

Brussels, 13 July 2021
(OR. en)

10737/21
CRS CRP 25

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
28 and 30 June 2021

I. Adoption of the agenda

10205/1/21 REV 1 OJ CRP2 25 COMIX 352
10208/21 OJ CRP1 25

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 2)

MONDAY 28 JUNE 2021

General Affairs

2. Regulation on Brexit Adjustment Reserve (BAR) 10009/1/21 REV 1
Analysis of the final compromise text with a view to agreement

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

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 internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, in wordings referring to gender Poland will interpret it as a equality between women and men, according to Article 8 TFEU."

Economic and Financial Affairs

3. Digital Finance Package *Information from the Presidency*

The Committee took note of the information provided by the Presidency and work will continue with the incoming Presidency.

Justice and Home Affairs

4. Annex I of Council Recommendation (EU) 2020/912 of 30 June 2020 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction

Approval

Decision to use the written procedure for the adoption

The Committee agreed on the addition of several countries in Annex I and on the use of the written procedure for the adoption.

5. EU Asylum Agency Regulation 10196/21
Confirmation of the final compromise text with a view to agreement

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

Joint statement by Hungary and Poland

"Hungary and Poland would like to stress their commitment to the reform of the Common European Asylum System, however the reform of the EU asylum policy shall be based on a consensus between Member States that stays in line with the European Council conclusions from 2018, ensuring the proper balance between responsibility and solidarity. We perceive that the Agency should be treated as a tool for implementing the legislative proposals included in the Pact. In this regard we are convinced that we should not urge solutions that were contraproductive in the past and resulted in the deepening of mistrust among the Member States. Finally and taking into account the interlinkage of the relevant legislative proposals we remain fully committed to the principle that nothing is agreed until everything is agreed, thus Hungary and Poland cannot confirm the compromise text proposed by the Presidency with a view to an agreement with the European Parliament."

General Affairs

7. European Council follow-up
State of play

The Committee took note of the main outcomes of the European Council and the intended next steps.

Economic and Financial Affairs

10. Meeting of the Council (Economic and Financial Affairs) on
13 July 2021: Preparation

Other items in connection with the Council meeting

The incoming Presidency provided further information regarding the Council meeting.

11. Meeting of the Council (Economic and Financial
Affairs/Budget) on 23 July 2021: Agenda

The incoming Presidency presented the main items on the agenda.

COREPER (PART 1)

Transport

40. Directive amending Directive 1999/62/EC on Eurovignette (road charging Directive) 9960/21 + COR 1
Analysis of the final compromise text with a view to agreement

The Committee endorsed the text of the final compromise; the European Parliament will be informed.

Statement by Austria

"As already stated in December 2020, Austria supports the objectives to decarbonize road transport and to strengthen the polluter pays principle. Austria acknowledges that the revised Eurovignette Directive will contribute to achieve the Union's climate targets. In this sense, Austria welcomes the introduction of a CO2 modulation in the charging of heavy goods transport and the obligation to levy external costs in areas with significant environmental damage. Austria also recognizes that certain improvements with regard to mark-ups have been achieved, notably the possibility to levy mark-ups outside mountainous regions and in addition to external costs.

However, the revised directive will also keep the fundamental principle of cost recovery in Art. 7b and 7e, which in general continues to set limits to transport policy measures in the area of road charging.

In this regard, the text on mark-ups in Article 7f (1)(b) falls short of adequately addressing the traffic situation on the Brenner Alpine crossing, which has been a heavy burden for the population as well as the environment for many years. It is of utmost importance to Austria to apply a markup of 50%. The new text requires the agreement of all Member States, which are part of that corridor and neighboring the Member States in whose territory falls the section of the corridor to which this 50% mark-up is applied. This represents an unnecessary hurdle that would result in the provision never being applied in practice. This is more than regrettable not least in view of the ambitious climate goals we have agreed upon at EU level. This provision is therefore not acceptable to Austria.

