

Brussels, 7 June 2022  
(OR. en)

9846/22  
CRS CRP 22

**SUMMARY RECORD**  
PERMANENT REPRESENTATIVES COMMITTEE  
11 and 13 May 2022

**I. Adoption of the agenda**

8850/2/22 REV 2 OJ CRP2 19  
8683/1/22 REV 1 OJ CRP1 19

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)**

**WEDNESDAY 11 MAY 2022**

**Foreign Affairs**

2. Preparation for the second meeting of the EU-US Trade and  
Technology Council (Paris-Saclay, 15-16 May 2022)  
*Exchange of views*  
*Approval of a non-binding instrument*  
*Decision to use the written procedure*

8762/22  
8328/1/22 REV 1

The Committee held an exchange of views on the updated draft joint statement and agreed to revert on it at Friday's meeting for approval of the text.

3. EU-Japan Summit (Tokyo, 12 May 2022): continuation of preparation  
*Exchange of views*

The Committee held an exchange of views.

4. Council meeting (Foreign Affairs) on 16 and 17 May 2022: preparation

- (a) Current affairs

The Committee prepared this item for the Council meeting.

- (b) Western Balkans  
*Exchange of views*

The Committee prepared this item for the Council meeting.

- (c) Russian aggression against Ukraine  
*Exchange of views*

The Committee prepared this item for the Council meeting.

- (d) Implementation of the Strategic Compass with a focus on the future of CSDP missions and operations  
*Exchange of views*

The Committee prepared this item for the Council meeting.

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

The Committee took note of the information provided by the EEAS and agreed to the participation of the Ministers of Foreign Affairs of Ukraine and Canada for an informal exchange on 16 May 2022.

The adoption of the Directive on the minimum level of training for seafarers (codification) was removed from the list of “A” items.

8. Preparation for the Council meeting (Foreign Affairs/Development) on 20 May 2022
- (a) Global implications of the Russian aggression against Ukraine with a focus on food security and the multilateral response  
*Exchange of views*

The Committee prepared this item for the Council meeting.

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

No other items were raised under this heading.

9. Council meeting (Foreign Affairs/Trade) on 3 June 2022: agenda

The Presidency presented the main items on the agenda.

### **General Affairs**

6. Council meeting (General Affairs/Cohesion) on 2 June 2022: agenda

The Presidency presented the single item on the agenda.

79. Regulations amending Regulations (EU) 2021/953 and (EU) 2021/954 on the EU Digital COVID Certificate  
*Preparation for the trilogue*

The Committee prepared the forthcoming trilogue.

### **Economic and Financial Affairs**

10. Regulation on digital operational resilience for the financial sector (DORA)  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue, which took place on 10 May 2022.

**FRIDAY 13 MAY 2022**

**Justice and Home Affairs**

11. European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA)  
*Exchange of views with the Executive Director*

The Committee held an exchange of views with the executive Director of eu-LISA.

**Economic and Financial Affairs**

12. Council meeting (Economic and Financial Affairs)  
on 24 May 2022: preparation

- (a) Economic and financial aspects of the Ukraine crisis 9042/22  
*Exchange of views*

The Committee prepared this item for the Council meeting.

- (c) (poss.) European Long-Term Investment Fund (ELTIF) 8840/22  
*General approach*

The Committee agreed to submit this item to the Council for adoption as an A item.

- (d) (poss.) Economic recovery
- (i) State of play regarding the implementation of the RRF  
*Exchange of views*
- (ii) Council Implementing Decisions  
*Adoption*

The Committee prepared this item for the Council meeting. It agreed to remove (poss.) and sub-item (ii) from the Council agenda.

- (e) Follow-up to the meeting of G20 finance ministers and central bank governors 8834/22  
*Information from the Presidency and the Commission*  
*Exchange of views*

The Committee prepared this item for the Council meeting.

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

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

## **Foreign Affairs**

2. Preparation for the second meeting of the EU-US Trade and Technology Council (Paris-Saclay, 15-16 May 2022) 8762/1/22 REV 1  
8328/2/22 REV 2  
*Approval of a non-binding instrument*  
*Decision to use the written procedure*

The Committee confirmed its agreement on the text and decided to use the written procedure for its adoption.

80. Regulation on temporary trade liberalisation between the EU and Ukraine 8879/22  
*Analysis of the final compromise text with a view to agreement*

The Committee approved the text of the final compromise. The European Parliament will be informed.

