



Brussels, 9 November 2022
(OR. en)

14551/22
CRS CRP 41

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE (Part 1)

19 and 21 October 2022

I. Adoption of the agenda

13429/1/22 REV 1 OJ CRP1 36

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

WEDNESDAY 19 OCTOBER 2022

Transport, Telecommunications and Energy

2. Meeting of the Council (Transport, Telecommunications and Energy) on 25 October 2022: Preparation

1. Directive on common rules for the internal markets in renewable and natural gases and in hydrogen and
Regulation on the internal markets for renewable and natural gases and for hydrogen (recast)
Policy debate 13236/22

The Committee prepared this item for the Council meeting.

2. Revision of the Directive on the energy performance of buildings (recast)
General approach 13279/22

The Committee finished preparing this item for the Council meeting.

Employment and Social Policy

3. Directive on binding pay transparency measures 13582/22
Preparation for the trilogue

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

Environment

4. Meeting of the Council (Environment) on 24 October 2022: Preparation

Conclusions on the preparations for the 27th Conference of the Parties (COP 27) of the United Nations Framework Convention on Climate Change (UNFCCC)
(Sharm El-Sheik, Egypt, 6-18 November 2022) 13154/1/22 REV 1
Approval

The Committee continued preparing this item for the Council meeting.

Internal Market and Industry

5. Directive on consumer credits 13327/22
Preparation for the trilogue

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

6. Regulation amending Regulation (EU) No 1025/2012 as regards the decisions of European standardisation organisations concerning European standards and European standardisation deliverables 13395/22
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.

Fisheries

7. Regulation amending various Regulations as regards fisheries control
Presidency debriefing on the outcome of the trilogue

The Committee took note of the outcome of the trilogue held on 13 October 2022.

Transport, Telecommunications and Energy

2. **(continuation)** Meeting of the Council (Transport, Telecommunications and Energy) on 25 October 2022: Preparation
3. Council Regulation on enhancing solidarity through better coordination of gas purchases, exchanges of gas across borders and reliable price benchmarks 13781/22
Presentation by the Commission
Exchange of views

The Committee prepared this item for the Council meeting.

Environment

8. Revision of Regulation (EU) 2019/631 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles 13377/22
Preparation for the trilogue

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

9. Revision of Directive 2003/87/EC as regards aviation's contribution (ETS Aviation) 13477/22
Preparation for the trilogue

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

IV. Any other business

- a) New energy package
Information from the Commission

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

- b) Energy support of Ukraine
Information from the Polish delegation

The Committee took note of the information provided by the Polish delegation.

- c) COP 27 conclusions
Information from the Presidency

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

"I" items approved**WEDNESDAY 19 OCTOBER 2022****Institutional Affairs****11. Minutes of Council meetings***Approval*

Extraordinary TTE (Energy) Council 9.9.2022

12288/22 + ADD 1

Appointments

12. One alternate member (AT) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions

Adoption

13505/22

SOC

13. One alternate member (AT) of the Management Board of the European Agency for Safety and Health at Work

Adoption

13533/22

SOC

14. Renewal of the Advisory Committee on Freedom of Movement for Workers 2022-2024

Adoption

12877/22

12876/22

SOC

Other

15. Attendance of a third party at the Working Party on International Food and Agricultural Questions (FAO) on 3 November 2022

Approval

13276/22

AGRI

16. Attendance of third parties at the Working Party on the Staff Regulations (WPSR) on 24 October 2022

Approval

13534/22

STAT

17. Attendance of a third party at the Working Party on Aviation on 24 October 2022

Approval

13330/22

AVIATION

EU positions for international negotiations

18. Council Decision on the EU position within the EEA Joint Committee, concerning the amendment to Annex XI (Electronic communication, audiovisual services and information society) to the EEA Agreement (Audiovisual Media Services Directive)
Adoption 12531/22
12530/22 + ADD 1
EFTA
19. Council Decision on the EU position within the International Maritime Organization (IMO) during the 106th session of the Maritime Safety Committee and the 79th session of the Marine Environment Protection Committee on the adoption of amendments to the International Convention for the Safety of Life at Sea (SOLAS), to the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code) and to the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex VI
Adoption 13152/22 + ADD 1
12627/22
MAR

Statement by the Commission

"The proposed amendments to Chapter II-2 to the International Convention for the Safety of Life at Sea (SOLAS), to the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code) and to Annex VI and to appendix IX of Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL) to be adopted by the IMO will affect existing Union rules or alter their scope. As such, these amendments fall entirely within the exclusive external competence of the Union.

