

Brussels, 11 January 2023
(OR. en)

16320/22
CRS CRP 48

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
30 November, 1, 2 and 5 December 2022

I. Adoption of the agenda

14994/1/22 REV 1 + REV 1 ADD 1 OJ CRP1 42
15364/2/22 REV 2 + REV 2 ADD 1 OJ CRP2 42 COMIX 565

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 30 NOVEMBER 2022

Internal Market and Industry

3. Directive on consumer credits 14835/22 + ADD 1
Preparation for the trilogue

The Committee prepared the forthcoming trilogue.

Competitiveness

86. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 1 and 2 December 2022: Preparation

Directive on corporate sustainability due diligence
General approach

15446/22

The Committee reverted to preparing this item for the Council meeting.

Statement by Germany

"Deutschland unterstützt eine wirksame EU-RL über die **Sorgfaltspflichten von Unternehmen im Hinblick auf Nachhaltigkeit**, basierend auf den UN-Leitprinzipien Wirtschaft und Menschenrechte, das kleinere und mittlere Unternehmen nicht überfordert. In diesem Sinne stimmt DEU dem von der Präsidentschaft zu Erreichung der Allgemeinen Ausrichtung vorgelegten Text (14791/22) zu und stellt dabei eigene Anliegen zu Teilaspekten im Sinne des Ratskompromisses zunächst zurück. DEU wünscht den zukünftigen Präsidentschaften für die Trilogverhandlungen viel Erfolg.

Die anstehenden Verhandlungen sollten aus unserer Sicht dazu genutzt werden, noch einige Aspekte im RL-Text stärker herauszustellen bzw. zu verankern, auf die wir auch während der Verhandlungen hingewiesen haben:

1) Mit Blick auf die Beendigung der Geschäftsbeziehungen sieht DEU die Notwendigkeit, den Grundsatz „Rückzug als Ultima ratio“ im Sinne des Primats der Menschenrechte und des Umweltschutzes auszugestalten. Es gilt, einerseits überstürzte Rückzüge aus Beschaffungsmärkten zu vermeiden und die Befähigung der Zulieferer in den Fokus zu stellen. Andererseits kann die Beendigung in letzter Konsequenz unausweichlich werden und darf im äußersten Fall auch mit Verweis auf das Unternehmenswohl nicht unterlassen werden.

2) DEU begrüßt es grundsätzlich, dass die RL Vorschriften zum Zugang zu Abhilfe und Justizgewährung enthält. Aus unserer Sicht muss aber ein zusätzlicher Anreiz zur Umsetzung der RL-Bestimmungen gesetzt werden. Hierzu ist eine Haftungsprivilegierung für leichte Fahrlässigkeit bei der Befolgung von freiwilligen Brancheninitiativen oder der Verwendung qualifizierter Zertifizierungen ("Safe Harbour") zwingend erforderlich. Diese setzt einen positiven Anreiz zur Umsetzung der Sorgfaltspflichten und honoriert entsprechende Bemühungen der Unternehmen. DEU wird nur einem RL-Text zustimmen, der diese Bedingungen erfüllt.

3) Der Zugang zu Abhilfe für Opfer von Menschenrechtsverletzungen sollte darüber hinaus in praxistauglicher Weise weiter gestärkt werden. Dabei wird zu klären sein, inwieweit die im deutschen Lieferkettensorgfaltspflichtengesetz enthaltene Prozessstandschaft und ein Akteneinsichtsrecht in den Regelungsbereich einzubeziehen sein werden.

4) DEU begrüßt, dass die CSDDD einen wichtigen Beitrag zum Schutz der im Annex I Teil 1 aufgelisteten Menschenrechte leisten wird. Die Auflistung der menschenrechtlichen Standards bedarf aber weiterer Konkretisierungen, zudem bedarf es einer Einschränkung der Auffangklausel, um dem in den Verfassungen der Mitgliedstaaten, aber auch in der EU-Grundrechtecharta verankerten Bestimmtheitsgrundsatz gerecht zu werden. Unternehmen müssen zweifelsfrei erkennen können, welchen konkreten Verhaltenspflichten sie unterliegen.

5) Deutschland begrüßt ausdrücklich, dass im Annex I Teil 2 aufgelisteten Umweltbelange durch die CSDDD gestärkt werden. Gleichwohl sprechen wir uns dafür aus, dass als weitere wichtige Belange ausdrücklich klargestellt wird, dass Schutzgebiete i.S.d. Art. 8a) Biodiversitätskonvention erfasst sind, und dass Bestimmungen aus dem Londoner Protokoll zum Übereinkommen von 1972 über die Verhütung der Meeresverschmutzung durch das Einbringen von Abfällen und anderen Stoffen sowie Bestimmungen zu Abbau und Forschung am Tiefseeboden nach Art. 153 (3) UNCLOS aufgenommen werden.

6) DEU bekennt sich zu dem Ziel, ökologische und soziale Werte im Dialog mit der Wirtschaft im Rahmen von Sustainable Finance-Maßnahmen zu integrieren. Wenn Finanzdienstleistungen nicht EU-weit einheitlich in den Anwendungsbereich der CSDDD einbezogen werden, sollten entsprechende Pflichten grundsätzlich im Bereich spezifischer Kapitalmarktregulierung und Finanzdienstleistungsaufsicht, aufgegriffen werden."

Courtesy translation

"Germany supports an effective EU Directive on **corporate sustainability due diligence** based on the UN Guiding Principles on Business and Human Rights which does not overburden small and medium-sized enterprises. In this spirit, Germany supports the text proposed by the Presidency (1479/22) to achieve a General Approach and puts aside its concerns about some aspects in favour of a compromise in the Council for the time being. Germany wishes the future Presidencies every success for the trilogue negotiations.

In our opinion, the upcoming negotiations should be used to put more emphasis on some aspects of the draft Directive and/or enshrine them in the text. We already highlighted these aspects during the negotiations:

1) With a view to the termination of business relationships, Germany deems it necessary to specify the principle "withdrawal as a last resort" in the spirit of the primacy of human rights and environmental protection. On the one hand, rash withdrawals from procurement markets must be avoided and the focus must be put on capacity building among suppliers. On the other hand, a termination of the business relationship can ultimately become unavoidable. In such a worst-case scenario, companies must not refrain from such a step, even when pointing out their business interests.

