

Serious cross-border threats to health

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Ministers held an **orientation debate** on a draft decision aimed at strengthening EU capacities and structures for effectively responding to serious cross-border health threats.

State of play: Member states stressed the importance of preparedness against serious cross-border threats to health, and considered that it could be achieved through **coordination and the exchange of information between member states within the health security committee (HSC)**, rather than an obligation for prior consultations or recommendations by the Commission. This was regarded important in order to respect national competencies in the field of health and to be in line with article 168 of the Treaty on the Functioning of the EU.

Ministers supported the Commission proposal to **provide a legal mandate to the health security committee**. As regards the composition of this committee, most ministers argued for a **standing committee of high representatives** nominated by public health authorities with the possibility of inviting experts on a case-by-case basis.

Member states confirmed their wish to **delete article 12 of the Commission proposal which envisages the possibility of binding common temporary public health measures at EU level**. Instead they shared the view that member states should deal with urgent cases of cross-border health threats through the HSC.

The discussion gave guidance for future work on this file that will continue during the incoming Cyprus presidency.

The Commission's point of view on the Council's compromise text: the Commission considers that:

- **Scope:** the scope of the proposal should consist of a list of categories of serious crossborder threats to health, which combined with a specific definition of such threats described in Article 3(f) of the legal act, provides for more legal certainty and clarity in comparison with a rather broad definition suggested instead.
- **Preparedness:** the coordination of preparedness planning needs to be strengthened instead of maintaining the current situation based on a voluntary approach. Incoherent and inconsistent preparedness among Member States may weaken the overall response capabilities of the Union.
- **Risk assessment:** there is a necessity to guarantee evidence based and independent scientific expertise when providing risk assessment of serious cross-border threats to health, and the Commission also points out that it is important to separate such expertise from risk management.
- **Common measures:** the Commission does not agree with the deletion of the provisions on common temporary public health measures and international agreements. Common temporary public health measures would provide for a safety net in case the coordination of national responses proves insufficient to cope with an extreme emergency situation and when as a consequence the protection of the population of the Union as a whole is jeopardised.
- **International agreements:** International agreements would foster the cooperation with third countries and international organisations competent in the field of serious crossborder threats to health.