



Brussels, 24 January 2024
(OR. en)

17038/23
CRS CRP 43

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

18, 20, 21 and 22 December 2023

I. Adoption of the agenda

16860/2/23 REV 2 + REV 2 COR 1 OJ CRP1 43

16906/2/23 REV 2 OJ CRP2 42

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 DECEMBER 2023

Telecommunications

63. Regulation laying down measures to strengthen solidarity and capacities in the Union to detect, prepare for and respond to cybersecurity threats and incidents (Cyber Solidarity Act) 16392/23
Mandate for negotiations with the European Parliament

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

64. Regulation on horizontal cybersecurity requirements for products with digital elements (Cyber Resilience Act)  16753/23
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 European Parliament, the European Commission and the Council of the European Union is set out in ADD 1 to this document.

Culture/Audiovisual Matters

65. Regulation on the European Media Freedom Act 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 15 December 2023.

Research

66. Decision amending Decision 2017/1324 as regards the continuation of the Union's participation in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) under Horizon Europe  16490/23
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.

Internal Market and Industry

67. Review of the EU legislation on design protection  16476/23
a) Directive on the legal protection of designs (recast) + ADD 1-2
b) Regulation amending Council Regulation (EC) No 6/2002 on Community designs
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.

68. Regulation on establishing a framework of measures for strengthening Europe's net-zero technology products manufacturing ecosystem (Net Zero Industry Act) 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 13 December 2023.

69. 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) 

Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 14 December and continued on 18 December 2023.

70. Regulation on construction products 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 13 December 2023.

71. Directive on multiple-vote share structures (MVSD) 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 14 December 2023.

Health

72. Regulation on standards of quality and safety for substances of human origin intended for human application 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 14 December 2023.

Environment

73. Directive on air quality (recast) 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 13 December 2023.

Energy

74. 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  16636/23
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 Czech Republic is set out in ADD 1 to this document.

75. Directive on common rules for the internal markets in renewable and natural gases and in hydrogen (recast)  16516/23
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.

76. Regulation on the internal markets for renewable and natural gases and for hydrogen (recast)  16522/23
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.

77. Revision of the Directive on the energy performance of buildings (recast)  16655/23
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.

Statements by Hungary, Poland and Slovakia are set out in ADD 1 to this document.

Employment and Social Policy

78. Directive on standards for equality bodies (Article 157)  16772/23 + 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.

Statements by Austria and Hungary are set out in ADD 1 to this document.

Transport

79. Revision of the Regulation on Union guidelines for the development of the trans-European transport network (TEN-T) 
Presidency debriefing on the outcome of the trilogue

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

80. Directive amending Directive (EU) 2015/413 facilitating cross-border exchange of information on road-safety-related traffic offences 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 14 December 2023.

Agriculture and Fisheries

81. Meeting of the Council (Agriculture and Fisheries) on 23 January 2024: Agenda
(For the items in the remit of the Permanent Representatives Committee)

The incoming Belgian Presidency presented the main items on the agenda.

FRIDAY 22 DECEMBER 2023

Employment and Social Policy

82. Directive on improving working conditions in platform work  16187/23
Analysis of the final compromise text with a view to agreement + ADD 1-2

The Committee did not endorse the final compromise text. The file will be taken forward by the Belgian Presidency.

Internal Market and Industry

69. (continuation) Regulation on type-approval of motor vehicles  16960/1/23 REV 1
and engines and of systems, components and separate technical
units intended for such vehicles, with respect to their emissions
and battery durability (Euro 7)
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.

84. Revision of the Regulation on classification, labelling and  16721/1/23 REV 1
packaging of substances and mixtures (CLP)
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.

Statement by Poland

“Polska jest przekonana, że nowe propozycje wprowadzone do znowelizowanego Rozporządzenia CLP są wprowadzane w celu ochrony zdrowia ludzkiego i środowiska, a także swobodnego przepływu substancji, mieszanin i wyrobów.

