

Brussels, 21 April 2022
(OR. en)

8284/22
CRS CRP 15

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
22, 23 and 25 March 2022

I. Adoption of the agenda

7408/22 OJ CRP2 12
7397/2/22 REV 2 OJ CRP1 12

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 2)

Justice and Home Affairs

21. Extraordinary Council meeting (Justice and Home Affairs) on
28 March 2022: preparation

(a) European coordination for the reception of refugees from
Ukraine

The Committee prepared this item for the Council meeting and approved the attendance of
Schengen Associated States, EUAA, Frontex and Europol.

(b) Other items in connection with the Council meeting

No other items were raised under this heading.

General Affairs

22. Follow-up to the informal meeting of Heads of State or Government on 10 and 11 March 2022

- Energy
Exchange of views

The Committee held an exchange of views.

COREPER (PART 1)

WEDNESDAY 23 MARCH 2022

Internal Market and Industry

2. Regulation on contestable and fair markets in the digital sector (Digital Markets Act) 7293/22 + ADD 1
7294/22
Preparation for the trilogue

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

Education, Youth, Culture and Sport

3. Council meeting (Education, Youth, Culture and Sport) on 4 and 5 April 2022: preparation
1. Conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era 6756/22 + COR 1
+ ADD 1
Approval

The Committee prepared this item for the Council meeting.

Statement by Poland

“W nawiązaniu do terminu *gender* użytego w punkcie 11 projektu Konkluzji Rady w sprawie wzmocnienia wymiany międzykulturowej na obszarze europejskim za sprawą mobilności artystów i osób zawodowo zajmujących się kulturą oraz wielojęzyczności w środowisku cyfrowym, Polska niniejszym składa następujące oświadczenie:

„Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów, w miejscach, w których konkluzje odnoszą się do równości płci, Polska będzie interpretowała ją jako równość kobiet i mężczyzn zgodnie z art. 2 Traktatu o Unii Europejskiej, art. 8 oraz 10 Traktatu o Funkcjonowaniu Unii Europejskiej, art. 23 Karty Praw Podstawowych.”

Courtesy translation

“With reference to the term *gender* used in paragraph 13 of the draft Council conclusions on reinforcing intercultural exchanges through the mobility of artists and cultural and creative professionals, and through multilingualism in the digital era, Poland makes the following statement:

‘Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, where the conclusions refer to gender equality, Poland will interpret it as equality between women and men, in accordance with Article 2 of the Treaty on European Union, Articles 8 and 10 of the Treaty on the Functioning of the European Union, and Article 23 of the EU Charter of Fundamental Rights.’

Statement by Hungary

“Hungary recognises 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 commitments and principles stemming from international law. 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 term ‘gender’ as a reference to ‘sex’ in all relevant documents.”

2. Conclusions on building a European strategy for the cultural and creative industries ecosystem 6937/22
Approval

The Committee prepared this item for the Council meeting.

Statement by Hungary

“As the Council conclusions Building a European Strategy for the Cultural and Creative Industries Ecosystem refer to the European Parliament Resolution of 20 October 2021 – ‘Europe’s Media in the Digital Decade: an Action Plan to Support Recovery and Transformation’ (2021/2017), Hungary declares that this document should be interpreted with due regard for national competences and the specific circumstances in each Member State.

Furthermore, the Annex to the Annex of the *Council Conclusions on Building a European Strategy for the Cultural and Creative Industries Ecosystem* refers to several documents as ‘political background’ to which previously Hungary submitted a national statement. Therefore Hungary maintains all its national statements made in this regard.”

3. Conclusions on sport and physical activity, a promising lever to transform behaviour for sustainable development 7067/22 + ADD 1
Approval

The Committee prepared this item for the Council meeting.

Statement by Poland

“Expressions containing the term 'gender' shall be interpreted by Poland as meaning 'sex', in accordance with Article 10, Article 19 para 1 and Article 157 para 2 and 4 of the Treaty on the Functioning of the European Union.”

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. 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 ‘gender’ as reference to ‘sex’.