It must be our goal to adopt a Directive which in practice leads to a sustainable reduction of road freight traffic and contributes to the objectives of the Green Deal, especially in light of the EU target of a net domestic reduction of greenhouse gas emissions of at least -55% until 2030.

On top of that, Austria cannot support the obligation to introduce a daily user charge (vignette) for passenger cars, as this might result in restrictions for Member States or administrative burden for already existing systems.

For the reasons outlined above, Austria does not consider the current text of the revision to be a valid contribution on the path towards a climate-neutral EU nor towards a sustainable reduction of road traffic. Therefore, Austria votes against."

Statement by Denmark

"Denmark commends consecutive presidencies for the handling of the Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures, and indeed the Portuguese presidency for concluding the trilogue-negotiations with the European Parliament on 16 June 2021.

Denmark greatly supports the intentions of the proposal, particularly the measures that can ensure the use of the polluter-pays and user-pays principles.

Denmark regrets, however, to see the introduction of obligatory earmarking of revenue from congestion charges. Denmark has made it known throughout the negotiations of the proposal that Denmark is against any earmarking of revenues, as decisions on the use of revenue should be an exclusive national prerogative.

While Denmark generally supports the purpose and green elements in the agreement, Denmark thus cannot support the earmarking mentioned in Article 7da of the compromise text and is thus unfortunately unable to support the final compromise text."

Health

41. Regulation on Health Technology Assessment (HTA) 10094/21
Analysis of the final compromise text with a view to agreement

The Committee endorsed the text of the final compromise; the European Parliament will be informed.

Statement by Bulgaria

"The Republic of Bulgaria supports the overall objective of the Regulation of the European Parliament and of the Council on health technology assessment amending Directive 2011/24/EU to contribute to a high level of human health protection. In this context Bulgaria also acknowledges the objective of establishing a framework to support Member States cooperation for the clinical assessment of health technologies. The Regulation should be an instrument contributing to access to safe, effective and affordable medical products for all.

However, the Republic of Bulgaria would like to stress upon the principles of subsidiarity and division of competencies in the context of the implementation of this Regulation. Pricing and reimbursement matters, as part of the organisation and delivery of health services and medical care remain exclusive national competence, as provided for in Art. 168 (7) of the Treaty on the Functioning of the European Union. The Union competences in this area remain limited to incentive measures for scientific cooperation and voluntary uptake of the joint clinical assessment in their clinical aspects, with no obligation for harmonisation of national health technology assessments.

The Republic of Bulgaria considers that certain provisions in the Regulation, in particular Art. 3, Art. 6d and Art. 8, lack sufficient legal clarity and certainty and could, thus, jeopardise the ability of the proposed system to balance different interests and to deliver from public health perspective to the benefit of all patients. Some of the arrangements in these provisions would impact adversely the inclusiveness of the process, the quality and usefulness of the joint clinical assessments for all Member States and patients. Thus, an implementation of the Regulation insensitive to these aspects, may result in pressure on national budgets for particular products, and lead to inequalities among different patient groups. Finally, the level

of ambiguity and the legal uncertainty also put at risk the smooth and uncontested implementation of the act.

In view of these considerations, the Republic of Bulgaria cannot support the Regulation of the European Parliament and of the Council on health technology assessment amending Directive 2011/24/EU, and states that it will implement the Regulation within the Union competences as laid down in the primary law of the European Union. The Republic of Bulgaria will give due consideration to the joint clinical assessments to the degree required by law, while prioritizing the interests of all patients in the country."

Research

42. Council Regulation establishing the Joint Undertakings under 10102/21
Horizon Europe
Progress report

The Committee took note of the progress report presented by the Presidency.

Fisheries

43. Council Regulation amending Council Regulation (EU) 10124/21
2020/1706 as regards inclusion of autonomous Union tariff 10008/21
quotas for certain fishery products
Political agreement

The Committee reached a political agreement.

Agriculture and Fisheries

44. Meeting of the Council (Agriculture and Fisheries) on 19 July 2021: Agenda
(For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda.

IV. Any other business

COREPER (PART 2)

None.

COREPER (PART 1)

None.

