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I

(Legislative acts)

REGULATIONS

REGULATION (EU) 2022/562 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 6 April 2022

amending Regulations (EU) No 1303/2013 and (EU) No 223/2014 as regards Cohesion's Action for Refugees in Europe (CARE)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 175, third paragraph, and Article 177 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) The recent military aggression by the Russian Federation against Ukraine and the ongoing armed conflict has fundamentally changed the security situation in Europe. As a result of that military aggression, the Union, and its eastern regions in particular, is facing a substantial inflow of persons. This poses an additional challenge at a time when Member States' economies are still recovering from the impact of the COVID-19 pandemic.
- (2) Member States are already able to finance a broad range of investments under their cohesion policy programmes to address migration challenges under the European Regional Development Fund (ERDF) and the European Social Fund (ESF), including under the additional resources made available as Recovery Assistance for Cohesion and the Territories of Europe (REACT-EU) to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy. Actions can cover investments in the areas of social inclusion, health, education, employment, housing and childcare, including through investments in infrastructure, regeneration of deprived urban areas, actions to reduce spatial and educational isolation of migrants, and business start-ups. Member States may redirect remaining resources within their programmes to address such migration challenges. In addition, the Fund for European Aid to the Most Deprived (FEAD) can be used to provide food and basic material assistance to persons, including third-country nationals, affected by the Russian Federation's military aggression.

⁽¹⁾ Opinion of 23 March 2022 (not yet published in the Official Journal).

⁽²⁾ Position of the European Parliament of 24 March 2022 (not yet published in the Official Journal) and decision of the Council of 4 April 2022.

- (3) While the additional resources made available under REACT-EU already benefit from a number of flexibilities in their implementation arrangements, it is necessary to make the use of ERDF, ESF and FEAD resources from the 2014-2020 multiannual financial framework more flexible. Taking into account the urgency to address the migratory challenges as a result of the military aggression by the Russian Federation against Ukraine, expenditure for operations addressing those challenges should be eligible from the date on which that military aggression started. Furthermore, flexibility as to how the ERDF and the ESF can be used should be increased for such operations so that available funding in programmes can be used quickly, provided that the operation concerned is in line with the operational programme as amended where necessary. That flexibility should be additional to the possibilities for the complementary financing of operations already provided for. Simplified reporting arrangements regarding the data on participants in those operations should also be introduced.
- (4) In order to ensure that affected persons may benefit from assistance under the FEAD without delay, it is appropriate to allow Member States to amend certain elements of operational programmes supported by the FEAD without requiring the adoption of a Commission decision.
- (5) The support provided under cohesion policy should be complementary, in particular to actions financed under the Asylum, Migration and Integration Fund, to maximise the impact of available funding.
- (6) Member States have been affected by the consequences of the COVID-19 pandemic in an unprecedented manner. The overall impact of that pandemic has been to put very high pressure on the budgets of Member States due to the sudden and significant increase in public investments needed in their healthcare systems and other sectors of their economies. It also risked disrupting the support provided to the most deprived. This has created an exceptional situation which needed to be addressed by specific measures.
- (7) In order to respond to the impact of the COVID-19 outbreak, Regulations (EU) No 1301/2013 ⁽³⁾ and (EU) No 1303/2013 ⁽⁴⁾ of the European Parliament and of the Council were amended by Regulation (EU) 2020/460 of the European Parliament and of the Council ⁽⁵⁾ to allow more flexibility in the implementation of programmes supported by the ERDF, the ESF and the Cohesion Fund (the 'Funds') and by the European Maritime and Fisheries Fund. However, as the serious negative effects of that crisis on Union economies and societies worsened, both Regulations were amended again, by Regulation (EU) 2020/558 of the European Parliament and of the Council ⁽⁶⁾.

In addition, in order to respond to the impact of the COVID-19 crisis on the most deprived, Regulation (EU) No 223/2014 of the European Parliament and of the Council ⁽⁷⁾ was amended by Regulation (EU) 2020/559 of the European Parliament and of the Council ⁽⁸⁾ to introduce specific measures for the FEAD to address the outbreak of COVID-19. Those amendments have provided exceptional additional flexibility to enable the Member States to concentrate on the necessary response to the unprecedented crisis by enhancing the possibility to mobilise non-

⁽³⁾ Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 (OJ L 347, 20.12.2013, p. 289).

⁽⁴⁾ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁽⁵⁾ Regulation (EU) 2020/460 of the European Parliament and of the Council of 30 March 2020 amending Regulations (EU) No 1301/2013, (EU) No 1303/2013 and (EU) No 508/2014 as regards specific measures to mobilise investments in the healthcare systems of Member States and in other sectors of their economies in response to the COVID-19 outbreak (Coronavirus Response Investment Initiative) (OJ L 99, 31.3.2020, p. 5).

⁽⁶⁾ Regulation (EU) 2020/558 of the European Parliament and of the Council of 23 April 2020 amending Regulations (EU) No 1301/2013 and (EU) No 1303/2013 as regards specific measures to provide exceptional flexibility for the use of the European Structural and Investments Funds in response to the COVID-19 outbreak (OJ L 130, 24.4.2020, p. 1).

⁽⁷⁾ Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the Most Deprived (OJ L 72, 12.3.2014, p. 1).

⁽⁸⁾ Regulation (EU) 2020/559 of the European Parliament and of the Council of 23 April 2020 amending Regulation (EU) No 223/2014 as regards the introduction of specific measures for addressing the outbreak of COVID-19 (OJ L 130, 24.4.2020, p. 7).

utilised support from the Funds and by simplifying procedural requirements linked to programme implementation to address the need for a rapid response to that crisis. A subsequent amendment of Regulation (EU) No 1303/2013, introduced by Regulation (EU) 2020/2221 of the European Parliament and of the Council ⁽⁹⁾, made available substantial additional resources as REACT-EU to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy.

As part of the same package, Regulation (EU) No 223/2014 was also amended by Regulation (EU) 2021/177 of the European Parliament and of the Council ⁽¹⁰⁾, in order to allow the mobilisation of those additional resources by Member States to the most deprived in the context of the implementation of the FEAD.

- (8) While the flexibilities and additional resources provided for in respect of the 2014-2020 programming period have helped Member States in their crisis response and recovery efforts, the emergence of new coronavirus variants, in particular the Omicron variant, as well as the widespread tightening of restrictions in the last quarter of 2021 continued to have serious negative effects on Member States' economies and societies and hampered a normal implementation of cohesion policy programmes and of programmes supported by the FEAD. The recent military aggression by the Russian Federation and the resulting migratory flows have exacerbated those effects and risk further undermining the recovery of the Union's economy. In line with the possibility provided for in Regulation (EU) 2020/558, it is therefore necessary to provide for an exceptional extension of one of the measures introduced by that Regulation, namely the option of the application of a co-financing rate of 100 % for the accounting year 2020/2021 to the following accounting year.
- (9) With a view to alleviating the burden on public budgets that is arising from the need to respond to the crisis situation, accelerating programme implementation and enabling needed investments for the recovery of regions, Member States should therefore be given the exceptional possibility to apply a co-financing rate of 100 % in a programme supported by the ERDF, the ESF, the Cohesion Fund or the FEAD also for the accounting year 2021/2022.
- (10) In order to comply with the multiannual financial framework payment ceilings for 2022 and 2023, a ceiling should be established for those years for payments resulting from the application of the 100 % co-financing rate under the ERDF, the Cohesion Fund or the ESF. Payments that cannot be made as a result of the application of those ceilings should be paid by the Commission at the earliest opportunity subject to the availability of funding, either with the acceptance of the accounts or through subsequent payments. Such deferred payments should not affect the acceptance of accounts or bear any other effect.
- (11) Taking into account that the application of the 100 % co-financing rate will not substantially affect the content of the operational programmes themselves, it is appropriate to allow its rapid implementation without the need for a Commission decision approving the Member States' amendment to the financial tables of the operational programme. The Member State should nevertheless notify the revised financial tables prior to the submission of the final payment application for the accounting year. Potential consequential amendments, including to the values of indicators, can be made as part of a subsequent programme amendment after the end of the accounting year.
- (12) Since the objective of this Regulation, namely to introduce flexibility measures in the field of providing support from the Funds, cannot be sufficiently achieved by the Member States alone but can rather, by reason of the scale and effects of the proposed action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union (TEU). In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary to achieve that objective.

⁽⁹⁾ Regulation (EU) 2020/2221 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU) No 1303/2013 as regards additional resources and implementing arrangements to provide assistance for fostering crisis repair in the context of the COVID-19 pandemic and its social consequences and for preparing a green, digital and resilient recovery of the economy (REACT-EU) (OJ L 437, 28.12.2020, p. 30).

⁽¹⁰⁾ Regulation (EU) 2021/177 of the European Parliament and of the Council of 10 February 2021 amending Regulation (EU) No 223/2014 as regards the introduction of specific measures for addressing the crisis associated with the outbreak of COVID-19 (OJ L 53, 16.2.2021, p. 1).

- (13) Regulations (EU) No 1303/2013 and (EU) No 223/2014 should therefore be amended accordingly.
- (14) In view of the urgency to address the migratory challenges as a result of the recent military aggression by the Russian Federation and the continued public health crisis stemming from the COVID-19 pandemic, it is considered appropriate to provide for an exception to the eight-week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the TEU, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.
- (15) In view of the need to allow Member States to amend their programmes in time to benefit from the application of the 100 % co-financing rate for the accounting year 2021/2022, this Regulation should enter into force as a matter of urgency on the day following that of its publication in the *Official Journal of the European Union*,

HAVE ADOPTED THIS REGULATION:

Article 1

Amendment to Regulation (EU) No 1303/2013

Regulation (EU) No 1303/2013 is amended as follows:

- (1) in Article 25a, the following paragraph is inserted:

'1a. By way of derogation from Article 60(1) and the first and fourth subparagraphs of Article 120(3), a co-financing rate of 100 % may be applied to expenditure declared in payment applications for the accounting year starting 1 July 2021 and ending 30 June 2022 for one or more priority axes in a programme supported by the ERDF, the ESF or the Cohesion Fund.

By way of derogation from Article 30(1) and (2) and Article 96(10), the application of the co-financing rate of 100 % shall not require a Commission decision approving a programme amendment. The Member State shall notify the revised financial tables to the Commission following approval by the monitoring committee. The co-financing rate of 100 % shall apply only if the financial tables are notified to the Commission before the submission of the final application for an interim payment for the accounting year starting 1 July 2021 and ending 30 June 2022 in accordance with Article 135(2).

The total additional payments resulting from the application of the 100 % co-financing rate shall not exceed EUR 5 000 000 000 in 2022 and EUR 1 000 000 000 in 2023.

The Commission shall make interim payments by applying the co-financing rate applicable to the priority axes concerned before the notification referred to in the second subparagraph. By way of derogation from Article 135(5), the Commission shall pay the additional amounts resulting from the application of the 100 % co-financing rate following receipt of all final applications for interim payment for the accounting year 2021/2022, where necessary on a pro-rata basis to respect the ceilings set out in the third subparagraph.

By way of derogation from Article 139(7), remaining amounts resulting from the application of the 100 % co-financing rate which, in order to respect the ceilings set out in the third subparagraph, cannot be paid following the acceptance of the accounts, shall be paid in 2024 or later.;

- (2) in Article 65(10), the following subparagraph is added:

'By way of derogation from paragraph 9, expenditure for operations addressing the migratory challenges as a result of the military aggression by the Russian Federation shall be eligible as of 24 February 2022.;

- (3) in Article 98, the following paragraph is added:

'4. Operations addressing the migratory challenges as a result of the military aggression by the Russian Federation may be financed either by the ERDF or the ESF on the basis of the rules applicable to the other Fund.

In such cases, those operations shall be programmed under a dedicated priority axis of that other Fund contributing to its corresponding investment priorities.

Where data on participants is required to be reported for operations under the dedicated priority axis referred to in the second subparagraph, that data shall be based on informed estimates and shall be limited to the total number of supported persons and the number of children under 18 years of age.

This paragraph shall not apply to programmes under the European territorial cooperation goal.’.

Article 2

Amendment to Regulation (EU) No 223/2014

Regulation (EU) No 223/2014 is amended as follows:

(1) in Article 9(4), the following subparagraph is added:

‘The first and second subparagraphs shall also apply for the purposes of modifying elements of an operational programme addressing migratory challenges as a result of the military aggression by the Russian Federation.’;

(2) in Article 20, the following paragraph is inserted:

‘1b. By way of derogation from paragraph 1, a co-financing rate of 100 % may be applied to expenditure declared in payment applications for the accounting year starting 1 July 2021 and ending 30 June 2022.

By way of derogation from Article 9(1), (2) and (3), the application of the co-financing rate of 100 % shall not require a Commission decision approving a programme amendment. The Member State shall notify the revised financial tables, referred to in Section 5.1 of the operational programme templates set out in Annex I, to the Commission. The co-financing rate of 100 % shall apply only if the financial tables are notified to the Commission before the submission of the final application for an interim payment for the accounting year starting 1 July 2021 and ending 30 June 2022 in accordance with Article 45(2).’;

(3) in Article 22(4), the following subparagraph is added:

‘By way of derogation from the first subparagraph, expenditure for operations addressing migratory challenges as a result of the military aggression by the Russian Federation shall be eligible from 24 February 2022.’.

Article 3

Entry into force

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 6 April 2022.

