



Brussels, 14 September 2022
(OR. en, fr)

12374/22
CRS CRP 33

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
18, 20 and 22 July 2022

I. Adoption of the agenda

11394/22 OJ CRP1 29 + ADD 1 REV 1
11443/2/22 REV 2 OJ CRP2 29

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 18 JULY 2022

General Affairs

38. Enlargement

- a) Accession negotiations with North Macedonia
Approval
Decision to use the written procedure

11353/22
11364/22 + COR 1
10374/1/22 REV 1
11373/22 + ADD 1-2
ELARG

The Committee confirmed its agreement on the text and decided to use the written procedure for its adoption.

Statement by Bulgaria

“With reference to paragraph 7 of the Council Conclusions on Enlargement - North Macedonia and Albania from July 2022,

With reference to paragraph 22 of the Negotiating framework for the accession of the Republic of North Macedonia to the EU and the mention therein of the official language of the Republic of North Macedonia, according to its Constitution, as language of translation of the EU acquis,

Bulgaria hereby reiterates the following:

The Bulgarian literary language has six regional written norms (codifications). Three of them are based on dialects and three on the Bulgarian literary language. The creation of the “Macedonian language” in 1944/5 in former Yugoslavia was an act of secondary codification (re-codification) based on the Bulgarian literary language, additionally “enriched” with vernacular forms, thus simulating a dialect-based “natural” process.

Any reference to the official language of the Republic of North Macedonia in official/unofficial documents/positions/statements or others of the EU and its institutions, bodies, offices and agencies should be understood strictly in accordance with the Constitution of this state and shall not in any way be interpreted as a recognition by the Republic of Bulgaria of a “Macedonian language”.

Bulgaria continues to adhere to the language clause set forth in the Treaty of friendship, good-neighbourliness and cooperation signed in Skopje on 1 August 2017 between the Republic of Bulgaria and the Republic of North Macedonia for the purposes of bilateral treaties/agreements/memoranda and others between the two countries.”

Council Declaration

- “1. The Council takes note of the unilateral statement of Bulgaria.
2. The Council takes note of the position of Bulgaria that the term “Macedonian language” is to be considered in accordance with the Constitution of the Republic of North Macedonia.”

Statement by Estonia supported by Portugal, Ireland, Finland, Lithuania, Poland, Austria, Slovakia, Latvia, Sweden, Italy, Belgium, Germany, the Netherlands, Denmark, Luxembourg, Slovenia, Malta and Spain

“The references in the EU General Position to the special attention given to the protection and non-discriminatory treatment of citizens belonging to minorities or communities, and to the measurement of progress in accession negotiations against commitment to good neighbourly relations and closer regional cooperation, including through achieving tangible results and implementing in good faith bilateral agreements, are without prejudice to any other future or ongoing accession process to the EU.”

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| b) | Accession negotiations with Albania | 10375/1/22 REV 1 |
| | <i>Approval</i> | 10380/1/22 REV 1 |
| | <i>Decision to use the written procedure</i> | ELARG |

The Committee confirmed its agreement on the text and decided to use the written procedure for its adoption.

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| c) | Conclusions on North Macedonia and Albania | 11370/22 |
| | <i>Approval</i> | ELARG |
| | <i>Decision to use the written procedure</i> | |

The Committee confirmed its agreement on the text and decided to use the written procedure for its adoption.

Foreign Affairs

2. Russian aggression against Ukraine

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| a) | Council Decision, Implementing Regulation and | 11446/22 |
| | Regulation concerning restrictive measures in respect of | 11448/22 |
| | actions undermining or threatening the territorial integrity, | 11450/22 |
| | sovereignty and independence of Ukraine | |
| b) | Council Decision and Regulation concerning restrictive | 11339/22 |
| | measures in view of Russia's actions destabilising the | 11341/22 + ADD 1 |
| | situation in Ukraine | |
| | <i>Exchange of views</i> | |

The Committee held an exchange of views.

WEDNESDAY 20 JULY 2022

General Affairs

3. Follow-up to the European Council in the field of energy
Winter preparedness package
Presentation by the Commission
Exchange of views

The Committee took note of the presentation by the Commission and held an exchange of views.

