Council of the
European Union

Brussels, 20 March 2023
(OR. en)

7231/23
PV CONS 9
EDUC 89
JEUN 50
CULT 33
AUDIO 25
SPORT 6

DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION
(Education, Youth, Culture and Sport)

7 March 2023

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1. Adoption of the agenda

The Council adopted the agenda set out in 6726/23.

2. Approval of 'A' items

a) Non-legislative list 6784/23

The Council adopted the "A" items listed in 6784/23 including COR and REV documents presented for adoption.

b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union) 6785/23

Health

1. Regulation amending Regulations (EU) 2017/745 and (EU) 2017/746 as regards transitional provisions for certain medical devices (MDR) and in vitro diagnostic medical devices (IVDR) C 1 6728/23 PE-CONS 1/23 SAN

Adoption of the legislative act
Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU
approved by Coreper, Part **1**, on 1.3.2023

The Council approved the European Parliament's position at first reading and the proposed act was adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 114 and 168(4) TFEU).

The Council agreed to derogate from the eight- week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments

Space

2. Regulation establishing the Union Secure Connectivity Programme for the period 2023-2027 C 1 6425/23 + ADD 1 + ADD 2 REV 1 PE-CONS 65/22 ESPACE

Adoption of the legislative act
approved by Coreper, Part **1**, on 1.3.2023

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article Article 189(2)TFEU). Statements to this item are set out in Annex.

General Affairs

3. Regulation on autonomous measures in the implementation of the TCA and the Withdrawal Agreement C1 6715/23 + ADD 1
PE-CONS 77/22
UK
Adoption of the legislative act
approved by Coreper, Part 2, on 1.3.2023

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 43(2), 91(1), 100(2), 173(3), 182(5), 188, 189(2) and 207(2) TFEU). A statement to this item is set out in Annex.

Economic and Financial Affairs

4. Regulation on European long-term investment funds (ELTIF) C1 6431/23
PE-CONS 69/22
EF
Adoption of the legislative act
approved by Coreper, Part 2, on 1.3.2023

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 114 TFEU).

Non-legislative activities

3. Conclusions on skills and competences for the green transition
Approval
6416/23 + ADD 1-2 **+ REV 1 (fr, de, fi, lv, hu, sl, hr)**

4. High-quality teachers - the cornerstone of a successful European Education Area: Teacher shortages and the challenge of attracting, upskilling and retaining qualified and well-trained teachers and trainers
Policy debate
[2] 6680/23

The Council held a policy debate on the above topic on the basis of a background document prepared by the Presidency (6680/23). Ideas were exchanged on the concrete issues or challenges existing at national level regarding teachers which could be fruitfully discussed in the context of the European Education Area and the added value of further cooperation on this specific issue in a European context. Delegations also discussed about actions which could be taken at the European level to contribute to the challenge of attracting, upskilling and retaining qualified and well-trained teachers and trainers.

Any other business

5. Day of European Authors
Information from the Commission
[2] 6504/23

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

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[1] First reading

[2] Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)

[C] Item based on a Commission proposal

ANNEX

Statements to the legislative "A" items set out in 6785/23

Ad "A" item 2: **Regulation establishing the Union Secure Connectivity Programme for the period 2023-2027**
Adoption of the legislative act

JOINT POLITICAL STATEMENT BY THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION ON THE FINANCING OF THE UNION SECURE CONNECTIVITY PROGRAMME FOR THE PERIOD 2023-2027

"The European Parliament and the Council agree, without prejudice to the prerogatives of the budgetary authority in the framework of the annual budgetary procedure, that the financing of the Union Secure Connectivity Programme for the period 2023-2027 will indicatively be covered in the years 2023-2027 as follows:

- EUR 200 million from the unallocated margins from Heading 1 and Heading 5;
- EUR 1,450 million from contributions from Heading 1, Heading 5 and Heading 6."

JOINT POLITICAL STATEMENT BY THE EUROPEAN PARLIAMENT, THE EUROPEAN COMMISSION AND THE COUNCIL OF THE EUROPEAN UNION ON THE RE-USE OF DECOMMITTED FUNDS IN HORIZON EUROPE

"In the Joint Declaration on the re-use of decommitted funds in relation to the research programme[1] the European Parliament, the Council and the Commission agreed to make available again to the benefit of the research programme commitment appropriations, corresponding to the amount up to EUR 0,5 billion (in 2018 prices) in the period 2021-2027 of decommitments, which results from total or partial non-implementation of projects belonging to the 'Horizon Europe' Framework Programme or its predecessor 'Horizon 2020'[2], as provided for in Article 15(3) of the Financial Regulation.

