

Brussels, 30 January 2024
(OR. en)

16641/23
CRS CRP 42

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

4, 5, 6, 8, 10, 11 and 12 December 2023

I. Adoption of the agenda

16329/2/23 REV 2 OJ CRP1 41

16300/4/23 REV 4 + REV 4 ADD 1 + REV 4 ADD 1 COR 1 + REV 4 ADD 2 OJ
CRP2 41

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 2)

MONDAY 4 DECEMBER 2023

General Affairs

2. Multiannual Financial Framework (MFF) 2021-2027 mid-term revision SC 15852/1/23 REV 1
Exchange of views

The Committee held an exchange of views and agreed to revert at its meeting on Wednesday on the basis of a revised text.

TUESDAY 5 DECEMBER 2023

General Affairs

3. Meeting of the Council (General Affairs) on 12 December 2023:
Preparation

- a) Preparation of the European Council on 14-15 December 15006/23
2023: Conclusions
Exchange of views

The Committee held an exchange of views and agreed to revert at its meeting on Sunday on the basis of a revised text.

WEDNESDAY 6 DECEMBER 2023

General Affairs

2. Multiannual Financial Framework (MFF) 2021-2027 mid-term SC 16323/23
revision
Exchange of views

The Committee held an exchange of views and agreed to revert at its meeting on Sunday on the basis of a revised text.

3. Meeting of the Council (General Affairs) on 12 December 2023:
Preparation

- c) Conclusions on enlargement 15915/1/23 REV 1
Approval

The Committee held an exchange of views and agreed to revert at its meeting on Sunday on the basis of a revised text.

- h) Other items in connection with the Council meeting

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

Foreign Affairs

5. EU-Western Balkans summit (Brussels, 13 December 2023) 15335/1/23 REV 1
Exchange of views

The Committee held an exchange of views and reverted at the same day on the basis of a revised text (15335/2/23 REV 2). Italy, France and Lithuania entered a scrutiny reserve. A statement by Hungary is set out in ADD 1 to this document.

6. Russian aggression against Ukraine



- | | |
|---|--|
| a) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine | 15245/23
15247/23 + ADD 1 |
| b) Council Decision, Implementing Regulation and Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine | 14896/23
14898/23
14902/23
12033/23 |
| <i>Exchange of views</i> | 12036/23 |

The Committee held an exchange of views and agreed to revert at its meeting on Sunday on the basis of revised texts.

7. Economic Partnership Agreement between the European Union and the Republic of Kenya, Member of the East African Community

16239/23

- | | |
|--|-----------------------------------|
| a) Council Decision on the signature
<i>Preparation for the adoption</i> | 15954/23
13573/23
+ ADD 1-2 |
| b) Council Decision on the conclusion
<i>Preparation for the request for the consent of the European Parliament</i> | 15958/23
13573/23
+ ADD 1-2 |

The Committee held an exchange of views and agreed to revert at its meeting on Sunday. A statement by the Commission and two statements by Bulgaria are set out in document 16456/23 ADD 2.

8. Meeting of the Council (Foreign Affairs) on 11 December 2023: Preparation

- a) Current Affairs

The Committee prepared this item for the Council meeting.

- b) Russian aggression against Ukraine
Exchange of views

The Committee took note of the information provided by the EEAS and prepared this item for the Council meeting.

- c) Situation in Israel and in the region
Exchange of views

The Committee prepared this item for the Council meeting.

- d) Sahel
Exchange of views

The Committee prepared this item for the Council meeting.

- e) Foreign policy dimension of economic security
Exchange of views

The Committee prepared this item for the Council meeting. Some delegations suggested postponing the item to a future Council meeting.

- f) Other items in connection with the Council meeting

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

Economic and Financial Affairs

9. Financial Regulation (recast) 🗳️ 15916/1/23 REV 1
Preparation for the trilogue

The Committee prepared the forthcoming trilogue.

10. Meeting of the Council (Economic and Financial Affairs)
on 8 December 2023: Preparation

- a) Economic governance review 16254/1/23 REV 1
- i) Regulation on the effective coordination of economic policies and multilateral budgetary surveillance 🗳️ 15874/23 + ADD 1
- ii) Regulation on speeding up and clarifying the implementation of the excessive deficit procedure 🗳️ 15876/23
General approach

The Committee prepared this item for the Council meeting and agreed that the compromise texts are only available in the English language.

- b) Single currency package 🗳️ 16192/23
- i) Digital euro regulation
- ii) Regulation on the scope and effects of the legal tender of euro banknotes and coins
Progress report

The Committee prepared this item for the Council meeting.

- c) Economic governance review: Directive on requirements for budgetary frameworks of the Member States
General approach

☐ 16254/1/23 REV 1
15396/23

The Committee prepared this item for the Council meeting.

- d) Economic recovery in Europe
- i) Implementation of the Recovery and Resilience Facility
State of play
- ii) Council Implementing Decisions under the Recovery and Resilience Facility
Adoption

☐ 15569/23 + ADD 1
15570/23 + ADD 1
15571/23 + ADD 1
15572/23
15831/23
+ ADD 1 REV 1
15833/23 + ADD 1
15834/23
+ ADD 1 REV 1
15835/23 + ADD 1
15836/23 + ADD 1
15837/23 + ADD 1
15964/23 + ADD 1
15965/23 + ADD 1
16051/23 + ADD 1

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.

Justice and Home Affairs

11. Pact on Migration and Asylum¹
State of play and guidance for further work

☐☐ 16291/23

The Committee took note on the state of play, prepared the trilogues on all five legislative files scheduled for the following day and agreed to revert at its meeting on Sunday.

