

Brussels, 20 January 2021
(OR. en)

14160/20
CRS CRP 50

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
7 and 9 December 2020

I. Adoption of the agenda

13703/1/20 REV 1 OJ CRP2 46
13736/1/20 REV 1 OJ CRP1 46

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 2)

Justice and Home Affairs

3. Meeting of the Council (Justice and Home Affairs) on
14 December 2020: Preparation

- a) Pact on Migration and Asylum¹
Policy debate

13609/20

The Committee prepared this item for the Council meeting.

- b) (poss.) Regulation on preventing the dissemination of
terrorist content online
Information on provisional agreement

The Committee prepared this item for the Council meeting.

¹ Exceptionally, in the presence of the Schengen Associated States.

c) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

2. Informal videoconference of the Ministers of Justice
2 December 2020: Follow-up

The above-mentioned item was withdrawn.

COREPER (PART 1)

Fisheries

11. Regulation on the European Maritime and Fisheries Fund (EMFF)
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 3 December 2020.

Agriculture and Fisheries

12. Meeting of the Council (Agriculture and Fisheries) on 15 and 16 December 2020: Preparation
1. Council Regulation fixing for 2021 the fishing opportunities in the Atlantic and North Sea
Political agreement
- 13509/1/20 REV 1
12189/20
+ ADD 1-2

The Committee prepared this item for the Council.

Statement by the Commission

"The Commission welcomes the support from Member States to reach out to Norway and the United Kingdom on the approach of setting provisional total allowable catches (TACs) for the first quarter of 2021 based on a rollover of 2020 TACs adopted by the Council, by in principle applying a 25% ratio to 2020 TAC levels with the proposed safeguards aiming to ensure continuation of sustainable EU fishing activities and allowing EU vessels to use fishing opportunities set for stocks available.

The Commission will conduct the consultations on TAC setting on this basis, with the two conditions set by the Presidency in Coreper, namely that the Commission needs to refer back to the Council in case the United Kingdom and Norway do not agree to the suggested approach and the Agriculture and Fisheries Council will further discuss and determine the scope of the exceptions to the roll-over proposed by the Commission.

Moreover, with regard particularly to the UK, the Commission will await the outcome of the European Council before reaching out.

The Commission considers that such a temporary rollover will provide for the necessary time to carry out consultations with the United Kingdom and Norway in the first months of 2021 on the definitive TACs for 2021 and 2022, where relevant.

The Commission reassures the Council that, should it become apparent that such consultations would not be concluded on time, it will consider appropriate alternative approaches on the basis of the scientific advice and in line with the EU and international legal framework in order to avoid the interruption of EU fishing activities and to ensure the sustainability of the stocks."

2. Council Regulation fixing for 2021 the fishing opportunities in the Mediterranean and Black Seas 13292/20
10154/20 + ADD 1
Political agreement

The Committee prepared this item for the Council.

3. Council Regulation fixing for 2021 and 2022 the fishing opportunities for certain deep-sea stocks 13501/1/20 REV 1
12126/20 + ADD 1
Political agreement

The Committee prepared this item for the Council.

Youth

13. Regulation on the European Solidarity Corps 13355/20
Preparation for the trilogue

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

Statement by Poland

"Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów w wyrażeniach zawierających termin płeć (gender), Polska będzie interpretowała ją jako równość kobiet i mężczyzn zgodnie z art. 8 TFUE."

Courtesy translation

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the framework of the Polish national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, in wordings referring to gender Poland will interpret it as a equality between women and men, according to Article 8 TFEU."

Culture/Audiovisual Matters

14. Regulation on Creative Europe 2021-27 13328/20
Preparation for the trilogue

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Statement by Poland

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Research

15. Regulation establishing Horizon Europe - Framework Programme 13577/20 + COR 1
Preparation for the trilogue

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

Employment and Social Policy

16. Council Decision authorising Member States to ratify the 2019 ILO Convention on Violence and Harassment (No. 190) 13610/20
Guidance for further work

The Committee held an exchange of views and provided guidance for further work.

Health

17. Regulation on EU4Health Programme 13599/20
Presidency debriefing on the outcome of the trilogue
Preparation for the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 30 November 2020. The Committee agreed on a revised mandate for the forthcoming trilogue.

Environment

18. Meeting of the Council (Environment) on 17 December 2020: Preparation
1. Conclusions on Making the Recovery Circular and Green 13503/20
Approval

The Committee prepared this item for the Council. The Committee decided to use the written procedure for the approval if the Council does not convene on 17 December 2020.

