



Brussels, 2 July 2021
(OR. en)

10269/21
CRS CRP 22

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

9 and 11 June 2021

I. Adoption of the agenda

9522/21 OJ CRP1 22 + COR 1

9587/2/21 REV 2 OJ CRP2 22

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 1)

Agriculture and Fisheries

2. Meeting of the Council (Agriculture and Fisheries) on 28 and 29 June 2021: Agenda
(For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda of the Council meeting.

3. Informal videoconference of Ministers of Fisheries on 9 June 2021

1. Agenda

The Presidency presented the main items on the agenda of the informal ministerial videoconference.

2. Preparation

Bilateral EU-UK consultations on fishing opportunities for 2021 and, for deep-sea stocks, for 2021 and 2022

Information from the Commission

Exchange of views

The Committee prepared this item for the informal ministerial videoconference.

Environment

4. Regulation amending Aarhus Regulation (EC) No 1367/2006

Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 4 June 2021.

Transport

5. Directive amending Directive 1999/62/EC on Eurovignette 9305/21 + COR 1

(road charging Directive)

Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Internal Market and Industry

6. Directive amending Directive 2013/34/EU as regards disclosure 9363/21 + ADD 1

of income tax information (CBCR)

Analysis of the final compromise text with a view to agreement

The Committee endorsed the text of the final compromise and will inform the European Parliament.

Statement by Cyprus, Czech Republic, Ireland, Luxembourg, Malta and Sweden

"Notwithstanding the general support expressed by all for tax transparency and the constructive discussions facilitated by the Presidency, Cyprus, Czech Republic, Ireland, Luxembourg, Malta and Sweden have ongoing concerns regarding the legal basis of this Proposed Directive, and consider that the proposal for a Directive amending Directive 2013/34/EU as regards disclosure of income tax information must be based on Article 115 TFEU since both the aim and the content of the proposal relate to "fiscal provisions", rejecting thereby the appropriateness of the legal basis of the initial proposal, i.e. Article 50(1) TFEU."

Fisheries

7. Bilateral EU-UK consultations on fishing opportunities for 2021 and, for deep-sea stocks, for 2021 and 2022 9483/21
Preparation for the approval of the specification of the Union's position 9511/1/21 REV 1
+ REV 1 ADD 1

The Committee prepared for the approval of the specification of the Union's position and decided that this be done in English only given the urgency of the file. The Committee authorised this approval by written procedure if there is no quorum at the foreseen Council meeting.

Employment, Social Policy, Health and Consumer Affairs

8. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 14 and 15 June 2021: Preparation

There were no objections to the proposal by the Presidency to withdraw the A-items concerning the adoption of the two Regulations on the EU Digital COVID Certificate from the provisional agenda of the meeting of the EPSCO Council that will take place on 14-15 June.

1. Directive on adequate minimum wages in the European Union 9142/21
Progress report 9143/21
Policy debate

The Committee prepared this item for the Council meeting.

2. Follow-up of the Porto Social Summit – next steps for the EPSCO Council 9140/21
Policy debate

The Committee prepared this item for the Council meeting.

3. New Challenges for Social Dialogue and Collective Bargaining 9141/21 + COR 1
Policy debate

The Committee prepared this item for the Council meeting.

4. European Semester

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| a) | Assessment of the implementation of the 2020 and relevant 2019 Country-Specific Recommendations (CSRs) - Opinion of the Employment Committee (EMCO) and the Social Protection Committee (SPC)
<i>Endorsement</i> | 9147/21
+ ADD 1-3 |
| b) | Opinion of EMCO and SPC on the Commission proposal for a Revised Social Scoreboard
<i>(poss.) Endorsement</i> | 9314/21 |

The Committee prepared this item for the Council meeting.

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| 5. | Key conclusions on 2021 Long Term Care Report of the Social Protection Committee and the European Commission
<i>Endorsement</i> | 9144/21
+ ADD 1-2 |
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The Committee prepared this item for the Council meeting.

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| 6. | Key conclusions on 2021 Pension Adequacy Report of the Social Protection Committee and the European Commission
<i>Endorsement</i> | 9145/21
+ ADD 1-2 |
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The Committee prepared this item for the Council meeting.

