



Brussels, 7 October 2021  
(OR. en)

12606/21  
CRS CRP 34

**SUMMARY RECORD**  
**PERMANENT REPRESENTATIVES COMMITTEE**  
**22 and 24 September 2021**

**I. Adoption of the agenda**

11939/2/21 REV 2 OJ CRP2 32 COMIX 456  
11933/21 OJ CRP1 32 + ADD 1 + COR 1

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)**

**Justice and Home Affairs**

8. (poss.) 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 Chile, Kuwait and Rwanda and removal of Bosnia and Herzegovina and Republic of Moldova from Annex I and on the use of the written procedure for the adoption.

9. Meeting of the Council (Justice and Home Affairs) on 7-8 October 2021: Preparation  
Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

## **General Affairs**

2. Strengthening EU resilience and crisis response 11691/21  
*Orientation debate*

The Committee held an orientation debate on resilience.

3. Exceptional measures on the continuation of decision-making in the Council 11874/21  
*Approval*  
*Decision to use the written procedure for the adoption*

The Committee confirmed its agreement on the text of the Council Decision further extending the temporary derogation from the Council's Rules of Procedure until 30 November 2021 and agreed on the use of the written procedure for the adoption.

4. Meeting of the Council (General Affairs) on 21 September 2021: Follow-up

The above-mentioned item was withdrawn.

## **Foreign Affairs**

7. (poss.) EU-Ukraine Summit (Kyiv, 12 October 2021) 11505/2/21 REV 2  
*Exchange of views*

The Committee held an exchange of views and will revert on this issue in one of its next meetings.

## **Economic and Financial Affairs**

10. Meeting of the Council (Economic and Financial Affairs) on 5 October 2021: Preparation  
Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

11. Selection of the Chairperson of ESMA: secret ballot 11759/21  
*Selection of the Council candidate*

On a proposal from the Presidency, the Committee proceeded with a secret ballot procedure and selected Verena Ross as the Council candidate for the position of ESMA Chair.

## **COREPER (PART 1)**

**WEDNESDAY 22 SEPTEMBER 2021**

### **Competitiveness**

55. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 28 and 29 September 2021: Preparation

1. Conclusions on the global approach to research and innovation  
*Approval* 11699/21 + ADD 1

The Committee prepared this item for the Council meeting.

#### **Statement by Hungary**

"Hungary declares that 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“ as reference to sex and concept of „gender equality“ as reference to the equality between men and women."

2. Governance and implementation of the European Research Area  
*Exchange of views* 11821/21

The Committee prepared this item for the Council meeting.

3. Implementation of the updated New Industrial Strategy for Europe: Accelerating green transition: The Package Fit for 55 from an industrial perspective  
*Policy debate* 11726/21

The Committee prepared this item for the Council meeting.

4. Future-proof policymaking to improve the competitiveness of the EU and further foster the Single Market: Joining forces to make better laws  
*Policy debate* 11654/21 + COR 1

The Committee prepared this item for the Council meeting.

### **Agriculture and Fisheries**

56. Meeting of the Council (Agriculture and Fisheries) on 11 and 12 October 2021: Agenda  
(For items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda.

### **Employment, Social Policy, Health and Consumer Affairs**

57. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on  
15 October 2021: Agenda

The Presidency presented the main items on the agenda.

## **FRIDAY 24 SEPTEMBER 2021**

### **Transport, Telecommunications and Energy**

58. Informal videoconference of the Ministers of Telecommunications on 14 October 2021:  
Agenda

The Presidency presented the main items on the agenda.

### **Environment**

59. Meeting of the Council (Environment) on 6 October 2021: Preparation

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| 1. | Fit for 55 package   | 11840/21 |
| a) | Revision of Directive (EU) 2003/87/EC establishing a system for greenhouse gas emission allowance trading (ETS)                              |          |
| b) | Revision of Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 (ESR)           |          |
| c) | Revision of Regulation (EU) 2018/841 on greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF)           |          |
| d) | Revision of Regulation (EU) 2019/631 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles |          |
| e) | Regulation establishing a Social Climate Fund  |          |
|    | <i>Exchange of views</i>   |          |

The Committee prepared this item for the Council meeting.

