



Brussels, 23 January 2023
(OR. en)

16350/22
CRS CRP 50

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

12, 13, 14 and 15 December 2022

I. Adoption of the agenda

15760/2/22 REV 2 OJ CRP1 44
15893/22 OJ CRP2 44 + ADD 1 + ADD 2

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)

Energy

9. Revision of the Renewable Energy Directive 15773/22
Preparation for the trilogue

The Committee agreed on a revised mandate for the forthcoming trilogue.

10. Revision of the Energy Efficiency Directive (recast) 15772/22
Preparation for the trilogue

The Committee agreed on a revised mandate for the forthcoming trilogue.

Transport, Telecommunications and Energy

11. Meeting of the Council (Transport, Telecommunications and Energy) on 19 December 2022: Preparation

1. Regulation on methane emissions reduction in the energy sector
General approach 15756/22

The Committee prepared this item for the Council meeting.

2. Directive on common rules for the internal markets in renewable and natural gases and in hydrogen
and
Regulation on the internal markets for renewable and natural gases and for hydrogen (recast)
Progress report 15754/22

The Committee prepared this item for the Council meeting.

3. Directive amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (REPowerEU Directive)
General approach 15757/22

The Committee prepared this item for the Council meeting.

Employment and Social Policy

2. Directive on binding pay transparency measures
Preparation for the trilogue 15762/22

The Committee prepared the forthcoming trilogue.

COREPER (PART 2)

MONDAY 12 DECEMBER 2022

General Affairs

30. Meeting of the Council (General Affairs) on 13 December 2022:
Preparation

- a) Preparation of the European Council meeting on 15 December 2022: Conclusions
Exchange of views 14092/22

The Committee prepared this item for the Council meeting.

- b) Conclusions on the enlargement and stabilisation and association process
Approval 15151/3/22 REV 3

The Committee prepared this item for the Council meeting.

Statement by Hungary

"Taking into account that illegal migratory flows are closely related to various forms of organized crime, which pose a threat to all countries and require a comprehensive approach in addressing migratory flows, Hungary maintains that migration management is to be understood as curbing mixed migration flows in the context of Article 79(1) TFEU, i.e. only in full respect of the objective, enshrined thereof, for the prevention of, and enhanced measures to combat illegal immigration, as well as the right of Member States as set out in Article 79(5) TFEU, according to which the Member States right to determine volumes of admission of third-country nationals shall not be affected. This is without prejudice to the general policy of Hungary aimed at stemming illegal migration instead of managing the phenomenon."

- c) Legislative Programming - Joint Declaration on the EU legislative priorities for 2023-2024
Approval 15448/22

The Committee prepared this item for the Council meeting.

Statement by Poland

"Poland agrees with the objective to continue to defend the rule of law as well as to protect and strengthen our democracy across the Union and defend our common European values.

Nevertheless, in line with Poland's longstanding political and legal position we underline that any instrument can only support the strengthening of the rule of law, if it is duly based on the Treaties and applied in accordance with the respective provisions of Union law. The application of existing instruments cannot lead to double standards and should duly respect the principles of conferral, equal treatment and mutual trust as well as the constitutional systems, legal heritage and national identity of Member States as foreseen in the Treaties."

- d) Other items in connection with the Council meeting

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

Foreign Affairs

31. Russian aggression against Ukraine

- | | | |
|----|---|--|
| a) | Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine | 15385/22
15382/22
15384/22 + ADD 1 |
| | <i>Approval</i> | |
| | <i>Decision to use the written procedure for the adoption</i> | |
| b) | Council Decisions, Regulation and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine | 15264/22
15261/22
15263/22
15777/22 |
| | <i>Approval</i> | 15779/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |

The Committee held an exchange of views and agreed to revert to this item at its next meeting.

Economic and Financial Affairs

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| 32. | Regulation amending Council Regulation 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027 | 15179/1/22 REV 1
15179/22 ADD 1
14471/1/22 REV 1 |
| | <i>Approval</i> | |
| | <i>Decision to use the written procedure for the adoption</i> | |
| | <i>Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU</i> | |

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

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|-----|--|-----------------------------|
| 33. | Directive on ensuring a global minimum level of taxation for multinational and large-scale domestic groups | 15349/22 + COR 1
8778/22 |
| | <i>Approval</i> | |
| | <i>Decision to use the written procedure for the adoption</i> | |

The Committee confirmed its agreement on the text pending the lifting of one reserve and decided to use the written procedure for its adoption.

34. Council Implementing Decision on measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary 15850/22
+ ADD 1-2
Approval
Decision to use the written procedure for the adoption

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

35. Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Hungary 15884/22
15447/22 + ADD 1
Approval
Decision to use the written procedure for the adoption

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

WEDNESDAY 14 DECEMBER 2022

Foreign Affairs

31. Russian aggression against Ukraine

- a) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine 15385/22
15382/22
15384/22 + ADD 1
Approval
Decision to use the written procedure for the adoption
- b) Council Decisions, Regulation and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine 15264/22
15261/22
15263/22
15777/22
15779/22
Approval
Decision to use the written procedure for the adoption

The Committee examined the Presidency compromise texts and agreed to revert on the basis of revised texts.

40. EU-ASEAN summit (Brussels, 14 December 2022)
Exchange of views

The Committee held an exchange of views on the latest text of the joint leaders' statement.

