



Brussels, 21 February 2024
(OR. en)

5784/24
CRS CRP 3

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
24, 26 and 29 January 2024

I. Adoption of the agenda

5506/2/24 REV 2 OJ CRP1 3
5659/24 + ADD 1 OJ CRP2 3

The Committee adopted the agenda.

II. Approval of the "I" items

The Committee approved the "I" items as set out in the Annex with the exception of item 73.

III. Discussion items II

COREPER (PART 1)

WEDNESDAY 24 JANUARY 2024


Telecommunications

2. Gigabit Infrastructure Act
Preparation for the trilogue


IC 5252/24

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

Environment


3. Urban Waste Water Treatment Directive (recast)  5513/1/24 REV 1
Preparation for the trilogue

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


4. Regulation amending Regulation (EU) 2019/1242 setting CO₂ 
emission performance standards for heavy-duty vehicles
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 18 January 2024.

Internal Market and Industry

5. Regulation amending Regulation (EU) 2019/1009 as regards the 
digital labelling of EU fertilising products
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 22 January 2024.

6. Regulation on establishing a framework of measures for 
strengthening Europe's net-zero technology products
manufacturing ecosystem (Net Zero Industry Act)
Presidency debriefing on the outcome of the trilogue


The Presidency debriefed on the trilogue which took place on 22 January 2024.

Employment and Social Policy

7. Directive on improving working conditions in platform work  5510/24 + ADD 1
Preparation for the trilogue


The Committee did not agree to a revised mandate for the next trilogue and decided to revert to the file at its meeting on 26 January.

Transport

8. Regulation amending Regulation (EC) No 561/2006 as regards breaks and rest periods in the occasional passenger transport sector  5529/24 TRANS
Preparation for the trilogue

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

Health

9. Regulation on the European Health Data Space  5173/24 5440/24
Preparation for the trilogue


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

Telecommunications

2. (continued) Gigabit Infrastructure Act 
Presidency debriefing on the outcome of the trilogue


The Presidency debriefed on the trilogue which took place on 25 January 2024.

Employment and Social Policy


10. Directive establishing the European Disability Card and the European Parking Card for persons with disabilities 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 25 January 2024.

Environment


11. Directive on air quality (recast) 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 23 January 2024.

12. Regulation establishing a Union certification framework for carbon removals 
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 23 January 2024.


Internal Market and Industry

13. Regulation on prohibiting products made with forced labour on the Union market  5627/24 + COR 1
Mandate for negotiations with the European Parliament

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

A statement by Austria is set out in ADD 1 to this document.

Employment and Social Policy

7. (continued) Directive on improving working conditions in platform work  5816/24 + COR 1
Preparation for the trilogue

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

COREPER (PART 2)

WEDNESDAY 24 JANUARY 2024

General Affairs

34. Special meeting of the European Council on 1 February 2024
State of play

The Committee took note of the information provided by the cabinet of the President of the European Council and agreed to revert at its meetings on 29 and 31 January 2024.


35. Council meeting (General Affairs) on 29 January 2024:
preparation

- a) 'Defence of European Democracy' legislative package  5428/24
Policy debate

The Committee prepared this item for the Council meeting.

- b) Other items in connection with the Council meeting

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

36. Regulation on establishing the Reform and Growth Facility for the Western Balkans  5573/24
State of play and guidance for further work

The Committee took note on the state of play, held an exchange of views and agreed to revert at its meeting on 31 January 2024.

37. Regulation on establishing the Ukraine Facility 
State of play

The Committee took note on the state of play.

38. Regulation establishing the Strategic Technologies for Europe Platform (STEP) 
State of play

The Committee took note on the state of play.

39. Interinstitutional ethics body
Agreement in principle

5295/1/24 REV 1

The Committee reached an agreement in principle on the Council's position, as amended during the meeting, and agreed to revert as regards practical modalities at one of its next meetings.

40. Relations with the EP (January 2024)
Debriefing


The above-mentioned item was withdrawn.

