executive Director of EMA.

Statements to the legislative "B" items set out in 7050/22

Ad "B" item 8:

European Union Global Health Strategy

Exchange of views

STATEMENT BY BULGARIA, POLAND, LITHUANIA AND HUNGARY concerning the procurement of medical countermeasures at European level, as well as in the context of the Global Health Strategy, taking into account the experience on COVID-19 vaccines Agreement with Pfizer Inc. and BioNTech Manufacturing GmbH, including the proposed fifth amendment

“In relation to the procurement of medical countermeasures at European level, as well as in the context of the Global Health Strategy, we, the undersigned Ministers of Health, highlight the need to respect the needs, specifics, and budgetary capacities of all Member States.

In that context we express our deep concern with regard to the suggested proposals contained in the proposed fifth Amendment to the Pfizer vaccine agreement. In our opinion these proposals do not present a final and fair solution to the problems of COVID-19 vaccine surplus and do not meet the needs of the healthcare systems, the needs of citizens and the financial interests of the Member States.

We are aware of the fact that there are Member States willing to take all planned doses and we fully respect the needs and interests of countries wishing to accede to the proposed fifth Amendment. Our opposition to accession is not meant to adversely affect these countries.

At the same time, we appeal to the European Commission and Pfizer to prepare solutions that will provide a real response to national health needs and will be beneficial for national healthcare systems of all Member States. No one should be left behind.

The upcoming amendment should reflect the public and financial interest of all Member States. The Commission should seek for opportunities to further negotiate with Pfizer, in particular on non-delivery payments, reducing the number of contracted doses, or to take the initiative itself and buy surplus vaccines from Member States to donate to regions in need.

We call on the Commission, when acting on our behalf, to negotiate a new, fairer deal, in public interest. This requires a significant reduction in the number of doses, based on the quantities needed by the Member States. We do not agree to supplies that exceed the needs of the Member States and the Member States do not want, especially in the absence of regulatory clarity regarding continued use of further boosters. Furthermore, we underline that the proposed “flexibility fee” is a disproportionate financial burden and poses legal issues.

We call on Pfizer to maintain confidence in the vaccination process, to assume its responsibility towards EU citizens and Member States, and act in good faith towards a solution, fair to all: in the name of the common good, not only business interest.

Public health is our overriding interest, in the name of which we should all act: Member States, European Commission and Pfizer. This should be taken into account both at EU and at global level.”



First reading



Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)



Item based on a Commission proposal