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| 7. | Council Recommendation Establishing a European Child Guarantee
<i>Adoption</i> | 9149/21
9106/21 |
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The Committee prepared this item for the Council meeting.

Statement by Poland

"Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów, w miejscach, w których dokument odnosi się do „gender”, Polska będzie interpretowała ją jako równość kobiet i mężczyzn opartej na płci, zgodnie z art. 2 i 3 TEU oraz 8 i 10 TFUE."

Courtesy translation

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons Poland understands wording "gender" as a equality between women and men, according to Article 2 and 3 of the Treaty on European Union and Article 8 and 10 of the Treaty on the Functioning of the European Union."

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| 8. | Directive on binding pay transparency measures
<i>Progress report</i> | 9053/1/21 REV 1 |
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The Committee prepared this item for the Council meeting.

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| 9. | Directive on equal treatment (Article 19)
<i>Progress report</i> | 9109/21 |
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The Committee prepared this item for the Council meeting.

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| 10. | Conclusions on Access to medicines and medical devices
for a Stronger and Resilient EU
<i>Approval</i> | 9185/21 |
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The Committee prepared this item for the Council meeting.

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| 11. | Covid-19: Update on the pandemic situation
<i>Exchange of views</i> | 9186/21 |
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The Committee prepared this item for the Council meeting.

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| 12. | Regulation amending Regulation (EC) No 851/2004
establishing a European Centre for disease prevention and
control
<i>Progress report</i> | 9118/21 |
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The Committee prepared this item for the Council meeting.

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| 13. | Regulation on serious cross-border threats to health and
repealing Decision No 1082/2013/EU
<i>Progress report</i> | 9119/21 |
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The Committee prepared this item for the Council meeting.

COREPER (PART 2)

WEDNESDAY 9 JUNE 2021

General Affairs

23. Meeting of the Council (General Affairs) on 22 June 2021:
Preparation

- a) Preparation of the European Council on 24-25 June: 8270/21
Guidelines
Exchange of views

The Committee examined the draft guidelines for the conclusions of the upcoming European Council meeting on 24-25 June 2021.

Foreign Affairs

24. EU-United States Summit (Brussels, 15 June 2021)
State of play

The Committee took note of the updated information provided by the PEC Cabinet and held an exchange of views.

25. 18th EU-Canada Summit (Brussels, date tbc)
State of play

The Committee took note of the updated information provided by the PEC Cabinet and held an exchange of views.

General Affairs

26. COVID-19 EU coordination: vaccine sharing
Information from the Commission and the EEAS

The Committee took note of the information provided by the Commission and the EEAS.

Foreign Affairs

27. Informal videoconference of the Ministers of Foreign
Affairs/Development on 14 June: preparation

- a) EU cooperation with middle-income countries -
development in transition
Exchange of views

The Committee prepared this item for the informal videoconference.

- b) Human development
Exchange of views

The Committee prepared this item for the informal videoconference.

- c) Other items in connection with the informal
videoconference

The EEAS provided further information regarding the informal videoconference.

General Affairs

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| 28. | 13th meeting of the EU-Montenegro Intergovernmental
Conference at Ministerial level
<i>Establishment of the EU common position</i> | 9431/21
ELARG |
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The Committee held an exchange of views.

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| 29. | 12th meeting of the EU-Serbia Intergovernmental Conference at
Ministerial level
<i>Establishment of the EU common position</i> | 9432/21
ELARG |
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The Committee held an exchange of views and agreed to revert on this item at its next meeting on Friday.

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| 23. | Meeting of the Council (General Affairs) on 22 June 2021:
Preparation |
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| b) | Rule of Law in Poland - Article 7(1) TEU Reasoned
Proposal
<i>Hearing</i> | 9294/21 |
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The Committee prepared this item for the Council meeting.
Taking into account the ongoing Covid-19 situation and the specific measures of social distancing that this entails, in accordance with the applicable rules in the host Member State, the number of persons present in the Council meeting room needs to be limited. Up to eight seats are foreseen for the Member State concerned, ensuring that the head of the delegation will be assisted by one member of the delegation in the front row.

