

Brussels, 21 September 2022
(OR. en)

12693/22
CRS CRP 35

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
7 September 2022

I. Adoption of the agenda

12025/22 OJ CRP1 30

12110/22 OJ CRP2 30

The Committee adopted the agenda.

II. Approval of the "I" items

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

III. Discussion items

COREPER (PART 1)

Agriculture and Fisheries

2. Meeting of the Council (Agriculture and Fisheries) on 26 September 2022: Agenda
(For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda.

The Committee agreed to the participation of the Ukrainian Minister for Agrarian Policy and Food for the point on the situation of agricultural production and logistics in Ukraine.

The Committee also agreed to take an AOB item requested by the Commission in public session.

Competitiveness

3. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 29 September 2022: Agenda

The Presidency presented the main items on the agenda.

The Committee agreed to take an AOB item requested by Germany in public session.

Telecommunications

4. European Declaration on Digital Rights and Principles for the Digital Decade

Presidency briefing on the interinstitutional discussions

The Presidency briefed on the interinstitutional discussion which took place on 6 September 2022.

Environment

5. Revision of Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 (ESR)

Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 1 September 2022.

6. Revision of Regulation (EU) 2019/631 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles

Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 5 September 2022.

7. Revision of Regulation (EU) 2018/841 on greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF)

Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 5 September 2022.

8. Revision of Decision (EU) 2015/1814 (market stability reserve)

Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 6 September 2022.

9. Revision of Directive 2003/87/EC as regards aviation's contribution (ETS Aviation)

Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 6 September 2022.

Transport

10. Decision on CORSIA offsetting requirements
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 6 September 2022.

Transport, Telecommunications and Energy

11. Extraordinary meeting of the Transport, Telecommunications and Energy Council on 9 September 2022

1. Agenda

The Presidency presented the main items on the agenda.

2. Preparation

- 1) Possible emergency measures to mitigate high energy prices
Exchange of views 12012/22

The Committee prepared this item for the Council meeting.

- 2) Preparedness for the next winter
State of play
Exchange of views 12030/22

The Committee prepared this item for the Council meeting and agreed to hold the exchange of views in public session, in accordance with Art. 8(2) of the Rules of Procedure of the Council.

COREPER (PART 2)

Foreign Affairs

21. Russian aggression against Ukraine
Exchange of views

The Committee held an exchange of views.

General Affairs

22. Meeting of the Council (General Affairs) on
20 September 2022: Preparation
Other items in connection with the Council meeting

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

23. Follow-up to the European Council in the field of energy:
security of supply, preparedness and latest developments
Exchange of views

The Committee held an exchange of views.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Bosnia and Herzegovina participation in EU civil protection mechanism

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

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

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| 12. | Nomination of the Chairs of the Sustainability Reporting Board and of the Financial Reporting Board of the European Financial Reporting Advisory Group (EFRAG)
<i>Approval of a letter</i> | 11326/1/22 REV 1
RC |
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Statement by Germany

"While we share the view that time is of the essence with respect to everything that is related to the CSRD and the related standard setting process, we want to propose changes to the respective procedures for similar matters in the future. We are of the opinion, that we should choose appropriate procedures with respect to the matter that is at stake as regards sustainability reporting.

For future nominations, Germany asks to conduct a transparent consultation procedure in the Council with sufficient time for Member States to assess the candidates, including an oral hearing with all candidates and an exchange of views of Member States in a Council Working Party meeting.

We are of the opinion that a transparent procedure on Council level is necessary as a solid foundation for EFRAG's future work on standards for sustainability reporting. The Council should – as opposed to the EP – not be left with the possibility to either accept or reject the candidates nominated by the Commission.

We also would like to point out that the future work of EFRAG's Boards should be based on open-ended and integrative discussions and good collaboration across all hierarchies."

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| 13. | Attendance of third parties at the Working Party on Public Health in Prague on 8 September 2022
<i>Approval</i> | 12004/22
SAN |
| 14. | Attendance of a third party at the Working Party on Forestry on 9 September 2022
<i>Approval</i> | 12033/22
AGRI |

EU positions for international negotiations

15. Union position on the reply to ICAO State letter on Sustainability Criteria for CORSIA Eligible Fuels 11935/22
AVIATION
Approval

Joint statement by Denmark, Austria, Germany, Ireland and Luxembourg

"Denmark, Austria, Germany, Ireland and Luxembourg are of the opinion that an inclusion of LCAF (Lower Carbon Aviation Fuels) - as defined in ICAO - in the sustainability criteria, and thereby allowing LCAF as equally eligible to SAF, would risk undermining the long-term development of sustainable fuels on a global scale. We are sceptical towards the sustainability of LCAF, and therefore the inclusion of it in the sustainability criteria, as LCAF can be based on fossil feedstock.

