

Brussels, 7 February 2022  
(OR. en)

5929/22  
CRS CRP 3

**SUMMARY RECORD**  
PERMANENT REPRESENTATIVES COMMITTEE  
19, 20 and 21 January 2022

**I. Adoption of the agenda**

5348/1/22 REV 1 OJ CRP1 3  
5367/2/22 REV 2 OJ CRP2 3 COMIX 26

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)**

**Employment and Social Policy**

2. Directive on adequate minimum wages in the European Union  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 13 January 2022.

**Telecommunications**

3. Directive on measures for a high common level of cybersecurity  
across the Union  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 13 January 2022.

## **COREPER (PART 2)**

**THURSDAY 20 JANUARY 2022**

### **Justice and Home Affairs**

17. Europol  
*Exchange with the Executive Director*

The Committee held an exchange of views with the Director of Europol.

### **General Affairs**

18. Council meeting (General Affairs) on 25 January 2022:  
preparation

- (a) EU-UK relations  
*State of play*

The Committee took note of the information provided by Commissioner Šefčovič on the latest developments of the discussions with the UK.

Commissioner Šefčovič also informed the Committee on the state of play of discussions with Switzerland.

- (b) Other items in connection with the Council meeting

No items were raised under this heading.

## **FRIDAY 21 JANUARY 2022**

### **Justice and Home Affairs**

#### 19. COVID-19 coordination – Revision of the Council Recommendation on intra-EU travel

- (a) Council Recommendation on a coordinated approach to facilitate safe free movement during the COVID-19 pandemic and replacing Recommendation (EU) 2020/1475  
*Adoption* 5318/1/22 REV 1

#### Statement by the Commission

“The Commission considers that, in accordance with the principle of proportionality, the movement of EU citizens from green areas, where the virus is circulating at very low level and thus the risk of infection is consequently limited, should not be subject to stricter requirements than set under Recommendation (EU) 2020/1475 as adopted before the rollout of the COVID-19 vaccination. This is without prejudice to the possible application of an emergency brake.

In addition, the Commission maintains its position, as expressed in the Communication of 1 December 2021 on addressing together current and new COVID-19 challenges, that the emergence of the Omicron variant of concern underlines the need for all Member States to put in place effective passenger locator forms to stem the spread of COVID-19.”

#### Statement by Portugal

“Portugal supports the Presidency proposal for the revision of Council Recommendation 2020/1475. Nevertheless, Portugal considers that the validity of rapid antigen tests for the purposes of a test certificate issued in line with Regulation 2021/953, as set out in this proposal – 24h – is too short. For technical reasons, this shortened validity could, in some cases, lead to operational difficulties in creating the test certificates for timely upload into the EU Digital COVID certificate.”

- (b) Council Recommendation amending Council Recommendation (EU) 2020/1632 as regards a coordinated approach to facilitate safe travel during the COVID-19 pandemic in the Schengen area  
*Adoption* 5319/1/22 REV 1

The Committee agreed on the revised text of the two Recommendations and agreed to submit them to the Council for adoption as A items.

## Foreign Affairs

20. Council meeting (Foreign Affairs) on 24 January 2022:  
preparation

(a) Current affairs

The Committee prepared this item for the Council meeting.

(b) Libya  
*Exchange of views*

The Committee prepared this item for the Council meeting.

(c) Syria  
*Exchange of views*

The Committee prepared this item for the Council meeting.

(d) Security situation in Europe  
*Exchange of views*

The Committee prepared this item for the Council meeting and agreed to change the name of the agenda item to “European security situation”.

(e) Council conclusions on the security situation in Europe 5416/22  
*Approval*

The Committee prepared this item for the Council meeting and agreed to change the name of the conclusions to “European security situation” and to submit them to the Council for adoption as A item.

(f) Other items in connection with the Council meeting

The Committee took note of the information provided by the EEAS and agreed on the participation of US Secretary of State via videoconference for an informal exchange of views after the agenda item on the European security situation.