¹ Exceptionally, in the presence of the Schengen Associated States

SUNDAY 10 DECEMBER 2023

General Affairs

2. Multiannual Financial Framework (MFF) 2021-2027 mid-term revision SC 16626/23
Exchange of views

The Committee held an exchange of views.

3. Meeting of the Council (General Affairs) on 12 December 2023:
Preparation

- a) Preparation of the European Council on 14-15 December 2023: Conclusions 15006/1/23 REV 1
Exchange of views

The Committee prepared this item for the Council meeting.

- b) European Semester 2024: roadmap 14716/23
Presentation by the Presidency

The Committee prepared this item for the Council meeting.

- c) Conclusions on enlargement 15915/2/23 REV 2
Approval

The Committee held an exchange of views and agreed to revert on the following day.

- d) Conclusions on managing demographic change in Europe 15543/23
Approval

The Committee prepared this item for the Council meeting. A statement by Hungary is set out in document 16472/23 ADD 1.

- e) Negotiations for an Association Agreement with Andorra and San Marino
State of play

The Committee prepared this item for the Council meeting.

- f) Proposal for the creation of an EU Atlantic macro-regional strategy 16265/23
Information from the Presidency

The Committee agreed to remove this item from the provisional agenda of the Council.

- g) Council Regulation amending Regulation No 1 14958/23
determining the languages to be used by the European
Economic Community
Exchange of views
Adoption

The Committee prepared this item for the Council meeting and agreed to change the aim to ‘exchange of views’ only.

- h) Other items in connection with the Council meeting

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

Foreign Affairs

6. Russian aggression against Ukraine

- a) Council Decision and Regulation concerning restrictive 15245/23
measures in view of Russia’s actions destabilising the 15247/23 + ADD 1
situation in Ukraine
- b) Council Decision, Implementing Regulation and 14896/23
Regulation concerning restrictive measures in respect of 14898/23
actions undermining or threatening the territorial integrity, 14902/23
sovereignty and independence of Ukraine 12033/23
Exchange of views 12036/23

The Committee held an exchange of views and agreed to revert on the following day.

7. Continuation from Wednesday’s meeting

Economic Partnership Agreement between the European Union 16239/1/23 REV 1
and the Republic of Kenya, Member of the East African
Community

- a) Council Decision on the signature 15954/23
Preparation for the adoption 13573/23
+ ADD 1-2
- b) Council Decision on the conclusion 15958/23
Preparation for the request for the consent of the 13573/23
European Parliament + ADD 1-2

The Committee agreed to submit this item to the Council for approval as an A item, together with a joint statement by the Council and the Commission (document 16456/23 ADD 1). A statement by Germany, the Netherlands, France and Luxembourg is set out in ADD 1 to this document.

8. Continuation from Wednesday's meeting
Meeting of the Council (Foreign Affairs) on 11 December 2023:
Preparation

f) Other items in connection with the Council meeting

The Committee took note of the information provided by the EEAS and agreed to remove the item on the foreign policy dimension of economic security from the provisional agenda of the Council.

Justice and Home Affairs

11. Pact on Migration and Asylum² 🗳️ 16589/23
Exchange of views

The Committee held an exchange of views and remains seized.

122. Directive on the definition of criminal offences and penalties for 🗳️ 16351/23 + COR 1
the violation of Union restrictive measures
Mandate for negotiations with the European Parliament

The Committee did not reach an agreement on the proposed revised mandate.

MONDAY 11 DECEMBER 2023

General Affairs




3. Meeting of the Council (General Affairs) on 12 December 2023:
Preparation

c) Conclusions on enlargement 15915/3/23 REV 3
Approval

The Committee prepared this item for the Council meeting.

² Exceptionally, in the presence of the Schengen Associated States




Foreign Affairs

6. Russian aggression against Ukraine 
- a) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine  15249/23
16632/23
16633/23 + ADD 1
Preparation for the adoption
Decision to use the written procedure
- b) Council Decision, Implementing Regulation and Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine  15375/23
16629/23
16630/23
16631/23
Preparation for the adoption
Decision to use the written procedure

The Committee held an exchange of views and agreed to revert to this item on the following day on the basis of revised texts.

TUESDAY 12 DECEMBER 2023

Foreign Affairs

6. Russian aggression against Ukraine 
- a) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine  15249/1/23 REV 1
16632/1/23 REV 1
16633/1/23 REV 1
16633/23 ADD 1
REV 1
Preparation for the adoption
Decision to use the written procedure
- b) Council Decision, Implementing Regulation and Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine  15375/1/23 REV 1
16629/1/23 REV 1
16630/1/23 REV 1
16631/23
Preparation for the adoption
Decision to use the written procedure

The Committee confirmed its agreement on the texts and decided to use the written procedure for their adoption. Austria entered a scrutiny reserve. Statements by Cyprus and Italy are set out in ADD 1 to this document.

COREPER (PART 1)

WEDNESDAY 6 DECEMBER 2023 (9:00)

Energy

58. Revision of the Directive on the energy performance of buildings (recast) 🗳️ 16172/1/23 REV 1
+ ADD 1
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Internal Market and Industry

59. Regulation on construction products 🗳️ 16168/23
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Environment

60. Meeting of the Council (Environment) on 18 December 2023: Preparation

1. Regulation on packaging and packaging waste, amending Regulation (EU) 2019/1020 and Directive (EU) 2019/904, and repealing Directive 94/62/EC 🗳️ 16050/23
General approach

The Committee started preparing this item for the Council meeting.