Wszelkie odstępstwa, zwłaszcza te proponowane dla substancji zawierających więcej niż jeden składnik (MOCS) ekstrahowanych z roślin lub części roślin spowodują, że substancje objęte wyłączeniem, będą fałszywie uważane za bezpieczne i wolne od substancji o działaniu rakotwórczym, mutagennym lub działających szkodliwie na rozrodczość (CMR).

Jest to niezgodne z podejściem zakomunikowanym w Strategii w zakresie chemikaliów na rzecz zrównoważoności na rzecz nietoksycznego środowiska (CSS). Substancje, które mogą mieć właściwości CMR, ale są wyłączone z ogólnej klasyfikacji MOCS, będą wówczas stosowane bez żadnych ograniczeń przez konsumentów np. w produktach kosmetycznych, liquidach do e-papierosów, czy żywności. Polska uważa, że spowoduje to znaczne obniżenie poziomu bezpieczeństwa i zdrowia ludzi.

Biorąc pod uwagę powyższe, Polska podkreśla, że powrót do kwestii uregulowania sposobu klasyfikacji MOCS jest niezbędny przy kolejnej rewizji Rozporządzenia CLP.”

Courtesy translation

“Poland is convinced, that the new proposals introduced to the revised CLP Regulation are introduced in order to protect the human health and the environment as well as the free movement of substances, mixtures and articles.

Any derogation, and especially the one proposed for substances containing more than one constituent (MOCS) extracted from plants or plant parts, will lead to false consideration that those substances are not carcinogenic, mutagenic or toxic to reproduction (CMR).

This is also inconsistent with the approach communicated in the Chemicals Strategy for Sustainability Towards a Toxic-Free Environment (CSS). Substances that may have CMR properties, but are exempt from the general classification for MOCS will then be used without any restrictions by consumers, e.g. in cosmetic products, e-cigarette liquids or food. Poland believes that this will significantly reduce the level of human safety and health.

For the reasons stated above Poland underlines that a return to the issue of regulating the classification of the MOCS is necessary for the next revision of the CLP Regulation.”

83. Regulation establishing a framework for setting ecodesign requirements for sustainable products and repealing Directive 2009/125/EC

 16723/23

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.

Energy

99. 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  16964/23
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 Hungary is set out in ADD 1 to this document.

COREPER (PART 2)

MONDAY 18 DECEMBER 2023

General Affairs

2. AMLA seat selection procedure ☐C
Information from the Presidency
Guidance for further work

The Committee prepared the interinstitutional political meeting.

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

Economic and Financial Affairs

3. Informal videoconference of the Ministers of the Economy and Finance on 20 December 2023: Preparation

The Committee prepared the informal videoconference of the Ministers of the Economy and Finance.

14. **Transferred from Wednesday's meeting**
Meeting of the Council (Economic and Financial Affairs)
on 16 January 2024: Agenda

The incoming Belgian Presidency presented the main items on the agenda.

Justice and Home Affairs

4. Pact on Migration and Asylum¹ ☐C 16775/23
State of play and guidance for further work

The Committee prepared the forthcoming trilogues.

WEDNESDAY 20 DECEMBER 2023

General Affairs

5. European Council on 14-15 December 2023: Follow-up
State of play

The Committee took note of the main outcomes of the European Council and the intended next steps.

¹ Exceptionally, in the presence of the Schengen Associated States

7. Meeting of the Council (General Affairs) on 12 December 2023:
Follow-up

The Committee took note of Poland's support to the Presidency conclusions on the annual rule of law dialogue.

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

2. AMLA seat selection procedure
Debriefing
Guidance for further work



The Presidency debriefed on the successful outcome of the political meeting of 18 December 2023 and took note of the information provided by the Presidency and the incoming Presidency on the intended next steps.

Foreign Affairs

8. EU-China summit (Beijing, 7 December 2023): Follow-up
Exchange of views

The Committee took note of the information provided by the cabinet of the President of the European Council and held an exchange of views.

9. EU-Western Balkans summit (Brussels, 13 December 2023)
Debriefing

The Committee took note of the information provided by the cabinet of the President of the European Council and held an exchange of views.

