



Council of the
European Union

Brussels, 28 May 2022
(OR. en)

8234/22

LIMITE

CO EUR-PREP 11

NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: Special meeting of the European Council (30 and 31 May 2022)
– Draft conclusions

In accordance with Article 3(1) of the Rules of Procedure of the European Council, delegations will find attached the draft conclusions prepared by the President of the European Council, in close cooperation with the member of the European Council representing the Member State holding the six-monthly Presidency of the Council and with the President of the Commission.

I. UKRAINE

1. The European Council resolutely condemns Russia's war of aggression against Ukraine. It urges Russia to immediately stop its indiscriminate attacks against civilians and civilian infrastructure, and to immediately and unconditionally withdraw all its troops and military equipment from the entire territory of Ukraine within its internationally recognised borders. The atrocities being committed by Russian forces and the suffering and destruction being inflicted are unspeakable. The European Council calls on Russia to allow immediate humanitarian access and the safe passage of all civilians concerned. The European Council expects international humanitarian law, including the Geneva Convention relative to the treatment of prisoners of war, to be fully respected. It also calls on Russia to immediately allow the safe return of Ukrainian individuals forcibly removed to Russia.
2. The European Council hails the courage and determination of the Ukrainian people and its leadership in their fight to defend the sovereignty, territorial integrity and freedom of their country. The European Union is unwavering in its commitment to help Ukraine exercise its inherent right of self-defence against the Russian aggression and build a peaceful, democratic and prosperous future. In this regard, it will continue to work closely with international partners.

International justice

3. The European Council commends all those helping to gather evidence and to investigate war crimes and the other most serious crimes, and supports the intensive work of the Prosecutor of the International Criminal Court in this respect. It also salutes the work being carried out by Ukraine's Prosecutor General with financial and capacity-building support from the European Union and its Member States. It welcomes the establishment of a Joint Investigation Team coordinated by Eurojust, whose role has been reinforced, and the ongoing operational support provided by Europol. Russia, Belarus and all those responsible will be held to account for their actions in accordance with international law.

Sanctions

[p.m.]

Humanitarian and financial support

4. The European Union will continue to provide support to Ukraine with a view to addressing humanitarian, liquidity and reconstruction needs.
5. Since the beginning of the Russian aggression, the European Union has stepped up its support for Ukraine's overall economic, social and financial resilience, including by providing humanitarian aid. In that regard, the European Council commends the results of the High-Level International Donors' Conference co-hosted by Poland and Sweden.
6. The European Union and its Member States have provided protection to millions of refugees fleeing the war in Ukraine, and remain committed to welcoming and providing safety to them, including by helping neighbouring countries. The European Council invites the Commission to present new initiatives to support this effort within the current Multiannual Financial Framework.
7. The European Union will continue to support the Ukrainian government in its urgent liquidity needs together with its G7 partners. The European Union is ready to grant Ukraine new exceptional macro-financial assistance of up to EUR 9 billion in 2022. In this context, the European Council calls for the examination of the Commission proposal as soon as it is presented.

8. Ukraine's reconstruction will require comprehensive support to rebuild the country for the future. The European Union and its Member States are prepared to play a major role in this regard. Therefore, a Ukraine reconstruction platform should be considered. It should bring together the Ukrainian government, the European Union and its Member States, the European Investment Bank as well as international partners, financing institutions and organisations, and interested parties. EU support for reconstruction will be linked to the implementation of reforms consistent with its European path.
9. The European Council welcomes the efforts made by Member States to provide in their national law for appropriate confiscation measures and calls on the Council to swiftly examine the recent Commission proposal on criminal law measures in case of violation of EU sanctions. The European Council supports further options in line with EU and international law being actively explored, including options aimed at using frozen Russian assets to support Ukraine's reconstruction.

Military support

10. The European Union also remains committed to continue bolstering Ukraine's ability to defend its territorial integrity and sovereignty. In this respect, the European Council welcomes the adoption of the recent decision of the Council to increase military support to Ukraine under the European Peace Facility.

Economic support

11. The European Council welcomes the adoption of the decision to suspend import duties on all Ukrainian exports to the European Union for one year.

Political support

12. The European Council takes note of the preparation of the Commission's opinions on the application for EU membership of Ukraine as well as the Republic of Moldova and Georgia, and will revert to the matter at its June meeting.

13. The European Union and its Member States will step up their efforts to reach out to third countries in order to support Ukraine in all these dimensions, counter the false Russian narrative and manipulation of information, and prevent sanctions evasion and circumvention.

Impact on neighbouring countries

14. The European Council follows closely the impact of Russia's war against Ukraine on neighbouring countries and the Western Balkans. It emphasises the need to provide all relevant support to the Republic of Moldova as it deals with the interlinked energy and economic crises, and migration pressure arising from the war. The European Council reiterates its call for an end to repression in Belarus and recalls the democratic right of the Belarusian people to new, free and fair elections.