As the conclusions of the Council and of the representatives of the Governments of the Member States meeting within the Council on Sport and physical activity, a promising lever to transform behaviour for sustainable development refer to the Conclusions of the Council and of the representatives of the Governments of the Member States meeting within the Council on lifelong physical activity, Hungary maintains all its national statements made in the event of the adoption of the aforementioned conclusions.”

4. Council Recommendation on building bridges for effective European higher education cooperation
Adoption

6986/22 + COR 1

The Committee prepared this item for the Council meeting.

Statement by Poland

„Oświadczenie Polski w sprawie zastosowania terminu „gender”
Rzeczpospolita Polska rozumie termin „płeć” (ang. „gender”) jako „płeć” (ang. „sex”) zgodnie z art. 10, art. 19 ust. 1 oraz art. 157 ust. 2 i 4 TFUE.”

Courtesy translation

“Statement by Poland on using “gender”:

Also the Republic of Poland understands wording “gender” as referring to “sex” in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union.”

Statement by Hungary

“Hungary supports and is committed to deepening the sense of European belonging in higher education based on common values. A common set of values has been shown to play a key role in shaping a common European position on a priority issue / crisis, therefore, defining what we mean by common values is essential at both EU and Member State level. According to Hungary's interpretation, European cohesion based on common values must be based on the values and goals accepted by all Member States, set out in the Charter of Fundamental Rights of the European Union and the Treaties of the European Union.

Hungary recognises 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 commitments and principles stemming from international law. 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 term ‘gender’ as a reference to ‘sex’ in the Council Recommendation on building bridges for effective European higher education cooperation.

The text of the Council Recommendation on building bridges for effective European higher education cooperation refers to several documents to which previously Hungary submitted a national statement. Hungary maintains all its national statements made earlier.”

5. Conclusions on a European strategy empowering higher education institutions for the future of Europe
Approval

6985/22

The Committee prepared this item for the Council meeting.

Statement by Poland

„Oświadczenie Polski w sprawie zastosowania terminu „gender”
Rzeczpospolita Polska rozumie termin „płeć” (ang. „gender”) jako „płeć” (ang. „sex”)
zgodnie z art. 10, art. 19 ust. 1 oraz art. 157 ust. 2 i 4 TFUE.”

Courtesy translation

“Statement by Poland on using “gender”:

Also the Republic of Poland understands wording “gender” as referring to “sex” in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union.”

Statement by Hungary

“Hungary supports and is committed to deepening the sense of European belonging in higher education based on common values. A common set of values has been shown to play a key role in shaping a common European position on a priority issue / crisis, therefore, defining what we mean by common values is essential at both EU and Member State level. According to Hungary's interpretation, European cohesion based on common values must be based on the values and goals accepted by all Member States, set out in the Charter of Fundamental Rights of the European Union and the Treaties of the European Union.

The word ‘dimension’ appears in the text in a number of different contexts, therefore, Hungary declares that by the European dimension in higher education we mean the instruments referred to in the Council recommendation on promoting common values, inclusive education, and the European dimension of teaching (2018 /C 195/01).

Hungary recognises 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 commitments and principles stemming from international law. 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 term ‘gender’ as a reference to ‘sex’ in the Council Conclusions on a European strategy empowering higher education institutions for the future of Europe. ‘Diversity’ mentioned in paragraphs 23, 34 and 38 can only be interpreted as set out in Article 22 of the Charter of Fundamental Rights of the European Union.

The Council Conclusions on a European strategy empowering higher education institutions for the future of Europe and its Annex as “political background” refers to several documents to which previously Hungary submitted national statements. Therefore Hungary maintains all its national statements made in this regard.”

6. Conclusions on enhancing teachers' and trainers' mobility, 6989/22
in particular European mobility, during their initial and
in-service education and training
Approval

The Committee prepared this item for the Council meeting.

Statement by Hungary

“Hungary recognises 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 commitments and principles stemming from international law. 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 term ‘gender’ as a reference to ‘sex’.