4. Meeting of the Council (General Affairs) on 20 September
2022: agenda

The Presidency presented the main items on the agenda.

Foreign Affairs

2. Russian aggression against Ukraine

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| a) | Council Decision, Implementing Regulation and Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine | 11452/1/22 REV 1
11447/22
11449/22
11451/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |
| b) | Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine | 11343/22
11340/22
11342/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |

The Committee confirmed its agreement on the texts and decided to use the written procedure for their adoption.

5. Meeting of the Council (Foreign Affairs) on 18 July 2022: follow-up

The Committee took note of the main outcomes of the Council meeting. Information provided by the Belgian delegation.

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| 6. | EU-Thailand Partnership and Cooperation Agreement | 11411/22 |
| | <i>State of play and guidance for further work</i> | |

The Committee held an exchange of views and agreed to revert on this issue closer to the summit.

COREPER (PART 1)

WEDNESDAY 20 JULY 2022

Fisheries

42. Regulation amending various Regulations as regards fisheries control

Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 14 July 2022.

Internal Market and Industry

43. Regulation on general product safety (GPSR) 11280/22
Mandate for negotiations with the European Parliament

The Committee agreed on a mandate for negotiations with the European Parliament and agreed to make the mandate public.

Statement by Luxembourg

“Le Luxembourg soutient pleinement l'objectif de renforcer la surveillance du marché et la sécurité des produits dans l'Union européenne en veillant à ce que tout produit mis sur le marché intérieur soit conforme à la législation de l'Union. La croissance rapide des ventes en ligne, y compris en provenance de pays tiers, pose de nouveaux défis nécessitant de moderniser le cadre et les outils existants afin d'assurer une sécurité accrue des produits.

Dans la suite des négociations, le Luxembourg sera particulièrement attentif à la cohérence du GPSR avec les autres législations de l'Union. Cela vise en particulier l'article 20 sur les places de marché en ligne et son articulation avec le Digital Services Act (DSA). Nous regrettons que l'accord politique obtenu sur le DSA ne soit pas respecté dans la formulation actuelle de l'article 20. Lors des négociations ultérieures, le texte devra être amélioré afin d'assurer cette cohérence.

Cependant, nous ne sommes pas convaincus que la disposition relative à une "personne responsable des produits mis sur le marché de l'Union" (article 15 de la proposition) soit la bonne approche pour relever les défis posés par les ventes en ligne. Nous avons des doutes quant à la capacité de cette disposition de s'attaquer de façon efficace au problème qu'elle tente de résoudre, à savoir éviter la mise sur le marché UE de produits présentant des risques par des vendeurs établis dans des pays tiers.

Tout d'abord, une obligation similaire a été récemment introduite dans le règlement sur la surveillance du marché (2019/1020). Etant donné que cette disposition n'est en vigueur depuis un an seulement, aucune évaluation de son fonctionnement sur le terrain n'a été possible, y compris dans l'analyse d'impact de la Commission accompagnant la proposition du GPSR. Nous sommes critiques à l'égard de la reproduction d'une disposition qui n'a pas encore prouvé son efficacité, et qui va même au-delà de l'approche adoptée dans le règlement sur la surveillance du marché - en imposant non seulement plus d'obligations à la « personne responsable », mais aussi en exigeant sa désignation pour tous les types de produits - au lieu de se concentrer sur ceux qui sont les plus susceptibles de créer un risque sérieux pour les consommateurs.

Deuxièmement, cette disposition contribuera probablement à renforcer davantage la position des grands acteurs déjà établis sur le marché. Ceci au détriment des entreprises plus petites et des start-ups qui ne disposent pas des ressources nécessaires pour assumer ces responsabilités supplémentaires – allant à l'encontre des objectifs du Digital Markets Act. En outre, les véritables risques posés par les produits dangereux mis directement sur le marché de l'UE par des vendeurs de pays tiers persisteront puisqu'ils ne sont pas abordés par cette disposition.

Par conséquent, le Luxembourg ne peut pas soutenir l'inclusion de l'article 15 dans la proposition de règlement sur la sécurité générale des produits. Des travaux supplémentaires devraient être menés pour atteindre les objectifs de cette disposition en explorant d'autres moyens plus efficaces et proportionnés.”