Foreign Affairs

41. EU-US Trade and Technology Council (Washington,
30 January 2024)
Exchange of views

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

42. Council Decision and Regulation concerning frozen and
immobilised assets to support Ukraine's reconstruction
Preparation for adoption

 5569/24
5571/24
5572/24

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

43. Council meeting (Foreign Affairs) on 22 January 2024:
follow-up

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

Economic and Financial Affairs

44. Regulation on the effective coordination of economic policies
and multilateral budgetary surveillance
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 17 January 2024.

MONDAY 29 JANUARY 2024

General Affairs

34. Special meeting of the European Council on 1 February 2024
Exchange of views

The Committee took note of the information provided by the cabinet of the President of the European Council, the Commission and the EEAS, held an exchange of views and agreed to revert at its meeting on 31 January 2024.

Foreign Affairs

42. Council Decision and Regulation concerning frozen and immobilised assets to support Ukraine's reconstruction
Preparation for adoption
- ☐ 5797/24
5799/24
5800/24

The Committee reached a political agreement on the texts and agreed to revert, after their legal-linguistic revision, for their adoption.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

WEDNESDAY 24 JANUARY 2024

Economic security package

The Committee took note of the presentation by the Commission.

Indo-Pacific Ministerial Forum (Brussels, 1-2 February 2024)

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

Non-discussion items "I"**COREPER (PART 1)****WEDNESDAY 24 JANUARY 2024****Institutional affairs****Appointments**

- | | | |
|-----|--|-------------------------------------|
| 14. | Appointment of the Chairperson of the Board of Appeal of the Community Plant Variety Office
<i>Adoption</i> | 5213/24
16888/23
AGRI |
| 15. | One alternate member (HU) of the Advisory Committee on Safety and Health at Work
<i>Adoption</i> | 5182/24
SOC |
| 16. | Renewal of the Advisory Committee on Safety and Health at Work 2022-2025
<i>Adoption</i> | 17118/23 + COR 1
17117/23
SOC |
| 17. | One member (LV) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions
<i>Adoption</i> | 5239/24
SOC |
| 18. | One alternate member (SK) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions
<i>Adoption</i> | 5170/24
SOC |

Other

- | | | |
|-----|--|---------------------------------|
| 19. | Attendance of a third party at the meeting of the Working Party on Transport - Intermodal Questions and Networks on 26 January 2024
<i>Approval</i> | 5485/24
TRANS |
| 20. | Attendance of third parties at the meeting of the Working Party on International Environment Issues (Global) on 5 February 2024
<i>Approval</i> | 5206/24
ENV |
| 21. | Attendance of third parties at the meeting of the Working Party on Public Health (High Level) on 8 and 9 February 2024
<i>Approval</i> | 5525/1/24 REV 1
SAN
PHARM |

Judicial affairs

22. Case T-1165/23 (The European Producers Union of Renewable Ethanol (ePURE) and Pannonia Bio Zrt v Parliament and Council)
Information note 5501/24
JUR
23. Case T-1024/23 (London EV Company Ltd v Commission)
Information note 5398/24
JUR

Research

24. ECA Special Report No 24/2023 on smart cities
Approval 5436/24
FIN
RECH
25. Statement on principles and values for international cooperation in Research & Innovation
Authorisation to sign a non-binding instrument 5392/24
RECH

Internal Market and Industry


26. Memorandum of Understanding to establish a partnership on raw materials with Uzbekistan
Authorisation to negotiate a non-binding instrument 5463/24 + ADD 1
COMPET

A joint statement by Cyprus and Greece is set out in document 5463/24 ADD 1.

Transport

27. High-level agreement between the EU and Norway for the adaptation of the indicative maps of the transport infrastructure network as established in Annex III to Regulation (EU) No 1315/2013 (TEN-T Regulation)
Authorisation to negotiate a non-binding instrument 5507/24
TRANS

Fisheries

28. Regulation laying down conservation, management and control measures applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries
Mandate for negotiations with the European Parliament  5357/24
13513/3/23 REV 3
13513/23 ADD 1
REV 1
PECHE

A statement by the Commission is set out in ADD 1 to this document.

