

Brussels, 26 October 2021
(OR. en)

13040/21
CRS CRP 36

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE (Part 1)

8 October 2021

I. Adoption of the agenda

12430/1/21 REV 1 OJ CRP1 34

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

Environment

2. Decision on the 8th Environment Action Programme (EAP) 12342/21
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Employment, Social Policy, Health and Consumer Affairs

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

1. European Semester

- a) Key Employment Challenges: Key messages from 11899/21
the EMCO based on the Annual Employment + ADD 1-2
Performance Report and the Employment
Performance Monitor
Endorsement

The Committee prepared this item for the Council meeting.

- b) Key Social Challenges: Key messages from the SPC based on the Annual Review of the Social Protection Performance Monitor
Endorsement 12174/21
+ ADD 1-4

The Committee prepared this item for the Council meeting.

- c) Council Decision on Guidelines for the employment policies of the Member States
Adoption 12312/21
+ ADD 1 REV 1

The Committee prepared this item for the Council meeting. Hungary, supporting the Council Decision, recalled that statements that were made in relation to certain recommendations listed in recital 4, remain valid.

Statement by Poland

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

Courtesy translation

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union.

For these reasons, in place where the document refers to gender equality Poland will interpret it as equality between women and men, according to Article 2 of the Treaty on European Union and the Article 8 of the Treaty on the Functioning of the European Union."

2. The future of the European Semester with a strong role of the European Pillar of Social Rights
Policy debate 12198/21

The Committee prepared this item for the Council meeting.

3. Safety and health at the heart of the future of work
Policy debate 12199/21

The Committee prepared this item for the Council meeting.

4. Conclusions on Gender Mainstreaming in the EU Budget (CoA SR No 10/2021)
Approval 12201/21 + ADD 1

The Committee prepared this item for the Council meeting.

Statement by Poland

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, Poland will interpret the expression 'gender equality' as equality between women and men, in accordance with Articles 2 and 3 of the Treaty on European Union and Articles 8 and 157(3) of the Treaty on the Functioning of the European Union. In view of the above, Poland will interpret other expressions containing the term 'gender' as referring to 'sex', in accordance with Article 10, Article 19(1) and Article 157(2) and (4) of the Treaty on the Functioning of the European Union."

Statement by Hungary

"Hungary declares that the Commission's Communication on a Union of Equality: Gender Equality Strategy 2020-2025 (hereinafter referred to as "Strategy"), mentioned in these Council Conclusions, should be interpreted with due regard to national competences and the specific circumstances in each Member State. Furthermore Hungary states 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."

Research

4. Decision on the participation of the Union in the European Partnership on Metrology jointly undertaken by several Member States 12278/21 + ADD 1
Presidency debriefing on the outcome of the trilogue
Analysis of the final compromise text with a view to agreement

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 28 September 2021. 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.

Statement by Poland

"Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów w wyrażeniach zawierających termin płeć (gender), Polska będzie interpretowała ją jako równość kobiet i mężczyzn zgodnie z art. 8 TFUE."

Courtesy translation

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, in wordings referring to gender Poland will interpret it as a equality between women and men, according to Article 8 TFEU."

Statement by the Commission

"In order to help Member States in strengthening synergies between Horizon Europe and Cohesion Policy, the Commission will develop guidelines focussed on the opportunities that the alternative, combined and cumulative funding and transfer of resources provide."

IV. Any other business

Communication on European missions
Presentation by the Commission

12347/21

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

"I" items approved**Institutional Affairs****Written questions**

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| 5. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> | 12352/21
PE-QE |
| a) | Klára Dobrev (S&D)
"The social scoreboard and monitoring discrimination" | 12349/21 |
| b) | Özlem Demirel (The Left)
"High-level political dialogue with justice and home affairs ministries of North African countries" | 12351/21 |
| c) | Markéta Gregorová (Verts/ALE)
"Human rights sanctions against Russian company NtechLab" | 11782/21 |

Other

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| 6. | Attendance of a third party at the informal videoconference of the members of the Working Party on International Environment Issues (Global) on 12 October 2021
<i>Approval</i> | 12279/21
ENV |
| 7. | Attendance of a third party at the meetings of the EUMCWG/HTF on 11 and 12 October 2021
<i>Approval</i> | 12459/21
12460/21
CSDP |
| 14. | Attendance of a third party at the informal videoconference of the members of the Cultural Affairs Committee (CAC) on 11 October 2021
<i>Approval</i> | 12661/21
CULT |