In the spirit of compromise, and with an understanding of the different situations of ICAO Member States, as well as keeping in mind the importance of having a broadly supported global CO2-reduction scheme such as CORSIA, we will not oppose the union position on the reply to the ICAO State letter."

16. Council Decision on the EU position at the eighth session of the Meeting of the Parties to the Agreement on the Conservation of African-Eurasian Migratory Waterbirds with regard to certain amendments to Annex 3 to the Agreement (AEWA) 11996/22
11609/22
ENV
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 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."

Research

17. Council Decision authorising the opening of negotiations for an Agreement with New Zealand on its participation in Union programmes and its association to Horizon Europe 11553/22 + ADD 1
11439/22 + ADD 1
RECH
Adoption

Statement by the Commission

"The Commission recalls its right of initiative when it comes to the initial proposal of an international agreement. These decisions are taken on a case-by-case basis considering the merits of the bilateral relations in question and in line with the procedures set out in the relevant provisions of the Treaty (Article 218 TFEU). In so doing, the Commission is respecting the prerogatives of all institutions involved in the procedure of negotiating and concluding international agreements between the Union and third countries and is acting fully in line with the principle of sincere cooperation and transparency between the institutions."

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| 18. Council Decision authorising the opening of negotiations for an Agreement with Canada on its participation in Union programmes and its association to Horizon Europe
<i>Adoption</i> | 11438/22 + ADD 1
11436/22 + ADD 1
RECH |
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Statement by the Commission

"The Commission recalls its right of initiative when it comes to the initial proposal of an international agreement. These decisions are taken on a case-by-case basis considering the merits of the bilateral relations in question and in line with the procedures set out in the relevant provisions of the Treaty (Article 218 TFEU). In so doing, the Commission is respecting the prerogatives of all institutions involved in the procedure of negotiating and concluding international agreements between the Union and third countries and is acting fully in line with the principle of sincere cooperation and transparency between the institutions."

Transport

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| 19. Preparation of the 41st Session of the ICAO Assembly - Information Papers (Montréal, 27 September – 7 October 2022)
<i>Approval</i> | 11728/22
+ ADD 1-2
AVIATION |
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Delegated or Implementing Acts

Energy

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| 20. Commission Regulation (EU) .../... of XXX correcting the German language version of Regulation (EU) 2019/1781 laying down ecodesign requirements for electric motors and variable speed drives pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Regulation (EC) No 641/2009 with regard to ecodesign requirements for glandless standalone circulators and glandless circulators integrated in products
<i>Decision not to oppose adoption</i> | 11907/22
11427/22
ENER |
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COREPER (PART 2)

Judicial Affairs

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| 24. | Case T-255/22 (Cham Wings Airlines LLC v. Council)
<i>Information note</i> | 11602/22
JUR |
| 25. | Case T-256/22 (V. F. Yanukovych v. Council)
<i>Information note</i> | 11403/22
JUR |
| 26. | Case T-257/22 (O. V. Yanukovych v. Council)
<i>Information note</i> | 11405/22
JUR |
| 27. | Cases before the General Court of the European Union:
- T-301/22 (Petr Aven v. Council)
- T-304/22 (Mikhail Fridman v. Council)
<i>Information note</i> | 11559/22
JUR |
| 28. | Case T-309/22 (Vladimir Rashevsky v. Council)
<i>Information note</i> | 11683/22
JUR |
| 29. | Case T-363/22 (Farkhad Teimurovich Akhmedov v. Council)
<i>Information note</i> | 11606/22
JUR |
| 30. | Case T-386/22 (Olga Ayziman v. Council)
<i>Information note</i> | 11684/22
JUR |

Institutional Affairs

31. Minutes of Council meetings

Approval

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|----|----------------|---|
| a) | FAC 20.06.2022 | 10471/22
+ ADD 1 REV 1 |
| b) | GAC 21.06.2022 | 10554/22 REV 1
+ ADD 1 REV 1
+ ADD 1 REV 1
COR 1 |

