



Brussels, 13 January 2023
(OR. en)

16339/22
CRS CRP 49

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
7, 9, 10 and 12 December 2022

I. Adoption of the agenda

15607/1/22 REV 1 OJ CRP1 43 + REV 1 ADD 1 + REV 1 ADD 2
15658/1/22 REV 1 OJ CRP2 43 + REV 1 ADD 1

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex.

III. Discussion items

COREPER (PART 1)

WEDNESDAY 7 DECEMBER 2022

Employment, Social Policy, Health and Consumer Affairs

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

The Committee agreed to invite the Executive Director of EMA for the AOB requested by Germany. The Committee also agreed to recommend to the Council to make use of the linguistic derogation regarding the draft Joint Employment Report (15076/22 + ADD 1).

Directive on improving working conditions in platform work
General approach

15635/22

The Committee prepared this item for the Council meeting.

Statement by France

"La France prend note de l'indisponibilité en langue française du projet de rapport conjoint sur l'emploi (document 15076/22 + ADD1), qui sera présenté au Conseil EPSCO du 8 décembre 2022 dans le cadre du débat d'orientation sur le Semestre européen 2023.

La France souhaite rappeler les règles prévues dans le règlement intérieur du Conseil, en particulier son article 14, paragraphe 1, qui prévoit que « le Conseil ne délibère et ne décide que sur la base de documents et de projets établis dans les langues prévues par le régime linguistique en vigueur ». Elle invite la Commission à communiquer dans les meilleurs délais le projet de rapport conjoint sur l'emploi dans sa version française et à veiller à mieux programmer la traduction de ces documents."

Courtesy translation

"France takes note of the unavailability of the French version of the draft joint report on employment (document 15076/22 + ADD1), which will be presented to the EPSCO Council on 8 December 2022 in the context of the policy debate on the 2023 European Semester.

France wishes to recall the rules laid down in the Council's Rules of Procedure, in particular Article 14(1), which provides that "the Council shall deliberate and take decisions only on the basis of documents and drafts drawn up in the languages specified in the rules in force governing languages". It invites the Commission to communicate the draft Joint Employment Report in its French version as soon as possible and to ensure better programming of the translation of these documents."

Employment and Social Policy

3. Directive on binding pay transparency measures
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 30 November 2022.

Transport

4. Directive amending Directive 2003/25/EC introducing improved stability requirements for ro-ro passenger ships
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 6 December 2022.

5. Regulation on the use of renewable and low-carbon fuels in maritime transport (FuelEU Maritime initiative) 13875/22 + COR 1
Preparation for the trilogue

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

6. Regulation on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU (AFIR) 15284/22
Preparation for the trilogue

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

7. Revision of the Directive on the framework for the deployment of Intelligent Transport Systems (ITS) 15281/22 + ADD 1
Preparation for the trilogue

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

Environment

8. Revision of Directive 2003/87/EC as regards aviation's contribution (ETS Aviation)
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 6 December 2022.

9. Meeting of the Council (Environment) on 20 December 2022: Preparation

The Committee agreed to take the AOB items on UN water conference requested by the Netherlands, on the Communication on the EU policy framework for biobased, biodegradable and compostable plastics, on the Implementation of the EU Biodiversity Strategy for 2030 and on the Light Pollution 2022 workshop in public session.

Regulation on nature restoration
Policy debate

15473/22

The Committee prepared this item for the Council meeting.

10. Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020
Preparation for the trilogue

15398/22

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

11. Regulation on the making available on the Union market as well as export from the Union of certain commodities and products associated with deforestation and forest degradation
Presidency debriefing on the outcome of the trilogue

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

Internal Market and Industry

12. Directive on consumer credits
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 1 December 2022.

Transport, Telecommunications and Energy

13. Extraordinary meeting of the Transport, Telecommunications and Energy Council on 13 December 2022

1. Agenda

The Presidency presented the main items on the agenda.

Energy

14. Directive amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (REPowerEU Directive)
Guidance for further work 15496/22 + COR 1

The Committee provided guidance for further work.

Transport, Telecommunications and Energy

13. (continuation) Extraordinary meeting of the Transport, Telecommunications and Energy Council on 13 December 2022

2. Preparation

Council Regulation establishing a market correction mechanism to protect citizens and the economy against excessively high prices
Political agreement 15486/22
15646/22

The Committee started preparing this item for the Council meeting.

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

Regulation on methane emissions reduction in the energy sector
(poss.) General approach 15319/22

The Committee started preparing this item for the Council meeting. The Committee agreed to take a new AOB item by Luxembourg in public session.

Energy

16. 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)
Guidance for further work 15493/22

The Committee provided guidance for further work.

Internal Market and Industry

17. Regulation on machinery products
Preparation for the trilogue 15480/22

The Presidency presented a revised mandate and took note of delegations' comments ahead of the forthcoming trilogue.

Agriculture and Fisheries

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

The Committee agreed to take a new AOB item by France, Spain and Portugal in public session.

1. Council Regulation fixing for 2023 the fishing opportunities for certain fish stocks and groups of fish stocks in the Mediterranean and Black Seas
Political agreement 15393/22
15115/22

The Committee prepared this item for the Council.

2. Council Regulation fixing for 2023 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters as well as fixing for 2023 and 2024 such fishing opportunities for certain deep-sea fish stocks
Political agreement 15391/1/22 REV 1
14248/22
+ ADD 1-2
14649/22
14931/22
15303/22
15304/22
15466/22
15608/22

The Committee prepared this item for the Council.