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| 2. | Communication on the New EU Forest Strategy for 2030 | 11842/21 |
|    | <i>Exchange of views</i>                             |          |

The Committee prepared this item for the Council meeting.

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| 3. | Conclusions on the preparations for the United Nations Framework Convention on Climate Change (UNFCCC) meetings (Glasgow, 31 October-12 November 2021) | 11839/21 |
|    | <i>Approval</i>  |          |

The Committee prepared this item for the Council meeting.

## **EU positions for international negotiations**

72. Council Decision on the EU position within the OSPAR Commission for the establishment of the North Atlantic Current and Evlanov Seamount Marine Protected Area (NACES MPA) and a recommendation on the management of the NACES MPA  
*Adoption* 11803/21 + ADD 1  
11270/21

The Committee prepared this item for the adoption.

### **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."

## **Health**

60. Regulation on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices  
*Preparation for the trilogue* 11751/1/21 REV 1

The Committee prepared a revised mandate for the forthcoming trilogue.

**IV. Any other business**

**COREPER (PART 2)**

Situation at PL-BY border

The Committee took note of the information provided by Poland.

**COREPER (PART 1)**

None.

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**"I" items approved**

**COREPER (PART 2)**

**Judicial Affairs**

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| <p>12. Cases: T-347/21 (Hypo Vorarlberg Bank AG v. Single Resolution Board (SRB)); T-348/21 (Volkskreditbank AG v. Single Resolution Board (SRB)); T-360/21 (Portigon AG v. Single Resolution Board (SRB)); T-383/21 (La Banque postale v. Single Resolution Board (SRB)); T-384/21 (Confédération nationale du Crédit Mutuel and Others v. Single Resolution Board (SRB)); T-385/21 (BPCE and Others v. Single Resolution Board (SRB)); T-387/21 (Société générale SA and Others v. Single Resolution Board (SRB)); T-388/21 (Crédit agricole SA and Others v. Single Resolution Board (SRB)); T-396/21 (Deutsche Bank AG v. Single Resolution Board (SRB)); T-397/21 (BNP Paribas v. Single Resolution Board (SRB)); T-402/21 (UniCredit Bank AG v. Single Resolution Board (SRB)); T-405/21 (Dexia Crédit Local v. Single Resolution Board (SRB))<br/>Council intervention before the General Court of the European Union in support of the Single Resolution Board (SRB)<br/><i>Information note for the Permanent Representatives Committee (Part 2)</i></p> | <p>11797/21<br/>JUR</p> |
| <p>13. Case T-470/21 (Oleksandr Viktorovych KLYMENKO v. Council)<br/><i>Information note for the Permanent Representatives Committee (Part 2)</i></p>   | <p>11806/21<br/>JUR</p> |

**Institutional Affairs**

**Appointments**

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| <p>14. Six members and four alternate members (IT) of the Committee of the Regions<br/><i>Adoption</i></p> | <p>11862/21<br/>11872/21<br/>CDR</p> |
| <p>15. Two alternate members (ES) of the Committee of the Regions<br/><i>Adoption</i></p>                  | <p>11897/21<br/>11898/21<br/>CDR</p> |



## Other

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|-----|---|----------------------------|
| 16. | Attendance of a third party at the informal videoconference of the members of the Asia-Oceania Working party on 23 September 2021<br><i>Approval</i>                      | 11864/21<br>COASI          |
| 17. | Attendance of a third party at the informal videoconference meeting of the members of the working party on the 2030 Agenda for sustainable development<br><i>Approval</i> | 11878/21<br>SUSTDEV        |
| 18. | Attendance of a third party at the informal videoconference of the members of the Working Party on Public International Law on 29 September 2021<br><i>Approval</i>       | 11882/21<br>JUR            |
| 19. | Attendance of third parties at the informal videoconference of the members of the Council Security Committee on 28 September 2021<br><i>Approval</i>                      | 11843/21<br>CSC            |
| 20. | Attendance of a third party at the informal breakfast of the members of the Political and Security Committee on 24 September 2021<br><i>Approval</i>                      | 11857/21<br>COPS<br>POLMIL |
| 21. | Attendance of third parties at the meetings or informal videoconferences of the members of the COJUR-ICC - International Criminal Court WP<br><i>Approval</i>             | 11909/21<br>COJUR          |
| 22. | Attendance of third parties at the informal videoconference of the members of the Working Party on Human Rights Working on 29 September 2021<br><i>Approval</i>           | 11891/21<br>COHOM          |
| 23. | Attendance of a third party at the Politico Military working party on 22 September 2021<br><i>Approval</i>  | 11960/21<br>POLMIL         |
| 87. | Attendance of a third party at EUMCWG/HTF on 23 September 2021<br><i>Approval</i>   | 12033/21<br>CSDP           |