2. Directive on Soil Monitoring and Resilience 🗳️ 16075/23
Policy debate

The Committee prepared this item for the Council meeting.

Internal Market and Industry

61. Regulation establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC 🗳️
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 4 December 2023.

62. Regulation on short-term accommodation rental services 🗳️ 15693/1/23 REV 1
Analysis of the final compromise text with a view to agreement

The Committee analysed and confirmed agreement on the final compromise text. The Committee also authorised the Chair to send a letter to inform the European Parliament with a view to an agreement at first reading.

Employment and Social Policy

63. Directive amending Directives 98/24/EC and 2004/37/EC as regards the limit values for lead and its inorganic compounds and diisocyanates ☐☐C 16071/23 + ADD 1
Analysis of the final compromise text with a view to agreement

The Committee analysed and confirmed agreement on the final compromise text. The Committee also authorised the Chair to send a letter to inform the European Parliament with a view to an agreement at first reading.

A statement by the Commission is set out in the ADD 1 to this document.

Agriculture and Fisheries

64. Meeting of the Council (Agriculture and Fisheries) on 10 and 11 December 2023: Preparation

The Committee decided to have three additional AOB items; one from Portugal and two from Netherlands; taken in public.

1. Council Regulation fixing for 2024, 2025 and 2026 the fishing opportunities in the Atlantic and the North Sea ☐C 16092/1/23 REV 1
Political agreement 14720/23
+ ADD 1-2
15289/23
15290/23
15611/23
15929/23
16019/23
16066/23

The Committee prepared this item for the Council meeting.

2. Council Regulation fixing for 2024 the fishing opportunities in the Mediterranean and the Black Sea ☐C 16093/23
Political agreement 15715/23 + ADD 1

The Committee prepared this item for the Council meeting.

3. Regulation on plants obtained by certain new genomic techniques and their food and feed products ☐☐C 16151/1/23 REV 1
General approach

The Committee prepared this item for the Council meeting.

4. Regulation on the sustainable use of plant protection products ☐☐C 16044/23
Progress report

The Committee prepared this item for the Council meeting.

5. Regulation on the production and marketing of plant reproductive material 16040/23
Progress report

The Committee prepared this item for the Council meeting.

6. Regulation on the production and marketing of forest reproductive material 16142/23 + COR 1
Progress report

The Committee prepared this item for the Council meeting.

Employment and Social Policy

65. Regulation on European statistics on population and housing 16040/23
Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 30 November 2023.

Internal Market and Industry

66. Directive on multiple-vote share structures (MVSD) 16047/23
Preparation for the trilogue

The Committee could not agree on a revised mandate for the forthcoming trilogue.

Telecommunications

67. Regulation amending Regulation (EU) 2019/881 (Cybersecurity Act) as regards managed security services 16040/23
Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 4 December 2023.

68. Regulation on horizontal cybersecurity requirements for products with digital elements (Cyber Resilience Act) 16040/23
Presidency briefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 30 November 2023.

Environment

69. Regulation on shipments of waste 📄📄 16076/23 + ADD 1
Analysis of the final compromise text with a view to agreement

The Committee analysed and confirmed agreement on the final compromise text. The Committee also authorised the Chair to send a letter to inform the European Parliament with a view to an agreement at first reading.

A joint statement by The Netherlands, Bulgaria and Ireland is set out in the ADD 1 to this document.

Health

70. Regulation on the European Health Data Space 📄📄 16048/23
Mandate for negotiations with the European Parliament 16049/23

The Committee approved a mandate for negotiations with the European Parliament and agreed to make it public.

Statement by Germany

“Deutschland unterstützt die Einigung zum finalen Kompromisstext zur Verordnung zur Schaffung eines europäischen Raums für Gesundheitsdaten und die Erteilung des Verhandlungsmandats mit dem Europäischen Parlament.

Deutschland erkennt die Notwendigkeit an, dass im Bereich der Primärnutzung von Gesundheitsdaten bestimmte persönliche elektronische Gesundheitsdaten zur Verfügung gestellt werden, auf die Patienten ebenso wie Angehörige der Gesundheits- und Pflegeberufe (im Folgenden: Leistungserbringer) zugreifen können. Deutschland hat in den letzten 20 Jahren mit der Telematikinfrastruktur eine spezielle digitale Infrastruktur zum sicheren Datenaustausch im deutschen Gesundheitswesen und die elektronische Patientenakte (ePA) als deren Kernanwendung aufgebaut und kontinuierlich weiterentwickelt.

Nach deutschem Verständnis ist das deutsche System der Speicherung und Verfügbarmachung von elektronischen Gesundheitsdaten mit den in Kapitel II vorgesehenen Regelungen unter Zugrundelegung der Annahme kompatibel, dass die Verfügbarkeit von Daten – unabhängig von ihrem Speicherort – für verschiedene Akteure geregelt wird, nicht dagegen Zugriffe auf bestimmte Speicherorte. Wir verstehen die Formulierungen der Verordnung so, dass dieses System auch nach ihrem Inkrafttreten beibehalten werden kann:

Im Behandlungskontext speichern Leistungserbringer elektronische Gesundheitsdaten von Patienten in ihren lokalen Primärsystemen. Auf diese hat nur die jeweilige Leistungserbringerinstitution technisch Zugriff. Der zentrale Datenspeicher elektronischer Gesundheitsdaten eines Patienten ist dessen ePA. Auf diese können der Patient selbst sowie auch weitere Leistungserbringer, die ihn behandeln, technisch zugreifen.