SATURDAY 10 DECEMBER 2022

Transport, Telecommunications and Energy

13. (continuation) Extraordinary meeting of the Transport, Telecommunications and Energy Council on 13 December 2022

2. Preparation

Council Regulation establishing a market correction mechanism to protect citizens and the economy against excessively high prices 15694/22
Political agreement 15695/22

The Committee continued preparing this item for the Council.

Environment

19. Fit for 55 package: ETS revision 15472/22
+ ADD 1-3

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)

Preparation for the trilogue

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

20. Regulation establishing a Social Climate Fund 15455/22 + ADD 1
Preparation for the trilogue

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

MONDAY 12 DECEMBER 2022

Transport, Telecommunications and Energy

13. (continuation) Extraordinary meeting of the Transport, Telecommunications and Energy Council on 13 December 2022

2. Preparation

Council Regulation establishing a market correction mechanism to protect citizens and the economy against excessively high prices 15694/22
Political agreement 15695/22

The Committee finished preparing the item for the Council.

COREPER (PART 2)

WEDNESDAY 7 DECEMBER 2022

General Affairs

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

- a) Preparation of the European Council meeting on 15 December 2022: Conclusions
Exchange of views 14090/22

The Committee prepared this item for the Council meeting and agreed to revert to it at a forthcoming meeting.

- b) Conclusions on the enlargement and stabilisation and association process
Approval 15151/2/22 REV 2

The Committee prepared this item for the Council meeting and agreed to revert to it at a forthcoming meeting.

Foreign Affairs

41. Meeting of the Council (Foreign Affairs) on 12 December 2022:
Preparation

- a) Current affairs

The Committee prepared this item for the Council meeting.

- b) Russian aggression against Ukraine
Exchange of views

The Committee prepared this item for the Council meeting.

- c) Iran
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 EEAS and approved the attendance by videoconference of the Foreign Minister of Ukraine for an informal exchange under the agenda item on Russian aggression against Ukraine.

42. European Peace Facility: financial sustainability
Exchange of views

15676/22

The Committee held an exchange of views.

43. EU-ASEAN summit (Brussels, 14 December 2022)
Exchange of views

The Committee took note of the information provided by the cabinet of the President of the European Council, held an exchange of views and agreed to revert to this item at one of its following meetings.

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 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 Poland understands that the formulation "gender equality" refers to the notion of equality between women and men, in accordance with art. 2 and art. 3 of the Treaty on European Union and art. 8 and 157 para. 3 of the Treaty on the Functioning of the European Union."

44. Russian aggression against Ukraine
Exchange of views

The Committee held an exchange of views on the proposed sanctions package presented by the Commission and the EEAS and agreed to revert at one of its following meetings.

Economic and Financial Affairs

45. Meeting of the Council (Economic and Financial Affairs) on
6 December 2022: Follow-up

The Committee took note of the main outcomes of the Council meeting.

Justice and Home Affairs

47. Qualification Regulation 15619/22
Mandate for negotiations with the European Parliament

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

48. Resettlement Framework Regulation 15620/22
Mandate for negotiations with the European Parliament

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

49. Reception Conditions Directive (recast) 15622/22 + COR 1
Mandate for negotiations with the European Parliament

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

Statement by Hungary on items 47, 48 and 49

"Hungary remains committed to the reform of the Common European Asylum System, but does not see any justification for the early conclusion of the legislative proposals of the Pact on Migration and Asylum, which is only a partial solution, and instead calls for a completely new approach, which, bearing in mind the failed reform attempts in previous years, seeks to respond to the realities of today and the challenges ahead.

Consequently, Hungary could only support the aim of the Resettlement Framework Regulation if the principle of voluntary resettlement were to be included in its final text. Furthermore, Hungary's firm position is that the draft Qualification Regulation would not be able to provide an adequate response to the changed security realities due to mass immigration, and in the case of the proposed extended definition of family member, we can only hope that the detection of abuse attempts will not place an undue burden on the asylum authorities of Member States. Furthermore, Hungary would only be able to support any legislative proposal presented in the framework of the reform of the Common European Asylum System if the solidarity component of the reform package treats all forms of solidarity contributions equally, including measures taken by Member States to ensure the security of the EU as a whole without EU support. As a consequence of the above reasoning, Hungary wishes to abstain in the adoption of the mandate for the negotiations with the European Parliament in case of both draft regulations.

Furthermore, Hungary's firm position is that, in addition to preventing secondary movements, the aim of the amendment of the Reception Conditions Directive is to support the efficient conduct of the asylum procedure. However, in the period since 2018, it has become even more evident that migration flows to Europe are also encouraged by pull factors such as the wide range of benefits offered by the current draft (facilitating access to the labour market and providing daily expenses allowance in the form of a monetary amount) or the overly flexible rules on the detention of asylum seekers, which only encourage illegal migration of economic immigrants to Europe who are not eligible for protection. In view of the above, Hungary cannot support the adoption of the mandate for the negotiations with the European Parliament in the case of the Reception Directive."

Statement by Poland on items 47, 48 and 49

"Poland appreciates the efforts of the Czech Presidency to forward the work on the New Pact on Migration and Asylum and the modalities of negotiation, respecting the assumption that the legislative acts should be subject to joint adoption as they are inextricably linked. We welcome the efforts to seek an agreement with the European Parliament, which also emphasises the interlinked nature of the legislative proposals under the Pact.

In view of the Road Map for the European Parliament and the Council of the European Union signed on 7 September 2022 on the timetable for negotiations on the New Pact, we consider it fully justified to step up works on the New Pact on Migration and Asylum, which aims to complete the legislative process by the end of the European Parliament mandate.