21. EU-AU Summit (Brussels, 17-18 February 2022)  
*State of play and guidance for further work*

The Committee took note of the state of play of the organisation/preparations of the Summit notably on migration and mobility.

The Committee will revert to the preparation of the Summit at its next meeting.

22. Implementation of the EU strategy for cooperation in the Indo-Pacific  
*Exchange of views*

The Committee held an exchange of views and agreed to revert on this issue at one of its next meetings.

23. Regulation on the public procurement reciprocity instrument  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 18 January 2022 and announced that the Committee will revert on this issue at its meeting on 9 February 2022.

### **Economic and Financial Affairs**

24. Regulation on digital operational resilience for the financial sector (DORA Regulation) 5297/22  
*Preparation for the trilogue*  
*Information from the Presidency*

The Committee prepared the forthcoming trilogue on 25 January 2022.

25. Council meeting (Economic and Financial Affairs) on 18 January 2022: follow-up

The Committee took note of the intended follow-up.

**IV. Any other business**

**COREPER (PART 1)**

‘Higher education’ package of 18 January 2022

*Presentation by the Commission*

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

Unified Patent Court

*Information from the Presidency*

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

**COREPER (PART 2)**

Republic of North Macedonia

The Committee took note of the information provided by Bulgaria.

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**"I" items approved****COREPER (PART 1)****Institutional affairs****Appointments**

- |    |                                                                                                                                                              |                             |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| 4. | One member (DE) of the Advisory Committee on Safety and Health at Work<br><i>Adoption</i>                                                                    | 5126/22 + COR 1<br>SOC      |
| 5. | One member (DE) of the Management Board of the European Agency for Safety and Health at Work<br><i>Adoption</i>                                              | 5129/22<br>SOC              |
| 6. | One member (AT) of the Advisory Committee on Freedom of Movement for Workers<br><i>Adoption</i>                                                              | 5270/22<br>SOC              |
| 7. | One member (LU) of the Management Board of the European Centre for the Development of Vocational Training<br><i>Adoption</i>                                 | 5336/22<br>SOC              |
| 8. | One alternate member (LU) of the Management Board of the European Centre for the Development of Vocational Training<br><i>Adoption</i>                       | 5338/22<br>SOC              |
| 9. | Appointment of two members and three alternates to the Administrative Board of the Agency for the Cooperation of Energy Regulators (ACER)<br><i>Adoption</i> | 5189/22<br>14721/21<br>ENER |

**Other**

- |     |                                                                                                                                                      |                   |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 10. | Attendance of third parties at the Research Working Party meeting on 27 January 2022<br><i>Approval</i>                                              | 5251/22<br>RECH   |
| 11. | Attendance of a third party at the Social Questions Working Party meeting on 3 February 2022<br><i>Approval</i>                                      | 5254/22<br>SOC    |
| 12. | Attendance of a third party at the Working Party on Maritime Issues (EU Maritime Security Strategy) during the first half of 2022<br><i>Approval</i> | 5195/22<br>POLMAR |

## **Judicial Affairs**

13. Case C-545/20 R (Republic of Bulgaria v European Parliament and Council) 5263/22  
*Information note for the Permanent Representatives Committee (Part 1)* JUR
14. Case C-547/20 R (Romania v European Parliament and Council) 5194/22  
*Information note for the Permanent Representatives Committee (Part 1)* JUR

## **Health**

15. Regulation on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices 5247/22 + ADD 1  
*Adoption of the legislative act* SAN

### **Statement by Hungary**

“Hungary recognizes and promotes equality between men and women in accordance with the Fundamental Law of Hungary, and the primary law, principles and values of the European Union, as well as the commitments and principles stemming from the international law. Furthermore, equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the concept of ‘gender’ as reference to ‘sex’, in the Regulation of the European Parliament and of the Council on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices.”