2) Generally, Germany welcomes the fact that the Directive contains provisions on access to remedies and justice. However, we believe that it is necessary to provide an additional incentive promoting the implementation of the provisions contained in the Directive. To this end, a safe harbour provision for ordinary negligence for companies adhering to voluntary industry initiatives or using quality certifications is absolutely indispensable. This would provide a positive incentive to implement due diligence obligations and would reward efforts by companies to this end. Germany will only endorse a Directive that meets these conditions.

3) In addition, access to remedies for victims of human rights violations should be boosted further in a practical manner. In this regard, it will have to be clarified to what extent the possibility to sue on victims' behalf - as contained in Germany's Supply Chain Act - and a right to access documents will have to be included in the Directive.

4) Germany welcomes the fact that the CSDDD will make an important contribution to the protection of the human rights listed in Annex I Part 1. However, it is necessary to render the list of human rights standards more concrete. In addition, the catch-all clause must be limited in order to do justice to the principle of legal certainty enshrined in the constitutions of the Member States, as well as in the EU Charter of Fundamental Rights. Companies must be able to know the conduct required of them beyond doubt.

5) Germany expressly welcomes the fact that the CSDDD strengthens the environmental concerns listed in Annex I Part 2. At the same time, we are in favour of clarifying that protected areas within the meaning of Art. 8a of the Convention on Biological Diversity are covered and that provisions from the London Protocol to the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter, as well as provisions on exploration and exploitation on the deep ocean floor specified in Art. 153 (3) of UNCLOS are included as other important concerns.

6) Germany is committed to the goal of integrating ecological and social values in sustainable finance measures in a dialogue with the private sector. If financial services are not included in the scope of the CSDDD coherently across the EU, the relevant obligations should in general be addressed in the framework of capital market regulation and financial service oversight."

Employment, Social Policy, Health and Consumer Affairs

5. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 8 and 9 December 2022: Preparation

The Committee agreed to take a new AOB by the Presidency in public session.

3. Directive on improving working conditions in platform work 14990/22
General approach

The Committee continued preparing this item for the Council meeting.

2. Council Recommendation on adequate minimum income ensuring active inclusion 15094/22 + ADD 1
Political agreement /Progress report

The Committee prepared this item for the Council meeting.

Statement by Poland

"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, wyrażenie "gender equality" Polska będzie interpretowała jako równość kobiet i mężczyzn, zgodnie z art. 2 i 3 Traktatu o Unii Europejskiej oraz art. 8 i 157 ust. 3 Traktatu o Funkcjonowaniu Unii Europejskiej, a pozostałe wyrażenia zawierające termin "gender", Polska będzie interpretowała jako płeć ("sex"), zgodnie z art. 10, art. 19 ust. 1 oraz art. 157 ust. 2 i 4 Traktatu o Funkcjonowaniu Unii Europejskiej."

Courtesy translation

"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 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, the expression "gender equality" will be interpreted by Poland as equality between women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8 and 157 para 3 of the Treaty on the Functioning of the European Union, and the remaining expressions containing the term "gender" will be interpreted by Poland as "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."

1. Council Recommendation on early childhood education and care: The Barcelona targets for 2030
Adoption

14782/22 + ADD 1
14785/22

The Committee prepared this item for the Council meeting.

Statement by Hungary

"Hungary welcomes the general objective of the Council Recommendation to provide parents with every possible tool to maintain a better work-life balance. Hungary acknowledges the importance of high quality, affordable and accessible early childhood education and care (ECEC) services, that can contribute to the more equal sharing of care responsibilities among parents and also enhance the labour market participation of women.

Hungary considers it important that the principle of subsidiarity and the different national circumstances and practices of the Member States are taken into account regarding ECEC. Hungary believes that the right to parental choice must be respected with regard the use of ECEC services.

Hungary interprets the Recommendation as the following: if a Member State achieves the proposed targets ahead of schedule, it does not mean that it will be moved to the next category automatically to achieve the higher target.

Furthermore, 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 early childhood education and care: The Barcelona Targets for 2030*.

Moreover, the text of the *Council Recommendation on early childhood education and care: The Barcelona Targets for 2030* refers to several documents to which previously Hungary submitted a national statement. Hungary maintains all its national statements made earlier."

Statement by Poland

"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, wyrażenie "gender equality" Polska będzie interpretowała jako równość kobiet i mężczyzn, zgodnie z art. 2 i 3 Traktatu o Unii Europejskiej oraz art. 8 i 157 ust. 3 Traktatu o Funkcjonowaniu Unii Europejskiej, a pozostałe wyrażenia zawierające termin "gender", Polska będzie interpretowała jako płeć ("sex"), zgodnie z art. 10, art. 19 ust. 1 oraz art. 157 ust. 2 i 4 Traktatu o Funkcjonowaniu Unii Europejskiej."

Courtesy translation

"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 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, the expression "gender equality" will be interpreted by Poland as equality between women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8 and 157 para 3 of the Treaty on the Functioning of the European Union, and the remaining expressions containing the term "gender" will be interpreted by Poland as "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 Spain

"España acoge con satisfacción la adopción de esta Recomendación destinada a garantizar una mayor participación en servicios de educación y cuidados de la primera infancia (ECEC) de alta calidad, asequibles y accesibles en la Unión Europea y, en particular, elogia los esfuerzos de la Presidencia checa para llegar a un acuerdo sobre esta iniciativa.

Nos encontramos entre los países que han apoyado a lo largo de las negociaciones un alto nivel de ambición en la Recomendación, en consonancia con la propuesta original de la Comisión. Si bien esto se ha conservado en muchas partes del texto, creemos que el texto debería haber prestado más atención a la necesidad de incorporar efectivamente la igualdad de género en las políticas de cuidado infantil, lo que implica, entre otras cosas, que tanto los padres como los Estados deben ser corresponsables.

En este sentido, cualquier referencia a la "elección parental" en el texto no puede considerarse neutral en cuanto al género y puede tener consecuencias no deseadas que se desvíen del camino hacia la igualdad de género, ya que, en la mayoría de los casos, no existe tal libertad de elección por parte de los padres debido al peso de los estereotipos de género, los roles tradicionales y la falta de reparto equitativo de las responsabilidades de cuidado entre mujeres y hombres, fomentando así las desigualdades y obstaculizando el progreso hacia la igualdad de género.

Esperamos que los Estados miembros y la Comisión tengan en cuenta estas consideraciones a la hora de aplicar la Recomendación."