However, in Poland's view the legislative proposals in question, that is proposal for a regulation of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted (text from 2018 – annex to ST 15619/22) and proposal for the amendment of the directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (text from 2018 – annex to ST 15622/22) should be revised in order to update their content in connection to the current migratory and asylum situation. Poland's latest position on these proposals indicated that a number of elements and links between them required further work at the expert level. Therefore, for reasons of substance, we oppose the adoption of a mandate to negotiations with the European Parliament for the above mentioned proposals.

Referring to the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework Poland does not, in principle, oppose the text of 2018. The voluntary participation in resettlement based on sovereign decisions of the Member States remains important. In the context of the war in Ukraine. At the same time we strongly oppose to providing financial support for resettlement efforts at rates incomparably higher than the financial assistance that Member States burdened with Ukrainian refugees fleeing the Russian aggression and benefiting from temporary protection in the EU. Taking this into account Poland calls for proportionality and equal treatment of different categories of refugees. In view of the above, Poland abstains from giving a mandate to negotiate with the European Parliament on the Union Resettlement Framework (text from 2018 – annex to ST 15620/22)."

50. e-evidence
- a) Regulation on European Production and Preservation Orders for e-evidence
 - b) Directive on appointment of legal representatives for gathering evidence

Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the outcome of the trilogue.

51. Council Recommendation amending Council Recommendation (EU) 2022/107 on free movement
Preparation for the adoption 15207/22 + COR 1

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

52. Council Recommendation on a coordinated approach to travel to the Union during the COVID-19 pandemic and replacing Council Recommendation (EU) 2020/912
Preparation for the adoption 15535/22

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

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

- a) 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
(poss.) Adoption

The Committee prepared this item for the Council meeting and agreed that the basis for discussions at the Council would be document 15218/22.

- ii) Council Decision on the full application of the provisions of the Schengen acquis in Croatia
(poss.) Adoption 14239/22

The Committee prepared this item for the Council meeting.

- b) *(poss.) Regulation on addressing situations of instrumentalisation in the field of migration and asylum*
Partial general approach 15219/22

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

Statement by Hungary

"Hungary is seriously concerned about the practices of certain third countries or non-state actors that seek to destabilise a Member State or the European Union as a whole by instrumentalising migration. This is why we consider it essential to address this issue comprehensively and with the most effective means possible. As a result, it must be recognised that there are situations in which the only solution, both for the protection of the Union and for the protection of migrants, is to close the external borders and to limit the

possibility of lodging asylum applications to an external location, such as a consulate, and to declare the primacy of border protection. Consequently, in Hungary's view, the procedures, the limited scope and extent of the derogations set out in the draft Regulation addressing situations of instrumentalisation in the field of migration and asylum does not provide a meaningful solution to address the situations related to the instrumentalisation of migration. Furthermore, we remain firmly of the view that persons disembarked following search and rescue operations should not constitute a separate category from persons crossing sea borders illegally, as those arriving in this way are also considered illegal border crossers. Finally, Hungary attributes a decisive role to the European Council in determining situations of instrumentalisation of migration, which is not sufficiently taken into account in the present draft legislation.

For the above reasons, Hungary cannot support the adoption of the partial general approach."

- c) Asylum and migration 15265/22 + ADD 1
State of play

The Committee prepared this item for the Council meeting.

- d) Council Recommendation on the resilience of critical infrastructure 15454/22
Adoption

The Committee prepared this item for the Council meeting.

- e) e-evidence 15267/22
i) Regulation on European Production and Preservation Orders for e-evidence
ii) Directive on appointment of legal representatives for gathering evidence
Progress report

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.

FRIDAY 9 DECEMBER 2022

General Affairs

40. Transferred from Wednesday's meeting

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

- c) Legislative Programming - Joint Declaration on the EU legislative priorities for 2023-2024
Approval

15448/22

The Committee prepared this item for the Council meeting and agreed to revert to it at its next meeting.

- d) European Semester 2023 - roadmap
Presentation by the Presidency and the incoming Presidency

13683/22

The Committee prepared this item for the Council meeting.

- e) Follow-up to the feedback event of the Conference on the Future of Europe
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

44. Russian aggression against Ukraine

- a) 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



15385/22
15382/22
15384/22 + ADD 1

- b) Council Decisions, Regulation and Implementing Regulation concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
Approval
Decision to use the written procedure for the adoption



15264/22
15261/22
15263/22
15777/22
15779/22

The Committee held an exchange of views and agreed to revert to this item at its next meeting.

Economic and Financial Affairs

46. **Transferred from Wednesday's meeting**
Regulation establishing a carbon border adjustment mechanism (CBAM)
Preparation for the trilogue

C 15183/22

The Committee prepared the forthcoming trilogue.

IV. Any other business

COREPER (PART 1)

European Semester 2023 - Roadmap
Presentation by the Presidency

13683/22

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

CBD COP 15 negotiations and the EU and Member States' position on the Gender Plan of Action
Information from the Presidency

The Committee took note of the information provided by the Presidency. The Presidency sought input on this issue.

COREPER (PART 2)

WEDNESDAY 7 DECEMBER 2022

Visit of the President of the European Council to China

The Committee took note of the information provided by the cabinet of the President of the European Council.

EU-Western Balkans summit

The Committee took note of the information provided by the cabinet of the President of the European Council.

Joint Declaration on legislative priorities

The Committee took note of interventions by a number of delegations.