Courtesy translation

“Luxembourg fully shares the aim of strengthening market surveillance and product safety in the European Union by ensuring that all products placed on the internal market comply with Union legislation. The rapid growth of online sales, including from third countries, poses new challenges, and there is a need to modernise the existing framework and tools in order to ensure effective product safety.

In the further course of negotiations, Luxembourg will pay close attention to the consistency and coherence of the GPSR with other EU legislation. This is especially the case for Article 20 on online marketplaces and its articulation with the Digital Services Act. We regret that the political agreement reached on the Digital Services Act is not respected in the current wording of Article 20 and will, therefore, aim to improve the text in order to ensure consistency in subsequent negotiations.

However, we are not convinced that the provision regarding a ‘Responsible person for products placed on the Union market’ (Article 15 of the proposal) is the right approach to address the challenges posed by online sales. We have doubts as to whether this provision can effectively tackle the problem it is trying to address, i.e. to avoid the placing on the EU market of products presenting risks by sellers established in third countries.

First, a similar obligation was introduced recently in the Market Surveillance regulation (2019/1020). This provision has only been in force for one year and at this stage, there is no evidence of its functioning on the ground, including in the Commission’s regulatory impact assessment accompanying the GPSR proposal. We are critical of replicating a provision that has not yet proven its effectiveness, and that even goes beyond the approach taken in the Market Surveillance Regulation - by not only imposing more requirements on the ‘responsible person’, but also by requiring its designation for all types of products - instead of focusing on those items that are most likely to create a serious risk for consumers.

Secondly, this provision will likely contribute to further strengthening the position of the big players already established in the market, who have the resources to take on these additional responsibilities, to the disadvantage of smaller businesses and start-ups, thereby reinforcing quasi-monopolies in certain distribution channels, which is at odds with the objectives of the recently adopted Digital Markets Act. Furthermore, the real risks posed by dangerous products placed directly on the EU market by third country sellers will persist since they are not tackled by this provision.

Luxembourg therefore cannot support the inclusion of Article 15 in the proposal for a Regulation on General Product Safety. Further work should be carried out to attain the aims of this provision by exploring other more effective and proportionate means.”

Joint statement by Denmark, France and Spain

“Denmark, France and Spain support the Presidency’s compromise text in order to reach a General Approach at Coreper on 20 July 2022 and support the overall aim of updating and modernizing the general product safety regulation to make sure the regulation matches the new more digital and technological reality.

Throughout the last decade, the role of online marketplaces in the distribution of products into the Union market has grown rapidly. Unsafe products are found in higher percentages in online marketplaces and they often reappear after being taken down. This reflects the low effectiveness of the current procedure and a lack of clarity over legal responsibilities for online marketplaces and fulfilment houses linked to them, as well as a complex and challenging consumer enforcement environment. Some marketplaces have voluntary commitments and internal policies focused on product safety, but these are largely reactive, limited in scope and vary depending on the company. Following such evidence, we believe that online marketplaces should have responsibilities that match such key role. Unfortunately, the compromise proposal falls short of such expectations. Rather than relying on the current reactive obligations that require market surveillance authorities to detect dangerous products before marketplaces are obliged to act, we believe more proactive obligations on marketplaces are needed to ensure that products intermediated on their platforms are safe for European consumers. By upholding a reactive set-up, we fail to address the underlying problems that keep exposing European consumers to dangerous and illegal products.

Hence, we hope that further responsibilities for providers of online marketplaces in regards to product safety will be considered the next phase of the negotiations in order to ensure an adequate consumer protection and preventing the offering of unsafe products in the market.”

Joint statement by Latvia and Estonia

“Latvia and Estonia welcome the main objective of the Commission proposal to modernise and strengthen product safety rules to provide effective solutions to challenges of digitalisation whilst creating a high level of consumer protection and fostering the internal market. However, this aim should be achieved by proportional and meaningful requirements for both businesses and Member States institutions.

Even though the text has improved significantly throughout the discussions, we regret the low level of risk based approach in the proposal that will result in unjustified administrative burden for businesses and Market surveillance institutions without substantial contribution to product safety (Articles 8 and 15).

