



Council of the  
European Union

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Eingelangt am 25/08/23

Brussels, 25 August 2023  
(OR. en)

11736/23  
PV CONS 37  
AG 73

**DRAFT MINUTES**  
COUNCIL OF THE EUROPEAN UNION  
(General Affairs)  
10 July 2023

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## 1. Adoption of the agenda

The Council adopted the agenda set out in 11364/23.

## 2. Approval of "A" items

### a) Non-legislative list

11369/23

The Council adopted all "A" items listed in document 11369/23 including all linguistic COR and REV documents presented for adoption. Statements to these items are set out in the Addendum.

For the following items the documents should read as follows:

### Justice and Home Affairs

26. Council Decision on the conclusion of the arrangement between the EU and the Republic of Iceland on the modalities of its participation in the European Asylum Support Office  
*Approval*  
approved by Coreper, Part 2, on 05.07.2023
- 10973/23  
14051/22  
18125/13  
18123/13 + **REV 1**  
(sv)  
ASILE

### Delegated or Implementing Acts

#### Internal Market and Industry

36. Commission Regulation (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards synthetic polymer microparticles  
*Decision not to oppose adoption*  
approved by Coreper, Part 1, on 28.06.2023
- 10930/23 + ADD 1  
+**ADD 1 REV 1**  
(ga)  
9168/23 + ADD 1  
ENT

**b) Legislative list** (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

11371/23

Economic and Financial Affairs

**1. Decision on providing macro-financial assistance to North Macedonia**



11175/23  
PE-CONS 23/23  
ECOFIN

*Adoption of the legislative act*

approved by Coreper, Part 2, on 05.07.2023

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 212 TFEU).

Environment

**2. Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020**



11176/23 + ADD 1  
PE-CONS 2/23  
ENV

*Adoption of the legislative act*

approved by Coreper, Part 1, on 05.07.2023

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union, with Bulgaria and Slovenia abstaining (legal basis: Article 114 TFEU). Statements to this item are set out in the Annex.

**Legislative deliberations**

**(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)**

**3. Mid-term revision of the Multiannual Financial Framework 2021-2027**



*Policy debate*

The Council took note of the information provided by the Commission and held a policy debate.

**4. Any other business**

None.

## Non-legislative activities

### 5. **Priorities of the Spanish Presidency**



*Presentation by the Presidency*

*Exchange of views*

The Council took note of the presentation by the Presidency on the priorities for its term, in particular as regards the work of the General Affairs Council, and held an exchange of views. This item was taken in public session.

### 6. Annual rule of law dialogue: evaluation

10905/23

*Presentation by the Presidency*

*Exchange of views*

### 7. Any other business

#### a) Interinstitutional ethics body

10411/23 ADD 1-2

*Information from the Commission*

#### b) Rule of law report 2023

11327/23

*Presentation by the Commission*



First reading



Special legislative procedure



Public debate (Article 8(3) of the Council's Rules of Procedure)



Item based on a Commission proposal

**Statements to the legislative "A" items set out in doc. 11371/23**

**Ad "A" item 2:**                    **Regulation concerning batteries and waste batteries, repealing  
Directive 2006/66/EC and amending Regulation (EU) No 2019/1020**  
*Adoption of the legislative act*

**STATEMENT BY SLOVENIA**

“Slovenia supports and commits to contributing to the objectives of the new Regulation concerning batteries and waste batteries to reduce the environmental and social impacts at all stages of the battery life cycle. Thus, Slovenia supports the new Regulation in principle as regards the sustainability and safety requirements for batteries, as well as clear requirements for placing batteries on the market. Slovenia also supports strengthening the requirements for re-use and remanufacturing, as well as the recovery and management of waste batteries. However, Slovenia considers that certain provisions are not sufficiently clear and that certain requirements are not technically or economically feasible within the timeframe laid down in the final compromise proposal.

Slovenia would like to point out that requirements for the management of waste batteries, in particular extended producer responsibility and especially producer registration and extended producer responsibility compliance authorisation, now stem from the Directive, so that Member States can define detailed legislative and organisational requirements according to national circumstances. Modifying the instrument will cause additional difficulties, as well as administrative and financial burdens, in adapting existing national systems to the revised requirements.

Slovenia agrees that ambitious environmental targets are needed, but would like to express serious concerns that the proposed compromise targets for separate collection of waste portable batteries and waste batteries for light vehicles, as well as the proposed compromise targets for lithium recovery and recycling efficiency, are achievable within the time limits set out in the Regulation.

Slovenia also regrets the lack of measures for effective monitoring and surveillance of compliance with the extended producer responsibility obligations of micro or small enterprises. With the reference to Article 3 of the Regulation on the Single Market for Digital Services, providers of online platforms that qualify as micro or small enterprises are not subject to the extended producer responsibility obligation. Thus, neither ensuring compliance with extended producer responsibility nor monitoring will be possible in such cases.

Slovenia also regrets that some editorial changes in the light of the latest compromise agreement do not contribute to a better regulatory environment or clarity of the regulation.

In view of the serious concerns about the feasibility of some of the requirements, Slovenia will abstain.”

## **STATEMENT BY SLOVAKIA**

“The Slovak Republic is concerned about the timeframes established for individual obligations and the timeframes, scope and amount of delegated and implementing acts related to the application of the Regulation, which may cause problems in terms of implementing the Regulation in practice.”

## **STATEMENTS BY THE COMMISSION**

### “Statement 1

The Commission notes that the approach agreed by the co-legislators linking the applicability of certain sustainability rules with the adoption of the respective delegated or implementing acts by the Commission may impinge on the legal certainty for the economic operators about the applicability of the rules in the Regulation.

### Statement 2

The Commission regrets the short deadlines for the adoption of delegated and implementing acts as well as several other follow-up actions and expresses concern about the feasibility to comply with these deadlines in time. The Commission notes that the implementation of the Regulation will require significant resources in the Commission.”

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