- c) Values of the Union - Hungary - Article 7(1) TEU
Reasoned Proposal
Hearing 9295/21

The Committee prepared this item for the Council meeting.
Taking into account the ongoing Covid-19 situation and the specific measures of social distancing that this entails, in accordance with the applicable rules in the host Member State, the number of persons present in the Council meeting room needs to be limited. Up to eight seats are foreseen for the Member State concerned, ensuring that the head of the delegation will be assisted by one member of the delegation in the front row.

- d) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

FRIDAY 11 JUNE 2021

Justice and Home Affairs

30. Council Recommendation amending Council Recommendation
(EU) 2020/1475 on free movement 9220/21
Approval

The Committee approved the text of the Council Recommendation on free movement.

Economic and Financial Affairs

32. Meeting of the Council (Economic and Financial Affairs) on
18 June 2021: Preparation

- a) VAT rates 9420/21 + COR 1
Policy debate/Progress report

The Committee prepared this item for the Council meeting.

- b) VAT exemption for imports and other operations of the 9427/21
Union with public interest
Policy debate

The Committee prepared this item for the Council meeting.

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| c) | Strengthening of the Banking Union | 9311/21 |
| | <i>Progress report</i> | 9336/21 |

The Committee prepared this item for the Council meeting.

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| d) | Conclusions on the fiscal sustainability challenges arising from ageing | 8743/21 |
| | <i>Approval</i> | 9035/21 |

The Committee prepared this item for the Council meeting.

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| e) | Preparation of the G20 Finance Ministers and Central Bank Governors meeting on 7-10 July 2021 - EU Terms of Reference | |
| | <i>Guidance for further work</i> | |

The Committee prepared this item for the Council meeting.

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| f) | Other items in connection with the Council meeting | |
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The Presidency provided further information regarding the Council meeting.

General Affairs

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| 29. | 12th meeting of the EU-Serbia Intergovernmental Conference at Ministerial level | 9432/21 |
| | <i>Establishment of the EU common position</i> | ELARG |

The Committee reached agreement on the EU common position.

Statement by Poland

"Poland understands the formulation "gender equality" as referring to the equality between women and men, in line with art. 2 of the Treaty on European Union and art. 23 of the Charter of Fundamental Rights of the EU."

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

EU-US Summit

The Committee agreed to revert on this issue at its next meeting.

It is expected that the Commission will ensure that the Council receives all relevant information and documents related to matters discussed in meetings of the TTC, or of bodies established under it, sufficiently in advance, in order for the Council to be in a position to exercise fully its policy-making functions in accordance with Article 16 TEU, in particular by establishing the positions to be taken on behalf of the EU.

"I" items approved**COREPER (PART 1)****Institutional Affairs****Appointments**

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| 9. | One member (NL) of the Management Board of the European Centre for the Development of Vocational Training
<i>Adoption</i> | 9403/21
SOC |
| 10. | One member (DK) of the Management Board of the European Agency for Safety and Health at Work
<i>Adoption</i> | 9404/21
SOC |
| 11. | One alternate member (DK) of the Management Board of the European Agency for Safety and Health at Work
<i>Adoption</i> | 9405/21
SOC |
| 12. | One member and one alternate member (LV) in the Management Board of the European Agency for Safety and Health at Work
<i>Adoption</i> | 9183/21
9182/21
SOC |
| 13. | One alternate member (NL) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions
<i>Adoption</i> | 8996/21
8994/21
SOC |

Judicial Affairs

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| 14. | Case T-148/21 (Paccor Packaging v. Commission)
<i>Information note for the Permanent Representatives Committee (Part 1)</i> | 8623/21
JUR |
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EU positions for international negotiations

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| 15. | Framework Council Decision to establish the EU position as regards the notification of differences with respect to Annexes to the Convention on International Civil Aviation
<i>Adoption</i> | 8505/21
8507/1/21 REV 1
AVIATION |
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Transport