"I" items approved

COREPER (PART 1)

WEDNESDAY 7 DECEMBER 2022

Institutional Affairs

Written questions

- | | | |
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| 21. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> | 15511/22
PE-QE |
| a) | Nathalie Colin-Oesterlé (PPE)
"Inclusion of the right to abortion in the Charter of Fundamental Rights" | 15437/22 |
| b) | Lefteris Christoforou (PPE)
"Provocative attempts by Turkey to intimidate Cyprus and Greece" | 15438/22 |
| c) | Isabel Santos (S&D)
"Bab al-Hawa humanitarian aid corridor" | 14725/22 |
| d) | Gunnar Beck (ID)
"The Council's efforts to reduce its gas usage" | 14594/22 |
| e) | Jean-Paul Garraud (ID)
"Is the Council not worried that the pact on asylum and migration could open the floodgates?" | 15439/22 |
| f) | Jean-Lin Lacapelle (ID)
"EU grants to organisations promoting Islamist propaganda and its dissemination via EU information channels" | 14728/22 |
| g) | Engin Eroglu (Renew)
"Delivering tanks to Ukraine from defence industry stocks and boosting the resilience of the defence industry" | 13488/22 + COR 1 |
| 22. | Minutes of Council meetings
<i>Approval</i> | |
| a) | ENVI 24.10.2022 | 13982/22 + ADD 1 |
| b) | TTE Energy 25.10.2022 | 14028/22 + ADD 1 |

Other

23. Attendance of a third party at the Cultural Affairs committee meeting on 7 December 2022
Approval 15394/22
CULT
24. Attendance of third parties at the Working Party on Competitiveness and Growth (Better Regulation) on 13 December 2022
Approval 15324/1/22 REV 1
BETREG
25. Attendance of third parties at the informal videoconference of the members of the Working Party on International Environment Issues (Int. Chemicals/Synergies) on 13 December 2022
Approval 15536/22
ENV
26. List of Working Parties and Committees which will be officially organised in Sweden under the Swedish Presidency (first half of 2023)
Information note 15513/22
POLGEN

EU positions for international negotiations

27. Coordination of the EU position in preparation for the 18th Regional Steering Committee of the Transport Community (Belgrade, 15 December 2022)
Approval 15450/22
TRANS

Internal Market and Industry

28. Regulation amending Regulation (EU) No 1025/2012 as regards the decisions of European standardisation organisations concerning European standards and European standardisation deliverables
Adoption of the legislative act 15145/22
PE-CONS 58/22
COMPET

Fisheries

29. Regulation amending Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013, as regards restrictions to the access to Union waters
Adoption of the legislative act

15156/1/22 REV 1
+ ADD 1
PE-CONS 56/22
PECHE

Statement by the Commission

“In the event that it considers a review of the CFP Regulation, the Commission will conduct an impact assessment, along the lines of the Better Regulation principles. The Commission will make available to the co-legislators the impact assessment at the moment it publishes such proposal.

Alternatively, it will consider reporting on the implementation of the Common Fisheries Policy at the latest by 2032.”

Telecommunications

30. Decision on the Path to the Digital Decade
Adoption of the legislative act

15157/22
PE-CONS 50/22
TELECOM

Transport

31. Decision repealing Council Directive 89/629/EEC
Aproval
32. Council Decision to extend the duration of the road transport agreement between the EU and the Republic of Moldova
Adoption
33. Regulation on repealing Regulation (EEC) No 1108/70 on accounting system for expenditure in transport by rail, road and inland waterway
Confirmation of the final compromise text with a view to agreement

15409/22
AVIATION

15436/22
15347/22
+ ADD 1-2
TRANS

12188/22
TRANS

Space

34. Note Verbale to the United States of America notifying the decision of the Council concerning the extension of the agreement on Galileo and GPS between the European Community and its Member States and the United States of America
Approval

15601/22 + ADD 1
ESPACE

Statement by Austria

“The basis for the extension, which is to be effected by the exchange of notes submitted, is Council Decision (EU) 2022/1089 of 27 June 2022 on the extension of the Agreement on the promotion, provision and use of Galileo and GPS satellite-based navigation systems and related applications between the European Community and its Member States, of the one part, and the United States of America, of the other part. Austria supports the extension itself. However, Austria would recall its position that this agreement was concluded on the Union side as a ‘mixed’ agreement of the European Community (later the European Union) and its Member States, and should therefore also remain a ‘mixed’ agreement in the event of any extension. This also holds true for any successor agreements in the future, as long as the subject matter and legal situation remain essentially the same. The agreement also covers national security issues. Yet national security, in particular, is the sole responsibility of the Member States (under Article 4(2) TEU), meaning that the agreement should have been extended as a ‘mixed’ agreement. The case-law of the Court of Justice of the European Union offers no contrary interpretation of the Treaties either. For these reasons, Austria votes **against**.”

