

Brussels, 2 June 2023
(OR. en)

8305/23

LIMITE

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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)/Council
No. Cion doc.:	8304/23 + ADD 1
Subject:	Council Decision authorising the opening of negotiations for agreements on digital trade disciplines with the Republic of Korea and with Singapore - Adoption

1. On 14 April 2023, the Commission submitted to the Council a Recommendation for a Council Decision authorising the opening of negotiations for digital trade disciplines with the Republic of Korea and with Singapore¹.
2. The European Data Protection Supervisor was consulted by the Commission in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council and delivered an opinion on 15 May 2023.
3. The Trade Policy Committee (Experts - Services and Investment) discussed the recommendation on 19 April, 3 May and 24 May. On the basis of a Presidency compromise proposal, the Trade Policy Committee (Experts - Services and Investment) endorsed it on 30 May with modifications to take into account a number of necessary adjustments. The related draft negotiating directives were endorsed at the same time.

¹ Doc. 8304/23 + ADD 1.

4. As regards the question of the publication of the negotiating directives after the adoption by the Council, no delegation raised an objection. The Council should therefore be asked to decide on making the negotiating directives public after their adoption.
5. In the light of the above, and subject to confirmation by the Permanent Representatives Committee, the Council is invited to:
- adopt the above-mentioned Council Decision, as finalised by the legal linguistic experts and set out in document 8886/23²;
 - adopt the addendum to document 8886/23 containing the related negotiating directives;
 - to recommend that the Council make the negotiating directives public after their adoption, on the understanding that this decision does not constitute a precedent for other negotiating directives, and that any decision to release other negotiating directives shall be taken on a case-by-case basis, balancing the need for transparency and the need for a certain level of confidentiality in order to ensure the effectiveness of the negotiations; and
 - note that the European Parliament will be informed in accordance with Article 218(10) TFEU, and that the negotiating directives will be transmitted to the Parliament.

² In view of its nature, this Decision will not be published in the Official Journal of the European Union (cf. Article 17(2)(b) of the Council's Rules of Procedure).