"I" items approved**COREPER (PART 2)****MONDAY 28 JUNE 2021****Economic and Financial Affairs**

- | | |
|--|---------------|
| 12. Motor Insurance Directive
<i>Confirmation of the final compromise text with a view to agreement</i> | 9990/21
EF |
|--|---------------|

Statement by Malta

"Malta understands the importance of closing negotiations on the Motor Insurance Directive and thanks the Presidency for their work in concluding the file. However, Malta wishes to reiterate its concerns on the insolvency issue. The text entails the introduction of a home-based insolvency compensation body without appropriate provisions relating to the funding model, thus falling short of having a minimum ex-ante harmonisation of contributions.

In Malta's view, this is a fundamental issue which should have been addressed in order to avoid creating an unlevel playing field between Member States in the insurance sector. Moreover, text threatens the cross-border provision of insurance services and in that regard, Malta continues to believe that such funding arrangement should have been adequately designed to address the risk of regulatory arbitrage."

Statement by the Commission

"The Commission remains committed to defend a high degree of protection of victims in the context of the Motor Insurance Directive. Our objective is to ensure that victims, including in cross-border situations, are compensated as swiftly as possible and are not subject to disproportionate procedural requirements that might hamper their access to compensation. The effectiveness of compensation largely depends on whether it is done in timely manner. We note in this respect the concerns repeatedly expressed by the European Parliament as regards differences across Member States in relation to limitation periods, i.e. the relevant timespan during which an injured party may address a claim. The Commission will consider this issue carefully and examine possible remedies in order to further strengthen the protection of victims, should the evidence show that action at Union level is warranted."

- | | |
|--|----------------------|
| 13. NPLs: Directive on credit services, credit purchasers
<i>Confirmation of the final compromise text with a view to agreement</i> | 9999/21 + ADD1
EF |
|--|----------------------|

Statement by the Czech Republic

"The Czech Republic **believes that the incorporation of forbearance measures is not in line with the original purpose of the Directive**, i.e. fostering the secondary market with NPLs, to which we remain fully committed. Corresponding changes and discussion should be taking place rather during the review of the consumer credit directives (2008/48/EC CCD and 2014/17/EU MCD) than within the NPLs Directive – secondary market proposal. Moreover, we are concerned that the provisions requiring implementation of forbearance measures policies are ambiguous and could lead to unintended consequences such as hampering the secondary NPLs market instead of fostering it."

- | | | |
|-----|---|----------------|
| 14. | (poss.) DLT pilot regime and Amending Directive | 10146/21 |
| | a) DLT pilot regime (DLT) | 10146/21 ADD 1 |
| | b) (partial) Directive Amending Directives (Amending Directive) | 10146/21 ADD 2 |
| | | EF |

Mandate for negotiations with the European Parliament

General Affairs

- | | | |
|-----|---|-----------------|
| 15. | Regulation establishing the Instrument for Pre-accession Assistance (IPA III) | 9890/21 + ADD 1 |
| | <i>Confirmation of the final compromise text with a view to agreement</i> | ELARG |

Statement by Bulgaria

"We welcome the efforts to reach a provisional agreement with the European Parliament on the IPA III Regulation. However, Bulgaria recalls the concerns raised in respect to the application of the indicator on good neighbourly relations in Annex IV, line 458. Bulgaria remains of the opinion that good neighbourliness as an essential element of the Enlargement process is a political criterion which cannot be measured only by the listed in line 458 quantitative indicators. The assessment based on these indicators does not substitute the overall evaluation of the implementation of the principle of good neighbourly relations, including among others commitment to bilateral relations with other enlargement countries and neighbouring EU Member States, achievement of tangible results and implementation in good faith of bilateral agreements, intensive political dialogue, bilateral exchanges and practical sectoral cooperation, participation in regional initiatives, level of transport connectivity among IPA beneficiaries and IPA/EU MS. We encourage the Commission to take this duly into account by the assessment of the progress towards the achievement of the specific objectives and thematic priorities of IPA III Regulation and by the assessment of the implementation of the IPA III Programming Framework."

