

Brussels, 24 May 2022
(OR. en)

9398/22
CRS CRP 21

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
4, 6 and 8 May 2022

I. Adoption of the agenda

8592/22 OJ CRP1 18 + COR 1

8622/2/22 REV 2 OJ CRP2 18 + REV 2 ADD 1

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)

WEDNESDAY 4 MAY 2022

Environment

2. 'Fit for 55' package 8406/22

(a) Revision of Directive 2003/87/EC establishing a scheme
for greenhouse gas emission allowance trading (ETS)

(b) Regulation establishing a Social Climate Fund
Guidance for further work

The Committee provided guidance for further work.

Internal Market and Industry

3. Regulation on foreign subsidies distorting the internal market 8420/22
Mandate for negotiations with the European Parliament

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

Statement by the Italy

“While in a spirit of compromise Italy supports the Presidency’s compromise text as a basis for the Council’s mandate, we strongly believe that important aspects could be further improved in the course of negotiations, as follows.

- It should be clearly established in the binding part of the proposal that Member States will be duly consulted on the adoption of guidance regarding the criteria for determining the existence of a distortion caused by a foreign subsidy on the internal market, the application of the balancing test, and the application of the Commission’s power to request prior ad hoc notifications.
- The list of redressive measures in Article 6(3) should be exhaustive, in order to ensure legal certainty.
- The delegated powers to the Commission under Articles 44, 45, and 45a of the Proposal concern essential elements, namely the thresholds for notification, and should therefore be deleted.
- Finally, the establishment of a database accessible to Member States and including all decisions adopted under the Proposal is essential for the correct functioning of public procurement and should be included in a specific article of the Regulation.

We are confident that such requests will be taken in due and serious account in the course of future negotiations.”

Agriculture and Fisheries

4. Meeting of the Council (Agriculture and Fisheries) on 24 May 2022: agenda
(for the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda. The Committee agreed to hold the items on the agenda at this stage, namely the approval of conclusions on the highly pathogenic (HPAI) avian influenza and the AOB point, as well as two additional AOB points asked by CY (together with LT, LU and MT) and by SK, in public.

FRIDAY 6 MAY 2022

The meeting was cancelled.

COREPER (PART 2)

WEDNESDAY 4 MAY 2022

Foreign Affairs

14. Russian aggression against Ukraine
Exchange of views

The Committee held an exchange of views on the 6th sanctions package.

15. Preparation for the second meeting of the EU-US Trade and Technology Council 8328/22
Exchange of views

The Committee took note of the information provided by the Commission on the state of play of the Council preparations and agreed to revert on this issue at its meeting next week.

Justice and Home Affairs

16. Amendment to Regulation (EU) 2018/1727 as regards the collection, preservation and analysis of evidence relating to war crimes at Eurojust 8528/22
Analysis of the final compromise text with a view to agreement

The Committee did not reach agreement and agreed to revert on this issue at its meeting on Friday.

Economic and Financial Affairs

18. Meeting of the Economic and Financial Affairs Council on 24 May 2022: agenda

The Presidency presented the main items on the agenda.

General Affairs

19. Meeting of the General Affairs Council on 23 May 2022: agenda

The Presidency presented the main items on the agenda.

FRIDAY 6 MAY 2022

14. Russian aggression against Ukraine

Exchange of views

- | | | |
|-----|---|-------------------------------|
| (a) | Council Decision and Implementing Regulation
concerning restrictive measures in respect of actions
undermining or threatening the territorial integrity,
sovereignty and independence of Ukraine | 8671/22
8668/22
8670/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |
| (b) | Council Decision and Implementing Regulation
concerning restrictive measures in view of the situation in
Belarus and the involvement of Belarus in the Russian
aggression against Ukraine | 8642/22
8639/22
8641/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |
| (c) | Council Decision and Regulation concerning restrictive
measures in view of the situation in Belarus and the
involvement of Belarus in Russia's aggression against
Ukraine | 8664/22
8658/22
8661/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |
| (d) | Council Decision and Regulation concerning restrictive
measures in view of Russia's actions destabilising the
situation in Ukraine | 8679/22
8676/22
8678/22 |
| | <i>Decision to use the written procedure for the adoption</i> | |

The Committee held an exchange of views.

20. EU-Japan Summit (Tokyo, 12 May 2022): continuation of preparation

Exchange of views

The Committee took note of the information given by the PEC Cabinet on the state of play of preparations of the summit and agreed to revert on this issue at its meeting next week.

Economic and Financial Affairs

21. Financial assistance to Ukraine
Exchange of views

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

22. Regulation on digital operational resilience for the financial sector (DORA) 8532/22
Preparation for the trilogue

The Committee prepared the forthcoming trilogue.

SUNDAY 8 MAY 2022

Foreign Affairs

14. Russian aggression against Ukraine

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| (a) Council Decision and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine | 8671/22
8668/22
8670/22 |
| (b) Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in the Russian aggression against Ukraine | 8642/22
8639/22
8641/22 |
| (c) Council Decision and Regulation concerning restrictive measures in view of the situation in Belarus and the involvement of Belarus in Russia's aggression against Ukraine | 8664/22
8658/22
8661/22 |
| (d) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine | 8679/22
8676/22
8678/22 |
| (e) Council Decision and Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine | 8842/22
8835/22
8836/22 |

The Committee held an exchange of views on the 6th package.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

EU-Mexico relations

The Committee took note of the information provided by Greece.