Eine ePA wird zukünftig für jeden Patienten automatisch angelegt. Der Patient kann dies jedoch ablehnen, sich also gegen die Verfügbarmachung der Daten für andere Leistungserbringer und sich selbst entscheiden (Opt-out-Prinzip). Dann sind die Daten ausschließlich im Primärsystem des behandelnden Leistungserbringers und ausschließlich für diesen verfügbar. Die Mehrheit der im Behandlungskontext anfallenden Daten wird durch die behandelnden Leistungserbringer vom jeweiligen Primärsystem in die ePA übertragen. Der Patient kann diese Übertragung jedoch ablehnen.

Dies kommt einer Entscheidung des Patienten gegen die Verfügbarmachung dieser Daten für andere Leistungserbringer und sich selbst gleich – mit der Folge, dass diese Daten ausschließlich für den behandelnden Leistungserbringer in des-sen Primärsystem verfügbar sind. Eine Ausnahme stellt die Übertragung genetischer Daten vom Primärsystem in die ePA dar, die nur mit Einwilligung des Patienten möglich ist.

Die Mehrheit der behandelnden Leistungserbringer hat im Behandlungskontext Zugriff auf die in der ePA gespeicherten Gesundheitsdaten. Der Patient kann Zugriffen jedoch widersprechen. Dies kommt einer Entscheidung des Patienten gegen die Verfügbarmachung dieser Daten für andere Leistungserbringer gleich. Eine Ausnahme stellen Zugriffe bestimmter Leistungserbringergruppen auf die ePA dar, die nur mit Einwilligung des Patienten möglich sind. Im Falle eines Widerspruchs des Patienten gegen Zugriffe auf seine ePA durch bestimmte Leistungserbringer ist auch im Notfall kein Zugriff möglich. Es ist den einzelnen Mitgliedstaaten überlassen, „emergency overrides“ zu ermöglichen oder nicht.

Das Recht auf Datenportabilität wird in Deutschland bereits durch den Zugang zu den elektronischen Gesundheitsdaten eines Patienten über dessen ePA umgesetzt. Eine gesonderte Übertragung von Daten von einem Leistungserbringer an den anderen ist aufgrund der theoretischen Zugriffsmöglichkeit aller Leistungserbringer auf die ePA im deutschen Gesundheitssystem nicht erforderlich.

Aus deutscher Sicht ist es von entscheidender Bedeutung, dass das Ziel der Beibehaltung dieses komplexen und ausgewogenen deutschen Systems auch in den nun anstehenden Triologverhandlungen Berücksichtigung findet.“

Courtesy Translation

“Germany supports the agreement on the final compromise text on the Regulation on the European Health Data Space and the issue of a mandate for the negotiations with the European Parliament.

Germany recognizes the need for certain personal electronic health data to be made available for patients as well as health and care professionals in the field of primary use of health data. Over the past 20 years, Germany has set up and continuously improved a special digital infrastructure for the secure exchange of data in the German healthcare system (Telematikinfrastruktur) and the electronic patient record – ePA (elektronische Patientenakte) as its core application.

In Germany’s view, the German system for storing and making available electronic health data is compatible with the rules laid down in Chapter II assuming that the availability of data for various actors – regardless of the technical storage – is regulated, whereas not to the technical access to specific systems is subject to regulation by Chapter II. We understand the wording of the regulation in the sense that this system can be maintained after the regulation’s entry into force:

In the context of treatment, health professionals store patients’ electronic health data in their local primary systems. Technical access to these is possible only for the respective health professional’s institution. The central data storage location for a patient’s electronic health data is his ePA. The ePA can be technically accessed by the patient himself as well as by other healthcare professionals treating him.

An ePA will, in the future, be set up automatically for each patient. However, the patient has the right to refuse this, i.e. object to making data available to other health professionals and to himself (opt out principle). The data are then only available in the primary system of the treating health professional and only accessible for the latter.

The majority of data generated in a context of treatment is transferred from the respective primary system to the patient's ePA by the treating health professional. However, the patient has the right to refuse this transfer. This is equivalent to the patient's decision not to make these data available to other health professionals and to himself – with the result that these data are only available to the treating health professional in his primary system.

An exception is the transfer of genetic data from the primary system to the patient's ePA, which is only possible with the patient's consent.


The majority of health professionals automatically have access to health data stored in the ePA in the context of treatment. However, the patient may object to such an access. This is equivalent to the patient's decision not to make these data available to other health professionals. An exception is access by specific health professionals to a patient's ePA, which can only access a patient's ePA with the patient's consent.

If a patient objects to an access to his ePA by certain health professionals, access is also not possible in case of emergency. It is each Member State's decision whether to enable "emergency overrides" or not.

The right to data portability set is already implemented in Germany through the accessibility to a patient's electronic health data via the patient's ePA. A separate transfer of data from one health professional to another is not necessary in the German health system due to the theoretical possibility for all health professionals to access a patient's ePA.

From Germany's point of view, it is crucial that the goal of maintaining this complex and balanced German system is also taken into account in the forthcoming trilogue negotiations."


Internal Market and Industry

71. Regulation on the Single Market Emergency Instrument and Regulation amending Regulations (EU) 2016/424, (EU) 2016/425, (EU) 2016/426, (EU) 2019/1009 and (EU) No 305/2011 as regards emergency procedures due to a Single Market emergency and Directive as regards emergency procedures for the conformity assessment, adoption of common specifications and market surveillance due to a Single Market emergency
Preparation for the trilogue
-  15445/1/23 REV 1 + REV 1 COR 1

The Committee prepared a revised mandate for the forthcoming trilogue.