## **Economic and Financial Affairs**

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| 24. | New French Commemorative Coin  | 11611/21<br>UEM             |
| 25. | ECA SR No 17/2021 on the EU readmission cooperation with third countries<br><i>Designation of a Working Party</i>  | 11847/21<br>FIN             |
| 26. | Transfer No DEC 16/2021 (Section III - Commission)<br><i>Approval</i>  | 11920/21<br>11808/21<br>FIN |
| 27. | Transfer No DEC 17/2021 (Section III - Commission)<br><i>Approval</i>  | 11921/21<br>11809/21<br>FIN |
| 28. | Transfer No DEC 18/2021 (Section III - Commission)<br><i>Approval</i>  | 11922/21<br>11810/21<br>FIN |
| 29. | Conclusions on ECA's Special Report 13/2021 on EU efforts to fight money laundering in the banking sector are fragmented and implementation is insufficient<br><i>Approval</i> | 11904/21<br>11903/21<br>EF  |

## **General Affairs**

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| 30. | EP Resolutions and decisions (September 2021)   | 11770/21<br>PE-RE                        |
| 31. | Regulation on Brexit Adjustment Reserve (BAR)<br><i>Adoption of the legislative act</i> | 11828/21 + ADD 1<br>PE-CONS 59/21<br>COH |

## **Foreign Affairs**

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| 32. | 23rd EU Annual Report on Arms Exports<br><i>Approval</i>   | 11641/21<br>11604/21<br>+ ADD 1-6 REV 1<br>COARM |
| 33. | Technical Centre for Agricultural and Rural Cooperation (CTA): Decision of the ACP-EU Committee of Ambassadors regarding the discharge for 2020<br><i>Approval</i> | 11818/21<br>ACP                                  |

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| 34. | Note Verbale to Japan notifying the non-conclusion of ACTA<br><i>Approval</i> | 11805/1/21 REV 1<br>+ 11805/21 ADD 1<br>WTO |
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Statement by the Commission

"The Commission considers that the notification to the Government of Japan stating that the European Union will not be completing the internal procedures necessary for the approval of the Anti-Counterfeiting Trade Agreement, which necessarily follows from the negative vote by the European Parliament and the subsequent withdrawal of the proposal to conclude, is an act of external representation of the Union, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

It is recalled that the Court of Justice has emphasised that consistent practice by Union institutions that is not in accordance with the EU Treaties 'cannot alter the rules of the Treaties that the institutions are obliged to respect' (Case C-687/15 Commission v Council, EU:C:2017:803, para. 42).

The Commission reserves all its rights in this regard."

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| 36. | Union for the Mediterranean (UfM) Ministerial Declaration on Environment and Climate Action<br><i>Approval</i>  | 11943/21<br>MAMA<br>MED                                |
| 54. | Council Decision in support of Combating the Illicit Trade in and Proliferation of Small Arms and Light Weapons in the Member States of the League of Arab States - Phase II<br><i>Adoption</i> | 11408/21 + COR 1<br>11407/21<br>+ ADD 1 REV 1<br>CORLX |
| 88. | Guinea Bissau restrictive measures - review<br><i>Adoption</i>  | 11964/21<br>CORLX                                      |
| 89. | Restrictive measures in view of the situation in Venezuela - pre-notifications<br><i>Adoption</i>   | 11993/21<br>CORLX                                      |

**Delegated or Implementing Acts**

**Economic and Financial Affairs**

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| 37. | Commission Delegated Regulation (EU) .../... of 4.6.2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives<br><i>Delegated act - Decision to request an extension of the time-limit</i> | 11798/21<br>9607/21 + ADD1-2<br>EF |
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## **EU positions for international negotiations**