## **Economic and Financial Affairs**

13. Regulation on markets in crypto-assets (MiCA) 8717/22  
*Preparation for the trilogue*

The Committee prepared the forthcoming trilogue.

14. Regulation establishing the European Union Single Window Environment for Customs 8774/22  
*Preparation for the trilogue*

The Committee prepared the forthcoming trilogue.

## **COREPER (PART 1)**

**WEDNESDAY 11 MAY 2022**

### **Transport, Telecommunications and Energy**

50. Meeting of the Council (Transport, Telecommunications and Energy) on 2 and 3 June 2022: agenda

The Presidency presented the main items on the agenda.

### **Internal Market and Industry**

51. Directive amending Directive 2014/53/EU relating to the making available on the market of radio equipment (common charger)  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 10 May 2022.

### **Energy**

52. Regulation on gas storage 8694/1/22 REV 1  
*Mandate for negotiations with the European Parliament* 8871/22

The Committee agreed on a mandate for negotiations with the European Parliament.

### **Internal Market and Industry**

53. Regulation on foreign subsidies distorting the internal market  
*Presidency debriefing on the outcome of the trilogue*

The Presidency debriefed on the trilogue which took place on 5 May 2022.

54. Regulation on contestable and fair markets in the digital sector 8395/22  
(Digital Markets Act)  
*Analysis of the final compromise text with a view to agreement*

The Committee endorsed the text of the final compromise and mandated the Presidency to inform the European Parliament that, should the European Parliament adopt its position at first reading in accordance with this compromise (subject to revision by the legal linguists), the Council would approve the European Parliament's position and the act shall be adopted.

## **Telecommunications**

55. Directive on measures for a high common level of cybersecurity across the Union 7996/22  
*Preparation for the trilogue*

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

56. Decision on the Path to the Digital Decade 8418/22  
*Mandate for negotiations with the European Parliament*

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

## **FRIDAY 13 MAY 2022**

### **Telecommunications**

55. (cont.) 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 12 May 2022.

### **Internal Market and Industry**

57. Regulation amending Regulation (EU) No 1025/2012 as regards the decisions of European standardisation organisations concerning European standards and European standardisation deliverables 8449/1/22 REV 1  
*Mandate for negotiations with the European Parliament*

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

### **Environment**

58. Fit for 55 package — ETS (excluding BRT) 8735/22
- (a) Directive amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community (ETS)
  - (b) Directive amending Directive 2003/87/EC as regards aviation's contribution (ETS Aviation)
  - (c) Decision amending Decision (EU) 2015/1814 (Market Stability Reserve)
- Guidance for further work*

The Committee provided guidance for further work.

59. Fit for 55 package
- Revision of Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 (ESR) 8745/22
- Guidance for further work*

The Committee provided guidance for further work.

60. Fit for 55 package

Revision of Regulation (EU) 2018/841 on greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF)

8733/22

*Guidance for further work*

The Committee provided guidance for further work.

61. Fit for 55 package

Revision of Regulation (EU) 2019/631 setting CO<sub>2</sub> emission performance standards for new passenger cars and for new light commercial vehicles

8732/22

*Guidance for further work*

The Committee provided guidance for further work.

#### **IV. Any other business**

##### **COREPER (PART 2)**

EU-UK relations

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

High-level Indopacific Conference

The Committee took note of the information provided by the Czech Republic.

Process of preparing EU statements before international organisations

The Committee took note of the information provided by Croatia.

Security situation in Europe

The Committee took note of the information provided by Finland and Sweden.

Sixth sanctions package

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

##### **COREPER (PART 1)**

None.

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"I" items approvedCOREPER (PART 2)WEDNESDAY 11 MAY 2022Judicial Affairs

- |     |                                                                                                                                                                                                                                    |                       |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 15. | Case C-61/22 <i>RL v Landeshauptstadt Wiesbaden</i> (referring court: Wiesbaden Administrative Court, Germany)<br><i>Information note for the Permanent Representatives Committee (Part 2)</i>                                     | 8689/22<br>JUR<br>JAI |
| 16. | Judgments of the General Court of 27 April 2022 in 11 annulment cases concerning the restrictive measures against the Democratic Republic of Congo<br><i>Information note for the Permanent Representatives Committee (Part 2)</i> | 8785/22<br>JUR        |