FRIDAY 8 DECEMBER 2023 (18:00 in EB S7)

Telecommunications

75. Regulation on measures to reduce the cost of deploying gigabit electronic communications networks and repealing Directive 2014/61/EU (Gigabit Infrastructure Act)
Presidency briefing on the outcome of the trilogue
- 

The Presidency briefed on the trilogue which took place on 5 December 2023.

Internal Market and Industry

77. Directive on promoting the Right to Repair IC
Presidency debriefing on the outcome of the trilogue
The Presidency debriefed on the trilogue which took place on 7 December 2023.
79. Revision of the Regulation on classification, labelling and packaging of substances and mixtures (CLP) IC
Presidency debriefing on the outcome of the trilogue
The Presidency debriefed on the trilogue which took place on 5 December 2023.
80. Review of the EU legislation on design protection IC
- a) Directive on the legal protection of designs (recast)
- b) Regulation amending Council Regulation (EC) No 6/2002 on Community designs
Presidency debriefing on the outcome of the trilogue
The Presidency debriefed on the trilogue which took place on 5 December 2023.
81. Regulation amending Regulation (EU) 2019/1009 as regards digital labelling of EU fertilising products IC
Presidency debriefing on the outcome of the trilogue
The Presidency debriefed on the trilogue which took place on 6 December 2023.

Environment

83. Regulation introducing new environmental economic accounts modules IC
Presidency debriefing on the outcome of the trilogue
The Presidency debriefed on the trilogue which took place on 5 December 2023.

Energy

72. Regulation amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design IC 16203/23 + **COR 1**
Preparation for the trilogue + ADD 1
The Committee prepared a revised mandate for the forthcoming trilogue.

Environment

60. (continuation) Meeting of the Council (Environment) on 18 December 2023: Preparation

3. Regulation on a monitoring framework for resilient European forests 16206/23
Presentation by the Commission
Policy debate

The Committee prepared this item for the Council meeting.

Employment and Social Policy

73. Revision of Regulations on Coordination of Social Security systems (883/04 and 987/09) 16202/23
Preparation for the trilogue + COR 1-2
+ ADD 1
+ ADD 1 COR 1-2

The Committee held an exchange of views in preparation of the next trilogue and did not agree on the Presidency's proposal for a revised mandate.

82. Directive on standards for equality bodies (Article 157) 16298/23
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Health

76. Regulation on standards of quality and safety for substances of human origin intended for human application 16200/23
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

Internal Market and Industry

78. 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) 16180/23 + COR 1
Preparation for the trilogue

The Committee prepared a revised mandate for the forthcoming trilogue.

IV. ANY OTHER BUSINESS

COREPER (PART 2)

TUESDAY 5 DECEMBER 2023

G7 videoconference, 6 December 2023

The Committee took note of the information provided by the cabinet of the President of the European Council.

WEDNESDAY 6 DECEMBER 2023

Joint communication on EU-Türkiye relations

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

SUNDAY 10 DECEMBER

Statute of the European Court of Justice

The Committee took note of the information provided by France.

AMLA seat selection procedure

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

COREPER (PART 1)

European Semester 2024 - Roadmap

14716/23

Presentation by the Presidency and incoming Presidency

Spanish Presidency as well as incoming Belgian and Hungarian Presidencies updated on the process and next steps.

Non-discussion items "I"COREPER (PART 2)WEDNESDAY 6 DECEMBER 2023Judicial Affairs

13. Case C-681/23 P (Safarbekovich Gutseriev v Council) 16132/23
Information note JUR
14. Case T-1042/23 (BSW - management company of "BMC"
holding v Council) 15887/23
Information note JUR

Institutional Affairs

15. **Minutes of Council meetings**  PV-CONS
Approval
- a) FAC 23.10.2023 14585/23 + ADD 1
- b) GAC 24.10.2023 14788/23 + ADD 1


Appointments


16. A member (SE) of the European Economic and Social
Committee 14791/23
Adoption 14785/23
CES

Other

17. Attendance of a third party at the Working Party on Financial
Services and the Banking Union on 11 December 2023 16191/23
Approval EF


Transparency

18. Public access to documents request 23/3003  16245/23
Decision to make Council minutes public API
19. Public access to documents 14707/23
Confirmatory application No 35/c/01/23 INF
Approval
20. Public access to documents 15333/23
Confirmatory application No 36/c/01/23 INF
Approval

21. OI/4/2023/MIK from the European Ombudsman  15494/23
Approval of a letter INF
 API

Economic and Financial Affairs

22. Conclusions on NextGenerationEU debt management at the Commission (ECA SR No 16/2023) 15780/23
Approval 15793/23
 ECOFIN

23. Basel III finalisation: Capital Requirements Regulation 3 and  15881/23
 Capital Requirements Directive VI 15882/23
Confirmation of the final compromise text with a view to 15883/23
agreement EF

A statement by the Commission and a joint statement by Belgium, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Luxembourg, Poland, Romania, Slovakia and Slovenia are set out in ADD 1 to this document.


24. EMIR Review Regulation and Directive  16193/23
Mandate for negotiations with the European Parliament 16194/23
 16195/23
 EF

A statement by Italy is set out in ADD 1 to this document.