## **Transport**

16. Council Decision on the conclusion of the Protocol to amend the Air Transport Agreement between the United States of America and the European Community and its Member States 5034/22 + COR 1  
*Adoption* 6385/21  
9913/2/10 REV 2  
+ COR 3-4  
AVIATION



## **COREPER (PART 2)**

### **VENDREDI 21 JANVIER 2022**

#### **Judicial Affairs**

26. Case T-614/21 (KPMG Advisory SpA v Commission) 5285/22  
*Information note for the Permanent Representatives Committee* JUR  
*(Part 2)*

#### **Institutional affairs**

##### **Other**

27. Attendance of a third party at the meeting of the subgroup 5267/22  
CONOP on 25 January 2022 CONOP  
*Approval*
28. Attendance of a third party at the meeting of the subgroup 5292/22  
COARM on 26 January 2022 COARM  
*Approval*
29. Attendance of a third party at the meeting of the Working Party 5192/22  
on General Affairs on 25 January 2022 INST  
*Approval*
30. Attendance of a third party at an informal video conference of 5326/22  
RELEX/Sanctions on 26 January 2022 CORLX  
*Approval*
31. Attendance of a third party at the meeting of the Working Party 5363/22  
on International Environmental Issues – Desertification on 24 WPIEI  
January 2022  
*Approval*
32. Attendance of a third party at an informal meeting of the 5397/22  
members of the Political and Security Committee on 25 January COPS  
2022 POLMIL  
*Approval*

## **Economic and Financial Affairs**

33. Commemorative two-euro coin from Slovakia 14864/21  
UEM
34. Council Implementing Decision amending Implementing Decision (EU) 2020/1561 granting temporary support pursuant to Regulation (EU) 2020/672 to Hungary to mitigate unemployment risks in the emergency following the COVID-19 outbreak 5227/22 + ADD 1  
15256/21  
FIN  
*Adoption*
35. Council Implementing Decision amending Implementing Decision (EU) 2020/1354 granting temporary support pursuant to Regulation (EU) 2020/672 to the Portuguese Republic to mitigate unemployment risks in the emergency following the COVID-19 outbreak 5228/22 + COR 1  
+ ADD 1  
5059/22  
FIN  
*Adoption*
36. Council Implementing Decision authorising France to introduce a VAT derogation 5229/22 + COR 1  
15026/21  
FISC  
*Adoption*
37. 2021 annual report by the European Statistical Governance Advisory Board (ESGAB) 5136/22  
5137/22  
STATIS
38. Transfer No DEC 30/2021 (Section III – Commission) 5206/22  
5006/22  
FIN  
*Approval*

## **General Affairs**

39. Revision of the Regulation on the statute of European political parties and European political foundations 5190/22  
INST  
*Decision to consult an institution or body*

## **Justice and Home Affairs**

40. Directive amending Council Framework Decision 2002/465/JHA, as regards its alignment with EU rules on the protection of personal data 5258/22  
PE-CONS 77/21  
COPEN  
*Adoption of the legislative act*
41. Directive amending Directive 2014/41/EU, as regards its alignment with EU rules on the protection of personal data 5259/22  
PE-CONS 78/21  
COPEN  
*Adoption of the legislative act*

## Foreign Affairs

- |     |                                                                                                                                                                                                                                 |                                           |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 42. | Council Decision and Implementing Regulation concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia<br><i>Decision to use the written procedure for the adoption</i> | 15140/21<br>15137/21<br>15139/21<br>CORLX |
| 43. | PSC Decision EUTM RCA/1/2022 – appointment of Force Commander<br><i>Decision to publish in the Official Journal</i>                                                                                                             | 5132/22<br>14529/21<br>PSC DEC            |
| 44. | Conclusions on EU Priorities in UN Human Rights Fora 2022<br><i>Approval</i>                                                                                                                                                    | 5202 22<br>COHOM                          |

### Joint statement by Poland and Hungary

“Poland and Hungary understand the formulation “gender equality” as referring to the equality between women and men, in line with art. 2 of the Treaty on European Union and art. 23 of the Charter of Fundamental Rights of the EU.”