Institutional affairs

- |     |                                                       |                                  |
|-----|-------------------------------------------------------|----------------------------------|
| 17. | <b>Minutes of Council meetings</b><br><i>Approval</i> |                                  |
|     | ECOFIN of 15 March 2022                               | 7231/2/22 REV 2<br>7231/22 ADD 1 |

**Appointments**

- |     |                                                                                |                           |
|-----|--------------------------------------------------------------------------------|---------------------------|
| 18. | One alternate member (IT) of the Committee of the Regions<br><i>Adoption</i>   | 8488/22<br>8480/22<br>CDR |
| 19. | A member (EE) of the European Economic and Social Committee<br><i>Adoption</i> | 8555/22<br>8553/22<br>CES |
| 20. | A member (ES) of the European Economic and Social Committee<br><i>Adoption</i> | 8574/22<br>8571/22<br>CES |

**Other**

- |     |                                                                                                                                                          |                 |
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| 21. | Attendance of third parties at the meeting of the JHA<br>Counsellors' Working Party on JHA Information Exchange (IXIM) on 11 May 2022<br><i>Approval</i> | 8782/22<br>IXIM |
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| 22. Attendance of third parties at the meeting of the United Nations Working Party on 12 May 2022<br><i>Approval</i>                                           | 8570/22<br>CONUN   |
| 23. Attendance of third parties at the meeting of the Working Party on the 2030 Agenda for Sustainable Development (WP 2030) on 18 May 2022<br><i>Approval</i> | 8787/22<br>SUSTDEV |
| 24. Attendance of a third party at the Export Credits Group meeting on 10 June 2022<br><i>Approval</i>                                                         | 8575/22<br>CCG     |

### **Transparency**

- |                                                                                                                   |                                          |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| 25. Complaint 717/2021/DL to the European Ombudsman - reply to the Ombudsman's recommendation<br><i>Approval</i>  | 8632/22 + ADD 1<br>8087/22<br>API<br>INF |
| 26. Complaint 1703/2021/AMF to the European Ombudsman - reply<br><i>Approval</i>                                  | 8633/22<br>7220/22<br>API<br>INF         |
| 27. Complaint 1499/2021/SF to the European Ombudsman – Reply to the Ombudsman's recommendation<br><i>Approval</i> | 8612/22<br>8248/22<br>API<br>INF         |
| 28. 20th Annual report on public access to documents<br><i>Approval</i>                                           | 8681/22<br>8196/22 + COR 1<br>API<br>INF |

### **Economic and Financial Affairs**

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|---------------------------------------------------------------------------|---------------------------|
| 29. Transfer No DEC 10/2022 (Section III – Commission)<br><i>Approval</i> | 8443/22<br>8257/22<br>FIN |
| 30. Transfer No DEC 11/2022 (Section III – Commission)<br><i>Approval</i> | 8445/22<br>8258/22<br>FIN |

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| 31. Council position on draft amending budget No 3 to the general budget for 2022: Financing of the costs of receiving people fleeing Ukraine<br><i>Adoption</i> | 8446/22<br>8447/22<br>8317/22<br>FIN |
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### **General Affairs**

- |                                             |                                   |
|---------------------------------------------|-----------------------------------|
| 32. EP Resolutions and decisions (May 2022) | 6393/22<br>+ COR 1 REV 1<br>PE-RE |
|---------------------------------------------|-----------------------------------|

### **Health**

- |                                                                                                                                                                                                   |                |
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| 33. Joint statement with the United States of America on an Agenda for Beating the Global Pandemic<br><i>Approval of a non-binding instrument</i><br><i>Decision to use the written procedure</i> | 8666/22<br>SAN |
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#### Statement by Bulgaria

Concerning the Statement from President Biden and President von der Leyen on occasion of the second Global COVID-19 Summit, May 12, 2022

"The Republic of Bulgaria supports the joint statement, with the understanding that the Commission will act only within its conferred powers, in respect of Member states' competences, as enshrined in the Treaties. Neither the non-binding statement nor the subsequent arrangements signed by DG HERA should trigger commitments affecting the responsibilities of the Member states for the management of health services and medical care and the allocation of resources assigned to them, or preventing Member states from acting within their national capacity at international level.

We request for the inclusion of this statement in the minutes of the Coreper meeting."