25. ECOFIN report to the European Council on tax issues 16100/23
Approval FISC

General Affairs


26. Council Decision on approving the Commission conclusion of the Euratom/Korean Peninsula Energy Organisation (KEDO) Agreement 15607/23
Adoption 15529/23 + ADD 1
 ATO

27. Regulation laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union  16043/23
Adoption of the legislative act PE-CONS 57/23
 CYBER


28. Council Decision amending the Council's Rules of Procedure 15792/23
Adoption 15798/23
 15070/23
 INST

29. Future of Europe: proposal of the European Parliament pursuant to Article 48(2) TEU
Submission to the European Council and notification to national parliaments
Approval of a letter  16207/23
AG
INST

Justice and Home Affairs

30. Directive on the protection of the environment through criminal law
Confirmation of the final compromise text with a view to agreement  16069/23
COPEN


A statement by Bulgaria is set out in ADD 1 to this document.

31. Regulation on the digitalisation of judicial cooperation and access to justice
Adoption of the legislative act  16041/23
PE-CONS 50/23
EJUSTICE

Statement by the Commission

“The European Commission will work towards the timely adoption of the implementing acts establishing the decentralised IT system provided for by Regulation (EU) 2023/XXX on the digitalisation of judicial cooperation and access to justice in cross-border civil, commercial and criminal matters.

The Commission recalls that the agreement reached by the co-legislators shortens significantly the timeline for the adoption of the implementing acts. This shortening will result in overlapping Commission work on these acts and as a consequence the corresponding budget for the IT development work will need to be made available earlier (frontloaded). This revised timeline will lead to a reprogramming of the annual budget allocated to this initiative under the current Multiannual Financial Framework through reprioritisation within the existing envelope of the programmes contributing to it. As the initiative will be frontloaded in 2025 and 2026, other measures under the programmes will have to be implemented later than initially foreseen in order to keep the annual budgetary profile of the programmes unchanged. The revised timeline will also affect eu-LISA which will have to connect the new decentralised IT systems resulting from these implementing acts with the e-CODEX system. Eu-LISA will perform this task in the limit of the resources already allocated to the e-CODEX system.”


32. Directive on the digitalisation of judicial cooperation
Adoption of the legislative act  16042/23
PE-CONS 51/23
EJUSTICE

33. Prüm Agreement with Norway: Council Implementing Decision determining the date from which personal data relating to DNA profiles, dactyloscopic data and vehicle registration data may be supplied by Member States to Norway
Adoption 15771/23 + COR 1
15210/23
IXIM

- | | | |
|-----|---|----------------------------------|
| 35. | Schengen evaluation Recommendation - France: borders
<i>Adoption</i> | 16158/23
16154/23
SCH-EVAL |
| 36. | Schengen evaluation Recommendation - Portugal: borders
<i>Adoption</i> | 16159/23
16155/23
SCH-EVAL |

Foreign Affairs


- | | | |
|-----|--|--|
| 37. | Angola-EU Ministerial meeting: joint communiqué
<i>Approval of an NBI</i> | 16235/23
COAFR |
| 38. | 25th EU annual report on arms exports
<i>Approval</i> | 16134/23
16110/23
+ ADD 1-3
COARM |
| 39. | Conclusions on Civilian CSDP
<i>Approval</i> | 16125/23
16128/23
CIVCOM |
| 40. | Operation plan for the EU security and defence initiative in support of Western African countries of the Gulf of Guinea
<i>Approval</i> | 15286/23
CIVCOM |
| 41. | Mission plan for the EU security and defence initiative in support of West African countries of the Gulf of Guinea
<i>Approval</i> | 15343/23
EUMC |
| 42. | Council Decision launching the EU security and defence initiative in support of West African countries of the Gulf of Guinea
<i>Adoption</i> | 15057/23
15055/23
CORLX |
| 43. | Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in Mali
<i>Adoption</i> | 13610/23
13609/23
13607/23
CORLX |
| 44. | Council Decision amending Decision (CFSP) 2022/151 on a European Union action to support the evacuation of certain particularly vulnerable persons from Afghanistan
<i>Adoption</i> | 15367/23
15366/23
CORLX |
| 45. | Council Decision and Implementing Regulation concerning restrictive measures in view of Iran's military support to Russia's war of aggression against Ukraine
<i>Adoption</i> | 15790/23
15787/23
15789/23
CORLX |

- | | | |
|-----|---|---|
| 46. | Council Decision and Implementing Regulation on restrictive measures to combat terrorism: Common Position
2001/931/CFSP
<i>Adoption</i> | 15979/23
15976/23
15978/23
16257/23
CORLX |
| 47. | Council Decision and Regulation concerning restrictive measures in view of the situation in Syria
<i>Adoption</i> | 15819/23
15805/23
15818/23
CORLX |
| 48. | Council Decision and Regulation concerning restrictive measures against ISIL (Da'esh) and Al-Qaeda and persons, groups, undertakings and entities associated with them: pre-notification of updated statement of reasons
<i>Approval</i> | 16244/23 + ADD 1
CORLX |
| 49. | Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in Myanmar/Burma
<i>Adoption</i> | 15646/23
15643/23
15645/23
CORLX |
| 50. | Exercise specifications (EXSPEC) for the 2024 EU Interoperability Exercise (EUIX 2024)
<i>Approval</i> | 15567/23
CSDP/PSDC |
| 52. | PSC Decision EUBAM Libya/2/2023: appointment of the Head of Mission EUBAM Libya
<i>Decision to publish in the Official Journal</i> |  16220/23
15873/23
PSC DEC |

Agriculture

- | | | |
|-----|---|------------------|
| 53. | Conclusions on securing agricultural product supply chains during COVID-19 (ECA SR No 09/2023)
<i>Approval</i> | 15671/23
AGRI |
| 54. | Conclusions on soil management (ECA SR No 19/2023)
<i>Approval</i> | 15945/23
AGRI |
| 55. | Conclusions on wine (ECA SR No 23/2023)
<i>Approval</i> | 15946/23
AGRI |