Courtesy translation

"Spain welcomes the adoption of this Recommendation aimed at ensuring greater participation in high-quality, affordable and accessible early childhood education and care (ECEC) services in the European Union, and in particular commends the Czech Presidency's efforts to reach an agreement on this initiative.

We are among the countries that have supported a high level of ambition in the Recommendation throughout the negotiations, in line with the Commission's original proposal. While this has been retained in many parts of the text, we believe that the text should have paid more attention to the need to effectively mainstream gender equality in childcare policies, which means, among other things, that parents and states must share responsibility.

In this respect, any reference in the text to 'parental choice' cannot be considered gender neutral and may have unintended consequences that deviate from the path towards gender equality, since in most cases parents have no such freedom of choice owing to the weight of gender stereotypes, traditional roles and the lack of an equal sharing of care responsibilities between women and men, which fosters inequalities and hinders progress towards gender equality.

We hope that the Member States and the Commission take these considerations into account when implementing the Regulation."

Statement by Malta

"Malta supports the Proposal for a Council Recommendation on the Revision of the Barcelona Targets on early childhood education and care, as set out in doc 14785/22.

Malta attaches significant importance to the Early Childhood Education and Care (ECEC) and fully supports measures to provide high quality early childhood education to all parents/guardians who work, or who are pursuing their education. Malta has been providing free access to this childcare already for eight years and is committed to take additional measures to allow further flexible work and family friendly solutions.

Whilst Malta therefore recognises that the relevant recommended proposed target of ECEC is to strive to increase its five year (2017-2021) average rate of (32.2%) according to EU-SILC data by at least 45% or until at least reaching a participation rate of 45% by 2030, the Maltese Government's statistical trajectory for its specific context indicate that this target remains ambitious. This also in light of more recent measures which have been introduced such as increased telework provisions and which should also be taken into account in the overall monitoring of the implementation of the revised Barcelona Targets for ECEC."

4. European Semester 2023 15071/1/22 REV 1
Policy debate
- a) 2023 Annual Sustainable Growth Survey (ASGS), 15184/22
 Alert Mechanism Report (AMR), draft Joint 15189/22 + ADD 1
 Employment Report (JER) and draft 15076/22 + ADD 1
 Recommendation on the economic policy of the euro 15180/22 + ADD 1
 area
Presentation by the Commission
- b) Implementation of the Recommendation on the 15081/22 + ADD 1
 integration of the long-term unemployed into the
 labour market: EMCO Key Messages
Endorsement

The Committee prepared this item for the Council meeting.

5. European Care Strategy 15084/22
Policy debate

The Committee prepared this item for the Council meeting. The Committee agreed to the participation of a representative of Social Service Europe.

Employment and Social Policy

4. Decision on a European Year of Skills 2023 15092/1/22 REV 1
Mandate for negotiations with the European Parliament + REV 1 ADD 1

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

The statement by Hungary is set out in document 15092/1/22 REV 1 ADD 1.

Internal Market and Industry

2. Regulation on general product safety (GPSR)
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 28 November 2022.

Employment, Social Policy, Health and Consumer Affairs

5. (**continuation**) Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 8 and 9 December 2022: Preparation

6. Regulation on the European Health Data Space 14605/22
Progress report

The Committee prepared this item for the Council meeting.

7. Regulation on standards of quality and safety for substances of human origin intended for human application and repealing Directives 2002/98/EC and 2004/23/EC 14606/22
Progress report

The Committee prepared this item for the Council meeting.

Transport, Telecommunications and Energy

8. Meeting of the Council (Transport, Telecommunications and Energy) on 19 December 2022: Agenda

The Presidency presented the main items on the agenda.

Environment

12. Meeting of the Council (Environment) on 20 December 2022: Agenda

The Presidency presented the main items on the agenda.

14. Revision of Directive 2003/87/EC as regards aviation's contribution (ETS Aviation) 14979/22
Preparation for the trilogue

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

16. Fit for 55 package: ETS revision
- a) Revision of Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading (ETS)
- b) Revision of Decision (EU) 2015/1814 (market stability reserve)

Presidency debriefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 29 November 2022.

15. Regulation establishing a Social Climate Fund
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 29 November 2022.

Agriculture and Fisheries

6. Meeting of the Council (Agriculture and Fisheries) on 11 and 12 December 2022: Preparation

Evaluation of the EU animal welfare legislation (Fitness check) 15182/22
Information from the Presidency and the Commission
Exchange of views

The Committee prepared this item for the Council meeting.

Fisheries

7. Determination of the correct methodological approach for the 15087/22
distribution of the MAC/2A4A-N TAC
Guidance for further work

The Committee provided guidance for further work.

Environment

13. Regulation on the making available on the Union market as well 15131/22
as export from the Union of certain commodities and products
associated with deforestation and forest degradation
Preparation for the trilogue

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

Transport

10. Directive amending Directive 2003/25 introducing improved 15057/22
stability requirements for ro-ro passenger ships
Preparation for the trilogue

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

11. Single European Sky 2 + 15119/22 + COR 1
a) Regulation on the implementation of the Single European
Sky (recast)
b) Regulation amending EASA Basic Regulation
Preparation for the trilogue

The Committee discussed a proposed revised mandate for the forthcoming trilogue.

9. Regulation on ensuring a level playing field for sustainable air transport (ReFuelEU Aviation initiative) 14991/22
Preparation for the trilogue

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

FRIDAY 2 DECEMBER 2022

Energy

17. Council Regulation establishing a Market Correction Mechanism to protect citizens and the economy against excessively high price 15352/22
Guidance for further work

The Committee provided guidance for further work.

COREPER (PART 2)

WEDNESDAY 30 NOVEMBER 2022

General Affairs

28. Meeting of the Council (General Affairs) on 13 December 2022:
Preparation

- a) Preparation of the European Council meeting on 14088/22
15-16 December 2022: Guidelines
Exchange of views

The Committee examined the guidelines for the conclusions of the upcoming European Council meeting on 15-16 December 2022.

- b) Conclusions on Enlargement and Stabilisation and 15151/22
Association Process
Approval

The Committee prepared this item for the Council meeting and will revert at a next meeting.

- c) Annual rule of law dialogue: country-specific discussion 11510/22
Exchange of views

The Committee prepared this item for the Council meeting.

