

Brussels, 11 October 2023  
(OR. en)

13217/23  
CRS CRP 31

**SUMMARY RECORD**  
PERMANENT REPRESENTATIVES COMMITTEE  
20 and 22 September 2023

**I. Adoption of the agenda**

13024/2/23 REV 2 OJ CRP1 31  
13086/23 OJ CRP2 31

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 II**

**COREPER (PART 1)**

**WEDNESDAY 20 SEPTEMBER 2023**

**Competitiveness**

2. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 25 September 2023: Preparation

Regulation on type-approval of motor vehicles and engines and  12639/23  
of systems, components and separate technical units intended for  
such vehicles, with respect to their emissions and battery  
durability (Euro 7)  
*General approach*

The Committee started preparing this item for the Council meeting.

## **Employment and Social Policy**

4. Directive on improving working conditions in platform work 🗳️  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 18 September 2023.

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

5. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 9 October 2023: Agenda

The Presidency presented the main items on the agenda. The Committee agreed to take all items but the adoption of the agenda and the non-legislative A items in public session.

## **Research**

6. Decision amending Decision 2017/1324 as regards the 🗳️ 12897/23  
continuation of the Union's participation in the Partnership for  
Research and Innovation in the Mediterranean Area (PRIMA)  
under Horizon Europe  
*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.

## **FRIDAY 22 SEPTEMBER 2023**

### **Health**

7. Regulation on fees and charges payable to EMA 🗳️ 12919/23 + ADD 1  
*Preparation for the trilogue*

The Committee prepared a revised mandate for the forthcoming trilogue.

### **Energy**

8. Regulation on the internal markets for renewable and natural 🗳️ 12867/23 + COR 1  
gases and for hydrogen (recast) + ADD 1  
*Preparation for the trilogue*

The Committee prepared a revised mandate for the forthcoming trilogue.

9. Regulation amending Regulations (EU) No 1227/2011 and (EU) 🗳️  
2019/942 to improve the Union's protection against market  
manipulation in the wholesale energy market  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 21 September 2023.

## **Internal Market and Industry**

10. Regulation on Critical raw materials act IC  
*Presidency briefing on the outcome of the trilogue*

The Presidency briefed on the trilogue which took place on 20 September 2023.

11. Regulation on the Single Market Emergency Instrument (SMEI) IC  
*Presidency briefing on the outcome of the trilogue*

The Presidency briefed on the trilogue which took place on 20 September 2023.

3. Directive on empowering consumers for the green transition through better protection against unfair practices and better information IC  
*Presidency briefing on the outcome of the trilogue*

The Presidency briefed on the trilogue which took place on 19 September 2023.

## **Competitiveness**

2. (continuation) Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 25 September 2023: Preparation

Regulation on type-approval of motor vehicles and engines and of systems, components and separate technical units intended for such vehicles, with respect to their emissions and battery durability (Euro 7) IC 13084/23  
*General approach*

The Committee finished preparing this item for the Council meeting.

## **COREPER (PART 2)**

### **WEDNESDAY 20 SEPTEMBER 2023**

#### **General Affairs**

27. Relations with the EP (September 2023)  
*Debriefing*

The above-mentioned item was withdrawn.

28. AMLA seat selection procedure 13027/23  
*Exchange of views*  
*Guidance for further work*

The Committee held an exchange of views, provided guidance on the next steps and agreed to revert to this item at a forthcoming meeting.

29. Meeting of the Council (General Affairs) on 19 September 2023: Follow-up

The above-mentioned item was withdrawn.

30. Council Decision authorising the opening of negotiations with the United States laying down security procedures for the launch of Galileo satellites from United States' territory 12809/23  
*Preparation for the adoption*

The above-mentioned item was withdrawn.

#### **Justice and Home Affairs**

31. Meeting of the Council (Justice and Home Affairs) on 28 September 2023: Preparation

- a) Pact on Migration and Asylum<sup>1</sup>  
*Progress report*



The Committee prepared this item for the Council meeting.

- b) Cooperation with Latin America to fight organised crime and address drug trafficking 12884/23  
*State of play*

The Committee prepared this item for the Council meeting.