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| 16. | Revised high-level agreement between the EU and Georgia (TEN-T Regulation)
<i>Approval of the signature on behalf of the EU</i> | 9320/1/21 REV 1
TRANS |
| 17. | Regulation on the Connecting Europe Facility (CEF)
<i>Adoption of the Council's position at first reading and of the statement of the Council's reasons</i> | 9364/21 + ADD 1-2
6115/21 + ADD 1
TRANS |

Joint statement by the Council of the European Union and the European Commission on the implementation of the Connecting Europe Facility 2021-2027

"In accordance with the European Council Conclusions of 21 July 2020, the Council and the Commission recall that, in the implementation of the Connecting Europe Facility 2021-2027, from the amount specified in Article 4(2), point (a)(i), of the CEF Regulation, an amount of EUR 1 384 000 000 (in 2018 prices) will be used for the completion of missing major cross-border railway links between Member States eligible for funding from the Cohesion Fund."

Statement by Poland

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, Poland will interpret the expression 'gender' as 'sex', in accordance with Article 10, Article 19(1) and Article 157(2) and (4) of the Treaty on the Functioning of the European Union."

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| 18. | Directive on streamlining measures for advancing the realisation of the trans-European transport network (TEN-T)
<i>Adoption of the Council's position at first reading and of the statement of the Council's reasons</i> | 9365/21
10537/20 + ADD 1
TRANS |
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Fisheries

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| 19. | Regulation on the European Maritime, Fisheries and Aquaculture Fund (EMFAF)
<i>Adoption of the Council's position at first reading and of the statement of the Council's reasons</i> | 9366/21 + ADD 1-2
6975/21 + ADD 1
PECHE |
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Joint Statement by the Council and the Commission

"The Council and the Commission remain committed to trying to avoid an interruption of fishing activities under Sustainable Fisheries Partnership Agreements by striving towards the timely renewal of Sustainable Fisheries Partnership Agreements and their implementing Protocols."

Joint Statement by the European Parliament, the Council and the Commission

"The European Parliament, the Council and the European Commission recognise the need to urgently advance action on the protection and conservation of marine and coastal ecosystems and biodiversity. The three institutions agree that tackling biodiversity loss, protecting and restoring ecosystems and/or maintaining them in good condition will require significant public and private investment at national and European level and that a significant proportion of the EMFAF expenditures should be invested in biodiversity. The three institutions agree that the European Commission will work with Member States, in the context of the programming exercise for the EMFAF 2021-2027, to reach the overall ambition of biodiversity spending highlighted in recital 15."

Statement by Lithuania

"Lithuania supports the general aim of the European Maritime, Fisheries and Aquaculture Fund for 2021-2027 to provide support for the achievement of sustainable fisheries and aquaculture, the development of local coastal communities, the promotion of a sustainable blue economy, the implementation of the European Union's maritime policy towards safe and sustainably managed seas and oceans, and for international ocean governance.

Lithuania considers European Maritime, Fisheries and Aquaculture Fund for 2021-2027 as the main tool for successful implementation of the goals of the EU Common Fisheries Policy.

In this regard, Lithuania regrets that certain provisions of the regulation do not reflect properly the continuous critical situation of the Baltic Sea Fisheries, fishing conditions and the needs of fleets concerned.

The political agreement reached between co-legislators on the 4th December 2020 has not addressed our concerns on the practical application of fleet support measures for vessels operating in the Baltic Sea and does not provide necessary tools to adjust the fishing capacity of our fleet to fishing opportunities and maintain the remaining Baltic fleet viable and active.

Therefore, Lithuania cannot endorse the adoption of the Council's position at first reading on the "Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund and repealing Regulation (EU) No 508/2014 of the European Parliament and of the Council" and abstains in the voting."

Statement by Sweden

"The proposal provides for support for enhanced fishing capacity as well as a substantial increase in the proportion of the Fund's budget that can be used for measures linked to fishing capacity. The proposal does not contain sufficient conditions to prevent overcapacity, which can lead to overfishing. The proposal therefore runs contrary to the objectives of the EU's Common Fisheries Policy and the transition to sustainable fisheries as well as the EU's international commitments within the framework of Agenda 2030. Sweden therefore votes against the proposal."