2. Conclusions on Digitalisation for the Benefit of the Environment
Approval 13524/20

The Committee prepared this item for the Council. The Committee decided to use the written procedure for the approval if the Council does not convene on 17 December 2020.

3. Communication on Chemicals Strategy for Sustainability
Towards a Toxic-Free Environment
Exchange of views 13521/20

The Committee prepared this item for the Council.

4. Regulation amending Aarhus Regulation
General approach 13531/20

The Committee prepared this item for the Council.

Energy

19. Conclusions 'Towards a hydrogen market for Europe'
Preparation for the approval 13713/20
Decision to use the written procedure 13714/20

The Committee agreed on the draft text of the Council Conclusions and decided on the use of the written procedure for its approval.

Telecommunications

20. Regulation establishing the European Cybersecurity
Competence Centre and the Network of Coordination Centres
Preparation for the trilogue 13605/20

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

IV. Any other business

COREPER (PART 2)

None.

COREPER (PART 1)

None.

"I" items approved

COREPER (PART 2)

Economic and Financial Affairs

5. Decision of the European Parliament and of the Council authorising the Commission to vote in favour of the capital increase of the European Investment Fund
Confirmation of the final compromise text with a view to agreement 13448/20
ECOFIN

General Affairs

7. Conclusions on urban and territorial development
Approval
Decision to use the written procedure 13597/20
REGIO

Foreign Affairs

8. CTA Discharge procedure 2019
Adoption 13658/20
ACP
9. CTA - Extension of mandate of the members of the Executive Board
Adoption 13656/20
ACP

EU positions for international negotiations

10. Council Decision on the EU Position on EU-Canada Joint Customs Cooperation Committee as regards the adoption of the decision concerning the mutual recognition of the Partners in Protection Programme
Decision to use the written procedure for the adoption 13219/20 + ADD 1
13012/20
13014/20
UD

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."

COREPER (PART 1)

Institutional Affairs

Written questions

21. Replies to questions for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure 13644/20
PE-QE
- a) Dimitrios Papadimoulis (GUE/NGL), Stelios Kouloglou (GUE/NGL), Konstantinos Arvanitis (GUE/NGL), Elena Kountoura (GUE/NGL), Petros Kokkalis (GUE/NGL), Alexis Georgoulis (GUE/NGL) 13630/20
"Illegal hydrocarbon exploration and drilling by Turkey in the Eastern Mediterranean"
- b) Stelios Kypouropoulos (PPE), Loucas Furlas (PPE), Clara Ponsatí Obiols (NI), Eva Kaili (S&D), François Alfonsi (Verts/ALE), Isabel Carvalhais (S&D), Nikolaj Villumsen (GUE/NGL) 12960/20
"Turkey and child soldiers"
- c) Dimitrios Papadimoulis (GUE/NGL) 13631/20
"Unilateral actions by Turkey in the Greek and Cypriot Exclusive Economic Zone (EEZ) and violations of the Greek continental shelf"
- d) João Ferreira (GUE/NGL) 12944/20
"Impact of 'new own resources' in undermining the EU budget's redistributive function"

Statement by Poland

"Prowadząc prace nad nowymi środkami własnymi, Rada powinna uwzględnić konkluzje Rady Europejskiej, a także Protokół Nr 28 do TFUE, zgodnie z którym Wysokie Umawiające się Strony zadeklarowały swój zamiar uważniejszego brania pod uwagę zdolności udziału poszczególnych Państw Członkowskich w systemie środków własnych i zbadania sposobów poprawy, dla mniej zamożnych Państw Członkowskich, elementów regresywnych występujących w istniejącym obecnie systemie środków własnych."

Courtesy translation

"The Council's work on new own resources should be guided by the conclusions of the European Council, but also by the Protocol No 28 to the TFEU according to which the High Contracting Parties declared their intention of taking greater account of the contributive capacity of individual Member States in the system of own resources, and of examining means of correcting, for the less prosperous Member States, regressive elements existing in the present own resources system."