Statement by Poland

"Poland regrets changes to the EU SRHR agreed language, which were introduced in the last-minute manner and as such negatively impacted the transparency of the negotiation process. For these reasons Poland is forced to resubmit its position on the SRHR and state that Poland remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development (ICPD) and as such remains committed to sexual and reproductive health and rights (SRHR) in this context only. Poland will continue to oppose any changes to the agreed EU position as captured in the Council conclusions on EU priorities in UN human rights fora in 2021.

At the same time, Poland understands the formulation "gender equality" as referring to "equality between women and men", in line with art. 2 and art. 3 of the Treaty on European Union, and the formulation "gender" as referring to "sex" in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union."

Statements by the Commission

on a geopolitical dialogue with the European Parliament on the Instrument for Pre-Accession Assistance (IPA III)

"The European Commission, mindful of the European Parliament's functions of political control laid down in Article 14 of the Treaty on European Union, commits to conduct a high-level geopolitical dialogue between the two institutions on the implementation of Regulation (EU) XXX/XXX of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (IPA III). This dialogue should allow exchanges with the European Parliament, whose positions on the implementation of the IPA III will be fully taken into consideration, in full respect of the Commission's ability to implement the instrument, in line with its institutional responsibilities.

The geopolitical dialogue will discuss general orientations on the implementation of the IPA III, including on programming before the adoption of the IPA III programming framework and programming documents, and concerning specific subjects such as the suspension of assistance to a beneficiary when it persistently fails to observe the principles of democracy, the rule of law, good governance, respect for human rights and fundamental freedoms.

The geopolitical dialogue will be structured as follows:

- i) A high-level dialogue between the Commissioner in charge of Neighbourhood and Enlargement, on behalf of the Commission, and the European Parliament.
- ii) A permanent dialogue at senior officials' level with AFET working groups to ensure an adequate preparation and follow-up to the high-level dialogue.

The high-level dialogue will take place at least twice a year. One of the meetings may coincide with the presentation by the Commission of the draft annual budget."

on the modulation/suspension of assistance in Article [7a, paragraph 5] of Regulation No. XXX/2021 of the European Parliament and of the Council of XX/XX 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)

"The European Commission considers that the provision in Article [7a, paragraph 5] respects the powers of the Commission in the implementation of Union programmes, and the Union budget in general as long as it is without prejudice to the prerogatives and powers entrusted to the Commission by the Treaties and the Financial Regulation to suspend Union assistance provided to third countries."

on the advisory nature of strategic boards as in in [Article 11] of Regulation No. XXX/2021 of the European Parliament and of the Council of XX/XX 2021 establishing the Instrument for Pre-Accession Assistance (IPA III)

"The European Commission recalls that as laid down in Article [11]) of the IPA III Regulation, the Western Balkans Investment Framework (WBIF) strategic board is an advisory body to the Commission. This is aligned with [Article 33] of the NDICI–Global Europe Regulation, which refers to the WBIF and EFSD+ strategic boards. These strategic boards do not have decision-making powers in the context of the implementation of the EU budget. The Rules of Procedures for the WBIF strategic board will be established on this basis."

- | | |
|---|--|
| 16. Council Decision on a unilateral declaration of the European Union made within the framework of the Agreement on the Withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union regarding the implementation of Union law concerning the import of meat products
<i>Decision to use the written procedure for the adoption</i> | 10140/1/21 REV 1
10143/21 + ADD 1
UK |
|---|--|

Foreign Affairs

- | | |
|--|---|
| 17. Council Decision on the conclusion of an Agreement with Argentina regarding the modifications in the EU's TRQs in the WTO schedule following Brexit
<i>Adoption</i> | 10119/21
6837/21
6838/21
WTO |
| 18. Council Decision on the conclusion of an Agreement with Thailand regarding the modifications in the EU's TRQs in the WTO schedule following Brexit
<i>Adoption</i> | 10120/21
5444/21
5445/21
WTO |
| 19. Council Decision on the conclusion of an Agreement with Indonesia regarding the modifications in the EU's TRQs in the WTO schedule following Brexit
<i>Adoption</i> | 10121/21
6505/21
6506/21
WTO |
| 20. European Peace Facility - procedures paper
<i>Approval</i> | 10148/21
10151/21
10134/21
CORLX |