- d) Other items in connection with the Council meeting

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

Foreign Affairs

31. Regulation on applying a generalised scheme of tariff preferences: review 14133/22
Mandate for negotiations with the European Parliament

The Committee could not agree on the mandate and will revert on the basis of a revised text at a forthcoming meeting.

32. Preparation of the EU-US Trade and Technology Council (Washington, 5 December 2022): draft joint statement 15201/22
Exchange of views 13928/1/22 REV 1
Approval of an NBI

The Committee held an exchange of views on the draft joint statement and will revert on the basis of a revised text.

33. European Peace Facility: financial sustainability
Exchange of views

The Committee held an exchange of views and will revert at a next meeting.

Economic and Financial Affairs

40. Meeting of the Council (Economic and Financial Affairs) on 6 December 2022: Preparation

j) Other items in connection with the Council meeting

The Committee agreed to add a new item on the ECOFIN provisional agenda, which concerns the follow-up to the adoption of the budget for 2023 (statement on the situation of heading VII and administrative expenditure for the Council minutes) and to revert the next day for the preparation of this new item.

Justice and Home Affairs

34. Meeting of the Council (Justice and Home Affairs) on 8-9 December 2022: Preparation

a) Directive on asset recovery and confiscation 15010/22
Policy debate

The Committee prepared this item for the Council meeting.

- b) Important steps on legislative files
- i) Directive on protection of the environment through criminal law
General approach 15006/22 + ADD 1
 - ii) Regulation on the digitalisation of judicial cooperation and access to justice
General approach 15205/22
15139/22
 - iii) Directive on the digitalisation of judicial cooperation
General approach 15205/22
15138/22

The Committee prepared this item for the Council meeting.

Statement by Italy, supported by Luxembourg

on the Directive on protection of the environment through criminal law

"Italy wishes to reiterate its doubts and concerns as regards Article 7(3) of the proposed text, relating to sanctions for legal persons.

As flagged and highlighted throughout the negotiations, Italy considers that the alternative possibility of sanctioning legal persons on the basis of 'fixed amounts' - as now set out in subparagraph (b) of Article 7(3) - should not have been inserted in the text.

In our opinion, in order to achieve the aim of creating sufficient, proportionate and dissuasive sanctions, only the possibility of sanctioning legal persons on the basis of the total worldwide turnover - as set out in subparagraph (a) of Article 7(3) - should have been foreseen. This mechanism is not new within the European instruments, as it is already provided in the competition sector and in the GDPR.

In addition, we regret that two possibilities are set out on an equal footing, without any priority being given to the possibility under (a). In our view, the possibility under (b) should only be used in the event that the possibility under (a) cannot be applied, for whatever reason."

- c) Directive against strategic lawsuits against public participation ("anti-SLAPP Directive")
Policy debate 15222/22

The Committee prepared this item for the Council meeting.

- d) Conclusions on enhancing the capacities of the European Judicial Cybercrime Network (EJCN)
Approval 15003/22

The Committee prepared this item for the Council meeting.

- e) EU accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)
Policy debate
- 14858/22
13873/22

The Committee prepared this item for the Council meeting.

THURSDAY 1 DECEMBER 2022

Justice and Home Affairs

34. Meeting of the Council (Justice and Home Affairs) on 8-9 December 2022: Preparation

- f) Full application of the Schengen acquis in Bulgaria, Croatia and Romania
- i) Council Decision on the full application of the provisions of the Schengen acquis in Bulgaria and Romania
- 15218/22
- ii) Council Decision on the full application of the provisions of the Schengen acquis in Croatia
Adoption
- 10624/1/22 REV1
+ REV 1 COR 1

The Committee prepared this item for the Council meeting and will revert at a next meeting.

- g) Overall state of the Schengen area
- i) Schengen barometer
- ii) Schengen Council cycle
- 15271/22
- iii) Internal security: counteracting migrant smuggling
- 15086/22
- iv) Interoperability
State of play

The Committee prepared this item for the Council meeting.

- h) Russia's aggression against Ukraine:
- i) The situation of Ukrainian refugees in the EU
 - ii) Internal security dialogue
Exchange of views

The Committee prepared this item for the Council meeting.

- i) Regulation to prevent and combat child sexual abuse 14862/22
Progress report

The Committee prepared this item for the Council meeting and agreed to submit the progress report to the Council.

- j) Council recommendation on the resilience of critical infrastructure 13713/22
State of play

The Committee prepared this item for the Council meeting and agreed to change the aim on the Council agenda to *Adoption*.

- k) External dimension of migration and the situation along the main migratory routes 15270/22
Exchange of views

The Committee prepared this item for the Council meeting.

- l) Fight against antisemitism 15165/22
Exchange of views

The Committee prepared this item for the Council meeting.

- m) Other items in connection with the Council meeting

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

The adoption of the Council implementing Decision regarding visa measures against Senegal was removed from the list of "A" items.

The following any other business items were added to the agenda:

- on wildfire preparedness in the context of the Union Civil Protection Mechanism, at the request of the Commission;
- on Union Civil Protection Mechanism response to the challenges arising from the war in Ukraine, at the request of the Commission; and
- on the designation of the Director General for the International Organisation for Migration at the request of the Portuguese delegation.

General Affairs

36. Geographical balance of staff in EU institutions and bodies 15093/22
Exchange of views

The Committee held an exchange of views.

37. Regulation on the statute and funding of European political parties and European political foundations 14775/22
Presidency debriefing on the outcome of the trilogue

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

28. Meeting of the Council (General Affairs) on 13 December 2022:
Preparation

- e) Regulation on the transparency and targeting of political advertising 15200/22
General approach

The Committee prepared this item for the Council meeting.

Foreign Affairs

38. Use of frozen assets to support Ukraine's reconstruction 15534/22
Presentation by the Commission

The Committee took note of the information provided by the Commission and the EEAS, and provided guidance for further examination at working party level.

39. Accountability for international crimes in Ukraine 15321/22
Presentation by the Commission

The Committee took note of the information provided by the Commission and the EEAS, and provided guidance for further examination at working party level.

32. (poss.) Preparation of the EU-US Trade and Technology Council (Washington, 5 December 2022): draft joint statement 15201/1/22 REV 1
Approval 13928/2/22 REV 2
Decision to use the written procedure for the adoption

The Committee examined the draft joint statement and agreed to revert on the basis of a revised text.