EU positions for international negotiations

- | | | |
|-----|--|---|
| 56. | Council Decision on the EU position to be taken within the Cooperation Committee in trade configuration established by Enhanced Partnership and Cooperation Agreement between the European Union and its Member States and the Republic of Kazakhstan
<i>Adoption</i> |  16037/23
15632/23 + ADD 1
COEST |
|-----|--|---|

Other items

57. 2024 programme of EU security assessment visits
Approval 15772/23
CSC

SUNDAY 10 DECEMBER 2023

General Affairs

123. Arrangements for EU-UK structured dialogues on
counterterrorism and cyber issues 16287/23
Approval 16278/23
UK

The Commission confirmed its agreement to these arrangements.
The EEAS welcomed the agreement reached and confirmed its commitment to respect these arrangements as a matter of good inter-institutional cooperation.

Justice and Home Affairs

34. Council Decision on the signing, on behalf of the Union, of the
United Nations Convention on the International Effects of
Judicial Sales of Ships 15870/23
Adoption 15908/23 + ADD 1
15716/23
JUSTCIV


Statements by the Commission are set out in document 15870/23 ADD 1 REV 2.

COREPER (PART 1)

WEDNESDAY 6 DECEMBER 2023

Institutional Affairs

Written questions

84. Replies to questions for written answer submitted to the Council by Members of the European Parliament  16123/23
Adoption by silence procedure PE-QE
- a) Sandra Pereira (The Left), Clare Daly (The Left), Sabrina Pignedoli (NI), Mick Wallace (The Left), Marc Botenga (The Left), Eugenia Rodríguez Palop (The Left), Manu Pineda (The Left), Ana Miranda (Verts/ALE), Javier Moreno Sánchez (S&D), Massimiliano Smeriglio (S&D), Stelios Kouloglou (The Left), Konstantinos Arvanitis (The Left), Martin Buschmann (NI), Kateřina Konečná (The Left), Patrizia Toia (S&D), Sira Rego (The Left), Fabio Massimo Castaldo (NI), Lefteris Nikolaou-Alavanos (NI), Kostas Papadakis (NI), Leila Chaibi (The Left), João Pimenta Lopes (The Left), Ignazio Corrao (Verts/ALE)
"Cuba's inclusion on the list of so-called state sponsors of terrorism" 15154/23
- b) Piernicola Pedicini (Verts/ALE) 15156/23
"Sanctions against Russia and adverse economic effects"
- c) Marcel de Graaff (NI), Joachim Kuhs (ID) 15157/23
"Governments have concluded binding agreements with the World Economic Forum (WEF)"

Appointments

85. Appointment of three members and three alternates to the Administrative Board of the Agency for the Cooperation of Energy Regulators (ACER) 15921/23
15912/23
ENER
Adoption
86. One alternate member (IE) of the Advisory Committee on Safety and Health at Work 16101/23
SOC
Adoption
87. One member (EL) of the European Centre for the Development of Vocational Training 15981/23
SOC
Adoption

88. One member (NL) of the Advisory Committee for the
Coordination of Social Security Systems 15473/23
Adoption SOC

Other

89. Attendance of a third party at the Cultural Affairs Committee on
12 December 2023 15344/23
Approval CULT
90. Attendance of a third party at the Audiovisual and Media
Working Party on 12 December 2023 15355/23
Approval AUDIO
91. Attendance of a third party at the informal videoconference of
the members of the Working Party on Genetic Resources and
Innovation in Agriculture (Seeds, Propagating and Planting
Materials) on 19 December 2023 15827/23
Approval AGRI
92. Attendance of a third party at the Working Party on
Pharmaceuticals and Medical Devices on 11 December 2023 15931/23
Approval SAN
PHARM
93. Attendance of a third party at informal videoconference of the
members of the Working Party on the Environment on
14 December 2023 16074/23
Approval ENV

EU positions for international negotiations

94. Council Decision on the EU position in the Regional Steering
Committee of the Transport Community as regards the adoption
of the budget of the Transport Community for 2024 16212/23
Adoption 15649/23 + ADD 1
TRANS

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.”

95. Council Decision on the EU position in the Regional Steering Committee of the Transport Community as regards the introduction of a common set of rules on the reimbursement of expenses
Adoption

☐ 16212/23
15651/23 + ADD 1
TRANS

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.”

96. Coordination of the EU position for the 22nd Regional Steering Committee and for the meeting of the Ministerial Council (Skopje, 11-12 December 2023)
Approval

16219/23
TRANS

97. Council Decision on the EU position in the Ministerial Council of the Energy Community (Vienna, Austria, 14 December 2023)
Adoption

☐ 16175/23
15880/23 + ADD 1
ENER

98. Council Decision on the EU position at meetings of the Parties to the Agreement to Prevent Unregulated High Seas Fisheries in the Central Arctic Ocean and repealing Decision (EU) 2020/1582
Adoption

☐ 14334/23 + ADD 1
13452/23
PECHE

A statement by the Commission is set out in document 14334/23 ADD 1.

99. Council Decision on the EU position in the annual Conference of the Parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea and repealing Decision (EU) 2019/866
Adoption

☐ 14326/23
13472/23
PECHE

100. Council Decision on the EU position in the Commission for the Conservation of Antarctic Marine Living Resources and repealing Decision (EU) 2019/867
Adoption

☐ 14327/23 + ADD 1
13462/23
PECHE

A statement by the Commission is set out in document 14327/23 ADD 1.