### Statement by Hungary

#### “Paragraph 9

Hungary appreciates and highly values EU unity at the UN Human Rights Fora and supports the elaboration of common EU positions on international human rights matters, including on issues reflected in the Council Conclusions on EU Priorities in UN Human Rights Fora 2022. Hungary’s commitment in this regard is demonstrated by our decision to join consensus on the above Council Conclusions, however, we would like to emphasise that Hungary joined consensus on paragraph 9 only for the sake of maintaining EU unity and that we continue to consider elements of said paragraph unbalanced and not serving the strategic interests of the EU and its Member States. Therefore, Hungary does not consider this paragraph and its specific elements as agreed language for future negotiations.

#### Paragraph 17

The adoption of the Programme of Action of the International Conference on Population and Development (ICPD) and the Beijing Platform for Action of the Fourth World Conference on Women marked a remarkable consensus. They placed the enjoyment of human rights at the heart of development and important gains in the fields of health, equality between men and women and education have been achieved since their adoption. These fields are at the core of the 2030 Agenda for Sustainable Development incorporating as founding principles the universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination.

Hungary remains dedicated to its human rights commitments, including the protection and promotion of women’s rights and equality between men and women. Hungary is deeply committed to the implementation of the ICPD Programme of Action and Beijing Platform for Action as well as the 2030 Agenda, serving also as basic references in the fields of sexual and reproductive health and reproductive rights. Hungary notes, that the term of “sexual and reproductive health and rights (SRHR)” and related issues, like “sexual rights”, “comprehensive sexuality education”, “modern methods of contraception”, “emergency contraception”, are lacking consensual definition at international level, including within the

European Union. These issues are interpreted and promoted by Hungary in the context of the 2030 Agenda, the ICPD Programme of Action and the Beijing Declaration and Platform for Action and in line with its national legislation.”

46. Stabilisation and Association Council between the European Union and Serbia, 25 January 2022  
*Establishment of the EU position* 5287/22  
RS

Statement by Poland

“Poland understands the formulation “gender equality” as referring to the equality between women and men, in line with art. 2 of the Treaty on European Union and art. 23 of the Charter of Fundamental Rights of the EU.”

47. Conclusions of the UN-EU Strategic Partnership  
*Approval* 5274/22 + COR 1  
5269/22  
POLMIL

Joint statement by Poland and Hungary

“Poland and Hungary understand the formulation “gender equality” as referring to the equality between women and men, in line with art. 2 of the Treaty on European Union and art. 23 of the Charter of Fundamental Rights of the EU.”

48. ‘One Ocean’ Summit – political declaration  
*Approval* 5180/22  
COMAR
50. Yemen restrictive measures – Draft letter to lawyers  
*Approval* 5300/22  
CORLX
51. EU–US Trade and Technology Council: state of play in the working groups 5428/22  
TTC
54. Joint Statement with the United States of America in the framework of the EU-US Energy Council  
*Authorisation to negotiate an NBI* 5375/22  
COTRA

## EU positions for international negotiations

- |     |                                                                                                      |                             |
|-----|------------------------------------------------------------------------------------------------------|-----------------------------|
| 52. | Council Decision on the EU position on the extension of the EU-Israel Action Plan<br><i>Adoption</i> | 5239/22<br>15022/21<br>MAMA |
|-----|------------------------------------------------------------------------------------------------------|-----------------------------|

### Statement by the Commission

“The Commission considers that the Council Decision should be addressed to the Commission and the High Representative, 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, or in the case of CFSP, of the High Representative in accordance with Article 27(2) TEU.

The Commission reserves all its rights in this regard.”

- |     |                                                                                                  |                             |
|-----|--------------------------------------------------------------------------------------------------|-----------------------------|
| 53. | Council Decision on the EU position on the extension of the EU-PA Action Plan<br><i>Adoption</i> | 5240/22<br>15056/21<br>MAMA |
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