Statement by the Commission

"The Commission has accepted the eligibility of investments on board related to fisheries control and enforcement, be they mandatory or not, and for all Union fishing vessels. The Commission considers that these investments will enable Member States to make full use of the financial resources available in the EMFAF for control and enforcement, to fulfil their obligations under the Control Regulation and other rules of the Common Fisheries Policy and to substantially improve the culture of compliance in the fishing sector. Moreover, the Commission expects that – in the context of the ongoing review of the Control Regulation – the European Parliament and the Council will support the modernisation of the existing control tools and the use of new technologies as proposed by the Commission. This means in particular introducing smart solutions for the tracking and catch reporting of small scale vessels, installing systems for the continuous monitoring of engine power, moving to fully digitised traceability systems covering all fishery products (fresh, frozen and processed), and introducing mandatory remote electronic monitoring systems on board fishing vessels and based on risk assessment, as the only effective means to control the application of the landing obligation and the bycatch and discard of sensitive species."

Statement by the Commission

"The Commission takes note of the difficulties encountered up to now to grant state aid for the renewal of the fleets in the outermost regions. With a view to the sustainable development of those regions, the Commission will endeavour to assist the Member States to improve the collection of scientific data necessary to comply with the eligibility condition set in the State aid guidelines with a view to facilitating the application of the guidelines for the examination of State aid to the fishery and aquaculture sector in the Outermost Regions."

Statement by the Commission

"The European Commission, in the context of the programming exercise for the EMFAF 2021-2027, will actively encourage Member States to maximise the use of measures included in their programmes, in particular under Article 25 (protection of biodiversity and ecosystems), to reach the overall ambition of providing an annual spending under the MFF to tackle biodiversity loss, protect and restore ecosystems and maintain ecosystems in good conditions as follows: 7,5% of annual spending under the MFF to biodiversity objectives in the year 2024 and 10% of annual spending under the MFF to biodiversity objectives in 2026 and 2027. The Commission will regularly monitor the level of this spending on the basis of the total eligible expenditure declared by the beneficiaries to the managing authority and on data submitted by the Member State. Where the monitoring shows insufficient progress towards reaching the overall ambition, the Commission will actively engage with Member States in the annual review meeting in order to adopt remedial measures, including a programme amendment."

Agriculture

20. Regulation amending Regulation (EU) 2017/625 as regards
official controls
Mandate

9421/21
VETER

Environment

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| 21. Council Decision authorising the Commission to negotiate, on behalf of the Union, amendments to the Bern Convention
<i>Adoption</i> | 9358/21
8931/21 + ADD 1
ENV |
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Delegated or Implementing Acts

Internal Market and Industry

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| 22. Commission draft Implementing Regulation (EU) .../... of XXX setting out technical and operational specifications of the technical system for the cross-border automated exchange of evidence and application of the "once-only" principle in accordance with Regulation (EU) 2018/1724 of the European Parliament and of the Council
<i>Decision to exercise the right of scrutiny</i> | 9289/21 + ADD 1-2
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COREPER (PART 2)

WEDNESDAY 9 JUNE 2021

Judicial Affairs

33. Case before the Court of Justice of the European Union 9310/21
Reference for a preliminary ruling in Case C-155/21 (Athena
Investments e.a.) JUR
*Information note for the Permanent Representatives Committee
(Part 2)*
34. Case before the General Court of the European Union 9426/21
Case T-124/21 (Thierry MARIANI e.a. / Parlement européen.) JUR
*Information note for the Permanent Representatives Committee
(Part 2)*
35. Case T-170/21 (Mehdi Ben Tijani Ben Haj Hamda Ben Haj 9410/21
Hassen Ben Ali v Council) JUR
*Information note for the Permanent Representatives Committee
(Part 2)*

Institutional Affairs

Appointments

36. Establishment of an official appointed to a post of Director- 8991/21
General for Transport, Energy, Environment And Education
(TREE) at the General Secretariat of the Council
Adoption STAT