101. Council Decision on the EU position in the Fishery Committee for the Eastern Central Atlantic and repealing Decision (EU) 2019/1570
Adoption

☐ 14332/23 + ADD 1
13456/23
PECHE

A statement by the Commission is set out in document 14332/23 ADD 1.

102. Council Decision on the EU position in the International Commission for the Conservation of Atlantic Tunas and repealing Decision (EU) 2019/868
Adoption

☐ 14329/23 + ADD 1
13459/23
PECHE

A statement by the Commission is set out in document 14329/23 ADD 1.

103. Council Decision on the EU position in the Indian Ocean Tuna Commission and repealing Decision (EU) 2019/860
Adoption

☐ 14310/23 + ADD 1
13481/23
PECHE

A statement by the Commission is set out in document 14310/23 ADD 1.

104. Council Decision on the EU position in the Northwest Atlantic Fisheries Organisation and repealing Decision (EU) 2019/863
Adoption

☐ 14335/23 + ADD 1
13450/23
PECHE

A statement by the Commission is set out in document 14335/23 ADD 1.

105. Council Decision on the EU position in the North Atlantic Salmon Conservation Organisation and repealing Decision (EU) 2019/864
Adoption

☐ 14333/23 + ADD 1
13455/23
PECHE

A statement by the Commission is set out in document 14333/23 ADD 1.

106. Council Decision on the EU position in the North-East Atlantic Fisheries Commission and repealing Decision (EU) 2019/865
Adoption

☐ 14324/23 + ADD 1
13477/23
PECHE

A statement by the Commission is set out in document 14324/23 ADD 1.

107. Council Decision on the EU position in the South-East Atlantic Fisheries Organisation and repealing Decision (EU) 2019/861
Adoption

☐ 14325/23 + ADD 1
13473/23
PECHE

A statement by the Commission is set out in document 14325/23 ADD 1.

108. Council Decision on the EU position in the Southern Indian Ocean Fisheries Agreement and repealing Decision (EU) 2019/858
Adoption

☐ 14330/23 + ADD 1
13458/23
PECHE

A statement by the Commission is set out in document 14330/23 ADD 1.

109. Council Decision on the EU position in the South Pacific Regional Fisheries Management Organisation and repealing Decision (EU) 2019/859
Adoption

☐ 14331/23 + ADD 1
13457/23
PECHE

A statement by the Commission is set out in document 14331/23 ADD 1.

110. Council Decision on the EU position in the Western and Central Pacific Fisheries Commission (WCPFC) and repealing Decision (EU) 2019/862
Adoption

☐ 14328/23 + ADD 1
13460/23
PECHE

A statement by the Commission is set out in document 14328/23 ADD 1.

Fisheries

111. Regulation establishing a catch documentation programme for bluefin tuna (*Thunnus thynnus*) and repealing Regulation (EU) No 640/2010
Adoption of the legislative act

☐☐ 15697/23
PE-CONS 56/23
PECHE

112. Council Decision on the conclusion of a Sustainable Fisheries Partnership Agreement (SFPA) with the Republic of Madagascar and the Implementing Protocol thereto (2023-2027)
Adoption

☐ 15655/23 + COR 1
+ ADD 1
9525/23
PECHE

A statement by the Commission is set out in document 15655/23 ADD 1.

113. Note Verbale to the United States on the National Oceanic Atmospheric Administration (NOAA) negative certification of six EU member states
Approval


16091/23
16146/23
PECHE

Environment

114. Commission's intention to join a High-level declaration, on behalf of the EU at the 9th MOP ESPOO and the 5th MOP SEA Protocol
Authorisation to sign an NBI

16073/23
ENV

Telecommunications

115. Regulation amending Regulation (EU) No 910/2014 as regards establishing a framework for a European Digital Identity  15861/23
Confirmation of the final compromise text with a view to agreement 15149/23 + COR 1
TELECOM

Transport

116. Position to be taken by the EU and its Member States as regards the joint Statement by the United States and likeminded States on addressing Higher Airspace Operations in ICAO 16082/23
Approval of an NBI AVIATION

Delegated or Implementing Acts

Internal Market and Industry

117. Commission Delegated Directive (EU) .../... of 27.9.2023 16176/23
amending Directive 2009/43/EC of the European Parliament and 13580/23 + ADD 1
of the Council as regards the updating of the list of defence- MI
related products in line with the updated Common Military List
of the European Union of 20 February 2023
Delegated act - Intention not to raise objections
118. Commission Delegated Regulation (EU) .../... of 19.10.2023 16177/23
amending Regulation (EC) No 1272/2008 as regards the 14605/23 + ADD 1
harmonised classification and labelling of certain substances ENT
Delegated act - Intention not to raise objections

FRIDAY 8 DECEMBER 2023

Institutional Affairs

Other


119. Attendance of third parties at the Working Party on 16347/23
Competitiveness and Growth (Industry) on 11 December 2023 COMPET
Approval







Transparency

121. Public access to documents 13183/23
Confirmatory application No 33/c/01/23 INF
Information note API

Foreign Affairs

124. Joint declaration on an Egypt-EU water partnership
Approval of an NBI
Decision to use the written procedure

 16240/23
MAMA

-
-  First reading
 -  Silence procedure (Article 12(2) of the Council's Rules of Procedure)
 -  Special legislative procedure
 -  Procedural decision by Coreper (Article 19(3)&(7) of the Council's Rules of Procedure)
 -  Restricted item
 -  Item based on a Commission proposal
-