Environment

- | | |
|---|---|
| 29. Regulation on substances that deplete the ozone layer
<i>Adoption of the legislative act</i> | <div style="display: inline-block; border: 1px solid black; padding: 2px;">1C</div> 5600/24
PE-CONS 61/23
ENV |
| 30. Regulation on fluorinated greenhouse gases
<i>Adoption of the legislative act</i> | <div style="display: inline-block; border: 1px solid black; padding: 2px;">1C</div> 5599/24 + ADD 1
PE-CONS 60/23
ENV |

Statement by the Czech Republic

“The Czech Republic is fully committed to ensure compliance with the Montreal Protocol, to combat illegal trade more effectively and to contribute to the efforts of the EU to reach the Fit for 55 objectives and climate neutrality.

While we agree with the aims of the Regulation, we regret that the final agreement in our opinion goes beyond those objectives and addresses policy choices that have not been fully analysed and that fall under different legislation, notably the REACH Regulation.

For the Czech Republic, the most problematic provisions involve the new paragraph on Switchgear (Article 13(5)), which bans one of the low-GWP alternatives, and several parts of Annex IV, notably on split heat pumps and air conditioning, which bans low-GWP alternatives as of 2035. Furthermore, bans on low-GWP alternatives in the sector of foams, aerosols and monoblock heat pumps also pose a significant problem for us.

The policy choice to ban low-GWP alternatives in the sector of heat pumps and switchgear, together with other very stringent bans on heat pumps in Annex IV and with the newly introduced service bans on heat pumps, is very sensitive for the Czech Republic. Our Air Quality Plans rely heavily on heat pump deployment and there have been substantial investments made from the European Structural and Investment Funds (notably the Cohesion Fund) and from EU ETS revenues in this sector. We fear any additional obstacles would be damaging for our air quality policy and the sustainability of the investments made in the transition from coal to cleaner sources of energy.

We also believe that banning low-GWP alternatives is against the spirit of Decision XXXIV/3 of the Parties to the Montreal Protocol, which encourages Parties to enhance energy efficiency while phasing down HFCs, and to take the TEAP 2022 report into account. Decision XXXIV/3 is not a single initiative and the debate on energy efficiency under the Montreal Protocol does not exclude, by any means, the low-GWP fluorinated alternatives.

Based on the above reasons, even though much work has been done to address some of the issues, the Czech Republic cannot support the agreement and will abstain from the vote.”

Statement by Estonia

“Estonia remains fully committed to ensuring the compliance of EU’s 2030 and 2050 climate policy objectives, meeting the Paris Agreement and Montreal Protocol targets. It, therefore, welcomes the renewal of the regulation on F-gases and supports its aim to further reduce emissions of F-gases to contribute to the EU climate objectives as well as promote innovation for low GWP or F-gas-free products.

Reaching an agreement on the F-gases regulation is a result of complex and tense discussions. Throughout the negotiations, Estonia has been concerned about the proposed speed of the HFC phasedown and the related costs for society as well as sufficient availability and affordability of alternative technologies on small markets like Estonia.

Estonia would also like to re-emphasize that the respective bans should be based on a thorough impact assessment of real feasibility and available alternatives. We regret, that this has not always been the case. The impact assessments have been occasionally insufficient or missing and the need for a rapid and total phaseout in some sectors is questionable both from a climate and economic perspective – we are bypassing the benefit for climate. One of such concerns is related to banning F-gases in small split heat pumps and chillers – we are banning functioning low GWP alternatives for a minimal climate impact, if any. At the same time using low GWP alternatives is fully in line with the Montreal Protocol and its reduction targets.