Transparency

37. Public access to documents 9392/21 + ADD 1
Confirmatory application No 16/c/01/21 8398/21
Adoption INF
API
38. Public access to documents 8406/21
Confirmatory application No 17/c/01/21 8405/21
Adoption INF
API

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| 39. | Public access to documents
Confirmatory application No 18/c/01/21
<i>Adoption</i> | 9409/21 + ADD 1
8501/21
INF
API |
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Statement by Slovenia

"Taking into account the ongoing triologue negotiations on the matter at hand, there is a risk that the Council's decision-making process in the meaning of Article 4(3) of Regulation 1049/2001 might be seriously undermined by the disclosure of the documents in question. Moreover, we do not believe that the Council has properly and fully explained the reasons behind its change of opinion on this matter. Because of these reasons Slovenia is replying NO to the draft reply, and consequently to the disclosure of the requested documents."

Economic and Financial Affairs

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| 40. | ECA SR No 10/2021 on gender mainstreaming in the EU budget
<i>Designation of a Working Party</i> | 9436/21
FIN |
| 41. | ECOFIN Report to the European Council on tax issues
<i>Approval</i> | 9013/21
FISC |
| 42. | Code of Conduct (Business Taxation)
a) Report to the Council
<i>Approval</i>
b) Conclusions
<i>Approval</i> | 9341/21
+ ADD 1-8
9343/21
FISC |
| 43. | Conclusions on enhancing the European financial architecture
for development
<i>Approval</i> | 8722/21
9462/21
ECOFIN
DEVGEN |

General Affairs

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| 44. | Regulation on Certificates on vaccination, testing and recovery
<i>Adoption of the legislative act</i> | 9375/1/21 REV 1
9375/21 ADD 1-2
PE-CONS 25/21
COVID-19 |
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Statement by Bulgaria

"Bulgaria has consistently supported that rapid antigen tests (RATs), which are considered appropriate and reliable for the test certificate (Art. 3 lit. b) of the final compromise text), should be also part of the "recovery certificate" (Art. 3 lit. c).
In order to avoid discrimination and in view of the fact that RATs are considered equivalent in the diagnosis of COVID-19, subject to certain criteria and according to the definition of ECDC, Bulgaria considers that among the first implementation steps of the Regulation should be the inclusion of RATs in the recovery certificate."

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| 45. | Regulation on Certificates on vaccination, testing and recovery
(third country nationals)
<i>Adoption of the legislative act</i> | 9377/1/21 REV 1
9377/21 ADD 1-2
PE-CONS 26/21
COVID-19 |
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Statement by Bulgaria

"Bulgaria has consistently supported that rapid antigen tests (RATs), which are considered appropriate and reliable for the test certificate (Art. 3 lit. b) of the final compromise text), should be also part of the "recovery certificate" (Art. 3 lit. c).

In order to avoid discrimination and in view of the fact that RATs are considered equivalent in the diagnosis of COVID-19, subject to certain criteria and according to the definition of ECDC, Bulgaria considers that among the first implementation steps of the Regulation should be the inclusion of RATs in the recovery certificate."

Justice and Home Affairs

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| 46. | Regulation establishing the Asylum Migration and Integration Fund (AMIF)
<i>Adoption of the Council's position at first reading and of the statement of the Council's reasons</i> | 9317/1/21 REV 1
9317/21 ADD1
6486/21 + ADD 1
JAI |
| 47. | Regulation establishing the border management and visa instrument (BMVI) as part of the Integrated Border Management Fund
<i>Adoption of the Council's position at first reading and of the statement of the Council's reasons</i> | 9318/1/21 REV 1
9318/21 ADD 1
6487/21 + ADD 1
JAI |

Statement by Slovenia

"The Republic of Slovenia supports the adoption of the multi-annual financial framework as soon as possible and greatly appreciates the efforts and efficiency of previous Presidencies in dealing with these three very difficult dossiers (funds).

The Republic of Slovenia welcomes the inclusion of some of the proposed elements in the existing compromise proposal; however, it still does not adequately address the situation at the external Schengen borders that are not external EU borders, which is something we kept raising throughout the negotiations.