For the European Parliament
The President
R. METSOLA

For the Council
The President
C. BEAUNE

DECISIONS

DECISION (EU) 2022/563 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 6 April 2022

providing macro-financial assistance to the Republic of Moldova

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure ⁽¹⁾,

Whereas:

- (1) Relations between the European Union (the 'Union') and the Republic of Moldova ('Moldova') continue to develop within the framework of the European Neighbourhood Policy (ENP) and the Eastern Partnership. Moldova joined the Eastern Partnership in 2009, which was followed by the negotiation of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part ⁽²⁾ (the 'Association Agreement'). The Association Agreement, which includes the gradual introduction of a Deep and Comprehensive Free Trade Area (DCFTA), was signed on 27 June 2014 and entered into force on 1 July 2016.
- (2) Moldova's economy has been significantly affected by the recession in 2020 which was caused by the COVID-19 pandemic, by the protracted political stalemate in the country after the presidential elections in November 2020, and by the recent energy crisis. Those circumstances have contributed to Moldova's sizable financing gap, deteriorating external position and growing fiscal needs.
- (3) Following the parliamentary elections in July 2021, the new Moldovan government has demonstrated a strong commitment to implementing further reforms, with an ambitious programme entitled 'Moldova in good times 2021-2025'. That programme focuses on key policy areas including justice sector reforms, the fight against corruption, good governance and the rule of law.
- (4) A renewed commitment to carrying out such reforms and a strong political will have led the Moldovan authorities to significantly accelerate the implementation of reforms. This has also enabled Moldova to successfully complete the macro-financial assistance operation in the context of the COVID-19 pandemic pursuant to Decision (EU) 2020/701 of the European Parliament and of the Council ⁽³⁾, as all reform actions agreed with the Union in the Memorandum of Understanding were fulfilled, with the exception of one action, on asset recovery, for which a waiver was granted. To that end, the Commission consulted the committee of representatives of the Member States and received no objections.
- (5) After the adoption of a new International Monetary Fund (IMF) programme, negotiated in 2020, stalled, the IMF re-engaged with Moldova following the parliamentary elections in July 2021 and reached a staff-level agreement on a programme under the Extended Credit Facility and the Extended Fund Facility for the amount of

⁽¹⁾ Position of the European Parliament of 24 March 2022 (not yet published in the Official Journal) and decision of the Council of 4 April 2022.

⁽²⁾ OJ L 260, 30.8.2014, p. 4.

⁽³⁾ Decision (EU) 2020/701 of the European Parliament and of the Council of 25 May 2020 on providing macro-financial assistance to enlargement and neighbourhood partners in the context of the COVID-19 pandemic (OJ L 165, 27.5.2020, p. 31).

USD 564 000 000. The new programme was adopted by an IMF Executive Board decision of 20 December 2021. That programme aims to sustain the economic recovery of Moldova, launch an ambitious governance and institutional reform agenda, strengthen transparency and accountability, improve public policy predictability, strengthen financial institutions and foster deregulation.

- (6) In view of the worsening economic situation and outlook, Moldova requested complementary macro-financial assistance from the Union in November 2021.
- (7) The Union's indicative allocation for Moldova under the European Neighbourhood Instrument was EUR 518 150 000 for the 2014-2020 period, including budgetary support and technical assistance. The single support frameworks for the periods 2014-2017 and 2017-2020 identified the priority sector for cooperation with Moldova funded by the European Neighbourhood Instrument for the previous budgetary period. The priorities for the period 2021-2027 will be set out in the new multiannual indicative programme, which has been prepared in close consultation with all relevant stakeholders.
- (8) Given that Moldova is a country covered by the ENP, it should be considered eligible to receive macro-financial assistance from the Union.
- (9) The Union's macro-financial assistance should be an exceptional financial instrument of untied and undesignated balance-of-payments support which aims to address the beneficiary's immediate external financing needs, and it should underpin the implementation of a policy programme containing strong immediate adjustment and structural reform measures designed to improve the beneficiary's balance-of-payments position in the short term.
- (10) Given that there is still a significant residual external financing gap in Moldova's balance of payments over and above the resources provided by the IMF and other multilateral institutions, the Union's macro-financial assistance to be provided to Moldova is, under the current exceptional circumstances, considered to be an appropriate response to Moldova's request for support to its economic stabilisation, in conjunction with the IMF programme. The Union's macro-financial assistance would support the economic stabilisation and the structural reform agenda of Moldova, supplementing resources made available under the IMF's financial arrangement.
- (11) The Union's macro-financial assistance should aim to support the restoration of a sustainable external financing situation for Moldova, thereby supporting its economic and social development.
- (12) The Union's macro-financial assistance is expected to go hand-in-hand with the implementation of budget support operations under the Neighbourhood, Development and International Cooperation Instrument – Global Europe, established by Regulation (EU) 2021/947 of the European Parliament and of the Council ⁽⁴⁾.
- (13) The determination of the amount of the Union's macro-financial assistance is based on a complete quantitative assessment of Moldova's residual external financing needs, and takes into account its capacity to finance itself with its own resources, in particular the international reserves at its disposal. The Union's macro-financial assistance should complement the programmes and resources provided by the IMF and the World Bank. The determination of the amount of the assistance also takes into account expected financial contributions from multilateral donors and the need to ensure fair burden sharing between the Union and other donors, as well as the pre-existing deployment of the Union's other external financing instruments in Moldova and the added value of the overall Union involvement.
- (14) Taking into consideration Moldova's residual external financing needs, the level of its economic development as measured by per capita income and poverty ratios, its capacity to finance itself with its own resources and in particular the international reserves at its disposal, and the assessment of its ability to repay drawing on debt sustainability analysis, a part of the assistance should be provided in the form of grants.

⁽⁴⁾ Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009 (OJ L 209, 14.6.2021, p. 1).

- (15) The Commission should ensure that the Union's macro-financial assistance is legally and substantially in accordance with the key principles and objectives of the different areas of external action, with the measures taken in respect of those areas, and with other relevant Union policies.
- (16) The Union's macro-financial assistance should support the Union's external policy towards Moldova. The Commission and the European External Action Service (EEAS) should work closely together throughout the macro-financial assistance operation in order to coordinate, and ensure the consistency of, Union external policy.
- (17) The Union's macro-financial assistance should support Moldova's commitment to values shared with the Union, including democracy, the rule of law, good governance, respect for human rights, sustainable development and poverty reduction, as well as its commitment to the principles of open, rule-based and fair trade.
- (18) A precondition for granting the Union's macro-financial assistance should be that Moldova respects effective democratic mechanisms, including a multi-party parliamentary system, and the rule of law, and guarantees respect for human rights. In addition, the specific objectives of the Union's macro-financial assistance should strengthen the efficiency, transparency and accountability of the public finance management systems, as well as of the governance and supervision of the financial sector, in Moldova and should promote structural reforms that aim to support sustainable and inclusive growth, decent employment creation and fiscal consolidation. The Commission and the EEAS should regularly monitor both the fulfilment of that precondition and the achievement of those objectives.
- (19) In order to ensure that the Union's financial interests linked to its macro-financial assistance are protected efficiently, Moldova should take appropriate measures relating to the prevention of, and fight against, fraud, corruption and any other irregularities linked to that assistance. In addition, provision should be made for the Commission to carry out checks, for the Court of Auditors to carry out audits and for the European Public Prosecutor's Office to exercise its competences.
- (20) Release of the Union's macro-financial assistance is without prejudice to the powers of the European Parliament and the Council as budgetary authority.
- (21) The amounts of the Union's macro-financial assistance provided in the form of grants and the amounts of the provision required for macro-financial assistance in the form of loans should be consistent with the budgetary appropriations provided for in the multiannual financial framework.
- (22) The Union's macro-financial assistance should be managed by the Commission. In order to ensure that the European Parliament and the Council are able to follow the implementation of this Decision, the Commission should regularly inform them of developments relating to that assistance and provide them with the relevant documents.
- (23) In order to ensure uniform conditions for the implementation of this Decision, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ^(⁹).
- (24) The Union's macro-financial assistance should be subject to economic policy conditions, to be set out in a memorandum of understanding (MOU). In order to ensure uniform conditions of implementation and for reasons of efficiency, the Commission should be empowered to negotiate such conditions with the Moldovan authorities under the supervision of the committee of representatives of the Member States in accordance with Regulation (EU) No 182/2011. Under that Regulation, the advisory procedure should, as a general rule, apply in all cases other than as provided for in that Regulation. Considering the potentially significant impact of assistance of more than EUR 90 000 000, it is appropriate that the examination procedure as specified in Regulation (EU) No 182/2011 be used for operations above that threshold. Considering the amount of the Union's macro-financial assistance to Moldova, the examination procedure should apply to the adoption of the MOU, and to any reduction, suspension or cancellation of that assistance,

⁽⁹⁾ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

HAVE ADOPTED THIS DECISION:

Article 1

1. The Union shall make macro-financial assistance of a maximum amount of EUR 150 000 000 available to Moldova (the 'Union's macro-financial assistance'), with a view to supporting Moldova's economic stabilisation and substantive reform agenda. Of that maximum amount, up to EUR 120 000 000 shall be provided in the form of loans and up to EUR 30 000 000 in the form of grants. The release of the Union's macro-financial assistance is subject to the approval of the Union budget for the relevant year by the European Parliament and the Council. The assistance shall contribute to covering Moldova's balance-of-payments needs as identified in the IMF programme.

2. In order to finance the loan component of the Union's macro-financial assistance, the Commission shall be empowered, on behalf of the Union, to borrow the necessary funds on the capital markets or from financial institutions and to on-lend them to Moldova. The loans shall have a maximum average maturity of 15 years.

3. The release of the Union's macro-financial assistance shall be managed by the Commission in a manner consistent with the agreements or understandings reached between the IMF and Moldova, and with the key principles and objectives of economic reforms set out in the Association Agreement, including the DCFTA, agreed under the ENP.

The Commission shall regularly inform the European Parliament and the Council of developments regarding the Union's macro-financial assistance, including disbursements thereof, and shall provide those institutions with the relevant documents in due time.

4. The Union's macro-financial assistance shall be made available for a period of two and a half years, starting on the first day after the entry into force of the MOU referred to in Article 3(1).

5. If the financing needs of Moldova decrease fundamentally during the period of the disbursement of the Union's macro-financial assistance compared to the initial projections, the Commission, acting in accordance with the examination procedure referred to in Article 7(2), shall reduce the amount of the assistance or suspend or cancel it.

Article 2

1. A precondition for granting the Union's macro-financial assistance shall be that Moldova respects effective democratic mechanisms, including a multi-party parliamentary system, and the rule of law, and guarantees respect for human rights.

2. The Commission and the EEAS shall monitor the fulfilment of the precondition set out in paragraph 1 throughout the life-cycle of the Union's macro-financial assistance.

3. Paragraphs 1 and 2 of this Article shall apply in accordance with Council Decision 2010/427/EU ⁽⁶⁾.

Article 3

1. The Commission, in accordance with the examination procedure referred to in Article 7(2), shall agree with the Moldovan authorities on clearly defined economic policy and financial conditions, focusing on structural reforms and sound public finances, to which the Union's macro-financial assistance is to be subject. Those economic policy and financial conditions shall be set out in a MOU which shall include a timeframe for the fulfilment of those conditions. Those economic policy and financial conditions shall be consistent with the agreements or understandings referred to in Article 1(3), including the macroeconomic adjustment and structural reform programmes implemented by Moldova with the support of the IMF.

⁽⁶⁾ Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

2. The conditions referred to in paragraph 1 shall aim, in particular, to enhance the efficiency, transparency and accountability of the public finance management systems in Moldova, including for the use of the Union's macro-financial assistance. Progress in mutual market opening, the development of rule-based and fair trade, and other priorities in the context of the Union's external policy shall also be duly taken into account when designing the policy measures. The Commission shall regularly monitor progress in attaining those objectives.

3. The detailed financial terms of the Union's macro-financial assistance shall be laid down in a loan agreement and a grant agreement to be concluded between the Commission and Moldova.

4. The Commission shall verify, at regular intervals, that the conditions referred to in Article 4(3) continue to be met, including whether the economic policies of Moldova are in accordance with the objectives of the Union's macro-financial assistance. For the purposes of that verification, the Commission shall coordinate closely with the IMF and the World Bank, and, where necessary, with the European Parliament and with the Council.

Article 4

1. Subject to the conditions referred to in paragraph 3, the Union's macro-financial assistance shall be made available by the Commission in three instalments, each of which shall consist of a loan and a grant element. The size of each instalment shall be laid down in the MOU.

2. The amounts of the Union's macro-financial assistance provided in the form of loans shall be provisioned, where required, in accordance with Regulation (EU) 2021/947.

3. The Commission shall decide on the release of the instalments subject to the fulfilment of all of the following conditions:

- (a) the precondition set out in Article 2(1);
- (b) a continuous satisfactory track record of implementing a policy programme that contains strong adjustment and structural reform measures supported by a non-precautionary IMF credit arrangement;
- (c) the satisfactory implementation of the economic policy and financial conditions agreed in the MOU.

4. The release of the second instalment shall not, in principle, take place earlier than 3 months after the release of the first instalment. The release of the third instalment shall not, in principle, take place earlier than 3 months after the release of the second instalment.

5. Where the conditions referred to in paragraph 3 are not met, the Commission shall temporarily suspend or cancel the disbursement of the Union's macro-financial assistance. In such cases, it shall inform the European Parliament and the Council of the reasons for the suspension or cancellation.

6. The Union's macro-financial assistance shall be disbursed to the National Bank of Moldova. Subject to the agreed provisions set out in the MOU, including a confirmation of residual budgetary financing needs, the Union funds may be transferred to the Moldovan Ministry of Finance as the final beneficiary.

Article 5

1. The borrowing and lending operations related to the loan component of the Union's macro-financial assistance shall be carried out in euro using the same value date and shall not involve the Union in the transformation of maturities, or expose the Union to any exchange or interest rate risk, or to any other commercial risk.

2. Where the circumstances permit, and if Moldova so requests, the Commission may take the steps necessary to ensure that an early repayment clause is included in the loan terms and conditions and that it is matched by a corresponding clause in the terms and conditions of the borrowing operations.

3. Where circumstances permit an improvement of the interest rate of the loan and if Moldova so requests, the Commission may decide to refinance all or part of its initial borrowings or may restructure the corresponding financial conditions. Refinancing or restructuring operations shall be carried out in accordance with paragraphs 1 and 4 and shall not have the effect of extending the maturity of the borrowings concerned or of increasing the amount of capital outstanding at the date of the refinancing or restructuring.
4. All costs incurred by the Union which relate to the borrowing and lending operations under this Decision shall be borne by Moldova.
5. The Commission shall inform the European Parliament and the Council of developments in the operations referred to in paragraphs 2 and 3.