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 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, the term "gender" will be interpreted by Poland as referring to women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8 and 157 para. 3 of the Treaty on the Functioning of the European Union. In connection with the above, the remaining expressions containing the term "gender" will be interpreted by Poland as "sex", in accordance with Article 10, Article 19 para 1 and Article 157 para 2 and 4 of the Treaty on the Functioning of the European Union."

THURSDAY 15 DECEMBER 2022

Foreign Affairs

31. Russian aggression against Ukraine

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|----|---|--|
| a) | Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine | 15385/22
15382/22
15384/22 + ADD 1 |
| | <i>Approval</i> | |
| | <i>Decision to use the written procedure for the adoption</i> | |
| b) | Council Decisions, Regulation and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine | 15264/22 + COR 1
15261/22
15263/22
15777/22 |
| | <i>Approval</i> | 15779/22 |
| | <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.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

None.

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

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|-----|--|-------------------|
| 12. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> | 15736/22
PE-QE |
| a) | Charlie Weimers (ECR)
"The Council's position on funding the EU budget by way of joint debt" | 14940/22 + COR 1 |
| b) | Ciarán Cuffe (Verts/ALE)
"Meetings with Uber" | 14943/22 |
| c) | Milan Uhrík (NI)
"Council Decision (CFSP) 2022/1272 of 21 July 2022 amending Decision 2014/145/CFSP" | 15022/22 |
| d) | Nathalie Colin-Oesterlé (PPE)
"Including mirror clauses in free trade agreements" | 14880/22 |

Appointments

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|-----|--|-----------------------------|
| 13. | A member (BE) of the European Economic and Social Committee
<i>Adoption</i> | 13289/22
13291/22
CES |
| 14. | A member (DE) of the European Economic and Social Committee
<i>Adoption</i> | 15566/22
15567/22
CES |

Other

- | | | |
|-----|---|----------------------------|
| 15. | Attendance of a third party at the Working Party on the Environment on 9 January 2023
<i>Approval</i> | 15655/22
ENV |
| 16. | Chairing of certain Working Parties by other delegations, at the request of the Swedish Presidency
<i>Approval</i> | 15755/1/22 REV 1
POLGEN |

Telecommunications

17. Digital Partnership with Singapore
Approval of an NBI 15649/22
TELECOM

Transport

18. Decision on CORSIA offsetting requirements
Adoption of the legislative act 15739/22
AVIATION
19. Decision repealing Council Directive 89/629/EEC
Adoption of the legislative act 15741/22
AVIATION
20. Regulation on repealing Regulation (EEC) No 1108/70 on
accounting system for expenditure in transport by rail, road and
inland waterway 15740/22
Adoption of the legislative act TRANS

Internal Market and Industry

21. Council Regulation on Land Transport Enabling
Adoption 15786/22
13068/22
RC

Delegated or Implementing Acts

Environment

22. Commission Regulation (EU) .../... of XXX amending
Regulation (EU) No 1089/2010 implementing Directive
2007/2/EC of the European Parliament and of the Council as
regards interoperability of spatial data sets and services 15692/22
Decision not to oppose adoption 14478/22 + ADD 1
ENV

Foreign Affairs

23. EU-Singapore Digital Trade Principles 15701/22
Approval of an NBI POLCOM
24. 24th EU Annual Report on Arms Exports 15605/22
Approval 15046/22
+ ADD 1 REV 2
+ ADD 2 REV 1 -
ADD 7 REV 1
COARM

- | | | |
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| 25. | Council Decision on the European Union Monitoring Mission in Georgia, EUMM Georgia
<i>Adoption</i> | 15704/22
15703/22
CORLX |
| 39. | EU-ECOWAS Ministerial Dialogue (Brussels, 6 February 2023)
- Joint outcome document
<i>Authorisation to negotiate an NBI</i> | 15922/22
COAFR |

Economic and Financial Affairs

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|-----|--|----------------------------|
| 26. | Council Regulation amending Regulation (EU) 2021/2283 for certain agricultural and industrial products
<i>Adoption</i> | 15206/22
15067/22
UD |
| 27. | Council Regulation amending Regulation (EU) 2021/2278 suspending the Common Customs Tariff duties on certain agricultural and industrial products
<i>Adoption</i> | 15294/22
15070/22
UD |

COREPER (PART 2)

Economic and Financial Affairs

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| 36. | Council Implementing Decision authorising the Netherlands to introduce a VAT derogation
<i>Adoption</i> | 15675/22
15298/22
FISC |
| 37. | Transfer No DEC 1/2022 (Section VII – European Committee of the Regions)
<i>Approval</i> | 15680/22
FIN |

Statement by Austria

“We note with concern the approach taken by the Committee of the Regions in this transfer request. Our worries have not been dispelled in the way the Committee is applying the budgetary principle of sound financial management, performance and principles of economy, efficiency and effectiveness with this request. We recall, that the Committee requested additional funds to cover remuneration related needs in draft amending budget 5/2022, while now transferring funds from the same budgetary title to other needs for non-salary related expenditure. We recall the Councils budget guidelines and the importance of keeping the funding under firm control and of limiting it to justified needs.”

EU positions for international negotiations

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| 38. | Council Decision on the EU position to be taken in the Partnership Council under the EU-UK TCA regarding members of an arbitration tribunal under TCA
<i>Adoption</i> | 15372/22
15401/22 + ADD 1
UK |
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Statements by the Commission

"The Commission considers that the legal basis chosen by the Council for its Decision is not in line with the case-law of the Court and that the Decision should be based on the legal bases referred to in its proposal. It reserves its right to make use, if necessary, of all the legal means at its disposal to ensure the respect of the provisions of the Treaties."

"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."