Further and in any event, in accordance with established case-law, in particular case C-600/14, the EU external competence is not limited to its exclusive competence. The Union position established in respect of those proposed amendments cannot be limited in scope and must be understood as covering them in their entirety.

The Commission reserves all its rights."

Health

20. Regulation amending Regulation (EC) No 851/2004 establishing a European Centre for disease prevention and control (ECDC)
Adoption of the legislative act 13322/22 + ADD 1
PE-CONS 82/21
SAN

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 concept of 'gender' as reference to 'sex' in the regulation of the European Parliament and of the Council amending Regulation (EC) No 851/2004 establishing a European Centre for disease prevention and control."

21. Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU
Adoption of the legislative act 13323/22 + ADD 1
PE-CONS 40/22
SAN

Statement by Bulgaria

"The Republic of Bulgaria supports the overall goal of the Health Union Package to improve the reaction of the European Union and its Member States to cross-border health threats.

For Bulgaria, protection of human health is of paramount importance, both in peace times and in times of crisis and emergencies. Hence, we reiterate our understanding, based on (Art. 168 TFEU in particular paragraphs 5 and 7) that nothing in the Regulation on cross-border threats to health as part of the Health Union Package shall be interpreted as a limitation of Member States' sovereign actions to protect their population, including by procuring critical countermeasures in a timely manner and at affordable price, via all possible channels.

The provision of health services and medical care and the allocation of the resources assigned to them in times of crisis remains responsibility of Member states: an inherent part not only of national health policies but also a matter of national security.

Bulgaria also confirms its adherence to the precise text of the WHA Second Special Session Decision SSA2(5), which at this stage leaves open the matter about the legal nature of a future international instrument on pandemic prevention, preparedness and response. We note with concern the introduction of references in the EU internal legal order to ongoing international negotiations and attempts to prejudge their outcomes.

Finally, in terms of the envisaged reporting obligations and assessment of national crisis plans we commit to implement the Package, while bearing in mind the principles of subsidiarity, proportionality and conferral of powers, enshrined in the relevant provisions of the EU primary law. The national administrations and budget resources of Member States differ significantly - additional excessive burden can exhaust already limited resources and be counterproductive in crisis times."

Statement by Hungary

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22. Council Regulation on the emergency framework regarding medical countermeasures
Adoption
- 13476/22 + ADD 1
6569/22
SAN

The statement by Bulgaria is set out in document 13476/22 ADD 1.

Environment

23. Regulation amending Annexes IV and V to Regulation (EU) 2019/1021 on persistent organic pollutants (POPs)
Adoption of the legislative act
- 13367/22
PE-CONS 39/22
ENV
24. Commission's intention to open discussions on joining, on behalf of the EU, the High Ambition Coalition to End Plastic Pollution
Authorisation to negotiate an NBI
- 13302/22
ENV

Fisheries

25. Regulation laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence
Adoption of the legislative act
- 13386/22 + ADD 1
PE-CONS 38/22
PECHE

Statement by the Commission

"The European Parliament and the Council underlined on several occasions the need to further improve the process of implementation of conservation measures adopted by Regional Fisheries Management Organisations (RFMOs), notably in a timely manner. The Commission regrets that its attempt to streamline the implementation process has not been fully retained by the European Parliament and the Council. The Commission will continue to work together with the European Parliament and the Council on further improvements to the implementation process."

Agriculture

26. OECD Agriculture Ministerial Declaration on “Transformative solutions for sustainable agriculture and food systems”
Authorisation to sign an NBI 13461/22
AGRI

Internal Market and Industry

27. Directive amending Directive 2014/53/EU relating to the making available on the market of radio equipment (common charger)
Adoption of the legislative act 13485/22
PE-CONS 44/22
MI
28. Memorandum of Understanding to establish a partnership on sustainable raw materials, batteries and renewable hydrogen value chains with Kazakhstan
Authorisation to sign an NBI
Decision to use the written procedure 13463/1/22 REV 1
COMPET