38. Council Decision on the EU position regarding the Common Line on the temporary decrease of the minimum down payment  
*Adoption*
- 11594/21 + ADD 1  
11589/21  
11591/21  
CCG

### **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."

39. Council Decision on the EU position on Law Enforcement and Judicial Cooperation regarding extension of the period during which DNA profiles and fingerprints can be exchanged with the UK  
*Decision to use the written procedure for the adoption*
- 11608/21 + COR 1  
11697/21  
UK

### **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."

40. Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Preparatory Action on Defence Research)  
*Decision to use the written procedure for the adoption*
- 10933/21  
10931/21  
10932/21  
AELE
41. Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Creative Europe Programme)  
*Decision to use the written procedure for the adoption*
- 11260/21  
11258/21  
11259/21  
AELE
42. Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Digital Europe Programme)  
*Decision to use the written procedure for the adoption*
- 11243/21  
11241/21  
11242/21  
AELE

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| 43. | Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Erasmus+)<br><i>Decision to use the written procedure for the adoption</i>  | 11239/21<br>11237/21<br>11238/21<br>AELE             |
| 44. | Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (European Social Fund Plus (ESF+))<br><i>Decision to use the written procedure for the adoption</i>                | 11234/21<br>11232/21<br>11233/21<br>AELE             |
| 45. | Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (EU4Health Programme)<br><i>Decision to use the written procedure for the adoption</i>                             | 11536/21<br>11534/21<br>11535/21<br>AELE             |
| 46. | Council Decision on the EU position to be taken within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (European Solidarity Corps programme)<br><i>Decision to use the written procedure for the adoption</i>               | 11222/21<br>11220/21<br>11221/21<br>AELE             |
| 47. | Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Horizon Europe)<br><i>Decision to use the written procedure for the adoption</i>                                  | 11230/21<br>11228/21<br>11229/21<br>AELE             |
| 48. | Council Decision on the EU position to be adopted on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (LIFE Programme)<br><i>Decision to use the written procedure for the adoption</i> | 11529/21<br>11527/21<br>11528/21<br>AELE             |
| 49. | Council Decision on the EU position to be adopted within the EEA Joint Committee, concerning the amendment to Annex XIII (Transport) to the EEA Agreement (3rd and 4th Railway Packages)<br><i>Decision to use the written procedure for the adoption</i>  | 11747/21<br>11744/21<br>11745/21<br>11746/21<br>AELE |

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| 50. | Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 30 to the EEA Agreement, on specific provisions on the organization of cooperation in the field of statistics, and Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Single Market Programme)<br><i>Decision to use the written procedure for the adoption</i> | 11226/21<br>11224/21<br>11225/21<br>AELE |
| 51. | Council Decision on the EU position to be adopted within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Union Civil Protection Mechanism (UCPM))<br><i>Decision to use the written procedure for the adoption</i>   | 11256/21<br>11254/21<br>11255/21<br>AELE |

**Other items**

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|-----|---|------------------------------|
| 52. | Interim approval of a cryptographic product<br><i>Approval</i>            | 11758/21 R-UE<br>CSCI<br>CSC |
| 53. | 2021 EU security assessment visit programme - Revision<br><i>Approval</i> | 11815/21<br>CSC              |

## **COREPER (PART 1)**

### **Institutional Affairs**

#### **Appointments**

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|-----|--|----------------------------|
| 61. | One alternate member (HR) of the Management Board of the European Institute for Gender Equality<br><i>Adoption</i>   | 11844/21<br>SOC            |
| 62. | One alternate member (AT) of the Advisory Committee for the Coordination of Social Security Systems<br><i>Adoption</i>   | 11870/21<br>SOC            |
| 63. | One member (CY) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions<br><i>Adoption</i>                                       | 11867/21<br>SOC            |
| 64. | One alternate member (CY) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions<br><i>Adoption</i>                             | 11869/21<br>SOC            |
| 65. | One alternate member (SK) of the Advisory Committee on Freedom of Movement for Workers<br><i>Adoption</i>  | 11871/21<br>SOC            |
| 66. | Appointment of a chairperson and extension of term of office of a chairperson of a Board of Appeal of the European Union Intellectual Property Office (EUIPO)<br><i>Adoption</i> | 11728/21<br>11559/21<br>PI |