II. FOOD SECURITY

15. The European Council strongly condemns the destruction and illegal appropriation by Russia of agricultural production in Ukraine. The Russian war of aggression against Ukraine is having a direct impact on global food security and affordability. The European Council calls on Russia to end its attacks on transport infrastructure in Ukraine, to lift the blockade of Ukrainian Black Sea ports and to allow food exports, in particular from Odesa. The European Union is taking active measures to facilitate Ukraine's agricultural exports and to support Ukraine's agricultural sector in view of the 2022 season. In this regard, the European Council invites Member States to accelerate work on "Solidarity Lanes" put forward by the Commission, and to facilitate food exports from Ukraine via different land routes and EU sea ports.

16. The European Council underlines the importance of the Common Agriculture Policy (CAP) in the EU's contribution to food security and calls for the swift adoption of the CAP Strategic Plans. It also calls for effective international coordination to ensure a comprehensive global food security response. In this respect, it welcomes the Food and Agriculture Resilience Mission (FARM) - based on the three pillars: trade, solidarity and production - which aims to mitigate consequences for price levels, production and access to and supply of grain. It also supports the UN Global Crisis Response Group, the upcoming G7 initiative establishing a Global Alliance on Food Security (GAFS) and other EU and multilateral actions and initiatives. It reiterates its commitment to keep global trade in food commodities free of unjustified trade barriers, enhance solidarity towards the most vulnerable countries and increase local sustainable food production so as to reduce structural dependencies. The European Union welcomes the commitment and support of its partners and of international organisations.
17. In view of the ongoing fertiliser shortages in the global market, the European Council calls for more concerted efforts to work with international partners to promote a more efficient use of and alternatives to fertilisers.

III. SECURITY AND DEFENCE

18. The Russian war of aggression against Ukraine has caused a major shift in the European Union's strategic environment and has shown the need for a stronger and more capable European Union in the field of security and defence. In this new context, recalling the Versailles Declaration and the European Council conclusions of 24-25 March 2022, in particular with regard to NATO and the transatlantic relationship, the European Union will resolutely implement the Strategic Compass, reinforce its partnerships, enhance its resilience and increase its security and defence capacity through more and better investments, focusing on identified strategic shortfalls.

19. In the light of the analysis of defence investment gaps prepared by the Commission and the High Representative, in coordination with the European Defence Agency, and the various recommendations put forward to strengthen the European industrial and technological base, the European Council invites the Council to examine the following issues, in line with the respective competences conferred by the Treaties:
- a) as a matter of urgency, measures to coordinate very short-term defence procurement needs to support joint procurement to replenish stocks, notably in the light of the support provided to Ukraine, as well as a short-term instrument to reinforce European defence industrial capabilities through joint procurement;
 - b) the development of a joint EU defence strategic programming and procurement function;
 - c) further measures to map the current and necessary additional manufacturing capabilities and to reinforce the capacity and resilience of the European defence technology and industrial sector, including SMEs;
 - d) the accelerated implementation of military mobility infrastructure projects;
 - e) an enhanced role of the European Investment Bank in support of European security and defence, in line with its recent Strategic European Security Initiative.
20. The European Council looks forward to the presentation of a possible joint European Defence Investment Programme, including a vehicle for Value Added Tax exemption and for European defence projects of high common interest.
21. The European Council will revert to the matter at a forthcoming meeting.

IV. ENERGY

22. Recalling the Versailles Declaration and its conclusions of 21-22 October 2021 and 24-25 March 2022, including as concerns the different energy mixes, conditions and national circumstances, the European Council reviewed progress in phasing out the European Union's dependency on Russian gas, oil and coal imports as soon as possible. Following earlier decisions on bans on imports from Russia and the presentation of the REPowerEU Plan to rapidly reduce dependency on Russian fossil fuels and to accelerate the energy transition, to achieve a more resilient energy system and a well-interconnected Energy Union, it calls for:

- a) as a short-term priority, further diversifying supply sources and routes, and securing energy supply at affordable prices;
- The European Council encourages the prompt use, ahead of next winter, of the EU Energy Purchase Platform, which is open also for Western Balkans countries and the three associated Eastern Partners.
 - The European Council invites the Commission to explore with our international partners ways to curb rising energy prices, including the feasibility of introducing temporary price caps.
 - The European Council invites the Council to take work forward on the EU external energy engagement strategy.
 - The European Council notes the importance of indigenous energy sources for the security of supply.

- b) accelerating the deployment of renewables;
- The accelerated deployment of renewables will require speeding up permit-granting procedures for renewable projects, and needs to be underpinned by an industrial cluster aimed at improving innovation, capacity, skills and supply chains for solar and wind power, hydrogen, bioenergy, heat pumps and raw materials.
- c) further improving energy efficiency wherever possible, and promoting energy savings;
- d) investing in infrastructure for existing and new projects, future-proof energy interconnections and renewable production capacity.
23. The European Council calls on the Council to rapidly examine the Commission proposals to deliver on the REPowerEU objectives, including their financing.
24. Preparedness for possible major supply disruptions and the resilience of the EU gas market should be improved, in particular through swiftly agreeing on bilateral solidarity agreements and a coordinated European contingency plan. Filling of storage before next winter should be accelerated. In this context, the European Council welcomes the agreement on gas storage and calls for its speedy implementation.
25. The European Council takes note of the ACER report and invites the Commission to swiftly pursue work on the optimisation of the functioning of the European electricity market so that it withstands future price volatility, delivers affordable electricity and fully fits a decarbonised energy system.
-