10. Global Gateway
Exchange of views

15959/23

The Committee took note of the information provided by the Commission and held an exchange of views.

12. Meeting of the Council (Foreign Affairs) on 22 January 2024:
Agenda

The EEAS presented the main items on the agenda.

The Committee agreed to the participation of the Foreign Minister of Ukraine for the item on Russian aggression against Ukraine, and the Secretary General of Arab League, as well as the Foreign Ministers of Saudi Arabia, Egypt, Jordan, Palestine² and Israel for the item on the Middle East.

² This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

Justice and Home Affairs

15. Regulation amending the Interim Regulation (EU) 2021/1232 on  16569/23
child sexual abuse
Mandate for negotiations with the European Parliament

The Committee agreed on a mandate for negotiations with the European Parliament.

16. The external dimension of migration: MOCADDEM action files
on the Eastern Mediterranean route, Tunisia, Libya, and Bosnia
and Herzegovina
Exchange of views

The Committee held an exchange of views.

17. Revision of the Single Permit Directive  16729/23 + ADD 1
Analysis of the final compromise text with a view to agreement

The Committee agreed on the outcome of negotiations. Czech Republic, Finland and Hungary could not support and Croatia and Estonia abstained.

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

4. Pact on Migration and Asylum³ 
Outcome of the trilogues

The Presidency debriefed on the successful outcome of the trilogues.

THURSDAY 21 DECEMBER 2023 (10.00)

Economic and Financial Affairs

18. Informal videoconference of the Ministers of the Economy and
Finance on 20 December 2023: Follow-up

The Committee took note of the follow-up to the informal videoconference.

19. Economic governance review 16895/23
a) Regulation on the effective coordination of economic  15874/4/23 REV 4
policies and multilateral budgetary surveillance + ADD 1 REV 1
Mandate for negotiations with the European Parliament
- b) Regulation on speeding up and clarifying the  15876/4/23 REV 4
implementation of the excessive deficit procedure
*Agreement in principle with a view to consulting the
European Parliament*

³ Exceptionally, in the presence of the Schengen Associated States

- c) Directive on requirements for budgetary frameworks of the Member States
Agreement in principle with a view to consulting the European Parliament

C 15396/4/23 REV 4

The Committee approved the mandate for negotiation with the European Parliament on the Regulation on the effective coordination of economic policies and multilateral budgetary surveillance and agreed in principle on the two other acts with a view to consulting the European Parliament.

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

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

EU response to the situation in the Middle East

The Committee took note of the information provided by the Presidency about the work of the IPCR.

Non-discussion items "I"COREPER (PART 1)WEDNESDAY 20 DECEMBER 2023Institutional Affairs85. **Minutes of Council meetings***Approval*

AGRIFISH 23-24.10.2023

14692/23 + ADD 1
+ ADD 1 COR 1

ENV 16.10.2023

14219/23
+ COR 1-2
+ ADD 1**Appointments**

86. One alternate member (IE) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions

16557/23
SOC*Adoption***Other**

87. List of Working Parties and Committees which will be officially organised in Belgium under the Belgian Presidency (first half of 2024)

16737/1/23 REV 1
POLGEN*Information note*Agriculture

88. Council Regulation on maximum residue levels for thiacloprid
-
- Confirmation of delegations' positions*

16687/23
AGRILEGFisheries

89. Regulation amending various regulations as regards the targets for fixing fishing opportunities
-
- Mandate for negotiations with the European Parliament*

16718/23
16720/23
PECHE

FRIDAY 22 DECEMBER 2023

Energy

91. Ministerial Conclusions of the High-Level Group of Central and South Eastern Europe Energy Connectivity 16773/23 + COR 1
Authorisation to sign an NBI ENER

Foreign Affairs

92. Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in Mali  16583/23
Adoption 16580/23
Decision to use the written procedure 16582/23
CORLX
93. Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine – reply letter  16945/23
Approval CORLX
Decision to use the written procedure