SATURDAY 10 DECEMBER 2022

Environment

35. CBD COP 15 (Montreal, Canada, 7-19 December 2022):
- Global Knowledge Centre for Biodiversity
- National Biodiversity Strategies and Action Plans Accelerator Partnership
Authorisation to sign an NBI

15510/22
ENV

Agriculture

36. Council Decision requesting the Commission to submit a study complementing the impact assessment of the proposal for a Regulation of the European Parliament and of the Council on the sustainable use of plant protection products and amending Regulation (EU) 2021/2115
Adoption

15650/22
15652/22
AGRI

Energy

- | | |
|--|------------------------------|
| 117. Council Regulation on enhancing solidarity through better coordination of gas purchases, exchanges of gas across borders and reliable price benchmarks
<i>Adoption</i> | 15715/22
14065/22
ENER |
| 118. Council Regulation laying down a framework to accelerate the deployment of renewable energy
<i>Adoption</i> | 15714/22
14787/22
ENER |

EU positions for international negotiations

- | | |
|---|--------------------------------------|
| 119. Council Decision on the EU position in the Energy Community
<i>Adoption</i> | 15722/22
15717/22 + ADD 1
ENER |
|---|--------------------------------------|

Institutional Affairs

Other

- | | |
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| 120. Attendance of a third party at the Education Committee meeting on 12 December 2022
<i>Approval</i> | 15819/22
EDUC |
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COREPER (PART 2)

WEDNESDAY 7 DECEMBER 2022

Judicial Affairs

54. Joined Cases C-37/20 and C-601/20 (Luxembourg Business Registers and Others) 15481/22
Information note JUR
55. Cases T-523/22 and T-524/22 (Sberbank Europe AG v. Council and Others) 15539/22
Information note JUR
56. Cases T-599/22 (Hypo Vorarlberg Bank AG v. SRB) and T-641/22 (Portigon AG v. SRB) 15538/22
Information note JUR
57. Case T- 629/22 (Libyan African Investment Company v. Council) 15484/22 + COR 1
Information note JUR
58. Case T-635/22 (Fridman and others v. Council) 15571/22
Information note JUR

Institutional Affairs

Appointments

59. Appointment of a member of the Court of Auditors 14628/22
Adoption 15148/22
CMPT

Other

60. Attendance of a third party at the Working Party on Development cooperation and international partnerships on 12 December 2022 15482/22
Approval DEVGEN
61. Attendance of a third party at the Working Party on the Western Balkans Region (COWEB) on 12 December 2022 15420/22
Approval COWEB
62. Attendance of third parties at the Working Party on Atomic Questions on 12 December 2022 14708/22
Approval ATO

63. Attendance of a third party at the United Nations Working Party (CONUN) on 13 December 2022
Approval 15494/22
CONUN

64. Attendance of third parties at the joint meeting of COPEN/LEWP on 19 December 2022
Approval 15449/22
COPEN
LEWP

Transparency

65. Public access to documents
Confirmatory application No 19/c/01/22
Adoption 15505/22 + ADD 1
INF

Economic and Financial Affairs

66. REPowerEU chapters in recovery and resilience plans
Progress report 15612/22
ECOFIN

67. New Lithuanian commemorative coin
Information note 14730/22
UEM

68. New Luxembourg commemorative coin
Information note 14761/22
UEM

69. AML rulebook

a) AML Regulation
Mandate for negotiations with the European Parliament 15516/22
15517/22 + ADD 1
EF

b) AML Directive
Mandate for negotiations with the European Parliament 15518/22
15519/22
EF

Statement by Ireland

“Ireland notes the content of the Regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, as amended by the Czech Presidency following Council working party discussions.

Ireland provided compromise text to the Presidency in relation to retaining the exemption from CDD obligations for small value e-money cards that is currently available in 5AMLD, with a view to addressing concerns expressed by Ireland for potential disproportionate effects on EU citizens and entities, given the low-risk of such cards when small monetary amounts are involved. Our concerns relate to the adverse effect it will have on e-card providers and retailers given the additional costs that will now be imposed to comply with CDD requirements.

The removal of this exemption will also negatively affect EU citizens, in terms of complying with additional CDD measures such as verifying identity, obtaining information on the purpose of the funds and monitoring transactions on an e-card which could have as low a value as €20. Most importantly, Ireland fear this will disproportionately affect the most vulnerable members of society such as those in poverty and refugees who rely on such cards, donated to them by charities, to purchase food and fuel.

Ireland hopes that discussions can continue in trilogue negotiations to reach an agreeable compromise on this important issue.”

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| 70. | Regulation on European long-term investment funds (ELTIF)
<i>Confirmation of the final compromise text with a view to agreement</i> | 15443/22 + COR 1
15444/22 + COR 1
EF |
| 71. | Regulation amending Annex I to Regulation (EEC) No 2658/87
on the tariff and statistical nomenclature and on the Common
Customs Tariff
<i>Adoption</i> | 15164/22
15095/22
UD |
| 116. | International Working Group on export credits
<i>Approval</i> | 14603/22
CCG |

General Affairs

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| 72. | Reply to a letter by the EP President requesting Council
documents related to the COVI Committee mandate
<i>Approval of a letter</i> | 15275/22
15130/22
PE |
| 73. | Regulation on EU Electoral Law
<i>Progress report</i> | 15490/22
AG
PE |
| 74. | Conclusions on international ocean governance
<i>Approval</i> | 15255/22 + ADD 1
POLMAR |

Statement by Spain

"1. España agradece el esfuerzo de la Presidencia en llegar a un texto de consenso, y está satisfecha con carácter general con el resultado de Conclusiones del Consejo sobre la Gobernanza Internacional de los Océanos.

2. Sin embargo, deseamos hacer constar que una de las materias del texto circulado, la relativa a la minería en aguas profundas, no alcanza las expectativas que tenía nuestro país e incluso rebajan la ambición que se recoge en la Estrategia para la Biodiversidad 2030 de la Unión Europea y en las subsiguientes Conclusiones del Consejo sobre Biodiversidad, adoptadas en octubre de 2020.