EU positions for international negotiations

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| 8. | ICAO - EU Coordination for the 224th session of the ICAO Council (Montreal, 25 October - 12 November 2021)
<i>Approval</i> | 12291/21 + ADD 1
AVIATION |
| 9. | Council Decision on the EU position to be taken at the seventh session of the Meeting of the Parties to the Aarhus Convention (MOP 7) on compliance cases
<i>Adoption</i> | 12237/21
+ ADD 1 REV 3
+ ADD 2
12238/21
ENV |

Déclaration du Luxembourg et de l'Autriche

"Dans la ligne des positions exprimées antérieurement et des déclarations tabléées dans le passé en la matière, le Luxembourg et l'Autriche réitèrent l'importance cruciale de respecter et de suivre les recommandations du comité d'examen du respect des dispositions de la convention d'Aarhus.

Etant que la décision dont le texte figure dans le document JL 12238/21 se propose principalement de ne reconnaître la recommandation relative aux aides d'Etat dans l'affaire « ACCC/C/2015/128 » tout en reportant la prise d'une décision y relative et ce sans aucun engagement quant à une approbation ultérieure, le Luxembourg et l'Autriche s'abstiennent du vote."

Courtesy translation

"In line with the positions expressed formerly and the statements tabled in the past on this issue, Luxembourg and Austria recall the critical importance of respecting and following the findings of the Aarhus Convention Compliance Committee.

Because decision as set out in JL document 12238/21 only acknowledges the findings on State aid in case ACCC/C/2015/128 while postponing decision-making on this issue without any commitment to endorse at a later stage, Luxembourg and Austria abstain from voting."

Statement by Denmark

"In the spirit of compromise and while underlining the importance of ensuring EU's compliance with the Aarhus Convention in case ACCC/C/2008/32, Denmark could support the agreement reached on 12 July 2021 on Regulation of the European Parliament and of the Council on amending Regulation (EC) No 1367/2006.

Consequently, Denmark, cannot support an EU position where the last resort is to postpone the adoption of draft Decision VII.8f in its entirety to the next session of the Meeting of the Parties. For this reason, Denmark abstains from voting."

Transport

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| 10. Ministerial Declaration of the ICAO High Level Conference on COVID-19 (virtual, 12-22 October 2021) | 12323/21 |
| <i>Approval</i> | 12408/21 |
| | AVIATION |

Statement by the Commission

"Statement by the Commission to define the Union's position on the Draft Declaration of the High-Level Conference on COVID-19 (12-22 October 2021) which has been circulated by ICAO via State Letter on 21 September 2021.

Background

The High-Level Conference on COVID-19 (HLCC21) is an event organised by the International Civil Aviation Organisation (ICAO) with the main purpose of sending a message of political willingness from all 193 States that are members of ICAO to facilitate the recovery of the aviation sector.

A draft political declaration has been prepared in the ICAO Council for endorsement at the HLCC21.

The declaration is fully in line with existing Union positions. It does not commit the Union (and its Member States) in any legally binding way, and therefore its endorsement by the

Council is based on the 2018 Arrangement for Non-Binding Instruments. The Declaration is important in view of the 41st ICAO Assembly (September-October 2022), as the outcome of the Conference and its report will steer part of the discussions on that occasion.

The Commission will use its best endeavours at the Conference to maintain the key elements (listed below) of interest to the Union in the final version of the Declaration for adoption by consensus or acclamation.

Union Position

The Commission proposes to the Council to endorse the Draft Declaration and to decide that Member States, on behalf of the Union, support the final Declaration, as long as the final Declaration does not deviate significantly from the current draft in ways that would be detrimental to the Union's interests:

- commitment to take effective measures to prevent the spread of COVID-19 virus,
- reference to the importance of safeguarding fair competition and equal opportunities in the support provided for the aviation sector,
- acknowledgement of the need to facilitate safe international air travel and alleviate or exempt testing and quarantine requirements for fully vaccinated or recovered passengers in keeping with WHO's technical considerations,
- references to the sustainability challenge and the necessity for aviation to contribute to combatting climate change."

Environment

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| 11. Kunming Declaration for the High-Level Segment of the first part of the UN Biodiversity Conference (12-13 October 2021)
<i>Approval</i> | 12531/21
ENV |
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Delegated or Implementing Acts

Agriculture

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| 12. Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 1185/2009 of the European Parliament and of the Council concerning statistics on pesticides, as regards the list of active substances
<i>Decision not to oppose adoption</i> | 12247/21
11021/21 + ADD 1
PESTICIDE |
| 13. Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 1881/2006 as regards maximum levels of opium alkaloids in certain foodstuffs
<i>Decision not to oppose adoption</i> | 12249/21
11118/21 + ADD 1
DENLEG |