Article 6

1. The Union's macro-financial assistance shall be implemented in accordance with Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽⁷⁾.
2. The Union's macro-financial assistance shall be implemented under direct management.
3. The loan agreement and the grant agreement to be agreed with the Moldovan authorities shall contain all of the following provisions:
 - (a) ensuring that Moldova regularly checks that financing provided from the general budget of the Union has been properly used, takes appropriate measures to prevent irregularities and fraud and, where necessary, takes legal action to recover any funds provided under this Decision that have been misappropriated;
 - (b) ensuring the protection of the Union's financial interests, in particular providing for specific measures in relation to the prevention of, and fight against, fraud, corruption and any other irregularities affecting the Union's macro-financial assistance, in accordance with Council Regulations (EC, Euratom) No 2988/95 ⁽⁸⁾ and (Euratom, EC) No 2185/96 ⁽⁹⁾, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ⁽¹⁰⁾ and, for those Member States participating in enhanced cooperation regarding the European Public Prosecutor's Office, also in accordance with Council Regulation (EU) 2017/1939 ⁽¹¹⁾;
 - (c) expressly authorising the European Anti-Fraud Office to carry out investigations, including on-the-spot checks and inspections including digital forensic operations and interviews;
 - (d) expressly authorising the Commission, or its representatives, to carry out checks, including on-the-spot checks and inspections;
 - (e) expressly authorising the Commission and the Court of Auditors to perform audits during and after the availability period of the Union's macro-financial assistance, including document audits and on-the-spot audits, such as operational assessments;
 - (f) ensuring that the Union is entitled to early repayment of the loan or to full repayment of the grant where it has been established that, in relation to the management of the Union's macro-financial assistance, Moldova has engaged in any act of fraud or corruption or any other illegal activity detrimental to the financial interests of the Union;

⁽⁷⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EC, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

⁽⁸⁾ Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

⁽⁹⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

⁽¹⁰⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

⁽¹¹⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

(g) ensuring that all costs incurred by the Union that relate to the borrowing and lending operations under this Decisions are to be borne by Moldova.

4. Before the implementation of the Union's macro-financial assistance, the Commission shall assess, by means of an operational assessment, the soundness of Moldova's financial arrangements, administrative procedures and internal and external control mechanisms which are relevant to the assistance.

Article 7

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 8

1. By 30 June of each year, the Commission shall submit to the European Parliament and to the Council a report on the implementation of this Decision in the preceding year, including an evaluation of that implementation. That report shall:

- (a) examine progress made in implementing the Union's macro-financial assistance;
- (b) assess the economic situation and prospects of Moldova, as well as progress made in implementing the policy measures referred to in Article 3(1);
- (c) indicate the connection between the economic policy conditions set out in the MOU, Moldova's on-going economic and fiscal performance and the Commission's decisions to release the instalments of the Union's macro-financial assistance.

2. Not later than 2 years after the expiry of the availability period referred to in Article 1(4), the Commission shall submit to the European Parliament and to the Council an *ex-post* evaluation report, assessing the results and efficiency of the completed Union's macro-financial assistance and the extent to which it has contributed to the aims of the assistance.

Article 9

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

Done at Strasbourg, 6 April 2022.

For the European Parliament

The President

R. METSOLA

For the Council

The President

C. BEAUNE

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information relating to the entry into force of the Agreement between the European Union and Barbados amending the Agreement between the European Community and Barbados on the short-stay visa waiver

The Agreement between the European Union and Barbados amending the Agreement between the European Community and Barbados on the short-stay visa waiver will enter into force on 1 September 2022, the procedure provided for in Article 2 of the Agreement having been completed on 29 March 2022.

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2022/564

of 19 November 2021

amending Regulation (EU) No 347/2013 of the European Parliament and of the Council as regards the Union list of projects of common interest

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 ⁽¹⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Regulation (EU) No 347/2013 establishes a framework for the identification, planning and implementation of projects of common interest ('PCIs') which are required to implement the nine strategic geographical energy infrastructure priority corridors identified in the fields of electricity, gas and oil, and the three Union-wide energy infrastructure priority areas for smart grids, electricity highways and carbon dioxide transportation networks.
- (2) The list of PCIs is established every 2 years. The latest list was established in 2019 and entered into force in 2020. Thus, it is necessary to replace it.
- (3) Projects proposed for the inclusion in the Union list have been assessed by the regional groups referred to in Article 3 of Regulation (EU) No 347/2013 who confirmed that they meet the criteria laid down in Article 4 of that Regulation.
- (4) The draft regional lists of PCIs were agreed by the regional groups at technical-level meetings. The oil Regional Group agreed not to put forward a draft list of oil projects to be included in the Union list of PCIs in view of the Union's climate targets and the carbon neutrality objective. Following the opinions of the Agency for the Cooperation of Energy Regulators ('ACER') on 27 October on the consistent application of the assessment criteria and the cost/benefit analysis across regions, the regional groups' decision-making bodies adopted the regional lists on 9 November. Pursuant to Article 3(3) point (a) of Regulation (EU) No 347/2013, prior to the adoption of the regional lists, all proposed projects were approved by the Member States to whose territory the projects relate.
- (5) Organisations representing relevant stakeholders, including producers, distribution system operators, suppliers, and consumer and environmental protection organisations were consulted on the projects proposed for inclusion in the Union list.
- (6) PCIs should be listed per strategic trans-European energy infrastructure priorities in the order laid down in Annex I to Regulation (EU) No 347/2013.
- (7) PCIs should be listed either as stand-alone PCIs or as a part of a cluster of several PCIs because they are interdependent or (potentially) competing.
- (8) The Union list contains projects at different stages of their development, including pre-feasibility, feasibility, permit-granting and construction. For PCIs at an early development stage, studies may be needed to demonstrate technical and economic viability and compliance with Union legislation, including environmental legislation. In this context, potential negative impacts on the environment should be adequately identified, assessed and avoided or mitigated.

⁽¹⁾ OJ L 115, 25.4.2013, p. 39.

- (9) The inclusion of projects on the Union list is without prejudice to the outcome of the relevant environmental assessment and permit procedure.
- (10) Regulation (EU) No 347/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EU) No 347/2013 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 19 November 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Annex VII to Regulation (EU) No 347/2013 is replaced by the following:

'ANNEX VII

THE UNION LIST OF PROJECTS OF COMMON INTEREST ("UNION LIST"),**referred to in Article 3(4)****A. PRINCIPLES APPLIED IN ESTABLISHING THE UNION LIST****(1) Clusters of PCIs**

Some PCIs form part of a cluster because of their interdependent, potentially competing or competing nature. The following types of cluster of PCIs are established:

- a) a **cluster of interdependent PCIs** is defined as a "Cluster X, including the following PCIs:". Such cluster has been formed to identify PCIs that are all needed to address the same bottleneck across country borders and provide synergies if implemented together. In this case, all the PCIs have to be implemented to realise the EU-wide benefits;
- b) a **cluster of potentially competing PCIs** is defined as a "Cluster X, including one or more of the following PCIs:". Such cluster reflects an uncertainty around the extent of the bottleneck across country borders. In this case, not all the PCIs included in the cluster have to be implemented. It is left to the market to determine whether one, several or all PCIs are to be implemented, subject to the necessary planning, permit and regulatory approvals. The need for PCIs shall be reassessed in a subsequent PCI identification process, including with regard to the capacity needs; and
- c) a **cluster of competing PCIs** is defined as a "Cluster X, including one of the following PCIs:". Such cluster addresses the same bottleneck. However, the extent of the bottleneck is more certain than in the case of a cluster of potentially competing PCIs, and therefore only one PCI has to be implemented. It is left to the market to determine which PCI is to be implemented, subject to the necessary planning, permit and regulatory approvals. Where necessary, the need for PCIs shall be reassessed in a subsequent PCI identification process.

All PCIs are subject to the same rights and obligations established under Regulation (EU) No 347/2013.

(2) Treatment of substations and compressor stations

Substations and back-to-back electricity stations and gas compressor stations are considered as parts of PCIs if they are geographically located on transmission lines. Substations, back-to-back stations and compressor stations are considered as stand-alone PCIs and are explicitly listed on the Union list if their geographical location is different from transmission lines. They are subject to the rights and obligations laid down in Regulation (EU) No 347/2013.

(3) Projects that are no longer considered PCIs and projects that became part of other PCIs

- a) Several projects included in the Union lists established by Delegated Regulation (EU) No 1391/2013, Delegated Regulation (EU) 2016/89, Delegated Regulation (EU) 2018/540 and Delegated Regulation (EU) 2020/389 are no longer considered PCIs for one or more of the following reasons:
 - the project has already been commissioned or will be commissioned by March of 2022 and so it would not benefit from the provisions of Regulation (EU) No 347/2013,
 - according to new data the project does not satisfy the general criteria,
 - a promoter has not re-submitted the project in the selection process for this Union list,

- a Member State to whose territory the project relates has not granted its approval, or
- the project was ranked lower than other candidate PCIs in the selection process.

These projects (with the exception of the projects commissioned or to be commissioned by March 2022) may be considered for inclusion in the next Union list if the reasons for non-inclusion in the current Union list no longer apply.

Such projects are not PCIs, but are listed for reasons of transparency and clarity with their original PCI numbers in Annex VII(C) as **“Projects no longer considered PCIs”**.

- b) Furthermore, some projects included in the Union lists established by Delegated Regulation (EU) No 1391/2013 and Delegated Regulation (EU) 2016/89 became during their implementation process integral parts of other (clusters of) PCIs.

Such projects are no longer considered independent PCIs, but are listed for reasons of transparency and clarity with their original PCI numbers in Annex VII(C) as **“Projects that are now integral parts of other PCIs”**.

B. THE UNION LIST OF PROJECTS OF COMMON INTEREST

(1) Priority Corridor Northern Seas Offshore Grid (“NSOG”)

No	Definition
1.6	France – Ireland interconnection between La Martyre (FR) and Great Island or Knockraha (IE) [currently known as “Celtic Interconnector”]
1.19	One or more hubs in the North Sea with interconnectors to bordering North Sea countries (Denmark, Germany, Netherlands) [currently known as “North Sea Wind Power Hub”]
1.21	Green Hydrogen Hub Compressed Air Storage (DK)

(2) Priority Corridor North-South Electricity Interconnections in Western Europe (“NSI West Electricity”)

No	Definition
2.4	Interconnection between Codrongianos (IT), Lucciana (Corsica, FR) and Suvereto (IT) [currently known as “SACOI 3”]
2.7	Interconnection between Aquitaine (FR) and the Basque country (ES) [currently known as “Biscay Gulf”]
2.9	Internal line between Osterath and Philippsburg (DE) to increase capacity at western borders [currently known as “Ultrahnet”]
2.10	Internal line between Brunsbüttel/Wilster and Großgartach/Bergrheinfeld-West (DE) to increase capacity at northern and southern borders [currently known as “Suedlink”]
2.14	Interconnection between Thusis/Sils (CH) and Verderio Inferiore (IT) [currently known as “Greenconnector”]
2.16	Cluster of internal lines in Portugal, including the following PCIs: <ul style="list-style-type: none"> 2.16.1 Internal line between Pedralva and Sobrado (PT), formerly designated Pedralva and Alfena (PT) 2.16.3 Internal line between Vieira do Minho, Ribeira de Pena and Feira (PT), formerly designated Frades B, Ribeira de Pena and Feira (PT)
2.17	Portugal – Spain interconnection between Beariz – Fontefría (ES), Fontefría (ES) – Ponte de Lima (PT) (formerly Vila Fria/Viana do Castelo) and Ponte de Lima – Vila Nova de Famalicão (PT) (formerly Vila do Conde) (PT), including substations in Beariz (ES), Fontefría (ES) and Ponte de Lima (PT)

2.18	Capacity increase of hydro-pumped electricity storage in Kaunertal, Tyrol (AT)
2.23	Internal lines at the Belgian north border between Zandvliet and Lillo-Liefkenshoek (BE), and between Liefkenshoek and Mercator, including a substation in Lillo (BE) [currently known as “BRABO II + III”]
2.27	2.27.1 Interconnection between Aragón (ES) and Atlantic Pyrenees (FR) [currently known as “Pyrenean crossing 2”] 2.27.2 Interconnection between Navarra (ES) and Landes (FR) [currently known as “Pyrenean crossing 1”]
2.28	2.28.2 Hydro-pumped electricity storage Navaleo (ES) 2.28.5 Purifying – Pumped Hydroelectric Energy Storage Velilla del Río Carrión (ES)
2.29	Hydroelectric Power Station Silvermines (IE)
2.30	Hydro-pumped electricity storage Riedl (DE)
2.31	Cluster of internal lines in Germany, including the following PCIs: 2.31.1 Internal line between Emden-East to Osterath to increase capacity from Northern Germany to the Rhineland 2.31.2 Internal lines between Heide/West to Polsum to increase capacity from Northern Germany to the Ruhr-Area to increase capacity from Northern Germany to the Ruhr-Area 2.31.3 Internal lines between Wilhelmshaven to Uentrop to increase capacity from Northern Germany to the Ruhr-Area
2.32	Interconnection between Lonny (FR) and Gramme (BE)
2.33	Interconnection between Sicily (IT) and Tunisia node (TU) [currently known as “ELMED”] (No 3.27 on the fourth PCI list)

(3) **Priority Corridor North-South Electricity Interconnections in Central Eastern and South Europe (“NSI East Electricity”)**

No	Definition
3.1	Cluster Austria – Germany, including the following PCIs: 3.1.1 Interconnection between St. Peter (AT) and Isar (DE) 3.1.2 Internal line between St. Peter and Tauern (AT) 3.1.4 Internal line between Westtirol and Zell-Ziller (AT)
3.10	Cluster Israel – Cyprus – Greece [currently known as “EUROASIA Interconnector”], including the following PCIs: 3.10.1 Interconnection between Hadera (IL) and Kofinou (CY) 3.10.2 Interconnection between Kofinou (CY) and Korakia, Crete (EL)
3.11	Cluster of internal lines in Czechia, including the following PCIs: 3.11.1 Internal line between Vernerov and Vitkov (CZ) 3.11.2 Internal line between Vitkov and Prestice (CZ) 3.11.3 Internal line between Prestice and Kocin (CZ)

