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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
No. prev. doc.:	7759/22
Subject:	Joint statement and roadmap with the United States of America on an 'Agenda for Beating the Global Pandemic' - <i>Authorisation to negotiate a non-binding instrument</i> - <i>Decision to use the written procedure</i>

1. On 4 April 2022, the Commission informed the Working Party on Public Health, in a note¹, of its intention to enter into negotiations with the United States of America on a non-binding instrument in the form of a joint statement and/or a roadmap on an 'Agenda for Beating the Global Pandemic'. That instrument could be approved at a summit organised by the United States of America, currently scheduled for May 2022.
2. The Working Party on Public Health examined the Commission's information note at its meeting on 13 April 2022 and no delegation raised any objection to the Commission being authorised to enter into the above negotiations.

¹ 7759/22.

3. In addition, it was highlighted that:

- the negotiations with the United States of America on this non-binding instrument must, as regards the draft international agreement on pandemic prevention, preparedness and response, as well as complementary amendments to the International Health Regulations (2005), be conducted with full respect for the prerogatives of the Council and the role of the special committee established by the Council Decision² in the negotiations conducted on behalf of the European Union within the WHO, as well as the coordination between the European Union and its Member States in those negotiations;
- an administrative agreement between the Department of Health and Human Services of the United States of America and the Commission (HERA), as envisaged in the roadmap and/or the joint statement, must be of a purely administrative, non-political nature and limited to the administrative powers conferred on the institution or department adopting it;
- the competences of the Member States must be fully respected, in particular with regard to funding;
- in general and wherever necessary, the Commission is encouraged to inform the Member States of developments related to these initiatives and to involve them therein.

4. It is understood that the Commission will revert to the Council at the end of the negotiations to seek, in accordance with EU law, the Council's authorisation for the approval, on behalf of the European Union, of the non-binding instrument that is expected to result from the negotiations.

² 6133/22.

5. In view of the above, the Permanent Representatives Committee is invited:

- to recommend that the Council authorise the Commission to enter into negotiations with the United States of America on a non-binding instrument in the form of a joint statement and/or a roadmap establishing an ‘Agenda for Beating the Global Pandemic’;
- to decide, in accordance with Article 12(1), first subparagraph, of the Council’s Rules of Procedure, that the Council use the written procedure for that authorisation.