Judicial Affairs

- | | | |
|-----|--|-----------------|
| 21. | Case T-182/21, Kurdistan Workers' Party (PKK) v. Council of the European Union
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 9788/21
JUR |
| 22. | Case T-239/21 (Dana Astra v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 10017/21
JUR |
| 23. | Case T-242/21 (Pshonka v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 10056/21
JUR |
| 24. | Case T-243/21 (Pshonka v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 10065/21
JUR |
| 25. | Case T-245/21 (Varabei v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 10035/21
JUR |

Transparency

- | | | |
|-----|---|--|
| 26. | (poss.) Public access to documents
Confirmatory application No 15/c/01/21
<i>Decision to use the written procedure for the adoption</i> | 9039/21
9590/1/21 REV 1
INF
API |
|-----|---|--|

The above-mentioned item was withdrawn.

- | | | |
|-----|--|--|
| 27. | Ombudsman Own Initiative Inquiry - OI/4/2020 TE
<i>Approval of a letter</i> | 9428/1/21 REV 1
8935/2/21 REV 2
INF
API |
|-----|--|--|

Economic and Financial Affairs

- | | | |
|-----|---|---------------------------|
| 28. | Appointment of the members of the Supervisory Committee of the European Anti-Fraud Office (OLAF): Criteria and procedure
<i>Approval of a letter</i> | 9992/21
GAF |
| 29. | ECA SR No 08/2021 on Frontex's support to external border management
<i>Designation of a Working Party</i> | 9989/21
FIN |
| 30. | Council Decision approving the external auditors of Národná banka Slovenska
<i>Adoption</i> | 9862/21
9084/21
UEM |
| 31. | Council Directive amending Directive 2006/112/EC as regards exemptions on importations and on certain supplies
<i>Adoption</i> | 9995/21 + ADD 1
FISC |

Statement by the Commission

"The Commission regrets the limitation of the scope of the exemption to the COVID-19 pandemic only and expresses its regret concerning the deletion of the electronic exemption certificate that has proved to be urgently needed, especially in the course of the ongoing COVID-19 crisis. The Commission stresses that in absence of an ambitious future-proof solution, the Union's preparedness to respond swiftly in the interest of EU citizens, should similar emergencies and crises arise in the future, will be affected. It further stresses that future-proof solutions are still needed, in particular in the context of the forthcoming proposal on a Health Emergency Support Authority."

General Affairs

- | | | |
|-----|---|-------------------|
| 32. | EP Resolutions and decisions (June II 2021) | 10112/21
PE-RE |
|-----|---|-------------------|

Justice and Home Affairs

- | | | |
|-----|--|----------------------------------|
| 33. | Civil Protection Presidency report | 10032/1/21 REV 1
PROCIV |
| 34. | Schengen evaluation Recommendation – HU return
<i>Adoption</i> | 10108/21
10107/21
SCH-EVAL |
| 35. | Schengen evaluation Recommendation – AT external border
<i>Adoption</i> | 10116/21
10115/21
SCH-EVAL |

- | | | |
|-----|---|----------------------------------|
| 36. | Schengen evaluation Recommendation – AT Schengen Information System
<i>Adoption</i> | 10118/21
10117/21
SCH-EVAL |
| 37. | Conclusions on the implementation of the National Firearms Focal Points (NFFPs)
<i>Approval</i> | 10168/21
ENFOPOL |
| 38. | (poss.) Regulation amending Regulation (EU) 2016/794 on Europol
<i>Mandate for negotiations with the European Parliament</i> | 10084/21
ENFOPOL |

Statement by Austria

"Austria considers, in view of the remaining issues that have not been resolved yet, that the text of the proposed Regulation amending the Europol Regulation requires further revision on working party level, such as regarding data protection issues, before entering into negotiations with the European Parliament.