3. En virtud del “principio de precaución”, nuestro país ha venido haciendo un llamamiento para que esta cuestión quede reflejada en el texto. Así, nos hemos posicionado a favor de explicitar la necesidad de garantizar que no haya explotación de la minería en aguas profundas hasta que se hayan investigado suficientemente los efectos de dicha actividad en el medio ambiente marino, la biodiversidad y las actividades humanas, se comprendan los riesgos y las tecnologías y prácticas operativas puedan demostrar que el medio ambiente no está gravemente dañado, y se hayan adoptado medidas y salvaguardas ambientales suficientes para garantizar la protección de los ecosistemas y biodiversidad marina.
4. Hacemos pues un llamamiento a que los países de la Unión Europea persigan este nivel de ambición en los distintos foros en los que se está tratando la minería submarina, y en particular en las negociaciones en curso en la Autoridad Internacional de Fondos Marinos."

Courtesy translation

- "1. Spain appreciates the efforts of the Presidency in reaching a consensus text, and is satisfied, in general terms, with the outcome of the Council Conclusions on International Ocean Governance.
2. However, we would like to point out that one of the subjects of the circulated text, that of deep sea mining, does not meet the expectations that our country had, and even lower the ambition set out in the European Union's Biodiversity Strategy 2030 and in the subsequent Council Conclusions on Biodiversity, adopted in October 2020.
3. Under the "precautionary principle", our country has been calling for this issue to be reflected in the text. Thus, we have been in favour of making explicit the need to ensure that there is no deep sea mining until the effects of deep sea mining on the marine environment, biodiversity and human activities have been sufficiently researched, the risks are understood and the technologies and operational practices can demonstrate that the environment is not seriously damaged, and sufficient environmental measures and safeguards are in place to ensure the protection of marine ecosystems and biodiversity.
4. We therefore call on EU countries to pursue this level of ambition in the various fora where underwater mining is being addressed, and in particular in the ongoing negotiations in the International Seabed Authority."

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| 75. | Roadmap on strengthening crisis anticipation, preparedness and response
<i>Approval</i> | 15476/22
IPCR
AG |
| 76. | Progress in implementing the Sustainable Development Goals: Presidency summary
<i>Information note</i> | 15477/22
SUSTDEV |
| 77. | Council Decision amending the Council's Rules of Procedure
<i>Adoption</i> | 14661/22
14958/22
14626/22
INST |
| 78. | Implementing guidelines for the Framework for a coordinated EU response to hybrid campaigns
<i>Approval</i> | 15546/22 + COR 1
HYBRID
DISINFO |

Justice and Home Affairs

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| 79. | Directive on the resilience of critical entities
<i>Adoption of the legislative act</i> | 15415/1/22 REV 1
+ REV 1 ADD 1
PE-CONS 51/22
PROCIV |
| 80. | Decision on the non-acceptance of travel documents of the Russian Federation issued in Ukraine and Georgia
<i>Adoption of the legislative act</i>
<i>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</i> | 15418/1/22 REV 1
PE-CONS 57/22
FRONT |
| 81. | EMPACT - sharing of Operation Action Plans with third countries and parties
<i>Approval</i> | 15193/22
COSI |
| 82. | Council Implementing Decision on the application of an increased visa fee with respect to The Gambia
<i>Adoption</i> | 15419/22
15216/22
VISA |

Statement by Germany

"Germany sincerely thanks the Commission for its continued efforts to reach an improvement regarding the return cooperation with The Gambia and recognizes that the implementation of the visa restrictive measures against The Gambia under article 25a of the visa code has resulted in partial improvements on the part of The Gambia.

At this time, Germany abstains from a vote on the Council Implementing Decision on the application of an increased visa fee with respect to the Gambia (14564/22).

We recognise the fact that the realisation of short-term identification missions from the Gambia and other key measures remain unsettled at this time and we urge The Gambia to take all steps necessary to improve the return cooperation in a substantial and sustained manner. However, since the lifting of the unilateral moratorium in March and the resumption of charter operations with four successful return operations from Germany, we observe a certain improvement of the situation compared to the previous years.

While we share the concern of the Commission that the recent session of the Joint Working Group (JWG) has not yielded the immediate results expected and are concerned about the aforementioned issues, we also believe that the establishment of a formalised regular exchange in the JWG format has opened a window of opportunity that should be utilised to allow for further improvement of the return cooperation between The Gambia and the EU in the near future. Therefore, the Council Implementing Decision may be untimely and we should not exclude the possibility that the application of an increased visa fee may, in the short term, have an adverse impact on the progress that was made this year.

Germany will continue to monitor the situation closely and to seek a joint and coordinated EU council position vis-à-vis The Gambia."

83.	Schengen evaluation recommendation – Netherlands: visa policy <i>Adoption</i>	15498/22 15497/22 SCH-EVAL
84.	Schengen evaluation recommendation – Netherlands: return policy <i>Adoption</i>	15525/22 15524/22 SCH-EVAL
85.	Schengen evaluation recommendation – Norway: Schengen Information System <i>Adoption</i>	15501/22 15500/22 SCH-EVAL
86.	Schengen evaluation recommendation – Sweden: Schengen Information System <i>Adoption</i>	15503/22 15502/22 SCH-EVAL
87.	Schengen evaluation recommendation – Sweden: return policy <i>Adoption</i>	15523/22 15522/22 SCH-EVAL
88.	Schengen evaluation recommendation – Liechtenstein: return policy <i>Adoption</i>	15527/22 15526/22 SCH-EVAL
89.	Schengen evaluation recommendation – Austria: return policy <i>Adoption</i>	15529/22 15528/22 SCH-EVAL
90.	Information Exchange Directive (IED) <i>Confirmation of the final compromise text with a view to agreement</i>	15430/22 IXIM

Statement by Austria

"Österreich unterstreicht seine uneingeschränkte Unterstützung für eine verstärkte polizeiliche Zusammenarbeit und einen verbesserten Informationsaustausch zwischen den Strafverfolgungsbehörden. Bedauerlicherweise enthält der vorliegende Kompromisstext Bestimmungen, die von Österreich kritisch gesehen werden. Diese betreffen (1) den vorgeschriebenen terminlich fixierten Überprüfungszeitraum für Daten in den nationalen Fallbearbeitungssystemen, der unzulässigerweise in die nationale Gesetzgebungskompetenz eingreift, und (2) die Möglichkeit des Wechsels der Kommunikationskanäle während eines laufenden Informationsaustausches.