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

8. Reply to question for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure
- 8464/22
PE-QE

Urmas Paet (Renew)
'The situation in Cabo Delgado and the role of neighbouring countries'

8050/22

Other

9. Attendance of third parties at the Working Party on Research (Atomic Questions) meetings on 19 May and 13 June 2022
Approval
- 8388/22
RECH

Judicial Affairs

10. Case C-83/22: Request for a preliminary ruling
Information note for the Permanent Representatives Committee (Part 1)
- 8336/22
JUR

11. Judgment of the Court of 7 April 2022, C-561/20 (United Airlines)
Information note for the Permanent Representatives Committee (Part 1)
- 8540/22
JUR

Delegated or Implementing Acts**Internal Market and Industry**

12. Commission Regulation (EU).../... of XXX amending Regulation (EU) 2017/2400 as regards the determination of CO2 emissions and fuel consumption of medium and heavy lorries and heavy buses and to introduce electric vehicles and other new technologies
Decision not to oppose adoption
- 8469/22
7180/22 + ADD 1
ENT

13. Commission Delegated Regulation (EU).../... of 14.3.2022 supplementing Regulation (EU) 2019/1009 of the European Parliament and of the Council by laying down criteria on agronomic efficiency and safety for the use of by-products in EU fertilising products
Delegated act – Intention not to raise objections

8474/22
7224/22
ENT

COREPER (PART 2)

WEDNESDAY 4 MAY 2022

Judicial Affairs

23. Case T-71/22 (BNP Paribas SA v Single Resolution Board)
*Information note for the Permanent Representatives Committee
(Part 2)* 8487/22
JUR
24. Case T-115/22 (Belshyna Open Joint Stock Company v
Council)
*Information note for the Permanent Representatives Committee
(Part 2)* 8472/22
JUR
25. Case T-116/22 (Belavia Open Joint Stock Company - Belarusian
Airlines v Council)
*Information note for the Permanent Representatives Committee
(Part 2)* 8466/22
JUR

Institutional affairs

26. **Minutes of Council meetings**
Approval
- (a) Meeting of the FAC on 21.02.2022 6450/22 + ADD 1
- (b) Meeting of the GAC on 22.02.2022 6452/22 + ADD 1
- (c) Extraordinary meeting of the FAC on 24.02.2022 6745/22 + ADD 1
- (d) Extraordinary meeting of the JHA Council on 27.02.2022 6746/22 + ADD 1
- (e) Meeting of the JHA Council on 3-4.03.2022 6872/22 + ADD 1
- (f) Extraordinary meeting of the FAC on 4.03.2022 6890/22 + ADD 1

Other

27. Attendance of a third party at the meeting of the Working Party
on the Western Balkans Region on 5 May 2022
Approval 8507/22
COWEB
28. Attendance of a third party at the meeting of the Working Party
on Development Cooperation and International Partnerships on
5 May 2022
Approval 8588/22
DEVGEN

- | | | |
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| 29. | Attendance of a third party at the meeting of the Working Party on the Western Balkans Region on 12 May 2022
<i>Approval</i> | 8451/22
COWEB |
| 30. | Attendance of third parties at the meeting of the Working Party on Judicial Cooperation in Criminal Matters (COPEN) - Violence against women and domestic violence on 12 May 2022
<i>Approval</i> | 8516/22
COPEN |

Transparency

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| 31. | Public access to documents
Confirmatory application No 03/c/01/22
<i>Decision to use the written procedure for the adoption</i> | 7581/22
7580/22
INF
API |
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Economic and Financial Affairs

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| 32. | European Court of Auditors' Special Report 06/2022 on EU intellectual property rights
<i>Designation of a working party</i> | 8521/22
FIN |
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Justice and Home Affairs

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| 33. | Council Recommendation on operational cooperation of security forces
<i>Approval of a letter</i> | 8511/1/22 REV 1
ENFOPOL |
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Foreign Affairs

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| 34. | Council Decision concerning the conclusion of the amendments to the International Sugar Agreement, 1992
<i>Request for the consent of the European Parliament</i> | 7969/22 + ADD 1
7978/22
PROBA |
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Statement by the Commission

“The Commission considers that the Council Decision should be addressed to the Commission, 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. The Commission reserves all its rights in this regard.”

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| 35. | Union for the Mediterranean (UfM) Ministerial Declaration on
Employment and Labour
<i>Authorisation to sign a non-binding instrument</i>
<i>Decision to use the written procedure for the adoption</i> | 8272/1/22 REV 1
MAMA |
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Statement by Hungary

“Hungary would like to state that *Joint Communication of the European Commission and the High Representative on the third Gender Action Plan (GAP) of 25 November 2020* in the document officially named *EU Gender Action Plan (GAP) III An Ambitious Agenda For Gender Equality And Women’s Empowerment In EU External Action*, was adopted by the European Commission and welcomed through Presidency Conclusions by 24 Member States. 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. In line with these and its national legislation, Hungary interprets the term of ‘gender’ as reference to ‘sex’.”

Statement by Poland

“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 internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, in place where the text refers to the term “gender equality” Poland will interpret it as an equality between women and men, according to Article 8 of the Treaty on the Functioning of the EU.”

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| 36. | Iran non-proliferation restrictive measures - pre-notifications
<i>Approval</i>
<i>Decision to use the written procedure for the adoption</i> | 8527/22
CORLX |
| 38. | Restrictive measures to combat terrorism – Common Position
2001/931/CFSP – pre-notification of updated statements of
reasons
<i>Approval</i>
<i>Decision to use the written procedure</i> | 8413/22
8414/22
CORLX |
| 37. | Joint statement on an open and predictable trade in agriculture
and food products
<i>Approval</i>
<i>Decision to use the written procedure</i> | 8558/2022
8559/2022
WTO |

FRIDAY 6 MAY 2022

Justice and Home Affairs

39. Amendment to Regulation (EU) 2018/1727 as regards the collection, preservation and analysis of evidence relating to war crimes at Eurojust
Confirmation of the final compromise text with a view to agreement

8741/22
8742/22
COPEN