Moreover, Austria cannot support the provisions on Europol's procedures for entering information stemming from third countries into the Schengen Information System (SIS) in the Presidency's current proposal (as set out in the Annex of Document 10084/21). Austria considers the proposal of the European Commission, according to which Europol should have the possibility to insert information acquired from third countries into the SIS, as an important tool to strengthen security in the European Union, especially regarding the fight against terrorism. As the discussion process on these provisions has just begun, it should not be ended prematurely."

Statement by Italy

"L'Italia non è favorevole all'attuale proposta della Presidenza (di cui al testo allegato al Documento 10084/21, per gli emendamenti riferiti al Considerato (8) e all'articolo 4, paragrafo 1, lettera r), in relazione alle disposizioni sulle procedure di Europol per l'inserimento nel Sistema d'informazione Schengen (SIS) di informazioni provenienti da Paesi terzi. Al fine di favorire la più ampia condivisione delle informazioni e l'attuazione di un più efficace controllo del territorio degli Stati membri dell'Unione Europea e delle procedure per la gestione comune delle politiche di frontiera, l'Italia ritiene necessario consentire a Europol di inserire le informazioni acquisite da Paesi terzi nel SIS, attraverso adeguate garanzie procedurali. In questa prospettiva, Europol dovrebbe avere un ruolo attivo nel processo di inserimento dei dati per le informazioni riguardanti la minaccia del terrorismo, previa verifica di qualità e sulla base di acquisizioni provenienti da un Paese terzo la cui affidabilità è certa. Tale procedura dovrebbe essere attivata su richiesta di almeno uno Stato membro. Gli effetti dei possibili inserimenti da parte di Europol dovrebbero avere solo scopo informativo per le autorità nazionali, alle quali è riservata una competenza esclusiva in materia."

Courtesy translation

"Italy cannot support the Presidency's current proposal (as set out in the Annex of Document 10084/21, referred to the amendments on Whereas (8) and on Article 4, paragraph 1, letter r), concerning the provisions on Europol's procedures for entering information stemming from third countries into the Schengen Information System (SIS). In order to facilitate the wider sharing of information and the implementation of a more effective control of the territory of the Member States of the European Union and of the procedures for the common management

of border policies, Italy considers necessary to allow Europol to insert information acquired from third countries into the SIS, through adequate procedural guarantees. In this perspective, Europol should play an active role in the data entry process for information regarding the threat of terrorism, subject to quality verification and on the basis of acquisitions from a third country whose reliability is certain. This procedure should be activated at the request of at least one Member State. The effects of possible insertions by Europol should be for information purposes only for the national authorities, which have exclusive responsibility in the matter."

Statement by Poland

"Poland sees the need for improvements in the functioning of Europol, taking into account the multidisciplinary and innovative approach to the ongoing changes and new threats in the area of EU internal security. Therefore, in the spirit of compromise, being aware of the key issue of increasing the effectiveness of support provided to national law enforcement agencies by Europol, Poland agrees to grant the Presidency a mandate to negotiate with the European Parliament with regard to the last compromise version of the document. At the same time, we would like to point out that we support the current version of the document with regard to all thematic blocks, except for the content related to SIS, with regard to which the comments and reservations we have previously reported still remain of significant importance to us."

Foreign Affairs

- | | | |
|-----|---|-------------------------------|
| 39. | PSC Decision EUTM Mali/1/2021 - appointment of EU Mission Force Commander
<i>Decision to publish in the Official Journal</i> | 9729/21
9380/21
PSC DEC |
| 58. | Council Decision on a European Union Military Training Mission in Mozambique (EUTM Mozambique)
<i>Adoption</i> | 10014/21
10013/21
CORLX |

Statement by Hungary

"Equality between women and men is enshrined in the Treaties of the European Union as a fundamental right. Hungary ensures equality between women and men within the framework of the Hungarian 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, Hungary interprets the concept of "gender" in the text as a reference to sex in line with art. 10, art. 19 para 1 of the Treaty on the Functioning of the European Union, as well as art. 21 of the EU Charter of Fundamental Rights."