### **Foreign Affairs**

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|--------------------------------------------------------------------------------------------------------------------------------|------------------------|
| 34. Agreement with New Zealand regarding the modifications in the EU's tariff rate quotas in the WTO schedule following Brexit | 7908/22 + ADD 1<br>WTO |
| (a) Council Decision on the signing<br><i>Adoption</i>                                                                         | 7909/22<br>7911/22     |
| (b) Council Decision on the conclusion<br><i>Request for the consent of the European Parliament</i>                            | 7910/22<br>7911/22     |
| 35. Proposed opening of a European Union Delegation to Oman<br><i>Approval</i>                                                 | 8017/22<br>MOG         |

- |     |                                                                                                                                                                                                                                                                                                            |                                          |
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| 36. | Memorandum of understanding with USAID on Power Africa<br><i>Authorisation to sign a non-binding instrument</i>                                                                                                                                                                                            | 8724/22<br>DEVGEN                        |
| 37. | Final Declaration of the Water Conference in Dushanbe<br><i>Authorisation to negotiate a non-binding instrument</i>                                                                                                                                                                                        | 8770/22<br>DEVGEN                        |
| 38. | Council Decision on the signing of the Accession Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Community and its Member States, of the one part, and the Republic of Indonesia, of the other part<br><i>Adoption of the Irish-language version</i> | 8542/22<br>12971/14<br>12974/14<br>COASI |
| 39. | EU-Armenia Partnership Council<br>(Brussels, 18 May 2022)<br><i>Establishment of the EU position</i>                                                                                                                                                                                                       | 8737/22<br>COEST                         |

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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|-----|----------------------------------------------------------------------------------------------|-----------------|
| 40. | 14th meeting of the EU-Jordan Association Council<br><i>Establishment of the EU position</i> | 8768/22<br>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."

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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| 41. | Conclusions on an EU Strategic Approach in support of Disarmament, Demobilisation and Reintegration of Former Combatants (DDR)<br><i>Approval</i>                                                              | 8719/22<br>8718/22<br>CIVCOM<br>CSDP/PSDC |
| 42. | Council Decision amending the term of office of the Chairman of the Military Committee of the European Union<br><i>Decision to use the written procedure for the adoption</i>                                  | 8421/22<br>8471/22<br>EUMC<br>CSDP/PSDC   |
| 43. | EU-Canada Joint Ministerial Committee (Brussels, 16 May 2022) – joint statement<br><i>Approval of a non-binding instrument</i><br><i>Decision to use the written procedure</i>                                 | 8754/22<br>8753/22<br>COTRA               |
| 44. | PSC Decision EUAM UKRAINE/1/2022 extending the mandate of the Head of Mission of the EUAM Ukraine<br><i>Decision to publish in the Official Journal</i>                                                        | 8268/22<br>8159/22<br>PSC DEC             |
| 45. | Council Decision in support of a process of confidence-building leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East<br><i>Adoption</i> | 8077/22 + COR 1<br>8076/22<br>CORLX       |
| 46. | Council Decision concerning restrictive measures against cyber-attacks threatening the Union or its Member States – renewal<br><i>Adoption</i>                                                                 | 8411/22<br>8410/22<br>CORLX               |
| 47. | Council Implementing Decision and Regulation concerning restrictive measures in view of the situation in South Sudan<br><i>Adoption</i>                                                                        | 8565/22<br>8423/22<br>8425/22<br>CORLX    |

#### **EU positions for international negotiations**

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|-----|------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 48. | Council Decision on the EU position on the adoption of EU-Jordan Partnership Priorities<br><i>Adoption</i> | 8436/22<br>8426/22<br>+ ADD 1 REV 1<br>MAMA |
|-----|------------------------------------------------------------------------------------------------------------|---------------------------------------------|

#### **Statement by the Commission**

"The Commission considers that the Council Decision should be addressed to the Commission, and therefore considers the changes to Article 3 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."