We have especially serious doubts on the approach proposed in Article 15. Duplicating and expanding the provisions without proof of their effectiveness seriously contradicts principles of better regulation. Latvia and Estonia consider the alignment with Market Surveillance Regulation 2019/1020 and risk based approach necessary as prerequisites to limit unjustified administrative burden for businesses in Article 15.

Considering the above, Latvia and Estonia are of a position that Article 8 and 15 should be adjusted during the negotiations with EP to align it with Market Surveillance Regulation and risk based approach.”

Telecommunications

44. Decision on the Path to the Digital Decade
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 13 July 2022.

FRIDAY 22 JULY 2022

Telecommunications

62. Decision on the Path to the Digital Decade
Analysis of the final compromise text with a view to agreement 11522/22

The Committee endorsed the text of the final compromise and mandated the Presidency to inform the European Parliament that, should the European Parliament adopt its position at first reading in accordance with this compromise (subject to revision by the legal linguists), the Council would approve the European Parliament's position and the act shall be adopted.

Transport, Telecommunications and Energy

63. Extraordinary meeting of the Transport, Telecommunications and Energy Council on
26 July 2022: Preparation

Council Regulation on coordinated demand reduction measures 11521/1/22 REV 1
for gas
Political agreement
Decision to use the written procedure for the adoption

The Presidency informed the Committee of the intention to add this item to the Council agenda. The Committee started preparing this item for the Council meeting.

IV. Any other business

COREPER (PART 2)

Joint Roadmap on asylum and migration

The Committee took note of the information provided by the Presidency.

Court cases on the seat of EU agencies

The Committee took note of the information provided by the Council Legal Service.

COREPER (PART 1)

Digital Europe Programme – association with Ukraine
Information from the Commission

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

"I" items approved**COREPER (PART 2)****WEDNESDAY 20 JULY 2022****Judicial Affairs**

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| 7. | Case T-288/22 (VEB.RF v. Council)
<i>Information note</i> | 10551/22
JUR |
| 8. | Case T-289/22 (Shuvalov v. Council)
<i>Information note</i> | 10552/22
JUR |
| 9. | Case T-290/22 (Igor Albertovich Kesaev v. Council)
<i>Information note</i> | 11253/22
JUR |
| 10. | Case T-360/22 (Grigory V. Berezkin v. Council)
<i>Information note</i> | 11401/22
JUR |
| 11. | Case T-361/22 (Elena Petrovna Timchenko v. Council)
<i>Information note</i> | 11292/22
JUR |
| 12. | Case T-364/22 (A. Shulgin v. Council)
<i>Information note</i> | 11206/22
JUR |
| 13. | Case C-261/22 (GN)
<i>Information note</i> | 10670/22
JUR |
| 14. | Case C-268/22 (VITOL SA)
<i>Information note</i> | 11358/22
JUR |
| 15. | Case C-280/22 (Kinderrechtencoalitie Vlaanderen and Liga voor
Mensenrechten)
<i>Information note</i> | 10679/22
JUR
JAI |

Institutional Affairs

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| 16. | Minutes of Council meetings
<i>Approval</i> | |
| a) | GAC Cohesion 02.06.2022 | 9830/22 + ADD 1 |
| b) | FAC Trade 03.06.2022 | 9831/22 + ADD 1 |
| c) | JHA 9-10.06.2022 | 10138/22 + ADD 1 |
| d) | FAC Trade 12-15.06.2022 | 10198/22 + ADD 1 |

Appointments

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| 17. | A member (NL) of the Court of Auditors
<i>Adoption</i> | 10478/22
10477/22
CMPT |
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Other

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| 18. | Attendance of a third party at the informal videoconference of the members of the Working Party on Civil Law Matters (SLAPP) on 25 July 2022
<i>Approval</i> | 11294/22
JUSTCIV |
| 19. | Attendance of a third party at the meeting of the Working Party on Dual-Use Goods on 7 September 2022
<i>Approval</i> | 11360/22
COMER |
| 20. | Attendance of a third party at the meeting of the Working Party on Commodities (PROBA) on 13 September 2022
<i>Approval</i> | 11113/22
PROBA |
| 21. | Attendance of third parties at the Working Party on the 2030 Agenda for Sustainable Development during the Czech Presidency
<i>Approval</i> | 11334/22
SUSTDEV |