The *Council conclusions on enhancing teachers' and trainers' mobility, in particular European mobility, during their initial and in-service education and training* and its Annex as ‘political background’ refers to several documents to which previously Hungary submitted national statement. Therefore Hungary maintains all its national statements made in this regard.

Furthermore, Hungary declares that the Commission’s Communication on a Union of Equality: Gender Equality Strategy 2020-2025, mentioned on page 4 of the Communication from the Commission on achieving the European Education Area by 2025, should be interpreted with due regard to national competences and the specific circumstances in each Member State.”

7. Council Recommendation on the mobility of young 6923/1/22 REV 1
volunteers across the European Union
Adoption

The Committee prepared this item for the Council meeting.

Statement by Hungary

“As footnote 26 of the Council Recommendation on the mobility of young volunteers across the European Union refers to several EU Strategies to which Hungary has previously made a national statement, Hungary maintains its respective position and all its national statements made in relation to these cited Strategies.

Furthermore, the text of the Council Recommendation on the mobility of young volunteers across the European Union refers to several documents, to which Hungary previously submitted a national statement. Hungary maintains all its national statements made earlier.”

8. Conclusions – Fostering engagement among young people as actors of change in order to protect the environment
Approval

7053/22 + ADD 1

The Committee prepared this item for the Council meeting.

Statement by Poland

“The Republic of Poland understands the wording ‘gender equality’ as referring to ‘equality between women and men’, in line with Article 2 and Article 3 of the Treaty on European Union.

Also the Republic of Poland understands the wording ‘gender’ as referring to ‘sex’ in line with Article 10, Article 19(1) and Article 157(2) and (4) of the Treaty on the Functioning of the European Union.”

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 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 term ‘gender’ as reference to ‘sex’.”

Health

4. Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 18 March 2022.

Employment, Social Policy, Health and Consumer Affairs

5. Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 29 March 2022: preparation

The Committee approved the participation of EMA and ECDC representatives for the AOB on Ukraine.

FRIDAY 25 MARCH 2022

Internal Market and Industry

2. (cont.) Regulation on contestable and fair markets in the digital sector (Digital Markets Act)
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 24 March 2022.

Agriculture and Fisheries

Transferred from Wednesday's meeting

6. Council meeting (Agriculture and Fisheries) on 7 April 2022: preparation

Fit for 55 package: agricultural aspects of the revision of the LULUCF Regulation 7331/22
Exchange of views

The Committee prepared this item for the Council meeting.

Employment, Social Policy, Health and Consumer Affairs

5. (cont.) Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 29 March 2022: preparation

The Committee decided to take all the AOB points that are on the agenda at this stage in public. The Committee also approved the withdrawal of the item on rare diseases from the formal part of the Council agenda.

Employment and Social Policy

7. Directive on adequate minimum wages in the European Union 7278/22 + ADD 1
Preparation for the trilogue

The Presidency took note of delegations' comments in view of the forthcoming trilogue.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Transmission of information

The Committee took note of the information provided by the Council Legal Service.

"I" items approved**WEDNESDAY 23 MARCH 2022****COREPER (PART 1)****Institutional affairs****Written questions**

8. Replies to question for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure
- 7025/22 + COR 2
PE-QE
- Sara Cerdas (S&D)
'Consolidating a European Agenda for Tourism 2030/2050'
- 6345/22

Appointments

9. Renewal of the Advisory Committee on Safety and Health at Work 2022-2025
Adoption
- 6966/22
6965/22
SOC
10. One member (HR) of the Management Board of the European Agency for Safety and Health at Work
Adoption
- 7110/1/22 REV 1
SOC
11. One alternate (HR) of the Management Board of the European Agency for Safety and Health at Work
Adoption
- 7111/1/22 REV 1
SOC

Other

12. Attendance of a third party at the informal video conference of the members of the Working Party on Social Questions on 31 March 2022
Approval
- 7136/22
SOC
13. Attendance of a third party at the meeting of the Working Party on Research (Atomic Questions) on 28 March 2022
Approval
- 7174/22
RECH
14. Attendance of a third party at the meeting of the Committee for Civilian Aspects of Crisis Management (CIVCOM) on 30 March 2022
Approval
- 7299/22
CIVCOM