	3.11.4 Internal line between Kocin and Mirovka (CZ)
3.12	Internal line in Germany between Wolmirstedt and Isarto increase internal North-South transmission capacity [currently known as SuedOstLink]
3.14	Internal reinforcements in Poland [part of the cluster currently known as “GerPol Power Bridge”], including the following PCIs: 3.14.2 Internal line between Krajnik and Baczyna (PL) 3.14.3 Internal line between Mikułowa and Świebodzice (PL) 3.14.4 Internal line between Baczyna and Plewiska (PL)
3.22	Cluster Romania – Serbia [currently known as “Mid Continental East Corridor”], including the following PCIs: 3.22.1 Interconnection between Resita (RO) and Pancevo (RS) 3.22.2 Internal line between Portile de Fier and Resita (RO) 3.22.3 Internal line between Resita and Timisoara/Sacalaz (RO) 3.22.4 Internal line between Arad and Timisoara/Sacalaz (RO)
3.24	Hydro-pumped electricity storage in Amfilochia (EL)
3.28	Internal line within Austria between Lienz and Obersielach

(4) **Priority Corridor Baltic Energy Market Interconnection Plan (“BEMIP Electricity”)**

No	Definition
4.4	4.4.2 Internal line between Ekhyddan and Nybro/Hemsjö (SE)
4.5	4.5.2 Internal line between Stanisławów and Ostrołęka (PL)
4.6	Hydro-pumped electricity storage in Estonia
4.8	Integration and synchronisation of the Baltic States' electricity system with the European networks, including the following PCIs: 4.8.1 Interconnection between Tartu (EE) and Valmiera (LV) 4.8.2 Internal line between Balti and Tartu (EE) 4.8.3 Interconnection between Tsirguliina (EE) and Valmiera (LV) 4.8.4 Internal line between Viru and Tsirguliina (EE) 4.8.7 Internal line between Paide and Sindi (EE) 4.8.8 Internal line between Vilnius and Neris (LT) 4.8.9 Further infrastructure aspects related to the implementation of the synchronisation of the Baltic States' system with the continental European network 4.8.10 Interconnection between Lithuania and Poland [currently known as “Harmony Link”] 4.8.13 New 330kV Mūša substation (LT)

	<p>4.8.14 Internal line between Bitenai and KHAE (LT)</p> <p>4.8.15 New 330kV Darbėnai substation (LT)</p> <p>4.8.16 Internal line between Darbenai and Bitenai (LT)</p> <p>4.8.18 Internal line between Dunowo and Żydowo Kierzkowo (PL)</p> <p>4.8.19 Internal line between Piła Krzewina and Żydowo Kierzkowo (PL)</p> <p>4.8.20 Internal line between Krajnik and Morzyczyn (PL)</p> <p>4.8.21 Internal line between Morzyczyn-Dunowo-Słupsk-Żarnowiec (PL)</p> <p>4.8.22 Internal line between Żarnowiec-Gdańsk/Gdańsk Przyjaźń-Gdańsk Błonia (PL)</p> <p>4.8.23 Synchronous condensers providing inertia, voltage stability, frequency stability and short-circuit power in Lithuania, Latvia and Estonia</p>
4.10	<p>Cluster Finland – Sweden [currently known as “Third interconnection Finland – Sweden”], including the following PCIs:</p> <p>4.10.1 Interconnection between northern Finland and northern Sweden</p> <p>4.10.2 Internal line between Keminmaa and Pyhänselkä (FI)</p>
4.11	Interconnection between Latvia and Sweden via Gotland [currently known as “LaSGo Link”]

(5) **Priority Corridor North-South Gas Interconnections in Western Europe (“NSI West Gas”)**

No	Definition
5.19	Connection of Malta to the European gas network – pipeline interconnection with Italy at Gela

(6) **Priority Corridor North-South Gas Interconnections in Central Eastern and South Eastern Europe (“NSI East Gas”)**

No	Definition
6.2	6.2.13 Development and enhancement of transmission capacity of Slovak-Hungarian interconnector
6.8	<p>Cluster of infrastructure development and enhancement enabling the Balkan Gas Hub, including the following PCIs:</p> <p>6.8.1 Interconnection Greece – Bulgaria [currently known as “IGB”] between Komotini (EL) and Stara Zagora (BG) and compressor station at Kipi (EL)</p> <p>6.8.2 Rehabilitation, modernization and expansion of the Bulgarian transmission system</p> <p>6.8.3 Gas interconnection Bulgaria – Serbia [currently known as “IBS”]</p>
6.20	<p>Cluster increase storage capacity in South-Eastern Europe, including one or more of the following PCIs:</p> <p>6.20.2 Chiren UGS expansion (BG)</p> <p>6.20.3 South Kavala UGS facility and metering and regulating station (EL) and one of the following PCIs:</p> <p>6.20.4 Depomures storage in Romania</p> <p>6.20.7 Bilciuresti underground gas storage</p>

6.24	Capacity increase between Romania and Hungary (currently known as “ROHU/BRUA”) to enable bidirectional capacity of of 4,4 bcm/a, and including new resources from the Black Sea: 6.24.4 ROHU/BRUA –2 nd phase, including: — Expansion of the transmission capacity in Romania from Recas to Horia towards Hungary up to 4,4 bcm/a and expansion of the compressor stations in Podisor, Bibesti and Jupa — Black Sea shore – Podișor (RO) pipeline for taking over the Black sea gas — Romanian-Hungarian reverse flow: Hungarian section 2 nd stage compressor station at Csánádpalota (HU)
6.26	6.26.1 Cluster Croatia – Slovenia at Rogatec, including: — Interconnection Croatia – Slovenia (Lučko – Zabok – Rogatec) — Compressor station Kidričevo, 2nd phase of upgrade (SI) — Upgrade of Rogatec interconnection
6.27	LNG Gdansk (PL)

(7) **Priority Corridor Southern Gas Corridor (“SGC”)**

No	Definition
7.3	PCI Cluster infrastructure to bring new gas from the East Mediterranean gas reserves, including: 7.3.1 Pipeline from the East Mediterranean gas reserves to Greece mainland via Cyprus and Crete [currently known as “EastMed Pipeline”], with metering and regulating station at Megalopoli and dependent on it the following PCIs: 7.3.3 Offshore gas pipeline connecting Greece and Italy [currently known as “Poseidon Pipeline”] 7.3.4 Reinforcement of internal transmission capacities in Italy, including reinforcement of the South-North internal transmission capacities [currently known as “Adriatica Line”] and reinforcement of internal transmission capacities in Apulia region [Matagiola – Massafra pipeline]
7.5	Development of gas infrastructure in Cyprus [currently known as “Cyprus Gas2EU”]

(8) **Priority Corridor Baltic Energy Market Interconnection Plan in Gas (“BEMIP Gas”)**

No	Definition
8.2	Cluster infrastructure upgrade in the Eastern Baltic Sea region, including the following PCIs: 8.2.1 Enhancement of Latvia – Lithuania interconnection 8.2.4 Enhancement of Inčukalns Underground Gas Storage (LV)
8.3	Cluster infrastructure, including the following PCIs [currently known as “Baltic Pipe”]: 8.3.1 Reinforcement of Nybro – Poland/Denmark Interconnection 8.3.2 Poland–Denmark interconnection

(9) **Priority Corridor Oil Supply Connections in Central Eastern Europe (“OSC”)**

No oil projects were submitted for the Project of Common Interest list.

(10) Priority Thematic Area Smart Grids Deployment

No	Definition
10.4	ACON (CZ, SK) (Again COnnected Networks) fosters the integration of the Czech and the Slovak electricity markets by improving efficiency of distribution networks while increasing cross-border capacity at DSO level.
10.7	Danube InGrid (HU, SK) enhances cross-border coordination of electricity network management, with focus on smartening data collection and exchange
10.10	CARMEN (HU, RO) improves distribution network operation efficiency and service quality and enables secure electricity flows from new renewable generation.
10.11	Gabreta (CZ, DE) enhances system optimisation by retrieving and exchanging information in real time, improving metering and monitoring of the grid and more flexibility and hosting capacity for renewable generation.
10.12	Green Switch (AT, HR, SI) optimises the utilisation of existing infrastructure and efficiently integrates new technologies to increase hosting capacity, efficient integration of new loads and improve quality and security of supply.

(11) Priority Thematic Area Electricity Highways

No projects were double labelled as electricity highways Project of Common Interest.

(12) Priority Thematic Area Cross-border carbon dioxide network

No	Definition
12.3	CO ₂ TransPorts aims to establish infrastructure to facilitate large-scale capture, transport and storage of CO ₂ from Rotterdam, Antwerp and the North Sea Port
12.4	Northern lights project – a commercial CO ₂ cross-border transport connection project between several European capture initiatives (United Kingdom, Ireland, Belgium, the Netherlands, France, Sweden) and transport the captured CO ₂ by ship to a storage site on the Norwegian continental shelf
12.5	Athos project proposes an infrastructure to transport CO ₂ from industrial areas in the Netherlands and is open to receiving additional CO ₂ from others, such as Ireland and Germany Developing an open-access cross-border interoperable high-volume transportation structure is the idea.
12.7	Aramis – cross-border CO ₂ transport and storage project (intake from emitters in the hinterland of Rotterdam harbour area and storage to location on the Dutch continental shelf)
12.8	Dartagnan – CO ₂ export Multimodal HUB from Dunkirk and its hinterland (emitters from the industrial cluster in the area of Dunkirk, France with storage where available in the North Sea country territories)
12.9	Poland – EU CCS Interconnector (emitters from the industrial cluster in the area around Gdansk, Poland with storage where available in the North Sea country territories)

C. LISTS OF THE “PROJECTS NO LONGER CONSIDERED PCIS” AND OF THE “PROJECTS THAT ARE NOW INTEGRAL PARTS OF OTHER PCIS”**(1) Priority Corridor Northern Seas Offshore Grid (“NSOG”)**

PCI numbers of the projects no longer considered PCIs

1.1.1

PCI numbers of the projects no longer considered PCIs

1.1.2

1.1.3

1.2

1.3.1

1.3.2

1.4.1

1.4.2

1.4.3

1.5

1.7.1

1.7.2

1.7.3

1.7.4

1.7.5

1.8

1.9.1

1.9.2

1.9.3

1.9.4

1.9.5

1.9.6

1.10.1

1.10.2

1.11.1

1.11.2

1.11.3

1.11.4

1.12.1

1.12.2

1.12.3

1.12.4

1.12.5
1.13
1.14
1.15
1.16
1.17
1.18
1.20

(2) **Priority Corridor North-South Electricity Interconnections in Western Europe (“NSI West Electricity”)**

PCI numbers of the projects no longer considered PCIs
2.1
2.2.1
2.2.2
2.2.3
2.3.1
2.3.2
2.5.1
2.5.2
2.6
2.8
2.11.1
2.11.2
2.11.3
2.12
2.13.1
2.13.2
2.14
2.15.1
2.15.2
2.15.3
2.15.4
2.16.2
2.19
2.20
2.21
2.22
2.24

2.25.1
2.25.2
2.26
2.28.3
2.28.4

Projects that are now integral parts of other PCIs	
Original PCI number of the project	Number of a PCI in which the project is now integrated
2.1	3.1.4

(3) **Priority Corridor North-South Electricity Interconnections in Central Eastern and South Europe (“NSI East Electricity”)**

PCI numbers of the projects no longer considered PCIs
3.1.3
3.2.1
3.2.3
3.3
3.4
3.5.1
3.5.2
3.6.1
3.6.2
3.7
3.8
3.9
3.11.5
3.13
3.14.1
3.15.1
3.15.2
3.16
3.17
3.18.1
3.18.2
3.19.2
3.19.3
3.20.1
3.20.2

3.21
3.23
3.25
3.26

Projects that are now integral parts of other PCIs	
Original PCI number of the project	Number of a PCI in which the project is now integrated
3.27	2.33

(4) **Priority Corridor Baltic Energy Market Interconnection Plan (“BEMIP Electricity”)**

PCI numbers of the projects no longer considered PCIs
4.1
4.2
4.4.1
4.5.1
4.5.3
4.5.4
4.5.5
4.7
4.8.6
4.8.11
4.8.12
4.8.17

Projects that are now integral parts of other PCIs	
Original PCI number of the project	Number of a PCI in which the project is now integrated
4.3	4.8.9
4.9	4.8.9

(5) **Priority Corridor North-South Gas Interconnections in Western Europe (“NSI West Gas”)**

PCI numbers of the projects no longer considered PCIs
5.1.1
5.1.2
5.1.3
5.2

5.3
5.4.1
5.4.2
5.5.1
5.5.2
5.6
5.7.1
5.7.2
5.9
5.12
5.13
5.14
5.15.1
5.15.2
5.15.3
5.15.4
5.15.5
5.16
5.17.1
5.17.2
5.18
5.20
5.21

Projects that became integral parts of other PCIs

Original PCI number of the project	Number of a PCI in which the project is now integrated
5.8.1	5.5.2
5.8.2	5.5.2

(6) **Priority Corridor North-South Gas Interconnections in Central Eastern and South Eastern Europe (“NSI East Gas”)**

PCI numbers of the projects no longer considered PCIs
6.2.1
6.2.2
6.3
6.5.1
6.5.3
6.5.4

6.5.5
6.7
6.8.3
6.9.1
6.9.2
6.9.3
6.11
6.12
6.16
6.17
6.19
6.20.1
6.20.5
6.20.6
6.21
6.22.1
6.22.2
6.23
6.24.1
6.25.2

Projects that are now integral parts of other PCIs

Original PCI number of the project	Number of a PCI in which the project is now integrated
6.1.1	6.2.10
6.1.2	6.2.11
6.1.3	6.2.11
6.1.4	6.2.11
6.1.5	6.2.11
6.1.6	6.2.11
6.1.7	6.2.11
6.1.8	6.2.2
6.1.9	6.2.11
6.1.10	6.2.2
6.1.11	6.2.2
6.1.12	6.2.12
6.2.3	6.2.2
6.2.4	6.2.2
6.2.5	6.2.2

6.2.6	6.2.2
6.2.7	6.2.2
6.2.8	6.2.2
6.2.9	6.2.2
6.5.2	6.5.6
6.6	6.26.1
6.8.4	6.25.4
6.13.1	6.24.4
6.13.2	6.24.4
6.13.3	6.24.4
6.14	6.24.1
6.15.1	6.24.10
6.15.2	6.24.10
6.18	7.3.4
6.24.2	6.24.1
6.24.3	6.24.1
6.24.5	6.24.4
6.24.6	6.24.4
6.24.7	6.24.4
6.24.8	6.24.4
6.24.9	6.24.4
6.25.3	6.24.10
6.26.2	6.26.1
6.26.3	6.26.1
6.26.4	6.26.1
6.26.5	6.26.1
6.26.6	6.26.1