COREPER (PART 2)

MONDAY 18 DECEMBER 2023

General Affairs

20. Council Implementing Decision to grant the UK an extension to derogate from Articles 16 and 168 of the VAT Directive in respect of Northern Ireland
Adoption
Decision to use the written procedure
-  16446/23
 16425/23
UK

Justice and Home Affairs

21. Directive against strategic lawsuits against public participation ("anti-SLAPP Directive")
Confirmation of the final compromise text with a view to agreement
-   16339/23
16344/23
JUSTCIV

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

EU positions for international negotiations

22. Council Decision on the EU position to be taken in the EU-UK Partnership Council as regards the transitional product-specific rules for electric accumulators and electrified vehicles
Adoption
Decision to use the written procedure
-  16358/23
 16357/23 + ADD 1
UK

A joint statement by Poland, Hungary, Slovakia, the Czech Republic, Bulgaria, Romania is set out in ADD 1 to this document.

WEDNESDAY 20 DECEMBER 2023

Judicial Affairs

23. Case C-702/23 P (Appeal against the judgment of the Court in case T-252/22)
Information note
- 16719/23
JUR
24. Case C-703/23 P (Appeal against the judgment of the Court in case T-361/22)
Information note
- 16751/23
JUR
25. Case C-704/23 P (Tigran Khudaverdyan v. Council)
Information note
- 16352/23
JUR

Institutional Affairs

Other

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| 26. | Attendance of third parties at the Working Party on Development Cooperation and International Partnerships in the second half of 2023
<i>Information note</i> | 16842/23
DEVGEN |
| 27. | Attendance of third parties at the Working Party on the 2030 Agenda for Sustainable Development in the second half of 2023
<i>Information note</i> | 16847/23
SUSTDEV |
| 28. | Attendance of third parties at the Budget Committee on 12 January 2024
<i>Approval</i> | 16799/23
FIN |
| 29. | Attendance of a third party at the Horizontal Working Party on Enhancing Resilience and Countering Hybrid Threats (HWP ERCHT) on 15 January 2024
<i>Approval</i> | 16861/23
HYBRID |
| 30. | Attendance of third parties at Working Party on Development Cooperation and International Partnerships (CODEV-PI) during the Belgian Presidency
<i>Approval</i> | 16838/1/23 REV 1
DEVGEN |
| 31. | Attendance of third parties at the Political and Security Committee (PSC) and external action working parties, or in the margins of such meetings from 1 January to 30 June 2024
<i>Approval</i> | 16084/23
COPS |
| 32. | Attendance of third parties at the preparatory bodies of the Council and at the informal videoconferences in the field of Justice and Home Affairs during the Belgian Presidency
<i>Approval</i> | 16536/23
JAI |
| 33. | Attendance of third parties at the Working Party on Humanitarian Aid and Food Aid (COHAFA) during the Belgian Presidency
<i>Approval</i> | 16856/1/23 REV 1
COHAFA |

Transparency

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| 34. | Access to document request 23/3200
<i>Decision to make the statements public</i> |  16685/23
COLAC |
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Economic and Financial Affairs

35. New Maltese commemorative coin
Information note 15991/23
UEM
36. New Portuguese commemorative coins
Information note 16189/23
UEM
37. New Italian commemorative coins
Information note 16317/23
UEM
38. ECA SR No 28/2023 on public procurement in the EU
Designation of a Working Party
Attendance of the European Court of Auditors at the working party meeting  16836/23
FIN
39. Payment services:
a) Payment services Directive
b) Payment services Regulation
Progress report   16932/1/23 REV 1
16676/23
EF
40. Retail Investment Strategy:
a) Retail Investment Regulation (PRIIPs)
b) Retail Investment Omnibus Directive
Progress report   16678/23 + ADD 1
EF
41. Open Finance: framework for Financial Data Access (FIDA)
Progress report   16931/23
16665/23
EF
42. Regulation on environmental, social, and governance (ESG) ratings
Mandate for negotiations with the European Parliament   16711/23
EF
43. Daisy Chains Directive
Confirmation of the final compromise text with a view to agreement   16447/23
16448/23
EF
44. Financial Regulation (Recast)
Confirmation of the final compromise text with a view to agreement   16800/23
+ ADD 1-2
+ ADD 1 COR 1
FIN
- A statement by Hungary is set out in ADD 1 to this document.
45. Crisis Management and Deposit Insurance (CMDI) framework review
Report by the Presidency   16930/23
16675/23
EF