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<sup>1</sup> Exceptionally, in the presence of the Schengen Associated States

- c) Asylum and migration: external dimension<sup>2</sup>  
*Exchange of views*

12990/23

The Committee prepared this item for the Council meeting and agreed to revert to this item at its next meeting.

- d) Consequences of Russia's aggression against Ukraine

- i) Internal security  
*State of play*

12901/23 **R-UE**

The Committee prepared this item for the Council meeting.

- e) Other items in connection with the Council meeting

The Committee took note of the information provided by the Presidency and approved two changes to the provisional agenda:

- Title of the Commission's proposal on temporary protection and removal of the (poss.).
- Removal of the item on the regulation to prevent and combat child sexual abuse.

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<sup>2</sup> Exceptionally, in the presence of the Schengen Associated States

#### **IV. Any other business**

##### **COREPER (PART 1)**

WHO Framework Convention on Tobacco Control (FCTC) – Tenth session of the Conference of the Parties (COP10)  
(Panama, 20-25 November 2023)

- Procedure and legal basis proposed by the Commission for the adoption of the EU common positions

*Information from the Bulgarian, Czech, Cyprus, Greek, Italian, Romanian and Slovak delegations*

The Committee took note of the information provided by the Bulgarian, Czech, Cyprus, Greek, Italian, Romanian and Slovak delegations.

##### **COREPER (PART 2)**

Ukrainian agricultural product

The Committee took note of the information provided by Polish delegation and a number of other delegations and agreed to revert to this item at one of its meetings.

Access to the delegates portal by national parliaments

The Committee took note of the information provided by the Secretary-General of the Council and mandated the Antici group to examine the issue further.

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**Non-discussion items "I"****COREPER (PART 1)****WEDNESDAY 20 SEPTEMBER 2023****Institutional Affairs****Appointments**

- |     |  |                 |
|-----|--|-----------------|
| 12. | One alternate member (DE) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions<br><i>Adoption</i> | 12609/23<br>SOC |
| 13. | One member (FR) of the Advisory Committee for the Coordination of Social Security Systems<br><i>Adoption</i>   | 12663/23<br>SOC |

**Other**

- |     |  |                   |
|-----|--|-------------------|
| 14. | Attendance of a third party at the Audiovisual and Media Working Party on 20 September 2023<br><i>Approval</i>               | 12462/23<br>AUDIO |
| 15. | Attendance of a third party at the meetings of the Shipping Working Party on 20, 27 and 29 September 2023<br><i>Approval</i> | 13051/23<br>TRANS |

**Judicial Affairs**

- |     |   |                 |
|-----|---|-----------------|
| 16. | C-442/23 (Poland v Parliament and Council)<br><i>Information note</i> | 12899/23<br>JUR |
| 17. | C-444/23 (Poland v Parliament and Council)<br><i>Information note</i> | 12903/23<br>JUR |
| 18. | C-445/23 (Poland v Parliament and Council)<br><i>Information note</i> | 12905/23<br>JUR |
| 19. | C-451/23 (Poland v Parliament and Council)<br><i>Information note</i> | 12909/23<br>JUR |
| 20. | C-505/23 (Poland v Parliament and Council)<br><i>Information note</i> | 12912/23<br>JUR |

## **Internal Market and Industry**

21. Work Programme of the Working Party on Competitiveness and Growth (High Level) 12894/23  
*Approval* COMPET

## **Research**

22. Council Decision on the extension of the scientific and technological cooperation agreement with the United States of America 12468/23  
*Adoption* 8892/23  
RECH

### Statement by the Commission

“The Commission does not support changes in the decision, which pertain to acts of external representation of the Union.

All acts of external representation in the treaty-making process, including the signature of an international agreement and the subsequent expression of the consent to be bound by it are in accordance with Article 17(1) TEU the institutional prerogatives of the Commission, with the exception of such acts pertaining to agreements falling exclusively or predominantly within the common foreign and security policy of the Union, where it is the High Representative who represents the Union externally according to Article 27(2) TEU.