- | | | |
|-----|--|-------------------------------|
| 59. | Council Decision concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
<i>Adoption</i> | 10025/21
10024/21
CORLX |
|-----|--|-------------------------------|

COREPER (PART 1)

Institutional Affairs

Written questions

45. Replies to questions for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure
- a) Francisco Guerreiro (Verts/ALE) 9950/21
"China – investment agreement and growing Sino-dependency"
- b) Robert Roos (ECR) 9952/21
"EU position on Turkey"
- c) Filip De Man (ID) 9953/21
"Greece's concerns regarding Germany's sale of Type 214 submarines to Turkey"
- d) Jordi Cañas (Renew) 9494/21
"Initiative against homelessness in the EU and the 'Housing First' approach"
- e) Sandra Pereira (The Left) 9954/21
"Sanctions against the Bolivarian Republic of Venezuela"
- f) Pedro Marques (S&D) 9955/21
"EU and NATO military and defence relations"
- g) Pedro Marques (S&D) 9949/21
"Digital Green Pass"
- h) Mikuláš Peksa (Verts/ALE), Markéta Gregorová (Verts/ALE) 9531/21
"Mutual recognition of COVID-19 test results in the EU and its neighbouring countries"
- i) Maximilian Krah (ID), Nicolaus Fest (ID), Tom Vandendriessche (ID), Gunnar Beck (ID), Bernhard Zimniok (ID), Markus Buchheit (ID), Jean-Lin Lacapelle (ID), Filip De Man (ID), Jean-Paul Garraud (ID), Herve Juvin (ID), Mazaly Aguilar (ECR), Hermann Tertsch (ECR) 9556/21
"Difference in treatment between liberal NGOs related to Open Society and conservative NGOs"

Space

46. Conclusions on "EU space programmes Galileo and Copernicus: Services launched, but the uptake needs a further boost" 10078/21
(CoA SR No 07/2021) ESPACE
Approval

Agriculture

47. Draft arrangements for European and Mediterranean Plant 9521/21
Protection Organisation (EPPO) coordination AGRI
Approval

Statement by Denmark

"Denmark supports the approval of the Arrangements between the Council and the Commission for establishing and expressing Union positions and voting in the framework of the European and Mediterranean Plant Protection Organisation (EPPO). Denmark does however regret to see that the Danish suggestion of adding an evaluation of the arrangement within a year from adoption has not been included. Denmark would have preferred to postpone the adoption until all Member States could support the text. With an evaluation, Denmark could have attempted to ensure that all Member States could get behind a common text in a year."

Transport

48. IMO - Joint submission - MSC 104 on revised ECDIS 10163/21
Performance Standards for digital exchange of vessels' route MAR
plans OMI
Endorsement

Statement by the Commission

"The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission's view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard."

- | | | |
|-----|---|------------------------|
| 49. | IMO - Joint submission - MSC 104 on guidelines for remote inspections in the field of maritime security
<i>Endorsement</i> | 10064/21
MAR
OMI |
|-----|---|------------------------|

Statement by the Commission

"The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission's view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard."

- | | | |
|-----|---|------------------------|
| 50. | IMO - Joint submission - MSC 104 on remote survey and audit
<i>Endorsement</i> | 10059/21
MAR
OMI |
|-----|---|------------------------|

Statement by the Commission

"The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission's view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard."

- | | | |
|-----|--|------------------------|
| 51. | IMO - Joint submission - MSC 104 on steering and propulsion requirements
<i>Endorsement</i> | 10063/21
MAR
OMI |
|-----|--|------------------------|

Statement by the Commission

"The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission's view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard."

