



EUROPEAN COMMISSION

*Brussels, 17.6.2022
C(2022) 4309 final*

Dear President,

The Commission welcomes the Senát's Opinion on the proposal for a Regulation of the European Parliament and of the Council on the protection of the Union and its Member States from economic coercion by third countries {COM(2021) 775 final}.

The Commission welcomes the Senát's support for the aims of the proposal to deter and respond to the use of economic coercion, namely where a third country is seeking to pressure the Union or a Member State into making a particular policy choice by applying, or threatening to apply, measures affecting trade or investment. Ultimately, the Commission proposal ensures the protection of the relevant rights and interests of the Union and/or the Member States in such situations of considerable concern and provides a platform for international cooperation.

The Commission notes the Senát's concerns relating to the involvement of the Member States in the decision-making process under the proposed instrument. The Commission notes in particular the Senate's support for the introduction of a procedure that would allow broader involvement of the Member States in the imposition of Union response measures to ensure thorough control of the Commission and prevent disproportional impacts on certain Member States. The Commission also notes the Senate's objection to the empowerment of the Commission to adopt delegated acts by which it could amend the list of Union response measures (Annex I).

The Commission is pleased to have this opportunity to provide a clarification regarding its proposal and hopes that this will allay the Senát's concerns.

Working together with the Council and the Member States on the trade agenda is a standing commitment which the Commission consistently delivers on. The proposal incorporates and is built on that standing commitment. The comitology arrangement for implementing acts in the proposal is considered an optimal choice because it leads to effectiveness and speed in managing sensitive objectives while the Member States participate, and the Commission remains fully accountable. The solution regarding delegated acts equally is considered an

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optimal choice in terms of effectiveness and speed whilst ensuring that the Council and the European Parliament retain full control.

The Commission proposal is now before the European Parliament and the Council for an ordinary legislative procedure. The Commission stands ready to assist the co-legislators in the forthcoming interinstitutional negotiations to explore solutions for addressing those and any other matters raised. The Commission remains hopeful that an agreement will be reached in the near future.

The Commission hopes that these clarifications address the issues raised by the Senát and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Valdis Dombrovskis
Executive Vice-President*

*Maroš Šefčovič
Vice-President*