#### **Other**

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|-----|--|---------------------|
| 67. | One member of the Management Board of the European Food Safety Authority: Selection procedure<br><i>Endorsement</i>  | 11794/21<br>AGRILEG |
| 68. | Attendance of a third party at the informal videoconference of the members of the COMPCRO (Public Procurement) Working Party on 29 September 2021<br><i>Approval</i> | 11851/21<br>MAP     |

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| 69. | Attendance of a third party at the informal videoconference of the Working Party on International Environment Issues (Climate Change) on 27 September 2021<br><i>Approval</i> | 12009/21<br>CLIMA |
| 86. | Attendance of a third party at the informal videoconference of the Working Party on Transport Intermodal on 28 September 2021<br><i>Approval</i>                              | 12023/21<br>TRANS |

### **EU positions for international negotiations**

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| 70. | Council Decision on the EU position in the Regional Steering Committee of the Transport Community as regards establishing a Technical Committee on Waterborne Transport and Multimodality<br><i>Adoption</i> | 11786/21<br>11490/21<br>11514/21<br>TRANS |
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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."

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| 71. | Council Decision on the EU position at the 15th General Assembly 2021 of the Intergovernmental Organisation for International Carriage by Rail (OTIF)<br><i>Adoption</i> | 11709/21<br>11576/21<br>11579/21<br>TRANS |
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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."

### **Fisheries**

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| 73. | Council Regulation amending Council Regulation (EU) 2019/440 on the allocation of fishing opportunities under the Sustainable Fisheries Partnership Agreement (SFPA) with Morocco and the Implementation Protocol thereto<br><i>Adoption</i> | 11753/21<br>11540/21<br>PECHE |
|-----|--|-------------------------------|



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| 74. | Council Decision authorising the opening of negotiations for a<br>Implementing Protocol to the Fisheries Partnership Agreement<br>(FPA) with Mauritius<br><i>Adoption</i> | 11755/21 + ADD 1<br>11508/21 + ADD 1<br>PECHE |
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Statements by the Commission

"The Commission considers it legally incorrect that a Council Decision authorising the opening of negotiations indicates a substantive legal basis.

The Decision authorising the opening of negotiations is premised solely on the existence of conferred powers of the Union and not on a determination of a specific competence. Its effect is limited to authorising the Commission or the High Representative, as the case may be, to use its prerogatives under the EU Treaties in order to start negotiations. The scope of these negotiations is therefore determined by the scope of the powers of the Union. Besides, the freedom of the envisaged treaty partner of the Union as regards the determination of the scope of the negotiations cannot be limited by the Council Decision authorising the opening of the negotiations. Thus, the precise legal basis for the future agreement can only be determined after the content of the agreement is known.

The Commission reserves all its rights in this regard."

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"As a matter of principle, the Commission is not in favour of extending existing Protocols, as such extensions significantly decrease the EU leverage during negotiations.

In the very specific current circumstances of the negotiations of a new Protocol to the Fisheries Agreement with Mauritius, the Commission can accept the Presidency's compromise allowing an extension to continue EU fishing activities in Mauritius waters after the expiry of the protocol, in case negotiations prove challenging and cannot be concluded in time, and provided that such extension is limited to maximum 6 months. Furthermore, the Commission underlines that such exception should not be repeated and that its acceptance shall not be considered as creating a precedent."