The negotiations laid bare all the difficulties and unwanted consequences the Republic of Slovenia may face because the specific status of this border has never been clearly or adequately defined in different legal instruments.

Over the past years, EU legislation has imposed a lot of additional obligations to be implemented at external borders, which in most cases include the external Schengen borders. It started with the introduction of mandatory systematic checks of all travellers and travel documents and has now moved on to the Entry-Exit system, EUROSUR, as well as the Integrated Border Management Fund and the "screening" regulation.

The Republic of Slovenia is aware of its obligations and intends to fully meet them. That said, it is not reasonable to expect that all the costs of the infrastructure upgrades will be fully borne by the Republic of Slovenia from the national budget.

We find it unacceptable that all this time we have been at a disadvantage compared to the countries at the 'permanent' Schengen border, and we therefore wish to find an appropriate solution.

We have been facing the same problem in the existing Multiannual Financial Framework (2014-2020), which contains the same limitations and which have proved to be very problematic in practice.

With this declaration, therefore, we wish to highlight in particular how important it is to pay due attention to the specific situation at the external Schengen borders that are not external EU borders.

Article 5/4a does not adequately address the specificity of those internal borders at which controls have not yet been lifted. The recital 24, with its current wording, is of little use, as it still does not justify investment in the construction of new/additional infrastructure at the border with the Republic of Croatia.

In practice, for the Republic of Slovenia this means that we cannot finance, for example, the enlargement of border crossing points or the construction of new infrastructure from the EU funds, we can only upgrade (replace or maintain) the existing infrastructure.

The Republic of Slovenia believes that all the problems and undesired consequences that we might face due to the specific situation at our external Schengen borders that are not external EU borders could be avoided if buildings, systems and activities were included in the recital 24 in addition to infrastructure."

48. Regulation establishing the Internal Security Fund (ISF)
*Adoption of the Council's position at first reading and of the
statement of the Council's reasons*

9319/1/21 REV 1
9319/21 ADD 1
6488/21 + ADD 1
JAI

Joint Statement by the Czech Republic and Slovakia

"The Czech Republic and Slovakia regret the outcome of the negotiations with the European Parliament on the proposed text of the Regulation establishing the Internal Security Fund. Bearing in mind the position of the Council, i.e. 50 % limit and exclusion of ICT equipment, we perceive the current compromise proposal of Article 12 (4) regarding the cap for purchase of equipment as unacceptable. Instead of proposed text of 35 % limit without exclusion of ICT equipment, The Czech Republic and Slovakia could accept either increase of the limit to 50 % OR keeping the percentage at 35 % while excluding the ICT equipment from this cap. Purchase of highly specialised equipment is essential for work of law enforcing authorities and thus for ensuring the security of the Union. The Czech Republic and Slovakia see no reason for limiting purchase of equipment, which would serve reaching the objectives of the Fund, i.e. above all fighting serious and organised crime as well as improving communication between Member States. Since purchase of standard equipment is prohibited by new recital 16a, the purchased equipment would be highly specialised and would improve the Member States' capabilities in respected areas thus fulfil the objectives of the Fund.

In view of the above the Czech Republic and Slovakia vote against the adoption of the proposal of the Regulation establishing the Internal Security Fund."

Statement by Poland

"Poland supports the approach that the discussion on the ISF, BMVI and AMIF Regulations should be accelerated so as to ensure the continuity of funding in these areas, therefore we agree to accept the compromise versions. At the same time, we maintain our concerns regarding Article 12 (4): *the limit of the allocation of a Member State programme for the purchase of equipment, means of transport, etc.* The provisions regarding Art. 12 (4) are, from the very beginning, one of the most important issues for Poland. We strongly supported the compromise version of the Council proposal (7.06.2019) to increase the limit on the allocation for the purchase of equipment, means of transport, etc. to 50%. In a spirit of compromise, we also agreed to reduce this level to 35%, but with the exclusion of information and communication technology (ICT) equipment. Such provisions would increase the equipment and infrastructure capacity of the Member States', which should definitely improve their internal security. This is particularly important for the Member States that are still improving their equipment, infrastructure, operational capacities of national services and institutions responsible for maintaining internal security, also in collaboration with other Member States. The UE funded projects should bring long-lasting effects, which will constitute an enhancement of a Member State's security also after a given project has been completed. As the previous experience shows, ISF's undertakings mainly concern the purchase of equipment, infrastructure (including IT infrastructure), because such activities guarantee a permanent increase in security level. The introduction of a limitation on such activities would indispose the Fund to respond to the key needs of services in this area. "Soft" activities, meetings, exchange of information are important, but without proper facilities and modern technology, they may not be effective enough. Especially, in the current time of the COVID-19 pandemic, the implementation of such activities is difficult or sometimes impossible. Successful actions in the area of EU security require substantial resources and capabilities from the Member States.