### 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."

## **FRIDAY 13 MAY 2022**

### **EU positions for international negotiations**

- |                                                                                                                 |                                       |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 49. Council Decision on the EU position on the adoption of the EU-Georgia Association Agenda<br><i>Adoption</i> | 8738/22<br>8327/22 + ADD 1-2<br>COEST |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------|

### 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."

## **COREPER (PART 1)**

**WEDNESDAY 11 MAY 2022**

### **Institutional affairs**

#### **Appointments**

62. One member (SK) of the Management Board of the European Agency for Safety and Health at Work  
*Adoption* 8684/22  
SOC
63. One member (SE) of the Advisory Committee on Freedom of Movement for Workers  
*Adoption* 8696/22  
SOC

#### **Other**

64. Attendance of a third party at the meeting of the Working Party on Competitiveness and Growth (Better Regulation) on 16 May 2022  
*Approval* 8721/22  
BETREG
65. Attendance of third parties at the informal videoconference of the Working Party on International Environment Issues (Climate Change) on 20 May 2022  
*Approval* 8665/22  
CLIMA

### **EU positions for international negotiations**

66. Council Decision on the position to be taken on behalf of the EU within the Port State Control Committee of the Paris Memorandum of Understanding on Port State Control regarding the membership of the Russian Federation of the organisation  
*Decision to use the written procedure for the adoption* 8743/22  
8645/22  
MAR

### **Research**

67. Council Decision on the signing of the Agreement between the European Union and the Faroe Islands on the participation of the Faroe Islands in Union programmes  
*Adoption* 8643/22 + ADD 1  
7473/22  
6977/22  
RECH

### Statement by the Commission

"The Commission does not support changes in the decision, which pertain to acts of external representation of the Union.

All acts of external representation in the treaty-making process, including the signature of an international agreement and the subsequent expression of the consent to be bound by it are in accordance with Article 17(1) TEU the institutional prerogatives of the Commission, with the exception of such acts pertaining to agreements falling exclusively or predominantly within the common foreign and security policy of the Union, where it is the High Representative who represents the Union externally according to Article 27(2) TEU.

Without prejudice to this exception, when the Commission and another actor designated by the Council, co-sign an international agreement on behalf of the Union, only the signature of the Commission commits the Union.

Similarly, the notification to be submitted to the Faroe Islands under Article 15(2) of the Agreement with the Faroe Islands concerning the provisional application of this Agreement by the Union is an act of external representation of the Union, thus falls under the Commission's prerogatives included in Article 17(1) TEU. As a consequence, it is not for the President of the Council or the Council to notify the provisional application of this agreement. Should it do so, it would violate the external representation power of the Commission as well as the principle of inter institutional balance enshrined in Article 13(2) TEU.

The Court of Justice has emphasized that consistent practice by Union institutions that is not in accordance with the EU Treaties 'cannot alter the rules of the Treaties that the institutions are obliged to respect' (Case C-687/15 Commission v Council, EU:C:2017:803, para. 42).

While not opposing the adoption of the amendment by the Council by a qualified majority vote, the Commission reserves all its rights in this regard."

68. Council Decision on the conclusion of the Agreement between the European Union and the Faroe Islands on the participation of the Faroe Islands in Union programmes  
*Agreement in principle*  
*Request for the consent of the European Parliament*

8643/22 + ADD 1  
8224/22  
6977/22  
RECH

### Statement by the Commission

"The Commission does not support changes in the decision, which pertain to acts of external representation of the Union.

All acts of external representation in the treaty-making process, including the signature of an international agreement and the subsequent expression of the consent to be bound by it are in accordance with Article 17(1) TEU the institutional prerogatives of the Commission, with the exception of such acts pertaining to agreements falling exclusively or predominantly within the common foreign and security policy of the Union, where it is the High Representative who represents the Union externally according to Article 27(2) TEU.

The notification to be submitted to the Faroe Islands under Article 15(1) of the Agreement with the Faroe Islands expressing the Union's consent to be bound by the Agreement is an act of external representation of the Union, thus falls under the Commission's prerogatives included in Article 17(1) TEU. As a consequence, it is not for the President of the Council or the Council to notify the Union's consent to be bound by this agreement. Should it do so, it would violate the external representation power of the Commission as well as the principle of inter institutional balance enshrined in Article 13(2) TEU.

Furthermore, the Commission considers the addition of a new Article 2a superfluous. The Commission's prerogative to represent the Union within the Joint Committee established under Article 14 of this Agreement stems directly from Article 17(1) TEU, thus it is not conditional upon an explicit authorisation to be given by way of a Council decision.

The Court of Justice has emphasized that consistent practice by Union institutions that is not in accordance with the EU Treaties 'cannot alter the rules of the Treaties that the institutions are obliged to respect' (Case C-687/15 Commission v Council, EU:C:2017:803, para. 42).

While not opposing the adoption of the amendments by the Council by a qualified majority vote, the Commission reserves all its rights in this regard."