87. (poss.) Council Decision and Regulation concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
Approval
Decision to use the written procedure for the adoption

14253/1/22 REV 1
+ ADD 1
14250/1/22 REV 1
14252/1/22 REV 1

The Committee approved the text and decided to use the written procedure for its adoption after a final reservation is lifted.

Statement by the Commission on transparency of negotiations in the Price Cap Coalition

"The Commission confirms that the objective of the oil price cap is to mitigate adverse consequences on energy supply to third countries, while limiting Russian oil revenues. As such, the price cap should be at least 5% below the average market price for Russian crude oil and petroleum products. The Commission will fully support the Council in the regular review of the price cap mechanism to take into account the effectiveness of the measure in terms of its expected results, its implementation, international adherence to and informal alignment with the price cap mechanism, and its potential impact on the Union and its Member States and respond to developments in the market, including possible turbulences, and to ensure that these objectives are met.

The Commission confirms that any considerations that would potentially affect the functioning and terms of the price cap, including its ability to reduce Russia's oil revenues, would be raised within the Price Cap Coalition, following discussion in the Council.

The Commission also confirms that it will inform the Council in full transparency about any ongoing discussions within the Price Cap Coalition on the oil price cap. The Commission will fully reflect in the discussions within the Price Cap Coalition the circumstances which must be taken into account by the Council in the review process and the position of the Council following the review, including the principle that the oil price cap should be at least 5% lower than the market price, in order to reduce Russia's revenues."

Economic and Financial Affairs

40. Meeting of the Council (Economic and Financial Affairs) on
6 December 2022: Preparation

- a) (poss.) Council Implementing Decision on measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary
Adoption

15192/22

The Committee prepared this item for the Council meeting and agreed to change the aim on the Council agenda to *Exchange of views*.

- b) (poss.) Economic recovery in Europe
- i) Implementation of the Recovery and Resilience Facility
State of play
Exchange of views
 - ii) Council Implementing Decisions under the Recovery and Resilience Facility
Adoption 15230/22 + ADD 1

The Committee agreed to change the aim on the Council agenda to *Exchange of views* and agreed to revert on 5 December.

- c) (poss.) Legislative package on financial support to Ukraine
- i) Regulation amending Regulation 2020/2093 laying down the multiannual financial framework for the years 2021 to 2027
Adoption
Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU 15179/22
14471/1/22 REV 1
 - ii) Regulation establishing an instrument for providing support to Ukraine for 2023 (macro-financial assistance +)
Adoption
Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU 15232/22 + COR 1
PE-CONS 63/22
 - iii) Regulation amending Regulation 2018/1046 as regards the establishment of a diversified funding strategy as a general borrowing method
Adoption
Decision to derogate from the eight-week period provided for in Article 4 of Protocol 1 on the role of national parliaments in the EU 15225/22
PE-CONS 62/22

The Committee prepared this item for the Council meeting.

Intervention by the Commission on the contribution by Member States to the interest rate subsidy for the MFA+ loans to Ukraine

"In order to provide sufficient assurances to Ukraine on the availability of the interest rate subsidy in the period from 1 January 2023 to 31 December 2027 for the loans under the MFA+ Instrument, the Commission expects the Member States to enter at the latest by 30 June 2023 into contribution agreements which include the following features:

- (a) The contributions shall be irrevocable, unconditional and on-demand. They shall be transferred to the Commission in line with the terms and conditions of the contribution agreement, upon written demand by the Commission.
- (b) The contributions shall only cover the interest rate subsidy and not the administrative costs related to the borrowing and lending operations.
- (c) The contributions requested from the Member States by the European Commission shall be calculated on the basis of the gross national income (GNI) key set out in Article 5(1) of the MFA+ Instrument of the amount of the costs and expressed in euro.
- (d) The interest rate subsidy to be covered through contributions shall be calculated and invoiced on the basis of a cost allocation methodology adopted by the Commission covering the borrowing used to finance the loans under the MFA+ Instrument.
- (e) The contribution agreements shall enter into force upon signature by the Commission, and by the Member States, subject to approval in accordance with their national procedures, if applicable.
- (f) The contribution agreements shall apply to the interests (costs of funding and costs of liquidity management) incurred in the period from 1 January 2023 to 31 December 2027 and related to the borrowing and lending, with the exception of costs related to early repayment of the loans, in respect of the loans under the MFA+ Instrument.
- (g) The additional support under Article 4(2) of the MFA+ Instrument by Member States' contributions is to be provided on the understanding that it will be subject to the political precondition laid down in Article 6 of the MFA+ Regulation.

In the context of the annual budgetary procedure, the Commission will examine the availabilities under the budget within the limits of available resources while ensuring the need to maintain sufficient margins and flexibilities to cope with unexpected events in the course of the financial year. Following conclusion of the annual budgetary procedure, the Commission will communicate the estimated amounts to be called from Member States in the following year. The amounts to be called from Member States may differ from these estimates given that some of the relevant costs will still be subject to change at the time of communication.

In order to facilitate national preparations for the signature of the contribution agreements, the Commission will provide indicative estimates of interest rate costs that may be expected over the years 2023-2027. The aggregate figures will be broken down on the basis of most recent GNI key per Member State. They will be accompanied by explanations on the invoicing schedule for calls for Member State contributions from Q1 2024 onwards."

- d) (poss.) Directive on ensuring a global minimum level of taxation for multinational groups in the Union 15181/22
8778/22
Adoption

The Committee prepared this item for the Council meeting.

- e) Revision of the energy taxation Directive 14736/22
Policy debate

The Committee prepared this item for the Council meeting.

- f) New own resources: state of play 15178/22
Report by the Presidency

The Committee prepared this item for the Council meeting.

- g) Commission communication on economic governance review 13828/22
Presentation by the Commission
Exchange of views

The Committee prepared this item for the Council meeting.

- h) European Semester 2023: Annual Sustainable Growth Survey 2023, Alert Mechanism Report 2023 and Recommendation on the economic policy of the euro area 15180/22 + ADD 1
15184/22
15189/22 + ADD 1
Presentation by the Commission

The Committee prepared this item for the Council meeting.

- i) European Court of Auditors' annual report on the implementation of the budget of the European Union for the financial year 2021
Presentation

The Committee prepared this item for the Council meeting.