Aus österreichischer Sicht erschweren diese Punkte die polizeiliche Arbeit und sollten gestrichen werden.

Vor diesem Hintergrund enthält sich Österreich."

Courtesy translation

"Austria underlines its full support for enhanced police cooperation and improved exchange of information between law enforcement authorities.

Unfortunately, this compromise text contains provisions that are viewed critically by Austria. These concern (1) the prescribed time-fixed review period for data in the national case processing systems, which inadmissibly interferes with national legislative competence, and (2) the possibility of changing communication channels during an ongoing exchange of information.

From Austria's point of view, these points complicate police work and should be deleted. Against this background, Austria abstains."

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| 91. | Agreements between the EU and Switzerland and Liechtenstein on the application of the 'Prüm Decisions' | 15073/22
IXIM |
| a) | Council Decision on the conclusion (Switzerland)
<i>Adoption</i> | 8730/1/19 REV 1
8744/19 |
| b) | Council Decision on the conclusion (Liechtenstein)
<i>Adoption</i> | 8732/1/19 REV 1
8750/19 |
| 92. | Conclusions on human rights-based approach in drug policies
<i>Approval</i> | 15227/22 + ADD 1
CORDROGUE |

Statement by Italy is set out in 15227/22 ADD 1.

Foreign Affairs

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| 93. | Submission by the European Commission of a memorial on behalf of the European Union to the International Court of Justice
<i>Approval of a letter</i> | 15479/22
COJUR |
| 94. | Council Decision on the conclusion of the agreement with New Zealand regarding the modifications of the EU's TRQs in the WTO schedule following Brexit
<i>Adoption</i> | ☐ 15485/22
7910/22
7911/22
POLCOM |
| 95. | Agreement with Brazil regarding the modifications of the EU's TRQs in the WTO schedule following Brexit | 15051/22 + ADD 1
POLCOM |
| a) | Council Decision on the signing
<i>Adoption</i> | ☐ 15052/22
15054/22 |
| b) | Council Decision on the conclusion
<i>Request for the consent of the European Parliament</i> | ☐ 15053/22
15054/22 |

97.	Directives for the negotiation of a Comprehensive Agreement with Tajikistan <i>Adoption</i>	14838/22 + COR 1 14895/22 14896/22 14908/22 COEST
98.	Ukraine: Territorial Integrity Regime: coordination with third countries <i>Approval</i>	15554/1/22 REV 1 COEST
99.	Restrictive measures in view of the situation in DPRK: coordination with third countries <i>Approval</i>	15549/22 COASI
100.	Iran restrictive measures: coordination with third countries <i>Approval</i>	15552/22 MOG
101.	Council Decisions on the signing and conclusion of a Protocol to the Partnership and Cooperation Agreement with Iraq <i>Adoption of the Irish language version</i>	13270/22 15781/17 15782/17 14433/17 MOG
103.	Conclusions on Yemen <i>Approval</i>	15548/22 MOG
105.	Exercise specifications for the European Union interoperability exercise (EUIX 2023) <i>Approval</i>	15360/22 + COR 1 CSDP/PSDC
106.	Conclusions on Civilian CSDP Compact <i>Approval</i>	15422/22 15474/22 CIVCOM CSDP/PSDC

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 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 Poland understands that the formulations: "gender equality" and "gender perspective" refer to the notion of equality between women and men, in accordance with art. 2 and art. 3 of the Treaty on European Union and art. 8 and 157 para. 3 of the Treaty on the Functioning of the European Union. The remaining expressions containing the term "gender" should refer to "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."

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| 107. EDA annual report 2022
<i>Information note</i> | 15551/22
POLMIL |
| 108. Council Implementing Decision and Regulation concerning restrictive measures in view of the situation in the Democratic Republic of the Congo
<i>Adoption</i> | 14929/22
14926/22
14928/22
CORLX |
| 109. Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine - pre-notifications
<i>Approval</i> | 15636/22 + COR 1
CORLX |
| 110. Restrictive measures in view of the situation in South Sudan - reply letter
<i>Approval</i>
<i>Decision to use the written procedure</i> | 15537/22
CORLX |

Transport

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| 111. Directive on training of drivers for the carriage of goods or passengers (codification)
<i>Adoption of the legislative act</i> | 15417/22
PE-CONS 1/22
CODIF
TRANS |
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Health

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| 112. Conclusions on ECA SR No 19/2022 on EU COVID-19 vaccine procurement
<i>Approval</i> | 15471/22
SAN |
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Statement by the Commission

"The Commission welcomes the Council Conclusions, which overall reflect the main conclusions of the European Court of Auditors (ECA) Special Report on the COVID-19 vaccine procurement and acknowledge the Commission's intention to respond to the recommendations of the ECA.