Transport

29. Council Decision on the conclusion, on behalf of the Union and its Member States, of the Accession Protocol of the Republic of Bulgaria, the Republic of Croatia and Romania to the Cooperation Agreement on a Civil Global Satellite Navigation System (GNSS) with the Republic of Korea
Request for the consent of the European Parliament 13237/22 + COR 1
6756/19
6739/19 + COR 1
TRANS
30. Joint statement of the EU, the Contracting Parties of the Transport Community Treaty, Ukraine, the Republic of Moldova and Georgia on the closer association of the latter three in the work of the Transport Community
Authorisation to negotiate an NBI 13486/22
TRANS

Delegated or Implementing Acts

Internal Market and Industry

31. Commission Delegated Regulation (EU) .../... of 30.8.2022 amending Delegated Regulation (EU) 2017/655 as regards the adaptation of the provisions on monitoring of gaseous pollutant emissions from in-service internal combustion engines installed in non-road mobile machinery to include engines with power of less than 56 kW and more than 560 kW
Delegated act - Intention not to raise objections 13445/22
12077/22 + ADD 1
ENT

Economic and Financial Affairs

32. Council Implementing Decisions amending Implementing Decisions granting temporary support to Member States under the SURE Regulation 13197/22
ECOFIN
Adoption
- a) Council Implementing Decision amending Implementing Decision granting temporary support to the Republic of Croatia 12701/22
- b) Council Implementing Decision amending Implementing Decision granting temporary support to the Republic of Lithuania 12702/22
- c) Council Implementing Decision amending Implementing Decision granting temporary support to the Portuguese Republic 12967/22
- d) Council Implementing Decision amending Implementing Decision granting temporary support to the Hellenic Republic 12968/22
- e) Council Implementing Decision amending Implementing Decision granting temporary support to the Republic of Cyprus 12974/22
- f) Council Implementing Decision amending Implementing Decision granting temporary support to the Czech Republic 13032/22
Adoption
33. Regulation establishing the European Union Single Window Environment for Customs 13325/22 + ADD 1
PE-CONS 33/22
Adoption of the legislative act UD

Statement by the Commission

"The Commission regrets that the original dates foreseen in the proposal for the Government-to-Government exchanges were not retained by the co-legislators, and that this will reduce the capacity of the Union to deliver on its commitments under the Green Deal for the management of ozone depleting substances and control and reduction of fluorinated greenhouse gases to prevent climate-relevant emissions. However, given the significant impact on customs of major current and past events the Commission understands that Member States are facing great pressure. At the same time, the Commission acknowledges that some Member States are already interconnected to the EU Customs Single Window - Certificate Exchange System (EU CSW-CERTEX), and some have asked for the possibility to interconnect before 2025. Therefore, notwithstanding the deadlines listed in the Annex, the Commission strongly encourages all Member States to take all the necessary steps to interconnect as soon as possible."

General Affairs

34. Signing of a Memorandum of Understanding on behalf of the EU on offshore renewable energy cooperation with the United Kingdom
Authorisation to sign an NBI 13465/22
UK

Justice and Home Affairs

35. Council Decision identifying the violation of restrictive measures as an EU crime under Art. 83(1) TFEU
Adoption 12963/22
10287/1/22 REV 1
JAI

The Committee agreed to the withdrawal of the adoption of this item from the list of A items for the Meeting of the Council (Environment) on 24 October 2022.

36. Counter Ransomware Initiative
Authorisation to negotiate an NBI 13622/22
CYBER

Foreign Affairs

37. Council Decision on EDF contributions: 3rd instalment 2022
Adoption 13490/22
13274/22
ACP
38. Restrictive measures against the proliferation and use of chemical weapons – coordination with third countries
Approval 13644/22
CONOP
39. Council Implementing Decision and Implementing Regulation concerning restrictive measures in view of the situation in Yemen - UN transposition
Adoption 13654/22
13416/22 + ADD 1
13419/22 + ADD 1
CORLX
40. Restrictive measures against serious human rights violations and abuses - Pre-notifications
Approval 13657/22
CORLX
41. Council Decision and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
Decision to use the written procedure for the adoption 13719/22
13716/22
13718/22
CORLX

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| 42. Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine - pre-notifications
<i>Approval</i>
<i>Decision to use the written procedure</i> | 13782/22
CORLX |
| 43. Ukraine: Territorial Integrity Regime - coordination with third countries
<i>Approval</i> | 13755/22
COEST |

FRIDAY 21 OCTOBER 2022

Energy

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| 44. Joint Declaration on reducing methane emissions from fossil fuels
<i>Authorisation to negotiate an NBI</i> | 13710/22
ENER |
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