**Transport**

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| 75. | Council Decision on the conclusion of the Protocol (regular<br>services) to the Agreement on the international occasional<br>carriage of passengers by coach and bus (Interbus Agreement)<br><i>Adoption</i> | 11707/21<br>11441/1/20 REV 1<br>11442/20<br>TRANS |
| 76. | Conclusions on EU's air passenger rights during COVID-19<br>pandemic (CoA SR No 15/2021)<br><i>Approval</i>  | 11715/21<br>AVIATION                              |

## **Internal Market and Industry**

77. Directive amending Directive 2013/34/EU as regards disclosure of income tax information (CBCR) 11832/21 + COR 1  
+ ADD 1 REV 1  
*Adoption of the Council's position at first reading and of the statement of the Council's reasons* 9722/21 + ADD 1  
DRS

### **Statement by Croatia**

"Croatia fully supports tax transparency. Nevertheless, as some other Member States, Croatia is of the opinion that Article 115 of TFEU would be a more appropriate legal basis than Article 50(1) TFEU. Croatia fully shares the opinion of the Council Legal Service of 11 November 2016 (with reference to 2016/0107 (COD), FISC 194) stating that the proposal for a Directive amending Directive 2013/34/EU as regards disclosure of income tax information should be based on Article 115 of TFEU since both the aim and the content of the proposal relate to "fiscal provisions", and is of the view that accordingly, the proposal should have been discussed at ECOFIN Council, taking due account of the relevant procedural rules.

Furthermore, Croatia is of the opinion that the agreed amending Directive should not become precedent for qualified majority voting in the future decision-making processes with regard to tax matters."

### **Statement by Cyprus, Czech Republic, Hungary, 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, Hungary, 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."

## **Agriculture**

78. Regulation amending Regulation (EU) 2017/625 as regards official controls 11852/21 + ADD 1  
PE-CONS 46/21  
*Adoption of the legislative act* VETER

### **Statement by Belgium**

"Belgium supports the proposal as it stands now but we would like to raise a concern. Until now, the regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin allows the direct sale on the farm, without expertise, of fresh poultry and rabbit meat. Due to the proposed change, direct farm sales, without expertise, will be extended, for example, to minced meat from poultry and rabbit. Due to the sensitivity of these products, we think it is dangerous to produce them on the farm without expertise and control."

## **Energy**

79. Declaration on Global Methane Pledge  
*Approval*  
*Authorisation to sign on behalf of the European Union*  
11427/21 + COR 1  
+ ADD 1  
+ ADD 1 COR 1  
ENER

### Statement by Germany, supported by Spain

"Deutschland stimmt der Unterzeichnung der Erklärung zur globalen Verpflichtung zur Reduzierung der Methanemissionen ("Global Methane Pledge") im Namen der Europäischen Union mit dem Hinweis zu, dass die Umsetzung der darin formulierten Ziele einer differenzierten Betrachtung bedarf. Dabei sind die unterschiedlichen Ausgangssituationen, Belange und Möglichkeiten der verschiedenen Sektoren zu betrachten."

### Courtesy translation

"Germany agrees to the signing of the declaration on the global commitment to reduce methane emissions ("Global Methane Pledge") on behalf of the European Union, pointing out that the implementation of the goals formulated therein requires a differentiated view. The different starting situations, concerns and possibilities of the different sectors have to be considered."

80. Decarbonisation Roadmap for the Contracting Parties of the Energy Community  
*Approval*  
*Authorisation to propose and support the adoption on behalf of the European Union*  
11791/21 + ADD 1  
ENER

## **Environment**

81. EU Submission on the Adaptation Communication of the European Union  
*Approval*  
11835/21  
CLIMA
82. Ministerial Statement on Marine Litter and Plastic Pollution  
*Approval*  
*Authorisation to endorse the Non-Binding Instruments (NBIs) on behalf of the EU*  
11804/21  
ENV
83. Convention for the Protection of the Marine Environment of the North-East Atlantic (the "OSPAR Convention")  
*Approval*  
*Authorisation to endorse the Non-Binding Instruments (NBIs) on behalf of the EU*  
11799/21  
ENV

## **Delegated or Implementing Acts**

### **Agriculture**

- |     |  |  |
|-----|--|--|
| 84. | Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards the maximum residue levels for cyprodinil in blueberries, cranberries, currants and gooseberries<br><i>Decision not to oppose adoption</i>                                       | 11823/21<br>11184/21<br>+ ADD 1-2<br>AGRILEG |
| 85. | Commission Regulation (EU) .../... of XXX amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for amisulbrom, flubendiamide, meptyldinocap, metaflumizone and propineb in or on certain products<br><i>Decision not to oppose adoption</i> | 11827/21<br>11282/21<br>+ ADD 1-3<br>AGRILEG |
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