The current ISF proposal doesn't contain the exclusion of ICT from this limit which was already agreed in the Council position. It may cause that a significant proportion of the fund dedicated to the purchase of equipment will be spent on ICT equipment, which can be very expensive, and the purchase of other equipment will not be possible. It should be underlined that the purchase of ICT equipment is fully in line with the Fund's objectives and should not be limited in any way. Moreover, the new provision introduces a large administrative burden. This is an important issue for Poland, and the current ISF proposal may cause problems in the implementation of the Fund in the future."

Foreign Affairs

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| 49. | Annual Progress Report on the Implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction (2020)
<i>Approval</i> | 8874/21
8873/1/21 REV1
8873/21
+ ADD 1 -2
CONOP |
| 50. | Council Decision concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol
<i>Adoption</i> | 9188/21
9181/21
CORLX |

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| 51. | Council Decision on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)
<i>Adoption</i> | 8940/21
8939/21
CORLX |
| 52. | Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine - pre-notifications
<i>Approval</i> | 9458/21
CORLX |
| 53. | Conclusions on the 2021 Annual Report on the EU Development Aid Targets
<i>Approval</i> | 9379/21
DEVGEN |

Statement by the Czech Republic

"Regarding paragraph 12, the Czech Republic stressed the need to comply with the principles of ownership of the development process by partner countries. In this respect, the reference to development effectiveness (Busan principles for effective development cooperation) shall refer to aligning support with national development priorities of partner countries."

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| 54. | 2020 EU Annual Report on Human Rights and Democracy in the World
<i>Approval</i> | 9270/21
9269/21
COHOM |
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Joint statement by Poland and Hungary

"Poland and Hungary understand the formulation "gender equality" as referring to the equality between women and men, in line with art. 2 of the Treaty on European Union and art. 23 of the Charter of Fundamental Rights of the EU."

Delegated or Implementing Acts

Economic and Financial Affairs

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| 55. | Commission Delegated Regulation (EU) ... /... extending the transitional period referred to in Article 89(1), first subparagraph, of Regulation (EU) No 648/2012 of the European Parliament and of the Council
<i>Delegated act - Intention not to raise objections</i> | 8958/21
8558/21
EF |
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EU positions for international negotiations

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| 56. | Council Decision on the EU position within the WTO General Council on the WTO waiver request concerning the Western Balkans
<i>Adoption</i> | 8780/21 + ADD 1
8781/21
WTO |
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Statement by the Commission

"The Commission considers that the Council Decision should be addressed to the Commission, and therefore considers the changes to Article 2 to be inappropriate. The expression of the Union position in a body set up by an agreement is an act of external representation of the Union which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.
The Commission reserves all its rights in this regard."

Other items

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| 57. | Improving the security culture and resilience of EU institutions, bodies and agencies and their information networks against cyber and hybrid threats and malicious activities | 8248/1/21 REV 1 |
| 58 | Secure voice system for the Council and the European Council
<i>Endorsement</i> | 9456/21 |

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General Affairs

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| 59. | Regulation on the statute of the European Ombudsman
<i>Approval</i> | 9425/21
OMBUDS
AG |
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Foreign Affairs

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| 60. | Democratic People's Republic of Korea restrictive measures - amended statements of reasons: pre-notifications
<i>Approval</i> | 9589/21
CORLX |
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