Economic and Financial Affairs

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| 22. | ECA SR No 10/2022 on LEADER and community-led local development
<i>Designation of a Working Party</i>
<i>Attendance of the European Court of Auditors at the working party meeting</i> | 11274/22
FIN |
| 23. | ECA SR No 14/2022 on the Commission's response to fraud in the Common Agricultural Policy
<i>Designation of a Working Party</i>
<i>Attendance of the European Court of Auditors at the working party meeting</i> | 11380/22
FIN |

General Affairs

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| 24. | Council Decision on position to be taken regarding the consultation procedure laid down in Article 63(3) of the TCA
<i>Adoption</i> | 10968/22
11002/22+ ADD 1
UK |
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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 3 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.”

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| 25. | Draft reply to an EP letter on the call for a Convention for the revision of the Treaties
<i>Approval of a letter</i> | 11006/22
AG |
| 26. | Flexible support for territories (FAST-CARE) – to address the consequences of the Russian aggression against Ukraine
<i>Mandate for negotiations with the European Parliament</i> | 11456/22
COH |

Statement by Malta

“Malta would like to reiterate its concerns – as expressed also at working party level – regarding the proposal to grant at least 30% of support under the relevant priorities to local authorities and civil society organisations operating in local communities that are addressing migratory challenges. Given its size, Malta does not have civil society organisations operating solely at the local level. They are national civil society groups that operate in every town and village that needs help. Moreover, the local authorities are too small and do not have the mandate to operate in the areas of asylum, refugee policies or education and health policies. Given the conditionality, Malta cannot be the only Member State to be excluded from the proposal - due to its size and governance structures. Malta therefore needs confirmation that in the case of Malta the 30% can be used by public authorities and civil society organisations operating at national level and in this regard would like to ask the Commission to submit a declaration for the minutes of COREPER to this effect.”

Intervention by the Commission

“The Commission is well aware of Malta’s specificities. It is reflecting internally, and is ready to work with Malta and other small Member States to find a solution. The Commission is also ready to revert with a more formal statement upon adoption.”

Foreign Affairs

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| 27. | Council Decision on a European Union Military Training mission in the Central African Republic (EUTM RCA)
<i>Decision to use the written procedure for the adoption</i> | 9443/22
9442/22
CORLX |
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<u>Statement by Hungary</u>
“Hungary recognizes and promotes equality between men and women in accordance with the Fundamental Law of Hungary, and the primary law, principles and values of the European Union, as well as commitments and principles stemming from the international law. Furthermore, equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term ‘gender’ as reference to ‘sex’.” | | |
| 28. | Council Decision on the European Union CSDP Advisory Mission in the Central African Republic (EUAM RCA)
<i>Decision to use the written procedure for the adoption</i> | 9387/22
9385/22
CORLX |
| 29. | Council Decision, Implementing Regulation and Regulation concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau
<i>Decision to use the written procedure for the adoption</i> | 11046/22 + COR 1
11041/22
11043/22
11045/22
CORLX |
| 30. | Council Decision and Implementing Regulation concerning restrictive measures against the Democratic People’s Republic of Korea - review
<i>Decision to use the written procedure for the adoption</i> | 11216/22
11213/22
11215/22
CORLX |
| 31. | Council Decision concerning restrictive measures in view of the situation in Lebanon
<i>Adoption</i> | 10832/22
10831/22
CORLX |
| 32. | Restrictive measures against the proliferation and use of chemical weapons - pre-notifications
<i>Approval</i> | 11282/22
CORLX |
| 39. | Syria restrictive measures - Council Implementing Decision and Implementing Regulation
<i>Decision to use the written procedure for the adoption</i> | 11131/22
11127/22
11130/22
CORLX |
| 40. | Council Decision and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
<i>Decision to use the written procedure for the adoption</i> | 11123/22
11119/22
11122/22
CORLX |