The notification to be submitted to the US, expressing that the Union has completed its internal procedures necessary for the entry into force of the extension of the Agreement, is an act of external representation of the Union, thus falls under the Commission’s prerogatives included in Article 17(1) TEU. As a consequence, it is not for the President of the Council or the Council to make such a notification. Should it do so, it will violate the external representation power of the Commission as well as the principle of interinstitutional balance enshrined in Article 13(2) TEU.

The Court of Justice has emphasized 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).

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.”

## **Environment**

23. Commission’s intention to establish on behalf of the European Union a High Level Dialogue with Brazil 11474/23  
*Authorisation to negotiate an NBI* CLIMA

## **Transport**

24. International Aviation Climate Ambition Coalition declaration (IACAC)  
*Authorisation to sign an NBI* 12728/1/23 REV 1  
+ ADD 1-2 REV 1  
+ ADD 3 REV 2  
AVIATION

## **Agriculture**

25. Council Regulation on maximum residue levels for tricyclazole  
*Confirmation of delegations' positions*  12989/23  
AGRILEG

## **FRIDAY 22 SEPTEMBER 2023**

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

26. Council Decision on the EU position in the Joint Committee on amending Annex I and clarification in Annex IV of the Agreement (Swiss ETS linking)  
*Adoption*  12934/23  
10766/23 + ADD 1  
CLIMA

## **COREPER (PART 2)**

**WEDNESDAY 20 SEPTEMBER 2023**

### **Judicial Affairs**

- |     |  |                 |
|-----|--|-----------------|
| 32. | Case T-325/23<br><i>Information note</i> | 12849/23<br>JUR |
| 33. | Case C-512/23<br><i>Information note</i> | 12913/23<br>JUR |

### **Institutional Affairs**

#### **Appointments**

- |     |  |                             |
|-----|--|-----------------------------|
| 34. | A member (DK) of the European Economic and Social Committee<br><i>Adoption</i> | 12165/23<br>12151/23<br>CES |
|-----|--|-----------------------------|

#### **Other**



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|-----|--|-------------------|
| 35. | Attendance of a third party at the ad hoc Working Party on Defence Industry on 25 September 2023<br><i>Approval</i>              | 12763/23<br>INDEF |
| 36. | Attendance of a third party at the Working Party on Combating Fraud (GAF) on 25 September 2023<br><i>Approval</i>                | 12966/23<br>GAF   |
| 37. | Attendance of third parties at the Working Party on Latin America and the Caribbean on 26 September 2023<br><i>Approval</i>      | 12829/23<br>COLAC |
| 38. | Attendance of third parties at the Council Security Committee meeting on 26-27 September 2023<br><i>Approval</i>                 | 12797/23<br>CSC   |
| 39. | Attendance of third parties at the Working party on Financial Services and Banking Union on 27 September 2023<br><i>Approval</i> | 13009/23<br>EF    |
| 40. | Attendance of a third party at the Working Party on the Western Balkans region (COWEB) on 2 October 2023<br><i>Approval</i>      | 12980/23<br>COWEB |

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|-----|---|--------------------------------------|
| 41. | Attendance of a third party at the Working Party on the Western Balkans region (COWEB) on 9 October 2023<br><i>Approval</i>               | 12981/23<br>COWEB                    |
| 42. | Attendance of a third party at the ad hoc Working Party on frozen and immobilised assets during the Spanish Presidency<br><i>Approval</i> | 12921/23<br>ECOFIN<br>RELEX<br>COJUR |

### **Transparency**

- |     |   |                         |
|-----|---|-------------------------|
| 43. | Public access to documents<br>- Confirmatory application No 27/c/01/23<br><i>Approval</i> | 12365/23 + ADD 1<br>INF |
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### **Economic and Financial Affairs**

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|-----|--|--|
| 44. | ECA SR No 21/2023 on the spotlight initiative to end violence against women and girls<br><i>Designation of a Working Party</i><br><i>Attendance of the European Court of Auditors at the working party meeting</i> |  12970/23<br>FIN                |
| 45. | Council Implementing Decision authorising Denmark to extend a VAT derogation<br><i>Adoption</i>  |  12859/23<br>12537/23<br>FISC |