- j) Other items in connection with the Council meeting

The Committee took note of the information provided by the Presidency and approved the attendance of the President of the EIB at the Council session and the informal breakfast session, as well as the attendance of the ESM Chair at the informal breakfast session.

- k) Follow-up to the adoption of the budget for 2023
Information from the Presidency

The Committee prepared this item for the Council meeting.

MONDAY 5 DECEMBER 2022

Economic and Financial Affairs

40. Meeting of the Council (Economic and Financial Affairs) on
6 December 2022: Preparation

b) (poss.) Economic recovery in Europe

ii) Council Implementing Decisions under the
Recovery and Resilience Facility
Exchange of views

15230/22 + ADD 1

15447/22 + ADD 1

The Committee prepared this item for the Council meeting

j) Other items in connection with the Council meeting

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

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

WEDNESDAY 30 NOVEMBER 2022

EU-Western Balkans summit: update

The Committee took note of the information provided by the Secretary General on behalf of the cabinet of the President of the [European Council](#).

Statement by Hungary on the interpretation of migration management

"Taking into account that illegal migratory flows are closely related to various forms of organized crime, which pose a threat to all countries and require a comprehensive approach in addressing migratory flows, Hungary maintains that migration management is to be understood as curbing mixed migration flows in the context of Article 79(1) TFEU, i.e. only in full respect of the objective, enshrined thereof, for the prevention of, and enhanced measures to combat illegal immigration, as well as the right of Member States as set out in Article 79(5) TFEU, according to which the Member States right to determine volumes of admission of third-country nationals shall not be affected. This is without prejudice to the general policy of Hungary aimed at stemming illegal migration instead of managing the phenomenon."

PEC visit to China

The Committee took note of the information provided by the Secretary General on behalf of the cabinet of the President of the [European Council](#).

Hungary - Rule of law in conditionality
Recovery and resilience plan (RRP) for Hungary

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

WEDNESDAY 1 DECEMBER 2022

Visit of several GAC ministers to Ukraine

The Committee took note of the information provided by Austria.

"I" items approved

COREPER (PART 1)

WEDNESDAY 30 NOVEMBER 2022

Institutional Affairs

Other

18. Attendance of third parties at the Working Party on Animals and Veterinary Questions (Chief Veterinary Officers) on 8 December 2022
Approval 14987/22
VETER

Judicial Affairs

19. Case C-601/22 (Umweltverband WWF Österreich, ÖKOBÜRO – Allianz der Umweltbewegung, Naturschutzbund Österreich, Umweltdachverband and Wiener Tierschutzverein v Tiroler Landesregierung)
Information note 14941/22
JUR
20. Case T-648/22 (ClientEarth AISBL v Council)
Information note 15163/22
JUR

EU positions for international negotiations

21. Council Decision on the EU position in the Regional Steering Committee of the Transport Community as regards rules of procedure and rules on dispute settlements with staff
Adoption 14720/22
14455/22 + ADD 1
TRANS

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."

22. Council Decision on the EU position in the Regional Steering Committee of the Transport Community as regards certain administrative and staff rules 14722/22
14460/22 + ADD 1
TRANS
Adoption

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."

23. Council Decision as regards the revision of the financial rules for the Transport Community 14721/22
14458/22 + ADD 1
TRANS
Adoption

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."

Delegated or Implementing Acts

Internal Market and Industry

26. Commission Delegated Directive (EU) .../... of 5.10.2022 amending Directive 2009/43/EC of the European Parliament and of the Council as regards the updating of the list of defence-related products in line with the updated Common Military List of the European Union of 21 February 2022 15135/22
13374/22 + ADD 1
MI
Delegated act - Intention not to raise objections

FRIDAY 2 DECEMBER 2022

Transport

24. Council Decision on the conclusion of the Agreement on the carriage of freight by road between the EU and the Republic of Moldova 15020/22 + COR 1
11052/22
TRANS
Adoption

Statement by the Commission

"In line with the Commission statement at the time when the Council adopted the Decisions authorising the opening of negotiations with Ukraine and the Republic of Moldova for an Agreement on the carriage of goods by road, and when the Council adopted the decisions on signature and provisional application of these Agreements, the Commission would like to make the following statement:

1. The Commission considers that any agreement on the carriage of goods between the European Union and Ukraine or the Republic of Moldova aimed at regulating the mutual access to the road freight transport market falls within the exclusive external competence of the Union referred to in Article 3(2) TFEU, even where that agreement may be limited in time. The conclusion of international agreements on road transport of goods is explicitly provided for in a legislative act of the Union (Article 1 of Regulation (EC) No 1072/2009). Second, the conclusion of such agreement may affect common rules or alter their scope, in line with Article 3(2) TFEU, as interpreted by the ECJ jurisprudence . The fact that the envisaged agreements are intended to be limited in time and directly aim to specifically address repercussions of Russia's unprovoked and unjustified military aggression against Ukraine does not change the nature of the competence exercised by the Union.

2. The Court has stated that Protocol 25 does not apply to Article 3(2) TFEU and cannot be read to limit its scope. Thus, the principle of pre-emption under that article is broader than under Article 2(2) TFEU.

3. In order to avoid a deterioration of the status quo resulting from existing bilateral agreements between Member States and Ukraine and the Republic of Moldova after these temporary agreements have ceased to apply, the Commission considers that in this unique situation the Union temporary agreements have included ad cautelam, specific provisions applicable after the termination of these agreements.

4. The Commission reiterates that, in accordance with Article 17 TEU, the Commission represents the Union externally on matters not falling into the CFSP. The power of external representation includes the power to negotiate international agreements (in accordance with a prior authorisation by the Council), sign, notify the conclusion or extension of those agreements and implement them. Therefore, the Decision on the conclusion of agreements between the Union and Ukraine/Republic of Moldova must designate the Commission to notify the Ukrainian or Moldovan governments of the Union's completion of its internal procedures necessary to conclude the agreements. As a consequence, it is not for the President of the Council or the Council to express the consent of the Union to be bound by the agreements in question. Should it do so, it will violate the external representation power of the Commission enshrined in Article 17(1) TEU, as well as the principle of inter-institutional balance enshrined in Article 13(2) TEU.