Another important issue for us is the restriction related to construction foams. To uphold the expected renovating speed of the newly agreed Renovation Wave, we need to build throughout the year in all seasons. Therefore, the ban on the use of low GWP F-gases in insulation foam is counterproductive to this aim since there is no F-gas free solution for building temperatures below + 5 degrees Celsius. Again, we are banning low GWP F-gas products without impact assessment, hoping that a suitable and affordable alternative will be on the market by the time of the ban.

We are looking forward to the future guidelines from the Commission on Annex IV, explaining the bans and bringing examples of how different products fall under certain bans. This is crucial for understanding the bans and proper and even implementation of the new regulation throughout the EU.

While Estonia supports the reached agreement on the regulation, we expect the review clause on Annex IV bans to adequately address the issue of existing alternatives and the above-mentioned worries.”

Statement by Hungary

“Hungary is committed to the EU’s 2030 and 2050 climate policy targets and attaches importance to achieving the goals set in the Paris Agreement. While Hungary fully agrees with the general objective of strengthening the role of the F-gas Regulation in contributing to climate neutrality, we cannot support the final compromise.

While we appreciate certain elements of the package (including maintaining the EUR 3 quota price, providing for safeguards and derogations to ensure security, avoiding a market monopoly, and maintaining an exemption from the quota system for semiconductors), the agreement crosses serious red lines, which Hungary has previously highlighted on several occasions.

First, in our view, the agreement runs counter to the objectives of RePowerEU and the rapid deployment of heat pumps. A widespread ban on refrigerants, especially lower-emission alternatives, is therefore contrary to the EU's climate policy ambitions and would hamper the uptake of more climate-friendly alternatives due to their affordability.

Hungary has consistently insisted during the negotiations that energy efficiency, technical safety and economic feasibility should not be overlooked and that the different economic and geographical circumstances of each Member State should be taken into account. The agreement is not in line with these concerns.

Concerns include the limited maintenance of products currently in circulation and which are designed for many decades of use, as well as the insufficient time to prepare for the technological transition. The technical solutions for types of equipment currently in circulation will be banned, and within a few years significant restrictions will apply to equipment introduced into the market place or recently manufactured equipment based on current technology. The new technical challenges call for the further development of current training systems. Failure to do so could lead to a shortage of skilled labour.

Hungary considers that the market restrictions on equipment cannot be fully implemented within the deadline, taking energy efficiency and technical safety aspects into account. The derogations in the agreement do not provide a satisfactory solution to the problem, as a significant part of the current equipment is expected to be replaced within 10 years.

Due to their high global warming potential, the availability of fluorinated refrigerants is steadily decreasing under the current quota system. However, the quota reduction schedule outlined in the agreement does not take into account market and technological needs, which could lead to a severe shortage of legally available refrigerants on the market and a drastic increase in their market price.

The Regulation could lead to disproportionate market shift, which, in turn, could adversely affect consumers through higher prices. The combination of various overly restrictive measures within the F-gas Regulation, such as those relating to heat pumps leading to price rises, could result in a significant increase in illegal trade activities and imports, to which Hungary, being a border country of the EU, would be significantly exposed. In addition, it would place an intolerable burden on Member State authorities.

The use of sulphur hexafluoride (SF₆) in some electrical switchgear is still necessary to ensure the safe operation of the electricity power grid under current technological conditions. The agreement will phase out existing technology in the market, forcing grid operators and electricity producers to adapt quickly to new and often more expensive technologies. Some companies already have a significant market advantage. This could put EU operators at a serious competitive disadvantage. Furthermore, the ban on the installation of electrical switchgear is not in line with the real market situation from a technical, safety and design point of view. In particular during an energy crisis, it could jeopardise stable energy supply and energy security, and favour a very limited number of producers, leading to further market distortions.

Last but not least, many of the bans introduced are not supported by an adequate impact assessment of the availability of suitable alternatives and their market prices. Furthermore, even according to the Commission's preliminary assessment, some measures would not lead to significant emission reductions, but would still remove other viable low-emission alternatives from the market."