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| 46. | Benchmarks Regulation 2023
<i>Mandate for negotiations with the European Parliament</i> |  | 16780/23
16782/23
EF |
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A statement by Bulgaria is set out in ADD 1 to this document.

General Affairs

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| 47. | Regulation on the transparency and targeting of political advertising
<i>Confirmation of the final compromise text with a view to agreement</i> |  | 16771/23
AG |
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Statements by France and the Commission are set out in ADD 1 to this document.

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| 48. | EP Resolutions and Decisions (December 2023)
<i>Information note</i> | | 16762/23
PE-RE |
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| 49. | Decision for an empowerment to France to negotiate, sign and conclude an agreement with the UK regarding the Channel Fixed Link
<i>Confirmation of the final compromise text with a view to agreement</i>
<i>Approval of a letter</i> | 
 | 16333/23
UK |
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| 50. | Access to the Integrated Situational Awareness and Analysis (ISAA) reports on the situation in the Middle East to Schengen associated countries
<i>Approval</i> | | 16792/23
IPCR |
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| 51. | Review of the EU working arrangements for the FAO: Presidency progress report
<i>Approval</i> | | 16436/23
FAO |
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| 53. | Implementation of the Interinstitutional Agreement on Better Law-Making
<i>State of play</i> | | 15496/23
INST |
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| 54. | Lessons Report on the activations of the IPCR for the COVID-19 pandemic and for the earthquakes in Turkey and Syria
<i>Information note</i> | | 16797/23
IPCR |
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| 55. | Extension of the mandate of the ad hoc Working Party on preparedness, response capability and resilience to future crisis (AHWP Resilience) until 30 June 2024
<i>Approval</i> | | 16804/23
IPCR |
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Justice and Home Affairs

56. Regulation to prevent and combat child sexual abuse
Progress report  16098/23
ENFOPOL
57. Directive on the definition of criminal offences and penalties for
the violation of Union restrictive measures  16758/23 + COR 1
*Confirmation of the final compromise text with a view to
agreement* COPEN
58. Main achievements at EU level in the field of civil protection
Report by the Presidency 16849/23
PROCIV

Foreign Affairs

59. Memorandum of Understanding on enhanced cooperation
between the European Union and the Government of the Faroe
Islands 16520/23
Authorisation to sign an NBI FEROE
60. Council Implementing Decision and Implementing Regulation
concerning restrictive measures in view of the situation in the
Democratic Republic of the Congo  16902/23
Adoption 13670/23
Decision to use the written procedure 13673/23
CORLX
95. Restrictive measures in view of the situation in Belarus and the
involvement of Belarus in the Russian aggression against
Ukraine: pre-notifications  12038/23
Approval CORLX
Decision to use the written procedure
96. Restrictive measures in respect of actions undermining or
threatening the territorial integrity, sovereignty and
independence of Ukraine: pre-notifications  16512/23
Approval CORLX
Decision to use the written procedure
97. Restrictive measures in view of Russia's actions destabilising the
situation in Ukraine: pre-notifications  16537/23
Approval CORLX
Decision to use the written procedure

98. Council Decision and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine <i>Adoption</i> <i>Decision to use the written procedure</i>	 16828/23 16825/23 16827/23 CORLX
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61. Syria restrictive measures: coordination with third countries <i>Approval</i>	16855/23 MAMA
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Other items

62. Cryptographic products in use for the protection of EU classified information <i>Approval</i>	16465/23 R-UE CSCI CSC
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-  First reading
 -  Special legislative procedure
 -  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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