(7) **Priority Corridor Southern Gas Corridor (“SGC”)**

PCI numbers of the projects no longer considered PCIs
7.1.1
7.1.2
7.1.3
7.1.5
7.1.7
7.2.1
7.2.2
7.2.3

7.4.1
7.4.2

Projects that are now integral parts of other PCIs	
Original PCI number of the project	Number of a PCI in which the project is now integrated
7.1.6	7.1.3
7.1.4	7.3.3
7.3.2	7.5

(8) **Priority Corridor Baltic Energy Market Interconnection Plan in Gas (“BEMIP Gas”)**

PCI numbers of the projects no longer considered PCIs
8.1.2.1
8.1.2.2
8.1.2.3
8.1.2.4
8.2.3
8.4
8.5
8.6
8.8

(9) **Priority Corridor Oil Supply Connections in Central Eastern Europe (“OSC”)**

PCI numbers of the projects no longer considered PCIs
9.1
9.2
9.3
9.4
9.5
9.6

(10) **Priority Thematic Area Smart Grids Deployment**

PCI numbers of the projects no longer considered PCIs
10.1
10.2
10.3
10.5

10.6
10.8
10.9

(11) **Priority Thematic Area Electricity Highways**

PCI numbers of the projects no longer considered PCIs
1.3
1.5
1.6
1.7
1.8
1.10
1.14
1.15
1.16
1.20
2.13

(12) **Priority Thematic Cross-border carbon dioxide network**

PCI numbers of the projects no longer considered PCIs
12.1
12.2
12.6'

COMMISSION IMPLEMENTING REGULATION (EU) 2022/565**of 7 April 2022****concerning the authorisation of a preparation of 3-nitrooxypropanol as a feed additive for dairy cows and cows for reproduction (holder of the authorisation: DSM Nutritional Products Ltd, represented in the Union by DSM Nutritional Products Sp. z o.o.)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such an authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for the authorisation of 3-nitrooxypropanol. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a preparation of 3-nitrooxypropanol as a feed additive for dairy cows and cows for reproduction to be classified in the additive category 'zootechnical additives' and functional group 'substances which favourably affect the environment'.
- (4) The European Food Safety Authority ('the Authority') concluded in its opinion of 30 September 2021 ⁽²⁾ that, under the proposed conditions of use, 3-nitrooxypropanol does not have an adverse effect on the health of dairy cows and cows for reproduction, consumer safety or the environment. The Authority concluded that the additive should be considered an irritant to eyes and skin, and 3-NOP may be harmful if inhaled with a potential risk due to exposure by inhalation. Therefore, the Commission considers that appropriate protective measures should be taken to prevent adverse effects on human health, in particular as regards the users of the additive. Moreover, the risk of inhalation should be addressed by placing the additive granulated on the market with a negligible percentage of inhalable particles. The Authority concluded that the additive has the potential to reduce enteric methane production in dairy cows and cows for reproduction. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of 3-nitrooxypropanol shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that substance should be authorised as specified in the Annex to this Regulation.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ EFSA Journal 2021;19(11):6905.

HAS ADOPTED THIS REGULATION:

Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'substances which favourably affect the environment', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg active substance/kg of complete feed with moisture content 12 %			
Category: zootechnical additives. Functional group: substances which favourably affect the environment. (reduction of enteric methane production)									
4c1	DSM Nutritional Products Ltd represented in the Union by DSM Nutritional Products Sp. z o.o.	3-nitrooxypropanol	<p><i>Additive composition</i></p> <p>Preparation with a minimum of 10 % of 3- nitrooxypropanol Particles < 50 µm: below 0,5 % Particles < 10 µm: 0 % Granular powder</p> <p><i>Characterisation of the active substance</i></p> <p>3- nitrooxypropanol (Propan-1,3-diol-mononitrate) Chemical formula: C₃H₇NO₄ CAS number: 100502-66-7</p> <p><i>Analytical method</i> ⁽¹⁾</p> <p>For the quantification of 3-nitrooxypropanol in the feed additive, premixtures and compound feed: — reversed phase high performance liquid chromatography with spectrophotometric detection (HPLC-UV)</p>	Dairy cows and cows for reproduction	-	53	80	<p>1. The additive shall be incorporated into feed in the form of a premixture.</p> <p>2. For users of the additive and premixtures, feed business operators shall establish operational procedures and appropriate organisational measures to address the potential risks by inhalation, dermal contact or eyes contact. Where risks cannot be reduced to an acceptable level by these procedures and measures, the additive and premixtures shall be used with appropriate personal protective equipment, including eyes, skin and breathing protection.</p>	28 April 2032

⁽¹⁾ Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

COMMISSION REGULATION (EU) 2022/566
of 7 April 2022
amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as
regards maximum residue levels for flutianil in or on certain products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC ⁽¹⁾, and in particular Article 14(1)(a) thereof,

Whereas:

- (1) For flutianil, maximum residue levels ('MRLs') were set in Annex II to Regulation (EC) No 396/2005.
- (2) An application for import tolerances pursuant to Article 6(2) and (4) of Regulation (EC) No 396/2005 was submitted for flutianil used in the United States on apples, cherries (sweet), strawberries, cucumbers, courgettes and melons. The applicant provided data showing that the authorised uses of that substance on these crops in the United States lead to residues exceeding the MRLs contained in Regulation (EC) No 396/2005 and that higher MRLs are necessary to avoid trade barriers for the importation into the EU of those crops.
- (3) In accordance with Article 8 of Regulation (EC) No 396/2005, the application was evaluated by the Member State to which it had been submitted, and the evaluation report by that Member State was forwarded to the Commission.
- (4) The European Food Safety Authority ('the Authority') assessed the application and the evaluation report, examining in particular the risks to consumers and, where relevant, to animals, and gave a reasoned opinion on the proposed MRLs ⁽²⁾. It forwarded that opinion to the applicant, the Commission and the Member States and made it available to the public.
- (5) As regards flutianil in melons, the Authority concluded that the submitted data was insufficient to set a new MRL. As regards all other modifications to MRLs requested by the applicant, the Authority concluded that the data submitted was sufficient for it to perform a risk assessment. It further concluded that the modifications to the MRLs requested by the applicant were acceptable with regard to consumer safety on the basis of a consumer exposure assessment for 27 specific European consumer groups. In so concluding, the Authority took into account the most recent data on

⁽¹⁾ OJ L 70, 16.3.2005, p. 1.

⁽²⁾ EFSA scientific reports are available online: <http://www.efsa.europa.eu>
Reasoned opinion on the setting of import tolerance for flutianil in various crops. EFSA Journal 2021;19(9):6840.

the toxicological properties of the substance. Neither the lifetime exposure to this substance via consumption of all food products that may contain it, nor the short-term exposure due to high consumption of the relevant products showed a risk that the acceptable daily intake or the acute reference dose is exceeded.

- (6) Based on the reasoned opinion of the Authority and taking into account the factors relevant to the matter under consideration, the modifications to the MRLs proposed by this Regulation fulfil the requirements of Article 14(2) of Regulation (EC) No 396/2005.
- (7) Regulation (EC) No 396/2005 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 396/2005 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 7 April 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Annex II to Regulation (EC) No 396/2005, the column for flutianil is replaced by the following:

"Pesticide residues and maximum residue levels (mg/kg)

Code number	Groups and examples of individual products to which the MRLs apply ^(a)	Flutianil
0100000	FRUITS, FRESH or FROZEN; TREE NUTS	
0110000	Citrus fruits	0,01 (*)
0110010	Grapefruits	
0110020	Oranges	
0110030	Lemons	
0110040	Limes	
0110050	Mandarins	
0110990	Others (2)	
0120000	Tree nuts	0,01 (*)
0120010	Almonds	
0120020	Brazil nuts	
0120030	Cashew nuts	
0120040	Chestnuts	
0120050	Coconuts	
0120060	Hazelnuts/cobnuts	
0120070	Macadamias	
0120080	Pecans	
0120090	Pine nut kernels	
0120100	Pistachios	
0120110	Walnuts	
0120990	Others (2)	
0130000	Pome fruits	
0130010	Apples	0,15
0130020	Pears	0,01 (*)
0130030	Quinces	0,01 (*)
0130040	Medlars	0,01 (*)
0130050	Loquats/Japanese medlars	0,01 (*)
0130990	Others (2)	0,01 (*)
0140000	Stone fruits	
0140010	Apricots	0,01 (*)

0140020	Cherries (sweet)	0,4
0140030	Peaches	0,01 (*)
0140040	Plums	0,01 (*)
0140990	Others (2)	0,01 (*)
0150000	Berries and small fruits	
0151000	(a) grapes	0,15
0151010	Table grapes	
0151020	Wine grapes	
0152000	(b) strawberries	0,3
0153000	(c) cane fruits	0,01 (*)
0153010	Blackberries	
0153020	Dewberries	
0153030	Raspberries (red and yellow)	
0153990	Others (2)	
0154000	(d) other small fruits and berries	0,01 (*)
0154010	Blueberries	
0154020	Cranberries	
0154030	Currants (black, red and white)	
0154040	Gooseberries (green, red and yellow)	
0154050	Rose hips	
0154060	Mulberries (black and white)	
0154070	Azaroles/Mediterranean medlars	
0154080	Elderberries	
0154990	Others (2)	
0160000	Miscellaneous fruitswith	0,01 (*)
0161000	(a) edible peel	
0161010	Dates	
0161020	Figs	
0161030	Table olives	
0161040	Kumquats	
0161050	Carambolas	
0161060	Kaki/Japanese persimmons	
0161070	Jambuls/jambolans	
0161990	Others (2)	
0162000	(b) inedible peel, small	
0162010	Kiwi fruits (green, red, yellow)	
0162020	Litchis/lychees	
0162030	Passionfruits/maracujas	

0162040	Prickly pears/cactus fruits	
0162050	Star apples/cainitos	
0162060	American persimmons/Virginia kaki	
0162990	Others (2)	
0163000	(c) inedible peel, large	
0163010	Avocados	
0163020	Bananas	
0163030	Mangoes	
0163040	Papayas	
0163050	Granate apples/pomegranates	
0163060	Cherimoyas	
0163070	Guavas	
0163080	Pineapples	
0163090	Breadfruits	
0163100	Durians	
0163110	Soursops/guanabanas	
0163990	Others (2)	
0200000	VEGETABLES, FRESH or FROZEN	
0210000	Root and tuber vegetables	0,01 (*)
0211000	(a) potatoes	
0212000	(b) tropical root and tuber vegetables	
0212010	Cassava roots/manioc	
0212020	Sweet potatoes	
0212030	Yams	
0212040	Arrowroots	
0212990	Others (2)	
0213000	(c) other root and tuber vegetables except sugar beets	
0213010	Beetroots	
0213020	Carrots	
0213030	Celeriacs/turnip rooted celeries	
0213040	Horseradishes	
0213050	Jerusalem artichokes	
0213060	Parsnips	
0213070	Parsley roots/Hamburg roots parsley	
0213080	Radishes	
0213090	Salsifies	
0213100	Swedes/rutabagas	
0213110	Turnips	
0213990	Others (2)	

0220000	Bulb vegetables	0,01 (*)
0220010	Garlic	
0220020	Onions	
0220030	Shallots	
0220040	Spring onions/green onions and Welsh onions	
0220990	Others (2)	
0230000	Fruiting vegetables	
0231000	(a) Solanaceae and Malvaceae	0,01 (*)
0231010	Tomatoes	
0231020	Sweet peppers/bell peppers	
0231030	Aubergines/eggplants	
0231040	Okra/lady's fingers	
0231990	Others (2)	
0232000	(b) cucurbits with edible peel	
0232010	Cucumbers	0,03
0232020	Gherkins	0,01 (*)
0232030	Courgettes	0,03
0232990	Others (2)	0,01 (*)
0233000	(c) cucurbits with inedible peel	0,01 (*)
0233010	Melons	
0233020	Pumpkins	
0233030	Watermelons	
0233990	Others (2)	
0234000	(d) sweet corn	0,01 (*)
0239000	(e) other fruiting vegetables	0,01 (*)
0240000	Brassica vegetables(excluding brassica roots and brassica baby leaf crops)	0,01 (*)
0241000	(a) flowering brassica	
0241010	Broccoli	
0241020	Cauliflowers	
0241990	Others (2)	
0242000	(b) head brassica	
0242010	Brussels sprouts	
0242020	Head cabbages	
0242990	Others (2)	
0243000	(c) leafy brassica	
0243010	Chinese cabbages/pe-tsai	
0243020	Kales	
0243990	Others (2)	

0244000	(d) kohlrabies	
0250000	Leaf vegetables, herbs and edible flowers	
0251000	(a) lettuces and salad plants	0,01 (*)
0251010	Lamb's lettuces/corn salads	
0251020	Lettuces	
0251030	Escaroles/broad-leaved endives	
0251040	Cresses and other sprouts and shoots	
0251050	Land cresses	
0251060	Roman rocket/rucola	
0251070	Red mustards	
0251080	Baby leaf crops (including brassica species)	
0251990	Others (2)	
0252000	(b) spinaches and similar leaves	0,01 (*)
0252010	Spinaches	
0252020	Purslanes	
0252030	Chards/beet leaves	
0252990	Others (2)	
0253000	(c) grape leaves and similar species	0,01 (*)
0254000	(d) watercresses	0,01 (*)
0255000	(e) witloofs/Belgian endives	0,01 (*)
0256000	(f) herbs and edible flowers	0,02 (*)
0256010	Chervil	
0256020	Chives	
0256030	Celery leaves	
0256040	Parsley	
0256050	Sage	
0256060	Rosemary	
0256070	Thyme	
0256080	Basil and edible flowers	
0256090	Laurel/bay leaves	
0256100	Tarragon	
0256990	Others (2)	
0260000	Legume vegetables	0,01 (*)
0260010	Beans (with pods)	
0260020	Beans (without pods)	
0260030	Peas (with pods)	
0260040	Peas (without pods)	
0260050	Lentils	
0260990	Others (2)	