5. Finally, the Council included in the decisions a clause stating that the Commission shall be assisted by the representatives of the Member States as observers when representing the Union within the Joint Committee set up by the agreements. However, the Union may only be represented by the Commission in the joint committees instituted by these agreements. This applies to the international agreements at stake which are of exclusive Union competence and would even apply in cases of international agreements covering areas of shared competence. According to the agreements, representatives of the Member States may indeed attend the meetings of the Joint Committees as observers, however this does not at all mean they are entitled to assist the Commission in the representation of the Union in those Committees. Indeed those agreements clearly provide that the Joint Committee is to be composed of representatives of the Parties and shall adopt its decisions by consensus between the Parties.

Therefore, the wording introduced by the Council in the draft decision is not acceptable as it suggests that the Commission shall be assisted by the Member States' representatives in representing the Union, in breach of its prerogatives under Article 17(1) TEU.

6. The Commission reserves all its rights as regards the above."

25. Council Decision on the conclusion of the Agreement on the carriage of freight by road between the EU and Ukraine
Adoption

15015/22 + COR 1
11050/22
TRANS

Statement by the Commission

"In line with the Commission statement at the time when the Council adopted the Decisions authorising the opening of negotiations with Ukraine and the Republic of Moldova for an Agreement on the carriage of goods by road, and when the Council adopted the decisions on signature and provisional application of these Agreements, the Commission would like to make the following statement:

1. The Commission considers that any agreement on the carriage of goods between the European Union and Ukraine or the Republic of Moldova aimed at regulating the mutual access to the road freight transport market falls within the exclusive external competence of the Union referred to in Article 3(2) TFEU, even where that agreement may be limited in time. The conclusion of international agreements on road transport of goods is explicitly provided for in a legislative act of the Union (Article 1 of Regulation (EC) No 1072/2009). Second, the conclusion of such agreement may affect common rules or alter their scope, in line with Article 3(2) TFEU, as interpreted by the ECJ jurisprudence . The fact that the envisaged agreements are intended to be limited in time and directly aim to specifically address repercussions of Russia's unprovoked and unjustified military aggression against Ukraine does not change the nature of the competence exercised by the Union.

2. The Court has stated that Protocol 25 does not apply to Article 3(2) TFEU and cannot be read to limit its scope. Thus, the principle of pre-emption under that article is broader than under Article 2(2) TFEU.

3. In order to avoid a deterioration of the status quo resulting from existing bilateral agreements between Member States and Ukraine and the Republic of Moldova after these temporary agreements have ceased to apply, the Commission considers that in this unique situation the Union temporary agreements have included ad cautelam, specific provisions applicable after the termination of these agreements.

4. The Commission reiterates that, in accordance with Article 17 TEU, the Commission represents the Union externally on matters not falling into the CFSP. The power of external representation includes the power to negotiate international agreements (in accordance with a prior authorisation by the Council), sign, notify the conclusion or extension of those agreements and implement them. Therefore, the Decision on the conclusion of agreements between the Union and Ukraine/Republic of Moldova must designate the Commission to notify the Ukrainian or Moldovan governments of the Union's completion of its internal procedures necessary to conclude the agreements. As a consequence, it is not for the President of the Council or the Council to express the consent of the Union to be bound by the agreements in question. Should it do so, it will violate the external representation power of the Commission enshrined in Article 17(1) TEU, as well as the principle of inter-institutional balance enshrined in Article 13(2) TEU.

5. Finally, the Council included in the decisions a clause stating that the Commission shall be assisted by the representatives of the Member States as observers when representing the Union within the Joint Committee set up by the agreements. However, the Union may only be represented by the Commission in the joint committees instituted by these agreements. This applies to the international agreements at stake which are of exclusive Union competence and would even apply in cases of international agreements covering areas of shared competence. According to the agreements, representatives of the Member States may indeed attend the meetings of the Joint Committees as observers, however this does not at all mean they are entitled to assist the Commission in the representation of the Union in those Committees. Indeed those agreements clearly provide that the Joint Committee is to be composed of representatives of the Parties and shall adopt its decisions by consensus between the Parties. Therefore, the wording introduced by the Council in the draft decision is not acceptable as it suggests that the Commission shall be assisted by the Member States' representatives in representing the Union, in breach of its prerogatives under Article 17(1) TEU.
6. The Commission reserves all its rights as regards the above."

Foreign Affairs

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|-----|---|-------------------------------------|
| 88. | (poss.) Joint Statement of the third meeting of the EU-US Trade and Technology Council
<i>Approval</i>
<i>Decision to use the written procedure</i> | 15593/22
13928/3/22 REV 3
TTC |
|-----|---|-------------------------------------|

The above-mentioned item was withdrawn.

COREPER (PART 2)

WEDNESDAY 30 NOVEMBER 2022

Institutional Affairs

Other

- | | | |
|-----|--|-------------------|
| 41. | Attendance of a third party at the informal meeting of the members of the Political and Security Committee on 1 December 2022
<i>Approval</i> | 15194/22
COPS |
| 42. | Attendance of a third party at the informal meeting of the members of the Political and Security Committee on 1 December 2022
<i>Approval</i> | 15280/22
COPS |
| 43. | Attendance of a third party at the Working Party on the Western Balkans Region (COWEB) on 5 December 2022
<i>Approval</i> | 15009/22
COWEB |

- | | | |
|-----|--|---------------------|
| 44. | Attendance of a third party at the Working Party on the Western Balkans Region (COWEB) on 8 December 2022
<i>Approval</i> | 15040/22
COWEB |
| 45. | Attendance of a third party at the Working Party on Latin America and Caribbean on 6 December 2022
<i>Approval</i> | 15066/22
COLAC |
| 46. | Attendance of third parties at the Law Enforcement Working Party (Police) on 6 December 2022
<i>Approval</i> | 15063/22
ENFOPOL |
| 47. | Attendance of a third party at the Dual Use Working Party on 7 December 2022
<i>Approval</i> | 15272/22
COMER |
| 48. | Attendance of third parties at the Council Security Committee on 7-8 December 2022
<i>Approval</i> | 15150/22
CSC |
| 49. | Attendance of a third party at the Mashreq/Maghreb Working Party on 8 December 2022
<i>Approval</i> | 15101/22
MAMA |
| 50. | Attendance of additional third parties at the informal videoconference of the members of the Working Party on Humanitarian Aid and Food Aid (COHAFA) on 13 December
<i>Approval</i> | 15236/22
COHAFA |