- e) Christine Anderson (ID), Bernhard Zimniok (ID) 13632/20
"Distribution of so-called refugees from the Moria camp in
the EU"

Appointments

22. Two alternate members (PT, LT) of the Advisory Committee on 13705/20
Safety and Health at Work 13595/2/20 REV 2
Adoption SOC

23. **Minutes of Council Meetings**
Approval

ENV 23.10.2020

12282/20 + ADD 1

Other

24. List of Working Parties officially organised in Portugal under 13715/20
the Portuguese Presidency (first half of 2021) POLGEN
*Information note for the Permanent Representatives Committee
(Part 1)*

Judicial Affairs

25. Case C-549/20 (the Republic of Cyprus v the European 13485/20
Parliament and the Council) JUR
*Information note for the Permanent Representatives Committee
(Part 1)*
26. Case C-550/20 (the Republic of Cyprus v the European 13486/20
Parliament and the Council) JUR
*Information note for the Permanent Representatives Committee
(Part 1)*
27. Case C-553/20 (the Republic of Poland v the European 13487/20
Parliament and the Council) JUR
*Information note for the Permanent Representatives Committee
(Part 1)*
28. Case C-554/20 (the Republic of Poland v the European 13488/20
Parliament and the Council) JUR
*Information note for the Permanent Representatives Committee
(Part 1)*
29. Case C-555/20 (the Republic of Poland v the European 13489/20
Parliament and the Council) JUR
*Information note for the Permanent Representatives Committee
(Part 1)*

- | | | |
|-----|---|-----------------|
| 30. | Case T-634/20 (UPTR v the European Parliament and the Council)
<i>Information note for the Permanent Representatives Committee (Part 1)</i> | 13490/20
JUR |
| 31. | Case T-645/20 (NC and Others v the European Parliament and the Council)
<i>Information note for the Permanent Representatives Committee (Part 1)</i> | 13576/20
JUR |
| 32. | Case T-646/20 (NG and Others v the European Parliament and the Council)
<i>Information note for the Permanent Representatives Committee (Part 1)</i> | 13578/20
JUR |
| 33. | Case T-569/20 (Stichting Comité N65 Ondergronds Helvoirt v European Commission)
<i>Information note for the Permanent Representatives Committee (Part 1)</i> | 13572/20
JUR |

EU positions for international negotiations

- | | | |
|-----|--|--|
| 34. | EU application letter to become a member of the International Coral Reef Initiative (ICRI)
<i>Approval</i> | 13574/20
POLGEN
POLMAR |
| 35. | Council Decision on the EU position within the EEA Joint Committee, concerning the amendment to Annex VI (Social Security) to the EEA Agreement
<i>Decision to use the written procedure for the adoption</i> | 12970/20
12968/20
12969/20
AELE |
| 36. | Council Decision on the EU position within the Joint Committee established under the Agreement between the European Community and its Member States and the Swiss Confederation on the free movement of persons as regards the amendment of Annex II to that Agreement on the coordination of social security schemes
<i>Decision to use the written procedure for the adoption</i> | 12966/20
12964/20
12965/20
AELE |
| 37. | Council Decision on EU position in CARIFORUM-EU EPA Trade and Development Committee regarding establishment of Special Committee on Services
<i>Adoption</i> | 13628/20
13284/20
13287/20
ACP |
| 38. | Council Decision on the EU position within the Joint Committee established by the Common Aviation Area Agreement between the European Union and Georgia
<i>Adoption</i> | 13437/20
13380/20
13385/20
AVIATION |

- | | | |
|-----|---|--|
| 39. | Council Decision on the EU position within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union and the State of Israel
<i>Adoption</i> | 13497/20
13482/20
13483/20
AVIATION |
| 40. | Council Decision on the EU position within the Joint Committee established by the Euro-Mediterranean Aviation Agreement between the European Union the Hashemite Kingdom of Jordan
<i>Adoption</i> | 13496/20
13480/20
13481/20
AVIATION |
| 41. | Council Decision on the EU position within the Joint Committee established by the Common Aviation Area Agreement between the European Union and the Republic of Moldova
<i>Adoption</i> | 13536/20
13513/20
13515/20
AVIATION |
| 42. | Council Decision on the EU position in the Ministerial Council of the Energy Community (Tivat, Montenegro, 16 - 17 December 2020)
<i>Decision to use the written procedure for the adoption</i> | 13504/20
13502/20 + ADD 1
ENER |

Agriculture

- | | | |
|-----|--|--|
| 43. | Council Decision on the conclusion of the VPA with the Republic of Honduras on forest law enforcement, governance and trade in timber products to the European Union
<i>Agreement in principle</i>
<i>Decision to use the written procedure for the adoption</i> | 13223/20
12543/20
10365/20
FORETS |
| 44. | Council Decision on the signing of the VPA with the Republic of Honduras on forest law enforcement, governance and trade in timber products to the EU
<i>Decision to use the written procedure for the adoption</i> | 13223/20
12513/20
10365/20
FORETS |
| 45. | Conclusions on the REFIT Report
<i>Approval</i> | 13439/20
AGRI |
| 46. | Conclusions on the SUD Report
<i>Approval</i> | 13441/20
AGRI |
| 47. | CFS Voluntary Guidelines on Food Systems for Nutrition (VGFSyN)
<i>European Union coordination of a common position</i> | 13587/20
AGRI |

Environment

- | | | |
|-----|--|-------------------|
| 48. | Conclusions on the EU's Emission Trading System (CoA SR No 18/2020)
<i>Approval</i> | 13601/20
CLIMA |
|-----|--|-------------------|

49. Conclusions on the protection of wild pollinators in the EU
(CoA SR 15/2020)
Approval

13677/20 + ADD 1
ENV

Statement by Austria

"Österreich dankt dem Vorsitz für seine Bemühungen, möglichst ausgewogene Schlussfolgerungen zu erstellen.