0270000	Stem vegetables	0,01 (*)
0270010	Asparagus	
0270020	Cardoons	
0270030	Celeries	
0270040	Florence fennels	
0270050	Globe artichokes	
0270060	Leeks	
0270070	Rhubarbs	
0270080	Bamboo shoots	
0270090	Palm hearts	
0270990	Others (2)	
0280000	Fungi, mosses and lichens	0,01 (*)
0280010	Cultivated fungi	
0280020	Wild fungi	
0280990	Mosses and lichens	
0290000	Algae and prokaryotes organisms	0,01 (*)
0300000	PULSES	0,01 (*)
0300010	Beans	
0300020	Lentils	
0300030	Peas	
0300040	Lupins/lupini beans	
0300990	Others (2)	
0400000	OILSEEDS AND OIL FRUITS	0,01 (*)
0401000	Oilseeds	
0401010	Linseeds	
0401020	Peanuts/groundnuts	
0401030	Poppy seeds	
0401040	Sesame seeds	
0401050	Sunflower seeds	
0401060	Rapeseeds/canola seeds	
0401070	Soyabeans	
0401080	Mustard seeds	
0401090	Cotton seeds	
0401100	Pumpkin seeds	
0401110	Safflower seeds	
0401120	Borage seeds	
0401130	Gold of pleasure seeds	
0401140	Hemp seeds	

0401150	Castor beans	
0401990	Others (2)	
0402000	Oil fruits	
0402010	Olives for oil production	
0402020	Oil palms kernels	
0402030	Oil palms fruits	
0402040	Kapok	
0402990	Others (2)	
0500000	CEREALS	0,01 (*)
0500010	Barley	
0500020	Buckwheat and other pseudocereals	
0500030	Maize/corn	
0500040	Common millet/proso millet	
0500050	Oat	
0500060	Rice	
0500070	Rye	
0500080	Sorghum	
0500090	Wheat	
0500990	Others (2)	
0600000	TEAS, COFFEE, HERBAL INFUSIONS, COCOA AND CAROBS	0,05 (*)
0610000	Teas	
0620000	Coffee beans	
0630000	Herbal infusions from	
0631000	(a) flowers	
0631010	Chamomile	
0631020	Hibiscus/roselle	
0631030	Rose	
0631040	Jasmine	
0631050	Lime/linden	
0631990	Others (2)	
0632000	(b) leaves and herbs	
0632010	Strawberry	
0632020	Rooibos	
0632030	Mate/maté	
0632990	Others (2)	
0633000	(c) roots	
0633010	Valerian	
0633020	Ginseng	

0633990	Others (2)	
0639000	(d) any other parts of the plant	
0640000	Cocoa beans	
0650000	Carobs/Saint John's breads	
0700000	HOPS	0,05 (*)
0800000	SPICES	
0810000	Seed spices	0,05 (*)
0810010	Anise/aniseed	
0810020	Black caraway/black cumin	
0810030	Celery	
0810040	Coriander	
0810050	Cumin	
0810060	Dill	
0810070	Fennel	
0810080	Fenugreek	
0810090	Nutmeg	
0810990	Others (2)	
0820000	Fruit spices	0,05 (*)
0820010	Allspice/pimento	
0820020	Sichuan pepper	
0820030	Caraway	
0820040	Cardamom	
0820050	Juniper berry	
0820060	Peppercorn (black, green and white)	
0820070	Vanilla	
0820080	Tamarind	
0820990	Others (2)	
0830000	Bark spices	0,05 (*)
0830010	Cinnamon	
0830990	Others (2)	
0840000	Root and rhizome spices	
0840010	Liquorice	0,05 (*)
0840020	Ginger (10)	0,05 (*)
0840030	Turmeric/curcuma	0,05 (*)
0840040	Horseradish (11)	
0840990	Others (2)	0,05 (*)
0850000	Bud spices	0,05 (*)
0850010	Cloves	

0850020	Capers	
0850990	Others (2)	
0860000	Flower pistil spices	0,05 (*)
0860010	Saffron	
0860990	Others (2)	
0870000	Aril spices	0,05 (*)
0870010	Mace	
0870990	Others (2)	
0900000	SUGAR PLANTS	0,01 (*)
0900010	Sugar beet roots	
0900020	Sugar canes	
0900030	Chicory roots	
0900990	Others (2)	
1000000	PRODUCTS OF ANIMAL ORIGIN - TERRESTRIAL ANIMALS	
1010000	Commodities from	0,01 (*)
1011000	(a) swine	
1011010	Muscle	
1011020	Fat	
1011030	Liver	
1011040	Kidney	
1011050	Edible offals (other than liver and kidney)	
1011990	Others (2)	
1012000	(b) bovine	
1012010	Muscle	
1012020	Fat	
1012030	Liver	
1012040	Kidney	
1012050	Edible offals (other than liver and kidney)	
1012990	Others (2)	
1013000	(c) sheep	
1013010	Muscle	
1013020	Fat	
1013030	Liver	
1013040	Kidney	
1013050	Edible offals (other than liver and kidney)	
1013990	Others (2)	
1014000	d) goat	
1014010	Muscle	

1014020	Fat	
1014030	Liver	
1014040	Kidney	
1014050	Edible offals (other than liver and kidney)	
1014990	Others (2)	
1015000	(e) equine	
1015010	Muscle	
1015020	Fat	
1015030	Liver	
1015040	Kidney	
1015050	Edible offals (other than liver and kidney)	
1015990	Others (2)	
1016000	(f) poultry	
1016010	Muscle	
1016020	Fat	
1016030	Liver	
1016040	Kidney	
1016050	Edible offals (other than liver and kidney)	
1016990	Others (2)	
1017000	(g) other farmed terrestrial animals	
1017010	Muscle	
1017020	Fat	
1017030	Liver	
1017040	Kidney	
1017050	Edible offals (other than liver and kidney)	
1017990	Others (2)	
1020000	Milk	0,01 (*)
1020010	Cattle	
1020020	Sheep	
1020030	Goat	
1020040	Horse	
1020990	Others (2)	
1030000	Birds eggs	0,01 (*)
1030010	Chicken	
1030020	Duck	
1030030	Geese	
1030040	Quail	
1030990	Others (2)	

1040000	Honey and other apiculture products (7)	0,05 (*)
1050000	Amphibians and Reptiles	0,01 (*)
1060000	Terrestrial invertebrate animals	0,01 (*)
1070000	Wild terrestrial vertebrate animals	0,01 (*)
1100000	PRODUCTS OF ANIMAL ORIGIN - FISH, FISHPRODUCTS AND ANY OTHER MARINE AND FRESHWATER FOOD PRODUCTS (8)	
1200000	PRODUCTS OR PART OF PRODUCTS EXCLUSIVELY USED FOR ANIMAL FEED PRODUCTION (8)	
1300000	PROCESSED FOOD PRODUCTS (9)	

(*) Indicates lower limit of analytical determination

(^e) For the complete list of products of plant and animal origin to which MRL's apply, reference should be made to Annex I"

DECISIONS

COUNCIL DECISION (EU) 2022/567

of 4 April 2022

on the position to be taken on behalf of the European Union within the Partnership Council established by the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, on the adoption of the operational guidelines for the conduct of the Civil Society Forum

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 43 and 91, Article 100(2) and Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ('the Trade and Cooperation Agreement') was concluded by the Union by means of Council Decision (EU) 2021/689 ⁽¹⁾ and entered into force on 1 May 2021, having been provisionally applied since 1 January 2021.
- (2) Article 14 of the Trade and Cooperation Agreement requires the Partnership Council established by that Agreement to adopt the operational guidelines for the conduct of the Civil Society Forum (the 'guidelines').
- (3) It is therefore appropriate to establish the position to be taken on the Union's behalf within the Partnership Council on the adoption of the guidelines.
- (4) In order to allow for the timely adoption of the guidelines, this Decision should enter into force on the date of its adoption,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Partnership Council established by the Trade and Cooperation Agreement, on a decision to be taken in accordance with Article 14 thereof, shall be based on the draft operational guidelines for the conduct of the Civil Society Forum attached to this Decision.

⁽¹⁾ Council Decision (EU) 2021/689 of 29 April 2021 on the conclusion, on behalf of the Union, of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part, and of the Agreement between the European Union and the United Kingdom of Great Britain and Northern Ireland concerning security procedures for exchanging and protecting classified information (OJ L 149, 30.4.2021, p. 2).

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 4 April 2022.

For the Council
The President
R. BACHELOT-NARQUIN

ANNEX

GUIDELINES FOR THE CIVIL SOCIETY FORUM**under the Trade and Cooperation Agreement**

Article 14(1) and Article 14(2) of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (the 'Trade and Cooperation Agreement') provides that the Parties shall facilitate the organisation of a Civil Society Forum composed of representatives of the civil society of the European Union and the United Kingdom of Great Britain and Northern Ireland (the United Kingdom) that shall meet at least once a year, unless otherwise agreed by the Parties. The Trade and Cooperation Agreement further provides that the Partnership Council shall adopt the operational guidelines for the conduct of the Forum.

1. PARTICIPANTS

According to Article 14(3) of the Trade and Cooperation Agreement ⁽¹⁾, the Civil Society Forum will gather representatives of the civil society of the European Union and the United Kingdom, namely representatives of business and employers' organisations (but not individual private companies), trade unions, academia, and non-governmental organisations in different branches of society relevant to the areas covered by Part II of the Trade and Cooperation Agreement. The Parties will apply their respective rules and practices on the registration of civil society representatives in order to promote a balanced representation of civil society organisations.

For practical reasons, the number of physical participants in the Civil Society Forum will be limited to 60 representatives from Civil Society on each side, unless the Parties agree otherwise. Those representatives will be able to attend the Civil Society Forum meetings in person or by electronic means. The Parties may agree to hold the meeting entirely virtually in accordance with Article 14(2) of the Trade and Cooperation Agreement. The Civil Society Forum will be open to other members of civil society organisations, who register in advance, to observe.

2. SCOPE

The discussions of the Civil Society Forum will cover the areas in Part II of the Trade and Cooperation Agreement: trade, aviation, road transport, social security coordination and visas for short-term visits, fisheries and other provisions.

3. TIMING, ORGANISATION AND AGENDAS

The Trade and Cooperation Agreement establishes that the Civil Society Forum will meet at least once a year, unless otherwise agreed by the Parties. The Civil Society Forum will meet in close proximity to the meeting of the Trade Partnership Committee, unless otherwise agreed by the Parties. The co-chairs of the Trade Partnership Committee and Trade Specialized Committees and the co-chairs of the Specialised Committees on Energy, Air Transport, Aviation Safety, Road Transport, Social Security Coordination and Fisheries will be able to participate in the Forum when matters within their remit are discussed in the Forum.

The Civil Society Forum will be organised by the Party that is responsible for hosting the meeting of the Trade Partnership Committee, meaning that the location of the Forum will alternate between the European Union and the United Kingdom, unless otherwise agreed by the Parties. The Party hosting the Forum will provide the venue and facilitate the meeting (e.g. provide links for registration and virtual participation).

The Parties will endeavour to consult their respective Domestic Advisory Groups on possible agenda items before agreeing a draft agenda with the other party. The Parties will endeavour to publish the draft agendas 15 days before the date of the Civil Society Forum meeting.

⁽¹⁾ The Civil Society Forum shall be open for the participation of independent civil society organisations established in the territories of the Parties, including members of the domestic advisory groups referred to in Article 13 of the Trade and Cooperation Agreement. Each Party shall promote a balanced representation, including non-governmental organisations, business and employers' organisations and trade unions, active in economic, sustainable development, social, human rights, environmental and other matters.

The hosting Party will draft the results and conclusions of the Civil Society Forum in agreement with the other Party, within 30 days of the meeting. The results and conclusions of each of the meetings will be shared with the Partnership Council, Trade Partnership Committee and the Specialised Committees on Energy, Air Transport, Aviation Safety, Road Transport, Social Security Coordination, Fisheries and will be made publicly available.

In accordance with Article 14(1), second sentence of the Trade and Cooperation Agreement, the Partnership Council may amend the present guidelines, including to address issues arising during their implementation.

COUNCIL DECISION (EU) 2022/568**of 4 April 2022**

on the position to be taken on behalf of the European Union within the Special Committee on Customs and Trade Facilitation established by the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part, as regards the adoption of the rules of procedure of the Special Committee on Customs and Trade Facilitation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part ⁽¹⁾ ('the Agreement') was signed by the Union and its Member States on 10 June 2016. It is provisionally applied between the Union and its Member States, of the one part, and Botswana, Lesotho, Namibia, Eswatini and South Africa, of the other part, from 10 October 2016, and between the Union and its Member States, of the one part, and Mozambique, of the other part, from 4 February 2018.
- (2) The Special Committee on Customs and Trade Facilitation was established by Article 50(1) of the Agreement.
- (3) Pursuant to Article 50(2), point (f), of the Agreement, the Special Committee on Customs and Trade Facilitation is to determine its own rules of procedure.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the Special Committee on Customs and Trade Facilitation, as the decision on the adoption of its rules of procedure will have legal effects on the Union.
- (5) The position of the Union within the Special Committee on Customs and Trade Facilitation as regards the adoption of its rules of procedure should be based on the draft Decision of that committee attached to this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Special Committee on Customs and Trade Facilitation, established by Article 50 of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part, as regards the adoption of its rules of procedure shall be based on the draft Decision of that committee attached to this Decision.

⁽¹⁾ OJ L 250, 16.9.2016, p. 3.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 4 April 2022.

For the Council
The President
R. BACHELOT-NARQUIN

Draft

DECISION No [...] OF THE SPECIAL COMMITTEE ON CUSTOMS AND TRADE FACILITATION
of ...
regarding its Rules of Procedure

THE SPECIAL COMMITTEE ON CUSTOMS AND TRADE FACILITATION,

Having regard to the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part ('the Agreement'), signed in Kasane on 10 June 2016, and in particular Article 50(2)(f) thereof,

HAS ADOPTED THIS DECISION:

The Rules of Procedure of the Special Committee on Customs and Trade Facilitation are established as set out in the Annex.