- | | | |
|-----|--|--------------------------|
| 52. | Directive amending Directive 2017/2397 concerning recognition of third country certificates
<i>Confirmation of the final compromise text with a view to agreement</i> | 10127/21
TRANS
MAR |
|-----|--|--------------------------|

Fisheries

- | | | |
|-----|--|--------------------------------------|
| 53. | Regulation laying down conservation and management measures applicable in the Western and Central Pacific Fisheries Convention Area and amending Council Regulation (EC) No 520/2007
<i>Mandate for negotiations with the European Parliament</i> | 9308/21
9957/21
PECHE |
| 54. | Regulation establishing a catch documentation programme for bluefin tuna (<i>Thunnus thynnus</i>) and repealing Regulation (EU) No 640/2010
<i>Mandate for negotiations with the European Parliament</i> | 10164/21
8714/1/21 REV 1
PECHE |

Delegated or Implementing Acts

Agriculture

- | | | |
|-----|--|--------------------------------------|
| 55. | Commission Regulation (EU) .../... of XXX amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the inclusion of 3-(1-((3,5-dimethylisoxazol-4-yl)methyl)-1H-pyrazol-4-yl)-1-(3-hydroxybenzyl)imidazolidine-2,4-dione in the Union list of flavouring substances
<i>Decision not to oppose adoption</i> | 9956/21
9476/21 + ADD 1
DENLEG |
|-----|--|--------------------------------------|

Internal Market and Industry

- | | | |
|-----|--|-----------------------------------|
| 56. | Commission Regulation (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards N,N-dimethylformamide
<i>Decision not to oppose adoption</i> | 10069/21
8758/21 + ADD 1
MI |
|-----|--|-----------------------------------|

Statement by Germany

"Deutschland geht davon aus, dass die deutsche Übersetzung der Erwägungsgründe wie folgt geändert wird:

In Erwägungsgrund 1 wird das Wort „Kontexten“ durch das Wort „Bereichen“ ersetzt.

In Erwägungsgrund 3 wird der zweite Satz wie folgt geändert: „Dies führte jeweils zu einem DNEL-Wert (abgeleitete Expositionshöhe ohne Beeinträchtigung, derived no-effect level) bei inhalativer bzw. dermalen Langzeit-Exposition auf der Grundlage von Tierversuchsdaten zu verringertem Körpergewicht, Veränderungen der klinischen Chemie und Leberschäden.“

In Erwägungsgrund 4 wird das Wort „geeignetste“ in „geeignete“ geändert und der Ausdruck „Verringerung des Risikos“ in „Risikoreduktion“ geändert.

In Erwägungsgrund 6 und 7 wird jeweils das Wort „langfristigen“ gestrichen und das Wort „Exposition“ in „Langzeit-Exposition“ geändert.

In Erwägungsgrund 8 wird das Wort „Arbeitskräften“ in „Arbeitnehmern“ geändert.

In Erwägungsgrund 13 wird im ersten Satz das Wort „welche“ in „um“ geändert."

Courtesy translation

"Germany assumes that the German version of the recitals will be corrected as follows:

In recital 1 the word "Kontexten" is replaced by "Bereichen".

In recital 3 the second sentence is changed as follows: "Dies führte jeweils zu einem DNEL-Wert (abgeleitete Expositionshöhe ohne Beeinträchtigung, derived no-effect level) bei inhalativer bzw. dermalen Langzeit-Exposition auf der Grundlage von Tierversuchsdaten zu verringertem Körpergewicht, Veränderungen der klinischen Chemie und Leberschäden."

In recital 4 the word "geeignetste" is changed to "geeignete" and the expression "Verringerung des Risikos" is changed to "Risikoreduktion".

In recital 6 and 7 the instances of the word "langfristigen" is deleted and the instances of "Exposition" are changed to "Langzeit-Exposition".

In recital 8 the word "Arbeitskräften" is changed to "Arbeitnehmern".

In the first sentence of recital 13 the word "welche" is replaced by "um".

57. Commission Delegated Regulation (EU) .../... of 20.5.2021
amending Annex X to Regulation (EU) 2018/858 of the
European Parliament and of the Council as regards the
standardised access to vehicle on-board diagnostics information
and repair and maintenance information, and the requirements
and procedures for access to vehicle security information
Delegated act - Intention not to raise objections

10072/21
8978/21 + ADD 1
ENT