Other

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| 32. | Attendance of a third party at the Financial Counsellors Working Party meeting on 12 September 2022
<i>Approval</i> | 12043/22
ECOFIN |
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| 33. | Attendance of third parties at the Non-proliferation and Disarmament (CONOP) Subgroup of the Working Party on Non-Proliferation and Arms Exports on 13 September 2022
<i>Approval</i> | 12044/22
CONOP |
| 34. | Attendance of a third-party at the Horizontal Working Party on Drugs (HDG) on 13 September 2022
<i>Approval</i> | 11402/22
CORDROGUE |
| 35. | Attendance of third parties at the Conventional Arms Exports (COARM) Subgroup of the Working Party on Non-Proliferation and Arms Exports on 14 September 2022
<i>Approval</i> | 11858/22
COARM |
| 36. | Attendance of a third party at the Working Party on Atomic Questions on 14 September 2022
<i>Approval</i> | 11897/22
ATO |
| 37. | Attendance of third parties at the Working Party on Terrorism (International Aspects) on 14 September 2022
<i>Approval</i> | 11673/22
COTER |
| 38. | Attendance of third parties at the Budget Committee on 14-16 September 2022
<i>Approval</i> | 11975/22
FIN |
| 39. | Attendance of a third party at the Working Party on OSCE and the Council of Europe (COSCE) on 16 September 2022
<i>Approval</i> | 12031/22
COSCE |
| 40. | Attendance of a third party at the HWP ERCHT meeting on 19 September 2022
<i>Approval</i> | 12035/22
HYBRID |
| 41. | Attendance of a third party at the Working Party on Combating Fraud on 21 September 2022
<i>Approval</i> | 12018/22
GAF |
| 42. | Attendance of a third-party at the Law Enforcement Working Party (Customs) on 22 September 2022
<i>Approval</i> | 12017/22
ENFOCUSTOM |
| 43. | Attendance of a third party at the Working Party on Commodities (PROBA) on 22 November 2022
<i>Approval</i> | 11504/22
AGRI |

Economic and Financial Affairs

44. ECA SR No 17/2022 on external consultants at the European Commission
Designation of a Working Party
Attendance of the European Court of Auditors at the Working Party meeting 11979/22
FIN

General Affairs

45. Transfer of Albania and North Macedonia to the Working Party on Enlargement and Countries Negotiating Accession to the EU
Information note 11997/22
ELARG

Justice and Home Affairs

46. Schengen evaluation Recommendation – Ireland: police cooperation
Adoption 11955/22
11954/22
SCH-EVAL
47. Schengen evaluation Recommendation – Italy: police cooperation
Adoption 11957/22
11956/22
SCH-EVAL
48. Schengen evaluation Recommendation – Netherlands: data protection
Adoption 11959/22
11958/22
SCH-EVAL
49. (poss.) Council Decision on the suspension of the application of the visa facilitation agreement with the Russian Federation
Adoption 12038/22
12039/22
VISA

Foreign Affairs

50. PSC Decision EUTM Mozambique/1/2022 - appointment of the EU Mission Force Commander EUTM Mozambique
Decision to publish in the Official Journal 11790/22
11785/22
PSC DEC
51. Oman Human Rights Dialogue: Terms of Reference
Approval 11928/1/22 REV 1
11925/22
MOG
52. Council Decision and Implementing Regulation concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine
Adoption 11434/22
11431/22
11433/22
CORLX

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| 53. | Council Decision on the European Union CSDP mission in Niger (EUCAP Sahel Niger)
<i>Adoption</i> | 11200/22
11199/22
CORLX |
| 54. | Council Implementing Decision and Implementing Regulation concerning restrictive measures in view of the situation in Libya
<i>Adoption</i> | 11549/22
11546/22 + ADD 1
11548/22 + ADD 1
CORLX |
| 55. | Council Decision on a European Union action to support the development of information technology to improve the dissemination of information on Union restrictive measures
<i>Adoption</i> | 11232/22
11231/22
CORLX |
| 56. | Council implementing Decision and implementing Regulation concerning restrictive measures against the Democratic People's Republic of Korea
<i>Adoption</i> | 11808/22
11805/22
11807/22
CORLX |
| 57. | Council Decision concerning the temporary reception by Member States of the European Union of certain Palestinians
<i>Adoption</i> | 11542/22
11541/22
CORLX |