### **General Affairs**

- |     |  |                   |
|-----|--|-------------------|
| 46. | EP Resolutions and Decisions (September 2023)<br><i>Information note</i> | 12910/23<br>PE-RE |
|-----|--|-------------------|

### **Justice and Home Affairs**

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|-----|--|---|
| 47. | Agreement with Norway on supplementary rules in relation to the Integrated Border Management Fund (IBMF-BMVI Fund) for the period 2021 to 2027 |  12680/23<br>FRONT |
| a)  | Council Decision on the signing<br><i>Adoption</i>   | 12127/23<br>12128/23  |
| b)  | Council Decision on the conclusion<br><i>Request for the consent of the European Parliament</i>  | 12129/23<br>12128/23  |

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|-----|---|----------------------|
| 48. | Agreement with Iceland on supplementary rules in relation to the Integrated Border Management Fund (IBMF-BMVI Fund) for the period 2021 to 2027     | ☐ 12679/23<br>FRONT  |
| a)  | Council Decision on the signing<br><i>Adoption</i>  | 12123/23<br>12124/23 |
| b)  | Council Decision on the conclusion<br><i>Request for the consent of the European Parliament</i>   | 12125/23<br>12124/23 |
| 49. | Agreement with Switzerland on supplementary rules in relation to the Integrated Border Management Fund (IBMF-BMVI Fund) for the period 2021 to 2027 | ☐ 12677/23<br>FRONT  |
| a)  | Council Decision on the signing<br><i>Adoption</i>  | 12119/23<br>12120/23 |
| b)  | Council Decision on the conclusion<br><i>Request for the consent of the European Parliament</i>   | 12122/23<br>12120/23 |
| 50. | EU-Latin American Committee on Internal Security (CLASI) joint declaration<br><i>Information note</i>   | 12838/23<br>JAI      |

### **Foreign Affairs**

- |     |   |                      |
|-----|---|----------------------|
| 51. | Sustainable Investment Facilitation Agreement between the European Union and the Republic of Angola | ☐ 12972/23<br>ACP    |
| a)  | Council Decision on the signing<br><i>Adoption</i>  | 10940/23<br>10941/23 |
| b)  | Council Decision on the conclusion<br><i>Request for the consent of the European Parliament</i>     | 10942/23<br>10941/23 |

Statements by the Commission and Poland are set out in document 12972/23 ADD 1.

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|-----|---|---|
| 52. | Council Decision and Implementing Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine<br><i>Adoption</i>                | 12637/23<br>12634/23<br>12636/23<br>CORLX |
| 53. | Council Decision amending Decision (CFSP) 2020/1465 on a European Union action in support of the United Nations Verification and Inspection Mechanism in Yemen<br><i>Adoption</i> | 12507/23<br>12506/23<br>CORLX             |

54.	Council Decision and Implementing Regulation concerning restrictive measures against Iran <i>Adoption</i>	12513/23 12510/23 12512/23 CORLX
55.	Council Decision on Union support for the activities of the Preparatory Commission of the Comprehensive Nuclear- Test-Ban Treaty Organisation (CTBTO) <i>Adoption</i>	12334/23 12333/23 +ADD1 CORLX
56.	EU's non recognition policy regarding the illegally annexed regions of Ukraine: Note Verbale for bilateral agreements with Russia <i>Approval</i>	12985/23 COEST
57.	Review of the sectoral adaptations: Liechtenstein <i>Approval</i>	12995/23 EEE
58.	Exercise specifications (EXSPEC) for the 2024 EU Crisis Management Military Exercise (MILEX 24) <i>Approval</i>	12618/23 CSDP/PSDC
59.	Generic operational scenario on military support to humanitarian assistance and disaster relief <i>Approval</i>	12626/23 CSDP/PSDC



First reading



Procedural decision by Coreper (Article 19(3)&(7) of the Council's Rules of Procedure)



Item based on a Commission proposal

**R-UE** Document classified RESTREINT UE/EU RESTRICTED

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