Delegated or Implementing Acts

Internal Market and Industry

31. Commission Delegated Regulation (EU) .../... of 10.11.2023 on the conditions for classification, without testing, of solid wood panelling and cladding with regard to their reaction to fire and amending Decision 2006/213/EC
Delegated act - Decision to request an extension of the time-limit
- 5519/1/24 REV 1
15558/23 + ADD 1
ENT

FRIDAY 26 JANUARY 2024


Employment and Social Policy

79. Tripartite Declaration for a Thriving European Social Dialogue
Approval
- 5687/24
SOC

Foreign Affairs

32. EU-ASEAN joint ministerial statement
Approval of a non-binding instrument
- 5467/24
COASI

A statement by Lithuania is set out in ADD 1 to this document.

- Transferred from Coreper (Part 2)**
75. PSC Decision EUCAP Sahel Mali/1/2024 extending the mandate of the Head of Mission
Decision to publish in the Official Journal
-  5545/24
5207/24
PSC DEC
80. Crisis management concept for a possible maritime security operation in relation to the Red Sea crisis
Approval
- 5824/24
COPS

COREPER (PART 2)

WEDNESDAY 24 JANUARY 2024

Judicial affairs

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|-----|--|----------------|
| 45. | Case T-1107/23, action for annulment – restrictive measures (Ukraine)
<i>Information note</i> | 5531/24
JUR |
| 46. | Case T-1113/23, action for annulment – restrictive measures (Ukraine)
<i>Information note</i> | 5539/24
JUR |
| 47. | Case T-1114/23, action for annulment – restrictive measures (Ukraine)
<i>Information note</i> | 5535/24
JUR |

Institutional affairs

Appointments



- | | | |
|-----|---|---------------------------|
| 48. | An alternate member (AT) of the Committee of the Regions
<i>Adoption</i> | 5276/24
5272/24
CDR |
| 49. | A member (DE) of the Committee of the Regions
<i>Adoption</i> | 5225/24
5224/24
CDR |
| 50. | An alternate member (DK) of the Committee of the Regions
<i>Adoption</i> | 5293/24
5292/24
CDR |
| 51. | Four members and four alternate members (ES) of the Committee of the Regions
<i>Adoption</i> | 5338/24
5337/24
CDR |

Other



- | | | |
|-----|--|--------------------|
| 52. | Attendance of third parties at the meetings of the Working Party on the 2030 Agenda for Sustainable Development during the Belgian Presidency
<i>Approval</i> | 5536/24
SUSTDEV |
| 53. | Attendance of a third party at the informal meeting of the members of the Political and Security Committee on 1 February 2024
<i>Approval</i> | 5588/24
COPS |

- | | | |
|-----|---|-----------------|
| 54. | Attendance of a third party at the meeting of the European Union Military Committee (EUMC) on 28 February 2024
<i>Approval</i> | 5471/24
EUMC |
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Transparency

- | | | |
|-----|--|--|
| 55. | Public access to documents: request 24/0004
<i>Decision to make the Council minutes public</i> |  5533/24
API |
| 56. | Public access to documents: request 24/0129
<i>Decision to make the results of votes public</i> |  5464/24
CORLX |

Economic and Financial Affairs


- | | | |
|-----|---|--|
| 57. | Council Decision appointing the chairperson of the European Statistical Governance Advisory Board
<i>Adoption</i> | 5364/24
5365/24
ECOFIN |
| 58. | Appointment of the member representing the Council in the European Statistical Advisory Committee
<i>Adoption</i> | 5355/24
16921/23
ECOFIN |
| 59. | Report on developments in the EU's export finance system
<i>Approval</i> | 5374/24 + COR 1
+ ADD 1
CCG |
| 60. | Directive on the recovery and resolution of insurance and reinsurance undertakings
<i>Confirmation of the final compromise text with a view to agreement</i> |  5543/24
5546/24
EF |
| 61. | Solvency II
<i>Confirmation of the final compromise text with a view to agreement</i> |  5479/24
5481/24
EF |

Statements by Italy and Portugal are set out in ADD 1 to this document.