41.	Council Implementing Decision and Regulation concerning restrictive measures in view of the situation in Libya <i>Adoption</i>	11018/22 11015/22 11017/22 CORLX
58.	Council Decision concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine <i>Adoption</i>	10680/22 10591/22 CORLX
59.	Council Decision and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine <i>Decision to use the written procedure for the adoption</i>	11453/22 8265/22 8266/22 CORLX
60.	Council Decisions on assistance measure under the European Peace Facility to support the Ukrainian Armed Forces <i>Decision to use the written procedure for the adoption</i>	11369/22 11366/22 11368/22 CORLX

Statement by Austria

“In accordance with the second subparagraph of Article 31(1) TEU and in line with Austria’s declaration on the application of constructive abstention at the time of the adoption of the Council Decision establishing the European Peace Facility, Austria hereby notifies the Council of its decision to abstain from the Council Decision amending Council Decision (CFSP) 2022/338, as last amended by Council Decision (CFSP) 2022/809 of 23 May 2022, on an Assistance Measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force, as she deems this decision sensitive for the specific character of her security and defence policy.

Austria, acting in a spirit of mutual EU solidarity, will refrain from any action likely to conflict with or impede Union action based on that decision.

Therefore, AT will not contribute to the financing of this Assistance Measure. Instead, AT will voluntarily contribute an additional amount to a non-sensitive assistance measure for Ukraine within the framework of the European Peace Facility.”

Statement by Ireland

“Ireland refers to Proposal of the High Representative of the Union for Foreign Affairs and Security Policy to the Council of 13 July 2022.

Recalling its formal declaration of 27 February on abstention from Council Decision (CFSP) 2022/338, Ireland, in accordance with the second subparagraph of Article 31(1) of the Treaty on European Union, hereby makes a formal declaration and notifies the Council of its decision to abstain from the Council Decision amending Council Decision (CFSP) 2022/338 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force.

Accordingly, Ireland will not be contributing to the costs of that Assistance Measure, as amended.

Ireland recalls and reiterates in full its statement of 17 March 2021 to the minutes of COREPER and to the Council at the time of adoption of Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility.

Ireland further recalls Recital 22, Article 27 and Article 57(3) of that Council Decision and hereby signals its preference to contribute instead to Council Decision (CFSP) 2022/339 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces, as amended.”

Statement by Malta

“In accordance with the second subparagraph of Article 31(1) of the Treaty of the European Union, Malta hereby notifies the Council of its decision to abstain from adopting the Council Decision amending Council Decision on an Assistance Measure under the European Peace Facility on the provision of lethal force equipment to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force.

As stated at the time of adoption of the Council Decision establishing the European Peace Facility, Malta reserves its right to constructively abstain from assistance measures under the European Peace Facility that allow for the supply of military equipment, or platforms, designed to deliver lethal force.

In the spirit of mutual EU solidarity, MT will refrain from any action likely to conflict with or impede Union action based on that decision.

Therefore, through our voluntary elective commitment, Malta will instead provide a corresponding contribution to the budget for assistance measure in support of Ukraine which does not involve supply of such lethal equipment or platforms.”

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| 61. | (poss.) Council Decision on an Assistance Measure under the European Peace Facility to support the Georgian Defence Forces
<i>Decision to use the written procedure for the adoption</i> | 10111/22
10110/22
CORLX |
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The above-mentioned item was withdrawn.

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| 33. | EU-ASEAN Plan of Action 2023-2027
<i>Approval of an NBI</i> | 11320/22
COASI |
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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. Therefore, Poland understands wording “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. Consequently, Poland will understand the term “gender equality” as equality between women and men.”

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| 34. | Two ASEAN Regional Forum (ARF) Ministerial Statements
<i>Approval of an NBI</i> | 11332/22
COASI |
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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. Therefore, Poland understands wording “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. Consequently, Poland will understand the term “gender equality” as equality between women and men.”