15. Attendance of a third party at the meeting of the members of the Political and Security Committee on 29 March 2022
Approval 7362/22
COPS

23. Attendance of a third party at the meeting of the Working Party on JHA Information Exchange on 29 March 2022
Approval 7453/22
IXIM

Judicial Affairs

16. Withdrawal of the appeal brought by European Union Copper Task Force in Case C-828/21 P
Information note for the Permanent Representatives Committee (Part 1) 7377/22
JUR

Environment

17. Decision on the eighth Environment Action Programme (EAP)
Adoption of the legislative act 7197/22
PE-CONS 83/21
ENV

Agriculture

18. Decision on the period of application and the equivalence of seed produced in Bolivia
Confirmation of the final compromise text with a view to agreement 7217/22 + COR 1
AGRILEG

Transport

19. IMO – joint submission to the ninth session of the International Maritime Organization’s Sub-Committee on Navigation, Communications and Search and Rescue regarding the draft IMO position for agenda item 10 of the World Radiocommunication Conference (WRC-23)
Approval 6889/22
MAR
OMI

Statement by the Commission

“The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission’s view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard.”

Foreign Affairs

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| 20. | Council Decisions on assistance measures under the European Peace Facility to support the Ukrainian Armed Forces, and related concept note | 7172/22
7171/22
7169/22 |
| | <i>Decision to use the written procedure for the adoption</i> | CORLX |

Statement by Austria

“In accordance with the second subparagraph of Article 31(1) TEU and in line with Austria’s declaration on the application of constructive abstention at the time of the adoption of the Council Decision establishing the European Peace Facility, Austria hereby notifies the Council of its decision to abstain from the Council Decision amending Council Decision (CFSP) 2022/338 on an Assistance Measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force, as she deems this decision sensitive for the specific character of her security and defence policy.

Austria, acting in a spirit of mutual EU solidarity, will refrain from any action likely to conflict with or impede Union action based on that decision.

Therefore, AT will not contribute to the financing of this Assistance Measure. Instead, AT will voluntarily contribute an additional amount to a non-sensitive assistance measure within the framework of the European Peace Facility.”

Statement by Ireland

“Recalling its formal declaration of 27 February on abstention from Council Decision (CFSP) 2022/338, Ireland, in accordance with the second subparagraph of Article 31(1) of the Treaty on European Union, hereby makes a formal declaration and notifies the Council of its decision to abstain from the Council Decision amending Council Decision (CFSP) 2022/338 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force.

Accordingly, Ireland will not be contributing to the costs of that Assistance Measure, as amended.

Ireland recalls and reiterates in full its statement of 17 March 2021 to the minutes of COREPER and to the Council at the time of adoption of Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility.

Ireland further recalls Recital 22, Article 27 and Article 57(3) of that Council Decision and hereby signals its preference to contribute instead to Council Decision (CFSP) 2022/339 on an assistance measure under the European Peace Facility to support the Ukrainian Armed Forces, as amended.”

Statement by Malta

“In accordance with the second subparagraph of Article 31(1) of the Treaty of the European Union, Malta hereby notifies the Council of its decision to abstain from adopting the Council Decision amending Council Decision on an Assistance Measure under the European Peace Facility on the provision of lethal force equipment to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force.

As stated at the time of adoption of the Council Decision establishing the European Peace Facility, Malta reserves its right to constructively abstain from assistance measures under the European Peace Facility that allow for the supply of military equipment, or platforms, designed to deliver lethal force.

In the spirit of mutual EU solidarity, MT will refrain from any action likely to conflict with or impede Union action based on that decision.

Therefore, through our voluntary elective commitment, Malta will instead provide a corresponding contribution to the budget for assistance measures in support of Ukraine which do not involve supply of such lethal equipment or platforms.”

FRIDAY 25 MARCH 2022

Institutional affairs

Other

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| 24. | Attendance of a third party at the meeting of RELEX/Sanctions
on 30 March 2022
<i>Approval</i> | 7561/22
CORLX |
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