General Affairs

- | | | |
|-----|--|------------------|
| 62. | Regulation (EU, Euratom) 2023/2841 laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union: modalities regarding the representation of the Council in the Interinstitutional Cybersecurity Board
<i>Approval</i> | 5459/24
CYBER |
| 63. | EP resolutions and decisions (January 2024)
<i>Information note</i> | 5541/24
PE-RE |



Justice and Home Affairs

64. Agreement between the EU and Armenia on judicial cooperation in criminal matters with Eurojust  5550/24
COPEN
- a) Council Decision on the signing 17084/23
Adoption 17080/23
- b) Council Decision on the conclusion 17085/23
Agreement in principle 17080/23
Request for the consent of the European Parliament


A statement by Austria is set out in document 5550/24 ADD 1 and a statement by the Commission is set out in document 5550/24 ADD 2.



65. International cooperation on ransomware  5466/24
Authorisation to sign a non-binding instrument CYBER
Decision to use the written procedure
66. Directive on liability for defective products  5551/24
Confirmation of the final compromise text with a view to 5553/24
agreement JUSTCIV

A statement by Estonia is set out in ADD 1 to this document.

67. Regulation establishing an EU Talent Pool  5155/24
Decision to consult an institution or body  MIGR



Foreign Affairs

68. Council Decision and Implementing Regulation concerning 5179/24
restrictive measures against serious human rights violations and 17044/23
abuses 17046/23
Adoption CORLX
69. Council Decision and Implementing Regulation concerning 5181/24 + COR 1
restrictive measures directed against certain persons, entities and 17103/23
bodies in view of the situation in Tunisia 17105/23
Adoption CORLX
70. Council Decision concerning restrictive measures in view of 5257/24
Russia's actions destabilising the situation in Ukraine 5256/24
Adoption CORLX
71. Restrictive measures in view of the situation in Belarus and the  5644/24 + COR 1
involvement of Belarus in the Russian aggression against CORLX
Ukraine: pre-notifications
Approval
Decision to use the written procedure

72. Protocol amending the Agreement between the EU and Japan for an Economic Partnership regarding free flow of data  16003/1/23 REV 1
POLCOM
- a) Council Decision on the signing
Adoption 16004/23
16006/23
- b) Council Decision on the conclusion
Agreement in principle 16005/23
Request for the consent of the European Parliament 16006/23
73. (poss.) EU-Armenia Partnership Council meeting (Brussels, 13 February 2024) 5540/24
Establishment of the EU position COEST
- This item was withdrawn.
74. Conclusions on the EU Global Health Strategy 5495/24
Approval DEVGEN
- A statement by Hungary is set out in document 5495/24 ADD 1.
75. (poss.) PSC Decision EUCAP Sahel Mali/1/2024 extending the mandate of the Head of Mission  5545/24
Decision to publish in the Official Journal 5207/24
PSC DEC

This item was transferred to Coreper (Part 1) on 26 January 2024.

EU positions for international negotiations

76. Council Decision on the EU position in the Joint Committee established under the Comprehensive Economic and Trade Agreement (CETA) as regards the adoption of a decision on the interpretation of certain articles of CETA  15638/1/23 REV 1
Adoption + REV 1 COR 1
15639/23 + ADD 1
POLCOM
- A statement by the Commission is set out in ADD 1 to this document.
77. Council Decision on the EU position in the WTO's 13th Ministerial Conference as regards the incorporation of the Agreement on Investment Facilitation for Development  5361/24 + COR 1
Adoption 5362/24
POLCOM

A statement by the Commission is set out in ADD 1 to this document.

78. Council Decision on the EU position at the third session of the Meeting of the Parties to the Protocol to Eliminate Illicit Trade in Tobacco Products
Adoption

C 5089/24
17027/23 + ADD 1
UD

A statement by the Commission is set out in ADD 1 to this document.



First reading



Procedural decision by Coreper (Article 19(3)&(7) of the Council's Rules of Procedure)



Item based on a Commission proposal