Economic and Financial Affairs

- | | | |
|-----|---|--|
| 51. | ESA 2010 review Regulation
<i>Confirmation of the final compromise text with a view to agreement</i> | 14611/22
14612/22
ECOFIN
STATIS |
| 52. | Council Implementing Decision authorising Italy to extend a VAT derogation
<i>Adoption</i> | 14903/22 + COR 1
14512/22
FISC |
| 53. | Council Implementing Decision authorising Poland to extend a VAT derogation
<i>Adoption</i> | 14904/22
14513/22
FISC |
| 54. | Ecofin Report to the European Council on tax issues
<i>Approval</i> | 14905/22
FISC |

- | | | |
|-----|---|--------------------------|
| 55. | Conclusions on the progress achieved by the Code of Conduct (Business Taxation) Group
<i>Approval</i> | 14675/22 + COR 1
FISC |
| 56. | ECA SR No 23/2022 on synergies between Horizon 2020 and European Structural and Investment Funds
<i>Designation of a Working Party</i>
<i>Attendance of the European Court of Auditors at the Working Party meeting</i> | 15143/22
FIN |
| 57. | New Finnish commemorative coin
<i>Information note</i> | 14164/22
UEM |
| 58. | New Portuguese commemorative coins
<i>Information note</i> | 14161/22
UEM |

General Affairs

- | | | |
|-----|--|---------------------------|
| 59. | EP Resolutions and Decisions (November II 2022)
<i>Information note</i> | 14919/22 + COR 1
PE-RE |
|-----|--|---------------------------|

Justice and Home Affairs

- | | | |
|-----|--|---|
| 60. | Council Decision on the accession of Tunisia to the 1980 Hague Convention on the Civil Aspects of International Child Abduction
<i>Adoption</i> | 14950/22
13840/22
JUSTCIV |
| 61. | Council Decision on the accession of Philippines to the 1980 Hague Convention on the Civil Aspects of International Child Abduction
<i>Adoption</i> | 14957/22 + COR 1
13845/22
JUSTCIV |

62. Regulation on Kosovo* visa liberalisation
Mandate for negotiations with the European Parliament 15027/22 + ADD 1
VISA

Statement by Slovakia

"Slovak Republic highly appreciates the effort of the presidency to reach the compromise on the Council mandate for negotiations with the European Parliament on Regulation on Kosovo* visa liberalisation.

Slovak Republic regrets that the final presidency compromise proposal does not reflect amendment to recital 5 of the Regulation which was submitted during the written consultation with a view of incorporating the language of "Roadmap towards a visa-free regime with Kosovo", Part I. on Requirements related to Readmission and Reintegration, part Readmission, which states that Kosovo should, inter alia, "ensure that readmission procedures, conducted through the appropriate channels, function in relation to all Member States".

Slovak Republic believes that the above mentioned amendment would have ensured more clarity and removed the ambiguity in the interpretation."

Foreign Affairs

63. Council Decision on a European Union military mission to contribute to the training of Somali security forces (EUTM Somalia)
Adoption 14800/22
14799/22
CORLX
64. Council Decision on the European Union Capacity Building Mission in Somalia (EUCAP Somalia)
Adoption 14894/22
14893/22
CORLX
65. Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in Mali
Adoption 13867/22
13864/22
13866/22
CORLX
66. Council Decision on an Assistance Measure under the European Peace Facility to support the Georgian Defence Forces
Adoption 10111/22
10110/22
CORLX
67. Council Decision and Implementing Regulation concerning restrictive measures against serious human rights violations and abuses - review
Adoption 12457/22
12454/22
12456/22
CORLX

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo declaration of independence.

68.	Council Decision on a European Union action to support the evacuation of certain particularly vulnerable persons from Afghanistan <i>Adoption</i>	14746/22 14745/22 CORLX
69.	Council Decision on an assistance measure under the European Peace Facility to support the Lebanese Armed Forces <i>Adoption</i>	15120/22 14368/22 CORLX
70.	Council Decision on an assistance measure under the European Peace Facility to strengthen the capacities of the Armed Forces of Bosnia and Herzegovina (AFBiH) <i>Adoption</i>	10926/22 10924/22 CORLX
71.	Council Decision on an assistance measure under the European Peace Facility to strengthen the capacities of the armed forces of the Islamic Republic of Mauritania <i>Adoption</i>	14363/22 14362/22 CORLX
72.	Council Decision on an assistance measure under the European Peace Facility to support the deployment of the Rwanda Defence Force in Mozambique <i>Adoption</i>	13858/22 13857/22 CORLX
73.	Council Decision and Implementing Regulation concerning restrictive measures in view of the situation in the Democratic Republic of the Congo <i>Adoption</i>	14924/22 14921/22 14923/22 CORLX
74.	Council Decision on a European Union military partnership mission in Niger (EUMPM Niger) <i>Adoption</i>	14822/22 14820/22 CORLX
75.	Crisis Management Concept for a possible EU CSDP Military Partnership Mission in Niger (EUMPM Niger) <i>Approval</i>	15229/22 14291/22 COPS
76.	Council Decision on the conclusion of the Protocol amending the Marrakesh Agreement establishing the World Trade Organization, as regards the Agreement on fisheries subsidies <i>Request for the consent of the European Parliament</i>	14556/22 14557/22 14558/22 POLCOM
77.	PSC Decision EUTM Mali/2/2022: appointment of EU Mission Force Commander of EUTM Mali <i>Decision to publish in the Official Journal</i>	15152/22 14476/22 PSC DEC

Fisheries

79. ECA SR No 20/2022 on EU action to combat illegal fishing
Approval 14536/1/22 REV 1
PECHE

Agriculture

80. Conclusions on ECA SR No 14/2022 on the Commission's
response to fraud in the Common Agricultural Policy
Approval 15110/22
AGRI
81. Conclusions on ECA SR No 16/2022 on the data in the
Common Agricultural Policy
Approval 15111/22
AGRI
82. Proposal for an FAO Council decision on the impact of the war
in Ukraine on global food security
Approval 15160/22
FAO

THURSDAY 1 DECEMBER 2022

General Affairs

83. Public access to documents: request 22/2224
*Decision to make the statements entered in the Council minutes
public* 15273/22
API 107
84. Conclusions on ECA SR No 18/2022 on EU institutions and
COVID-19
Approval 14999/22
STAT

Justice and Home Affairs

85. Council Decision on the full application of the provisions of the
Schengen acquis in Bulgaria and Romania
Approval of a letter 15366/22
SCH-EVAL