### Telecommunications

- |                                                                                                                                             |                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 69. Regulation on European data governance (Data Governance Act)<br><i>Adoption of the legislative act</i>                                  | 8692/22<br>PE-CONS 85/21<br>TELECOM |
| 70. Regulation on harmonised rules for fair access to and use of data (Data Act)<br><i>Decision to consult an institution or body</i>       | 7792/22<br>TELECOM                  |
| 71. Digital Partnership with Japan<br><i>Authorisation to sign a non-binding instrument</i><br><i>Decision to use the written procedure</i> | 8599/22<br>TELECOM                  |

### Agriculture

- |                                                                                                                                                          |                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 72. Regulation laying down transitional rules for the packaging and labelling of veterinary medicinal products<br><i>Adoption of the legislative act</i> | 8600/22 + ADD 1<br>PE-CONS 19/22<br>VETER |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|

### Statement by Denmark

"Denmark supports the proposal on amendments to the Commission proposal for a Regulation of the European Parliament and of the Council laying down transitional rules for the packaging and labelling of veterinary medicinal products authorized in accordance with Directive 2001/82/EC and Regulation (EC) No 726/2004. Denmark finds it very important that the issues relating to packaging and labelling are resolved swiftly with transitional measures such as the measures proposed.

However, Denmark is still concerned that Article 106(1) of Regulation 2019/6 could lead to an unintentional increase in the use of antimicrobials in Denmark and would have preferred if the proposal had also addressed this issue. According to paragraph 1 of Article 106, veterinarians are no longer allowed to deviate from the dosage and the duration of treatment stated in the Summary of Product Characteristics (SPC). Denmark is concerned that veterinarians will be forced to use unnecessarily high amounts of antimicrobials by not being allowed to reduce the duration of treatment stated in the Summaries of Product Characteristics (SPC), even when clinical effect can be achieved by a shorter duration of treatment. An increase in the consumption of antibiotics would be incompatible with the reduction targets in the Farm to Fork-strategy.

The Commission has referred to updating of SPC's as the solution to this issue. However, according to the Danish Medicines Agency it is up to the marketing authorization holder to decide which dosage and duration treatment regime they wish to have covered by the SPC – as long as the safety and efficacy is confirmed by the supporting documentation. Furthermore, if there is evidence to support a need to change the SPC for the above reasons, it is still up to the marketing authorization holder to decide, whether they wish to change the marketing authorization or alternatively deregister the medicinal product, which can lead to supply problems and risk of animal health and welfare. Therefore, until the marketing authorizations have been updated, and for products where the marketing authorizations will not be updated to a sufficient extent, to mitigate these consequences, there is a need for an alternative solution.

Denmark therefore urges the Commission to assist Member States in finding a solution that decreases antibiotic consumption all over the EU."

73. Decision on the period of application and the equivalence of  
seed produced in Bolivia  
*Adoption of the legislative act*

8601/22  
PE-CONS 10/22  
AGRILEG

### Energy

74. Revision of the TEN-E Regulation  
*Adoption of the legislative act*

8693/22  
PE-CONS 2/22  
ENER

## **Internal Market and Industry**

75. Regulation amending Regulation (EU) 2016/1628 as regards the extension of the empowerment of the Commission to adopt delegated acts  
*Mandate for negotiations with the European Parliament* 7890/22  
MI
76. Regulation on geographical indication protection for craft and industrial products  
*Decision to consult an institution or body* 8750/22  
PI

## **Delegated or Implementing Acts**

### **Agriculture**

77. Commission Delegated Regulation (EU) .../... of 23 March 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council by laying down rules for the performance of official controls as regards contaminants in food  
*Delegated act – Intention not to raise objections* 8623/22  
7536/22 + ADD 1  
DENLEG

### **Internal Market and Industry**

78. Commission Delegated Regulation (EU) .../... of 22 March 2022 amending Annexes II, III and IV to Regulation (EU) 2019/1009 of the European Parliament and of the Council for the purpose of adding recovered high purity materials as a component material category in EU fertilising products  
*Delegated act – Intention not to raise objections* 8744/22  
7575/22 + ADD 1  
ENT

## **FRIDAY 13 MAY 2022**

### **Institutional affairs**

#### **Other**

81. Attendance of third parties at the meeting of the Audiovisual and Media Working Party on 18 May 2022  
*Approval* 8807/22  
AUDIO
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