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| 35. | PSC Decision EUAM Iraq/1/2022 - appointment of the Head of Mission EUAM Iraq
<i>Decision to publish in the Official Journal</i> | 11381/22
9872/22
PSC DEC |
| 36. | PSC Decision EUNAVFOR MED IRINI/3/2022 - reconfirmation of the authorisation
<i>Decision to publish in the Official Journal</i> | 11361/22
10950/22
PSC DEC |

EU positions for international negotiations

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| 37. | Council Decision on the EU position in the EU-Republic of Moldova Customs Sub-Committee concerning the mutual recognition of the Authorised Economic Operators Programme
<i>Adoption</i> | 11383/22
11153/22 + ADD1
UD |
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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) Filip De Man (ID)
"Donbas – Cyprus – Nagorno-Karabakh" 10638/22
- b) Gianantonio Da Re (ID)
"Russia's invasion of Ukraine: what has EU diplomacy achieved?" 10671/22
- c) Tineke Strik (Verts/ALE), Gwendoline Delbos-Corfield (Verts/ALE)
"Russian intelligence operations against the Hungarian Ministry of Foreign Affairs" 10637/22
46. **Minutes of Council meetings**
Approval
- a) TTE 2-3.6.2022 9829/1/22 REV 1
+ ADD 1 REV 1
- b) COMPET 9-10.6.2022 10137/22 + ADD 1

Other

47. Attendance of third parties at the European Research Area and Innovation Committee (ERAC) on 13-14 September 2022
Approval 11272/22
RECH

Judicial Affairs

48. Case C-330/22 (Friends of the Irish Environment CLG v the Minister for Agriculture, Food and the Marine, Ireland and the Attorney General)
Information note 11289/22
JUR

EU positions for international negotiations

49. Consultation of the Council by the European Commission on the EU position regarding the second revision by the Regional Steering Committee of Annex I to the Treaty establishing the Transport Community
Approval 11197/22
TRANS

Fisheries

50. Council Decision authorising Poland to ratify the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea 11208/22 + ADD 1
10918/22
PECHE

Agreement in principle

Request for the consent of the European Parliament

Statement by the Commission

“By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)(a)(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the Decision authorising the Republic of Poland to ratify, in the interest of the European Union, the amendment to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea, the Commission regrets the Council’s amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph).

While not opposing the adoption of the amendment by the Council by a qualified majority vote, the Commission reserves all its rights in this regard.”

51. Request for internal review under Article 10 of Regulation 1367/2006 in relation to Council Regulation (EU) 2022/515 of 31 March 2022 amending Council Regulation (EU) 2022/109 fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in certain non-Union waters 10970/22 + ADD 1
10616/2/22 REV 2
PECHE
Approval of the Council’s reply

Transport

52. Preparation of the 41st Session of the ICAO Assembly (Montréal, 27 September - 7 October 2022) (third batch - first instalment) 11163/22
AVIATION
Approval

53. Preparation of the 41st Session of the ICAO Assembly (Montréal, 27 September - 7 October 2022) (third batch - second instalment) 11269/22
AVIATION
Approval

- | | |
|---|---------------------------------------|
| 54. Council Decision on the conclusion of the Agreement on the carriage of goods by road between the European Union and the Republic of Moldova
<i>Request for the consent of the European Parliament</i>
<i>Agreement in principle</i> | 11038/22 + COR 1
11052/22
TRANS |
| 55. Council Decision on the conclusion of the Agreement on the carriage of goods by road between the European Union and Ukraine
<i>Request for the consent of the European Parliament</i>
<i>Agreement in principle</i> | 11037/22 + COR 1
11050/22
TRANS |

Telecommunications

- | | |
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| 56. Council Decision requesting the Commission to submit a study on the situation of the internal market of Union postal services, and a proposal, if appropriate, in view of the outcomes of the study
<i>Adoption</i> | 11187/22 + ADD 1
11188/22
POSTES |
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Joint statement by the Netherlands, Cyprus and France

“Netherlands, Cyprus and France abstain from supporting the references in Council Decision 11187/22 to parcel delivery services (recital 2) and new players in e-commerce (recital 6) while concluding that there might be a need to revise the Postal Directive 96/67/EC to address the above-mentioned challenges.”

Delegated or Implementing Acts

Internal Market and Industry

- | | |
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| 57. Commission Delegated Regulation (EU) .../... of 8.6.2022 amending Regulation (EU) 2019/2144 of the European Parliament and of the Council to take into account technical progress and regulatory developments concerning amendments to Vehicle Regulations adopted in the context of the United Nations Economic Commission for Europe
<i>Delegated act - Intention not to raise objections</i> | 11314/22
10196/22 + COR 1
+ ADD 1
+ ADD 1 COR 1
MI |
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