This Decision shall enter into force on...

Done at ...

ANNEX

RULES OF PROCEDURE OF THE SPECIAL COMMITTEE ON CUSTOMS AND TRADE FACILITATION

CHAPTER I

Organisation*Article 1***Composition and Chair**

1. The Special Committee on Customs and Trade Facilitation established in accordance with Article 50 of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part ('the Agreement') shall perform its duties as provided for in Article 50 of the Agreement.
2. Reference to 'the Parties' in these Rules of Procedure shall be in accordance with the definition provided for in Article 104 of the Agreement.
3. As provided for in Article 50(1) of the Agreement, the Special Committee on Customs and Trade Facilitation shall be composed of the representatives of the Parties.
4. As provided for in Article 50(4) of the Agreement, the Special Committee on Customs and Trade Facilitation shall be chaired alternately by an official of the European Commission and by an official of the SADC EPA States. The first meeting of the Special Committee on Customs and Trade Facilitation shall be co-chaired by an official of the European Commission and by an official of the SADC EPA States.
5. The mandate corresponding to the first period shall begin on the date of the first meeting of the Special Committee on Customs and Trade Facilitation and end on 31 December of the same year.

*Article 2***Meetings**

1. The Special Committee on Customs and Trade Facilitation shall meet once a year or at the request of either Party. The meetings shall be held in Brussels or in the territory of one of the SADC EPA states alternately, unless the Parties agree otherwise.
2. Unless the Parties agree otherwise, meetings of the Special Committee on Customs and Trade Facilitation shall be convened by the Party holding the Chair, after consulting the other Party.

*Article 3***Observers**

The Special Committee on Customs and Trade Facilitation may decide to invite observers on an ad hoc basis and determine which agenda items will be open to those observers.

*Article 4***Secretariat**

1. The Party hosting the meeting of the Special Committee on Customs and Trade Facilitation shall act as the Secretariat.
2. When the meeting takes place via electronic means, the Party holding the Chair shall act as the Secretariat.

*CHAPTER II***Functioning***Article 5***Documents**

Where the deliberations of the Special Committee on Customs and Trade Facilitation are based on written supporting documents, such documents shall be numbered and circulated by the Secretariat of the Special Committee on Customs and Trade Facilitation as documents of the Special Committee on Customs and Trade Facilitation.

*Article 6***Notification and agenda for the meetings**

1. The Secretariat shall notify the Parties of the convening of a meeting and request inputs for the agenda no later than 30 days before the meeting. In the event of an urgent matter and/or unforeseen circumstances to be considered, the meeting may be convened at short notice.
2. A provisional agenda for each meeting shall be drawn up by the Secretariat of the Special Committee on Customs and Trade Facilitation. It shall be forwarded by the Secretariat to the Chair and members of the Special Committee on Customs and Trade Facilitation no later than 14 days before the beginning of the meeting.
3. The provisional agenda shall include items in respect of which the Secretariat of the Special Committee on Customs and Trade Facilitation has received a request for inclusion in the agenda by a Party.
4. The agenda shall be adopted by the Special Committee on Customs and Trade Facilitation at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
5. The Chair of the Special Committee on Customs and Trade Facilitation may, upon agreement by all Parties, invite experts to attend its meetings in order to provide information on specific subjects.

*Article 7***Report of meeting**

Unless the Parties agree otherwise, the report of each meeting shall be drawn up by the Secretariat of the Special Committee on Customs and Trade Facilitation and adopted at the end of each meeting.

*Article 8***Decisions and recommendations**

1. The Special Committee on Customs and Trade Facilitation shall adopt by consensus decisions or recommendations in the cases provided for in the Agreement or where such power has been delegated to it by the Joint Council or the Trade and Development Committee.
2. Where the Special Committee on Customs and Trade Facilitation is empowered under the Agreement to adopt decisions or recommendations, or where such power has been delegated to it by the Joint Council or the Trade and Development Committee, such acts shall be entitled 'Decision' or 'Recommendation' respectively in the report of the meetings. The Secretariat of the Special Committee on Customs and Trade Facilitation shall give any approved decision or recommendation a serial number, the date of adoption and a description of their subject matter. Each decision or recommendation shall provide for the date of its entry into force.

3. In the event that a SADC EPA State is not in attendance, the decisions and/or recommendations of the meeting shall be communicated to the member that was unable to attend the meeting by the Secretariat. That SADC EPA State shall provide a written response within 10 calendar days from dispatch of the decisions and/or recommendations, indicating those decisions and/or recommendations they are not in agreement with, including reasons therefor. In the absence of the abovementioned written response within 10 calendar days, the decisions and/or recommendations shall be deemed adopted. In the event that the SADC EPA State that did not attend the meeting disagrees with decisions and/or recommendations, the procedure in paragraph 4 shall apply.

4. In the period between meetings, the Special Committee on Customs and Trade Facilitation may adopt decisions and recommendations by written procedure if both Parties so agree. A written procedure shall consist of an exchange of notes between representatives of the Parties.

5. Decisions and recommendations adopted by the Special Committee on Customs and Trade Facilitation shall be authenticated by making an authentic copy signed by a representative of the European Union and by a representative of the SADC EPA States.

Article 9

Public access

1. The meetings of the Special Committee on Customs and Trade Facilitation shall not be public, unless otherwise decided.
2. Each Party may decide to publish the decisions and recommendations of the Special Committee on Customs and Trade Facilitation.

CHAPTER III

Final provisions

Article 10

Expenses

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Special Committee on Customs and Trade Facilitation, both with regard to staff, travel and subsistence expenditure and with regard to postal and telecommunications expenditure.
2. Expenditure in connection with the organisation of meetings, the provision of interpretation services and reproduction of documents shall be borne by the Party hosting the meeting.

Article 11

Amendment of the Rules of Procedure

These Rules of Procedure may be amended in writing by a decision of Special Committee on Customs and Trade Facilitation in accordance with Article 8.

COUNCIL IMPLEMENTING DECISION (EU) 2022/569
of 4 April 2022
on the launch of automated data exchange with regard to DNA data in Italy

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, and in particular Article 33 thereof,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) In accordance with Article 25(2) of Decision 2008/615/JHA, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection set out in Chapter 6 of that Decision have been implemented in the national law of the territories of the Member States involved in such supply.
- (2) Article 20 of Council Decision 2008/616/JHA ⁽³⁾ provides that the verification that the condition referred to in recital 1 has been met with respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA is to be done on the basis of an evaluation report based on a questionnaire, an evaluation visit and a pilot run.
- (3) Italy has informed the General Secretariat of the Council on the national DNA analysis files to which Articles 2 to 6 of Decision 2008/615/JHA apply and the conditions for automated searching as referred to in Article 3(1) of that Decision in accordance with Article 36(2) of that Decision.
- (4) In accordance with Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and is to be answered by a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.
- (5) Italy has completed the questionnaire on data protection and the questionnaire on DNA data exchange.
- (6) A successful pilot run has been carried out by Italy with Germany and Austria.
- (7) An evaluation visit has taken place in Italy and a report on the evaluation visit has been produced by the German and Austrian evaluation team and forwarded to the relevant Council Working Group.
- (8) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning DNA data exchange, has been presented to the Council.
- (9) On 9 December 2021, the Council, having noted the agreement of all Member States bound by Decision 2008/615/JHA, concluded that Italy had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ Opinion of 24 March 2022 (not yet published in the Official Journal).

⁽³⁾ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 12).

- (10) Therefore, for the purposes of automated searching of DNA data, Italy should be entitled to receive and supply personal data pursuant to Articles 3 and 4 of Decision 2008/615/JHA.
- (11) Article 33 of Decision 2008/615/JHA confers implementing powers upon the Council with a view to adopting measures necessary to implement that Decision, in particular as regards the receiving and supply of personal data provided for under that Decision.
- (12) As the conditions for triggering the exercise of such implementing powers have been met and the procedure in this regard has been followed, an Implementing Decision on the launch of automated data exchange with regard to DNA data in Italy should be adopted in order to allow that Member State to receive and supply personal data pursuant to Articles 3 and 4 of Decision 2008/615/JHA.
- (13) Denmark and Ireland are bound by Decision 2008/615/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2008/615/JHA,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching and comparison of DNA data, Italy is entitled to receive and supply personal data pursuant to Articles 3 and 4 of Decision 2008/615/JHA as from 9 April 2022.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Decision shall apply in accordance with the Treaties.

Done at Luxembourg, 4 April 2022.

For the Council
The President
R. BACHELOT-NARQUIN

COUNCIL IMPLEMENTING DECISION (EU) 2022/570
of 4 April 2022
on the launch of automated data exchange with regard to dactyloscopic data in Italy

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, and in particular Article 33 thereof,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) In accordance with Article 25(2) of Decision 2008/615/JHA, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection set out in Chapter 6 of that Decision have been implemented in the national law of the territories of the Member States involved in such supply.
- (2) Article 20 of Council Decision 2008/616/JHA ⁽³⁾ provides that the verification that the condition referred to in recital 1 has been met with respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA is to be done on the basis of an evaluation report based on a questionnaire, an evaluation visit and a pilot run.
- (3) In accordance with Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and is to be answered by a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.
- (4) Italy has completed the questionnaire on data protection and the questionnaire on dactyloscopic data exchange.
- (5) A successful pilot run has been carried out by Italy with Germany and Austria.
- (6) An evaluation visit has taken place in Italy and a report on the evaluation visit has been produced by the German and Austrian evaluation team and forwarded to the relevant Council Working Group.
- (7) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning dactyloscopic data exchange, has been presented to the Council.
- (8) On 9 December 2021, the Council, having noted the agreement of all Member States bound by Decision 2008/615/JHA, concluded that Italy had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.
- (9) Therefore, for the purposes of automated searching of dactyloscopic data, Italy should be entitled to receive and supply personal data pursuant to Article 9 of Decision 2008/615/JHA.
- (10) Article 33 of Decision 2008/615/JHA confers implementing powers upon the Council with a view to adopting measures necessary to implement that Decision, in particular as regards the receiving and supply of personal data provided for under that Decision.

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ Opinion of 24 March 2022 (not yet published in the Official Journal).

⁽³⁾ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 12).

- (11) As the conditions for triggering the exercise of such implementing powers have been met and the procedure in this regard has been followed, an Implementing Decision on the launch of automated data exchange with regard to dactyloscopic data in Italy should be adopted in order to allow that Member State to receive and supply personal data pursuant to Article 9 of Decision 2008/615/JHA.
- (12) Denmark and Ireland are bound by Decision 2008/615/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2008/615/JHA,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of dactyloscopic data, Italy is entitled to receive and supply personal data pursuant to Article 9 of Decision 2008/615/JHA as from 9 April 2022.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Decision shall apply in accordance with the Treaties.

Done at Luxembourg, 4 April 2022.

For the Council
The President
R. BACHELOT-NARQUIN

COUNCIL IMPLEMENTING DECISION (EU) 2022/571**of 4 April 2022****on the launch of automated data exchange with regard to vehicle registration data in Italy**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, and in particular Article 33 thereof,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) In accordance with Article 25(2) of Decision 2008/615/JHA, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection set out in Chapter 6 of that Decision have been implemented in the national law of the territories of the Member States involved in such supply.
- (2) Article 20 of Council Decision 2008/616/JHA ⁽³⁾ provides that the verification that the condition referred to in recital 1 has been met with respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA is to be done on the basis of an evaluation report based on a questionnaire, an evaluation visit and a pilot run.
- (3) In accordance with Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and is to be answered by a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.
- (4) Italy has completed the questionnaire on data protection and the questionnaire on vehicle registration data (VRD) exchange.
- (5) A successful pilot run has been carried out by Italy with the Netherlands.
- (6) An evaluation visit has taken place in Italy and a report on the evaluation visit has been produced by the Dutch and Portuguese evaluation team and forwarded to the relevant Council Working Group.
- (7) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning VRD exchange, has been presented to the Council.
- (8) On 9 December 2021, the Council, having noted the agreement of all Member States bound by Decision 2008/615/JHA, concluded that Italy had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.
- (9) Therefore, for the purposes of automated searching of VRD, Italy should be entitled to receive and supply personal data pursuant to Article 12 of Decision 2008/615/JHA.
- (10) Article 33 of Decision 2008/615/JHA confers implementing powers upon the Council with a view to adopting measures necessary to implement that Decision, in particular as regards the receiving and supply of personal data provided for under that Decision.

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ Opinion of 24 March 2022 (not yet published in the Official Journal).

⁽³⁾ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 12).

- (11) As the conditions for triggering the exercise of such implementing powers have been met and the procedure in this regard has been followed, an Implementing Decision on the launch of automated data exchange with regard to VRD in Italy should be adopted in order to allow that Member State to receive and supply personal data pursuant to Article 12 of Decision 2008/615/JHA.
- (12) Denmark and Ireland are bound by Decision 2008/615/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2008/615/JHA,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of vehicle registration data, Italy is entitled to receive and supply personal data pursuant to Article 12 of Decision 2008/615/JHA as from 9 April 2022.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Decision shall apply in accordance with the Treaties.

Done at Luxembourg, 4 April 2022.

For the Council
The President
R. BACHELOT-NARQUIN

COUNCIL IMPLEMENTING DECISION (EU) 2022/572
of 4 April 2022
on the launch of automated data exchange with regard to vehicle registration data in Greece

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime ⁽¹⁾, and in particular Article 33 thereof,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) In accordance with Article 25(2) of Decision 2008/615/JHA, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection set out in Chapter 6 of that Decision have been implemented in the national law of the territories of the Member States involved in such supply.
- (2) Article 20 of Council Decision 2008/616/JHA ⁽³⁾ provides that the verification that the condition referred to in recital 1 has been met with respect to automated data exchange in accordance with Chapter 2 of Decision 2008/615/JHA is to be done on the basis of an evaluation report based on a questionnaire, an evaluation visit and a pilot run.
- (3) In accordance with Chapter 4, point 1.1, of the Annex to Decision 2008/616/JHA, the questionnaire drawn up by the relevant Council Working Group concerns each of the automated data exchanges and is to be answered by a Member State as soon as it believes it fulfils the prerequisites for sharing data in the relevant data category.
- (4) Greece has completed the questionnaire on data protection and the questionnaire on vehicle registration data (VRD) exchange.
- (5) A successful pilot run has been carried out by Greece with the Netherlands.
- (6) An evaluation visit has taken place in Greece and a report on the evaluation visit has been produced by the Dutch and Cypriot evaluation team and forwarded to the relevant Council Working Group.
- (7) An overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning VRD exchange, has been presented to the Council.
- (8) On 9 December 2021, the Council, having noted the agreement of all Member States bound by Decision 2008/615/JHA, concluded that Greece had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.
- (9) Therefore, for the purposes of automated searching of VRD, Greece should be entitled to receive and supply personal data pursuant to Article 12 of Decision 2008/615/JHA.
- (10) Article 33 of Decision 2008/615/JHA confers implementing powers upon the Council with a view to adopting measures necessary to implement that Decision, in particular as regards the receiving and supply of personal data provided for under that Decision.