The Commission, however, regrets that the Conclusions do not highlight more prominently the joint efforts of the Member States and the Commission acting on Member States' behalf. This joint approach was instrumental in achieving the collective success of the EU Vaccines Strategy. A clear and transparent process, allowing the full involvement and agreement of the Member States, was applied in all COVID-19 vaccines contracts negotiations in the interest of the Union citizens, despite the constraints of an unprecedented emergency situation.

The Commission also considers that it would have been preferable to limit the scope of the Council Conclusions to the conclusions of the ECA Special Report.

The Commission acknowledges the challenges related to the mismatch between the current demand and the supply of COVID-19 vaccines, and recalls the ongoing efforts and close collaboration with Member States to find solutions to these challenges with vaccines manufacturers."

Joint statement by Bulgaria, Croatia, Hungary, Lithuania, Poland and Slovenia is set out in 15471/22 ADD 1.

Joint statement by Bulgaria, Croatia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia is set out in 15471/22 ADD 1.

EU positions for international negotiations

113. Council Decision on the EU position to be taken in the Partnership Council under the EU UK TCA regarding extension of the derogation from the obligation to delete PNR data
Adoption
- [C] 15370/22
15378/22
UK

Statement by Ireland

“Articles 16(2) and 87(2)(a) TFEU are the substantive legal bases for the draft Council Decision on the position to be taken on behalf of the European Union in the Partnership Council established by the Trade and Cooperation Agreement regarding the extension of the interim period referred to in Article 522 (11) of that Agreement during which the United Kingdom may derogate from the obligation to delete Passenger Name Record data of passengers after their departure from the United Kingdom. Given that Article 87 TFEU is within Title V of Part Three of the Treaty on the Functioning of the European Union, Ireland’s clear view is that Protocol No. 21 to the TEU and the TFEU applies, pursuant to which Ireland has an entitlement to opt-in to the proposed measure within three months of its presentation to the Council.

Ireland appreciates the efforts, which were made to publish the measure in a timely fashion. Given the sensitivities involved, which relate both to the EU Treaties and Ireland’s Constitutional position on measures utilising a Title V TFEU legal base, the short time period afforded to Ireland is regrettable.

In the spirit of compromise, and to facilitate agreement in sufficient time to enable the subsequent decision be made by the Partnership Council before the end of the year, Ireland has accepted the proposed text. However, it is important to note that this text is as at the absolute outer limit of what Ireland could accept.

Ireland will continue to engage with the Legal Services of the Commission and Council on the need for strict observance of the provisions of Protocol 21 in relation to any future legislation whose legal base requires the application of the protocol.”

114. Council Decision on the EU position within the EU-Singapore FTA Committee on Customs
Adoption
- [C] 14637/22 + ADD 1
14636/22 + ADD 1
POLCOM

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."

115. Council Decision on the EU position as regards the adoption of the Rules of Procedure of the EC/Faroe Islands Joint Committee
Adoption

☐ 13021/22
13020/22 + ADD 1
FAROEES

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."

FRIDAY 9 DECEMBER 2022

Economic and Financial Affairs

121. Regulation establishing an Instrument for providing support to Ukraine for 2023 (macro-financial assistance+)
Decision to use the written procedure for the adoption of the Council's position at first reading and of the statement of the Council's reason
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

15769/22
15727/22
+ ADD 1 REV 1
ECOFIN

Statement by the Commission

"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."

Foreign Affairs

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| 96. | <u>Transferred from Wednesday's meeting</u>
(poss.) Conclusions on EU priorities for cooperation with the Council of Europe 2023-2024
<i>Approval</i> | 14307/22
COSCE |
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The above-mentioned item was withdrawn.

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| 102. | <u>Transferred from Wednesday's meeting</u>
Conclusions on Iran
<i>Approval</i> | 15440/22
MOG |
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Statement by Poland

"Poland underlines the importance of observing Treaty regulations and maintaining legal clarity, and supports the use of clear and unequivocal language in all the Council documents. We believe that the language of any documents adopted by the Council should always be based on the Treaty regulations – and strongly object to substituting this language with other terms, without neither legal basis nor any justification.

Equality between women and men is enshrined in the Treaties as one of our fundamental values. Poland ensures equality between women and men within the Polish national legal system in accordance with the Polish Constitution and other legislation, international treaties and within the framework of the fundamental values and principles of the European Union.

For these reasons, the non-treaty expressions "gender equality" and "gender inequality" will be interpreted by Poland as respectively – equality or inequality 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. Expressions using the clause "gender" ("gender perspective", "gender divide", "gender-based violence") will be interpreted by Poland as referring to the biological 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."

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| <p>37. <u>Transferred from Coreper (Part 1)</u>
 Council Decision and Implementing Regulation concerning
 restrictive measures in respect of actions undermining or
 threatening the territorial integrity, sovereignty and
 independence of Ukraine
 <i>Adoption</i></p> | <p>15588/22 + COR 1
 + COR 2
 15573/22
 15575/22
 CORLX</p> |
| <p>38. <u>Transferred from Coreper (Part 1)</u>
 Council Decision and implementing Regulation concerning
 restrictive measures against the Democratic People's Republic of
 Korea
 <i>Adoption</i></p> | <p>15565/22
 15562/22
 15564/22
 CORLX</p> |
| <p>39. <u>Transferred from Coreper (Part 1)</u>
 Council Implementing Decision and Implementing Regulation
 concerning restrictive measures directed against certain persons
 and entities in view of the situation in Iran
 <i>Adoption</i></p> | <p>15254/22
 15251/22
 15253/22
 CORLX</p> |