[1] OJ C 444 I, 22.12.2020, p. 3.
[2] Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104).

In the statement[3] on Regulation (EU) 2021/695 of the European Parliament and of the Council of 28 April 2021 establishing Horizon Europe – the Framework Programme for Research and Innovation, laying down its rules for participation and dissemination, and repealing Regulations (EU) No 1290/2013 and (EU) No 1291/2013(1), the European Parliament, the Council and the Commission agreed on an indicative distribution of that amount that will be up to EUR 300 000 000 in constant 2018 prices for the cluster 'Digital, Industry and Space' in particular for quantum research.

Without prejudice to the powers of the budgetary authority in the framework of the annual budgetary procedure and to the Commission's powers to implement the budget, **the European Parliament, the Council and the Commission** agree that, within the cluster on 'Digital, Industry and Space' of Horizon Europe, an indicative amount of EUR 200 000 000 in constant 2018 prices will be allocated to secure connectivity research activities."

STATEMENT BY THE HELLENIC REPUBLIC

"Greece was from the very beginning a strong supporter of the Commission's secure connectivity initiative and welcomes the swift completion of the Regulation establishing the Union Secure Connectivity Programme for the period 2023-2027 and hopefully beyond.
Connectivity is a core political priority for Greece and this has been reflected in its RRF programme. Blending space and terrestrial infrastructure can provide connectivity in a secure and resilient manner, which is necessary for our governments, economy and society. Greece has its own GOVSATOM system ("GreeCom"), participates actively in EU programes such as Galileo, Copernicus and EuroQCI, is one of the members of the SST Consortium and has launched a national microsatellite project aiming to strengthen and maximise the engagement of all space actors, utilise and expand its infrastructure and respond to the needs for secure connectivity.
In this spirit, Greece underlines the need to ensure a balanced distribution of the Union Secure Connectivity Programme's capacities among the Member States and stresses the absolute necessity to guarantee the interoperability and the complementarity of the Union Programme with the national relevant activities, capacities and infrastructure during the preparation, the development, the implementation and the running of the Programme."

[3] OJ C 185/1, 12.5.2021, p.1.

STATEMENT BY THE REPUBLIC OF CROATIA

"The Republic of Croatia expresses its full support for the adoption of the Regulation of the European Parliament and of the Council establishing the Union Secure Connectivity Programme for the period 2023-2027.

However, the Republic of Croatia reiterates its discontent with the current Croatian linguistic version of the proposal for the Regulation, i.e. with the Croatian equivalent of the English term "cyber" and its derivatives into the Croatian language[1], an issue which we have continuously raised on several levels within the Council during the last few years.

The current Croatian version of the proposal for the Regulation uses terminology that is non-existent in Croatian cyber legislation and professional use, thus creating confusion and undermining legal certainty, coherence and clarity.

The Republic of Croatia reiterates its position that the terminology used by the EU institutions should be aligned with already existing national legal terminology in order to ensure legal certainty.

The Republic of Croatia remains committed to promoting secure communications with a new constellation of satellites and continues to support the adoption of the Regulation."

Ad "A" item 3: **Regulation on autonomous measures in the implementation of the TCA and the Withdrawal Agreement**
Adoption of the legislative act

STATEMENT BY HUNGARY AND POLAND

"In accordance with the Treaties, the information rights of the EP are not on par with those of the Council in the context of the implementation of international agreements. The extended information provision by the Commission to the European Parliament under this regulation is justified by the special nature of the Withdrawal Agreement and the Trade and Cooperation Agreement, i.e. that these have been concluded with a former EU member state.

Accordingly, nothing in this Regulation can be regarded as an expansive interpretation of Article 218 (10) TFEU, which lays down the prerogative of the European Parliament to be informed in the course of the negotiation and conclusion of international agreements.

[1] The equivalent used in the Croatian legislation is "kibernetički" whereas the term used in the Regulation is "kiber-".

Consequently, we deem that information to be provided to the European Parliament in the context of the implementation of the Agreements in question, as prescribed in recital 8, goes beyond respective institutional powers under the Treaties, does not set a general precedent and should not be repeated in future implementing regulations of international agreements concluded by the EU."