⁽¹⁾ OJ L 210, 6.8.2008, p. 1.

⁽²⁾ Opinion of 24 March 2022 (not yet published in the Official Journal).

⁽³⁾ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 12).

- (11) As the conditions for triggering the exercise of such implementing powers have been met and the procedure in this regard has been followed, an Implementing Decision on the launch of automated data exchange with regard to VRD in Greece should be adopted in order to allow that Member State to receive and supply personal data pursuant to Article 12 of Decision 2008/615/JHA.
- (12) Denmark and Ireland are bound by Decision 2008/615/JHA and are therefore taking part in the adoption and application of this Decision which implements Decision 2008/615/JHA,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of automated searching of vehicle registration data, Greece is entitled to receive and supply personal data pursuant to Article 12 of Decision 2008/615/JHA as from 9 April 2022.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Decision shall apply in accordance with the Treaties.

Done at Luxembourg, 4 April 2022.

For the Council
The President
R. BACHELOT-NARQUIN

COUNCIL DECISION (CFSP) 2022/573**of 7 April 2022****amending Decision (CFSP) 2019/538 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 1 April 2019, the Council adopted Decision (CFSP) 2019/538 ⁽¹⁾ in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.
- (2) On 9 February 2022, the OPCW, which is responsible for the technical implementation of the projects referred to in Article 1 of Decision (CFSP) 2019/538, requested an extension of twelve months until 30 April 2023 of the implementation period of that Decision. The requested extension will allow the OPCW to mitigate the impact of the COVID-19 pandemic on the implementation of specific project activities.
- (3) The continuation of the implementation of projects referred to in Article 1 of Decision (CFSP) 2019/538 does not have any implication as regards financial resources until 30 April 2023.
- (4) Decision (CFSP) 2019/538 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision (CFSP) 2019/538, paragraph 2 is replaced by the following:

- ‘2. This Decision shall expire on 30 April 2023.’.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 7 April 2022.

For the Council
The President
J. DENORMANDIE

⁽¹⁾ Council Decision (CFSP) 2019/538 of 1 April 2019 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 93, 2.4.2019, p. 3).

COUNCIL DECISION (CFSP) 2022/574**of 7 April 2022****amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 11 May 2017, the Council adopted Decision (CFSP) 2017/809 ⁽¹⁾, providing for a 36-month implementation period from the date of the conclusion of the financing agreement referred to in Article 3(3) of that Decision, for the projects referred to in Article 1 thereof.
- (2) On 16 June 2020, the Council adopted Decision (CFSP) 2020/795 ⁽²⁾ amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery, by extending the implementation period of the Decision until 10 August 2021.
- (3) On 21 June 2021, the Council adopted Decision (CFSP) 2021/1025 ⁽³⁾ amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery, by extending the implementation period of the Decision until 25 April 2022.
- (4) On 15 February 2022, the United Nations Office for Disarmament Affairs (UNODA), which is responsible for the technical implementation of the projects referred to in Article 1 of Decision (CFSP) 2017/809, requested a further 10-month extension of the implementation period of that Decision. The requested extension would allow UNODA to continue delivering assistance to the United Nations Member States implementing United Nations Security Council Resolution 1540 (2004) ('UNSCR 1540'), to contribute further to an ongoing comprehensive review, to continue delivering assistance to the Committee of the United Nations Security Council established by UNSCR 1540 until the end of its mandate that has been extended until 30 November 2022, and to mitigate the losses resulting from projects that remain undelivered due to the COVID-19 pandemic.
- (5) The continuation of the projects referred to in Article 1 of Decision (CFSP) 2017/809 does not have any implication as regards financial resources until 25 February 2023.
- (6) Decision (CFSP) 2017/809 should therefore be amended accordingly,

⁽¹⁾ Council Decision (CFSP) 2017/809 of 11 May 2017 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery (OJ L 121, 12.5.2017, p. 39).

⁽²⁾ Council Decision (CFSP) 2020/795 of 16 June 2020 amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery (OJ L 193, 17.6.2020, p. 14).

⁽³⁾ Council Decision (CFSP) 2021/1025 of 21 June 2021 amending Decision (CFSP) 2017/809 in support of the implementation of United Nations Security Council Resolution 1540 (2004) on the non-proliferation of weapons of mass destruction and their means of delivery (OJ L 224, 24.6.2021, p. 22).

HAS ADOPTED THIS DECISION:

Article 1

In Article 5 of Decision (CFSP) 2017/809, paragraph 2 is replaced by the following:

'2. This Decision shall expire on 25 February 2023.'

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 7 April 2022.

For the Council
The President
J. DENORMANDIE

COMMISSION IMPLEMENTING DECISION (EU) 2022/575**of 6 April 2022****concerning emergency measures to prevent the introduction into the Union of foot and mouth disease through consignments of hay and straw from third countries or territories and repealing Implementing Regulation (EU) 2020/2208***(notified under document C(2022)2078)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 261(1), point (b), thereof,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular Article 128(1) thereof,

Whereas:

- (1) Foot and mouth disease ('FMD') is a severe, highly contagious viral disease of livestock, which can have a significant economic impact on the agricultural sector, and the potential to spread rapidly through contaminated plant materials, including hay and straw.
- (2) Hay and straw are the only plant materials for which restrictions on the entry into the Union of consignments thereof were laid down in Commission Regulation (EC) No 136/2004 ⁽³⁾, which applied until 20 April 2021. In particular, only consignments of hay and straw from third countries or territories listed in Annex V to Regulation (EC) No 136/2004 were permitted to enter the Union. Given the risk posed for the spread of FMD through those materials, it is appropriate to continue to have such restrictions laid down in Union law.
- (3) The new legislative framework for animal health, established under Regulation (EU) 2016/429, and which applies from 21 April 2021, should ensure a smooth transition from the requirements laid down in pre-existing Union acts, including those concerning the entry into the Union of plant materials, as they have proved to be effective. Therefore, the aim and substance of those pre-existing rules should be maintained in the rules laid down in this

⁽¹⁾ OJ L 84, 31.3.2016, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Regulation (EC) No 136/2004 of 22 January 2004 laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries (OJ L 21, 28.1.2004, p. 11).

Decision, pending a scientific opinion of the European Food Authority (EFSA) evaluating the animal health risks of the introduction into the Union of FMD and other category A diseases as referred to in Article 1(1) of Commission Implementing Regulation (EU) 2018/1882 ⁽⁴⁾ through consignments of hay and straw from third countries or territories.

- (4) It is therefore necessary to lay down in this Decision a list of third countries or territories from which the entry into the Union of consignments of hay and straw is authorised. Such a list should take into account the list in Annex V to Regulation (EC) No 136/2004, and the list, in Annex II to Commission Implementing Regulation (EU) 2021/404 ⁽⁵⁾, of third countries or territories, or zones thereof from which the entry into the Union of consignments of ungulates is authorised due to their favourable animal health situation as regards, amongst others, FMD. In order not to cause any disturbance to trade and for the sake of clarity, there should also be a separate list of third countries or territories from which the entry into the Union of consignments of pelleted straw intended for combustion in a plant is authorised.
- (5) In order to prevent the contact of consignments of pelleted straw intended for combustion with animals susceptible to FMD, this Decision should also lay down strict risk-mitigating measures for the delivery of such consignments to the plant of destination in the Union. They should be placed under the special custom procedure provided for in Article 210, point (a), of Regulation (EU) No 952/2013 of the European Parliament and of the Council ⁽⁶⁾, and their transport should be monitored, in accordance with Commission Delegated Regulation (EU) 2019/1666 ⁽⁷⁾, through the computerised information management system for official controls (IMSOC) provided for in Article 131 of Regulation (EU) 2017/625, and they should be delivered directly from the border control post of entry into the Union to the plant of destination in the Union, where they are going to be burnt.
- (6) The CN codes for hay and straw are laid down in Chapter 12 of the Annex to Commission Implementing Regulation (EU) 2021/632 ⁽⁸⁾, and should therefore be taken into account in this Decision.
- (7) For the sake of simplification and legal clarity, Commission Implementing Regulation (EU) 2020/2208 ⁽⁹⁾ currently authorising imports into the Union of consignments of hay and straw from Great Britain and the Crown Dependencies should be repealed, and they should be listed in Part 1 of the Annex to this Decision.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽⁴⁾ Commission Implementing Regulation (EU) 2018/1882 of 3 December 2018 on the application of certain disease prevention and control rules to categories of listed diseases and establishing a list of species and groups of species posing a considerable risk for the spread of those listed diseases (OJ L 308, 4.12.2018, p. 21).

⁽⁵⁾ Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

⁽⁶⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

⁽⁷⁾ Commission Delegated Regulation (EU) 2019/1666 of 24 June 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards conditions for monitoring the transport and arrival of consignments of certain goods from the border control post of arrival to the establishment at the place of destination in the Union (OJ L 255, 4.10.2019, p. 1).

⁽⁸⁾ Commission Implementing Regulation (EU) 2021/632 of 13 April 2021 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the lists of animals, products of animal origin, germinal products, animal by-products and derived products, composite products, and hay and straw subject to official controls at border control posts, and repealing Commission Implementing Regulation (EU) 2019/2007 and Commission Decision 2007/275/EC (OJ L 132, 19.4.2021, p. 24).

⁽⁹⁾ Commission Implementing Regulation (EU) 2020/2208 of 22 December 2020 including the United Kingdom as a third country authorised for the imports into the Union of consignments of hay and straw (OJ L 438, 28.12.2020, p. 21).

HAS ADOPTED THIS DECISION:

Article 1

Subject matter and scope

This Decision lays down emergency measures for the entry into the Union of consignments of hay and straw from third countries and territories.

Article 2

Requirements for the entry into the Union of consignments of hay and straw

1. Consignments of straw (CN code Ex 1213 00 00) as referred to in Chapter 12 of the Annex to Implementing Regulation (EU) 2021/632, or hay (CN code: Ex 1214 90) as referred to in Chapter 12 of that Annex, shall only be permitted to enter the Union if such consignments originate from the third countries or territories listed in Part 1 of the Annex to this Decision.
2. By way of derogation from paragraph 1, consignments of pelleted straw intended for combustion in a plant shall be permitted to enter the Union provided that they comply with the following conditions:
 - (a) they originate from the third countries or territories listed in Part 2 of the Annex;
 - (b) they are placed, upon entry into the Union, under the special procedure provided for in Article 210, point (a), of Regulation (EU) No 952/2013; their transport is monitored, in accordance with Delegated Regulation (EU) 2019/1666, through the computerised information management system for official controls (IMSOC) provided for in Article 131 of Regulation (EU) 2017/625; and they are delivered directly from the border control post of entry into the Union to the plant of destination in the Union, where they are going to be burnt.

Article 3

Repeal

Implementing Regulation (EU) 2020/2208 is repealed.

Article 4

Addresses

This Decision is addressed to the Member States.

Done at Brussels, 6 April 2022.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

Part 1 – List of third countries or territories from which the entry into the Union of consignments of hay and straw is authorised, as referred to in Article 2(1)

ISO code of the third country or territory	Name of the third country or territory
AU	Australia
CA	Canada
CH	Switzerland
CL	Chile
GB	United Kingdom ⁽¹⁾
GG	Guernsey
GL	Greenland
IM	Isle of Man
IS	Iceland
JE	Jersey
NZ	New Zealand
RS	Serbia ⁽²⁾
US	United States

⁽¹⁾ In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of Part 1 of this Annex references to the United Kingdom do not include Northern Ireland.

⁽²⁾ For the purpose of the emergency measures referred to in Article 1, when reference to Serbia is made in this Annex, the territory of Kosovo* is not included.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

Part 2 – List of third countries or territories from which the entry into the Union of consignments of pelleted straw is authorised, as referred to in Article 2(2)

ISO code of the third country or territory	Name of the third country or territory
UA	Ukraine

CORRIGENDA

Corrigendum to Council Regulation (EU) 2021/2278 of 20 December 2021 suspending the Common Customs Tariff duties referred to in Article 56(2), point (c), of Regulation (EU) No 952/2013 on certain agricultural and industrial products, and repealing Regulation (EU) No 1387/2013

(Official Journal of the European Union L 466 of 29 December 2021)

On page 159, in the Annex, in the entry for serial number 0.8148, in the column 'Date envisaged for mandatory review':

for: '01.12.2022',

read: '31.12.2022';

on page 215, in the Annex, in the entry for serial number 0.7103, in the column 'Description':

for: '... of a kind used for thermal cameras or IP network cameras (1)',

read: '... of a kind used for thermal cameras or IP network cameras'.

Corrigendum to Council Decision (CFSP) 2022/338 of 28 February 2022 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force

(Official Journal of the European Union L 60 of 28 February 2022)

On page 3, in Article 4(4), point (n) :

for: 'n) the State Defence Logistics and Procurement Centre of Latvia;',

read: '(n) the Ministry of Defence of Latvia and the State Defence Logistics and Procurement Centre of Latvia;'.

Corrigendum to Council Decision (CFSP) 2022/339 of 28 February 2022 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces

(Official Journal of the European Union L 61 of 28 February 2022)

On page 3, in Article 4(4), point (p):

for: ‘(p) the State Defence Logistics and Procurement Centre of Latvia;’

read: ‘(p) the Ministry of Defence of Latvia and the State Defence Logistics and Procurement Centre of Latvia;’

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