Österreich bedauert aber die Streichungen in den Absätzen 2 und 9, welche durch den Bruch des Stillschweigeverfahrens vorgenommen wurden.

In Abs. 2 wurde die Aufzählung der Ursachen der Bestäuberverluste gestrichen. Aus Sicht Österreichs wäre die Aussage in diesem Absatz wesentlich klarer, wenn diese vom Weltbiodiversitätsrat festgestellten Ursachen zumindest in einer Fußnote aufgezeigt worden wären.

In Abs. 9 wurde der Verweis auf einen Indikator für Bestäuber in der neuen Gemeinsamen Agrarpolitik (GAP) gestrichen. Auch diese Streichung bedauern wir sehr, da der Gemeinsamen Agrarpolitik eine bedeutende Rolle beim Erhalt der Bestäubervielfalt zukommt.

Im Sinne eines Kompromisses stimmt Österreich dem vorliegenden Entwurf jedoch zu."

Courtesy translation

"Austria thanks the Presidency for its efforts to draft conclusions that are as balanced as possible.

However, Austria regrets the deletions in paragraphs 2 and 9, which were made through breaking the silence procedure.

In paragraph 2, the enumeration of the causes of pollinator decline was deleted. From Austria's point of view, this paragraph would have been much clearer if the causes identified by the World Biodiversity Council had at least been indicated in a footnote.

In paragraph 9, the reference to a pollinator indicator within the new Common Agricultural Policy (CAP) has been deleted. We regret also this deletion, as the CAP has an important role to play in maintaining pollinator diversity.

In the spirit of compromise, however, Austria agrees with the present draft."

Transport

50. Decision on a European Year of Rail (2021)
Adoption of the legislative act

13402/20
TRANS

Energy

51. Energy Community Ministerial Council
(Tivat, Montenegro, 17 December 2020)
Establishment of the EU position
Decision to use the written procedure 13606/20
13607/20
ENER
52. EU declaration for Energy Community Treaty negotiations
Approval 13675/20
Decision to use the written procedure 13301/1/20 REV 1
R-EU
ENER
53. Conclusions on Fostering European Cooperation in Offshore
and Other Renewable Energies 13698/20
Decision to use the written procedure 13699/20
ENER

Health

54. Conclusions on COVID-19 lessons learned 13554/20
Approval 13552/20
Decision to use the written procedure SAN

Internal Market and Industry

55. Conclusions on Digitising European Industry 13566/20
(CoA SR No 19/2020) 13568/20
Approval COMPET
Decision to use the written procedure

General Affairs

56. Conclusions on strengthening resilience and countering hybrid
threats, including disinformation 13159/20
Approval 13626/20
Decision to use the written procedure HYBRID
DISINFO
57. Statute of the European Ombudsman 13579/20
Mandate for negotiations with the European Parliament OMBUDS
AG
63. Transparency Register 13633/20
State of play and guidance for further work 13663/20
13813/20
AG
INST

Foreign Affairs

58. PSC Decision EUMM GEORGIA/2/2020 - extension of the mandate of the Head of Mission
Decision to publish in the Official Journal
- 13650/20
13056/20
PSC DEC

Economic and Financial Affairs

59. Amendments to the Benchmarks Regulation
Confirmation of the final compromise text with a view to agreement
- 13652/20 +ADD 1
EF

Delegated or Implementing Acts

Environment

60. Commission Delegated Regulation (EU) .../... of 6.11.2020 amending Delegated Regulation (EU) 2019/1122 as regards the functioning of the Union Registry under Regulation (EU) 2018/841 of the European Parliament and of the Council
Delegated act - Decision to request an extension of the time-limit
- 13565/20
12920/20 + ADD 1
CLIMA

Agriculture

61. Commission Delegated Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the identification mark to be used for certain products of animal origin in the United Kingdom in respect of Northern Ireland
Delegated act - Intention not to raise objections
- 13702/20
13700/20 + ADD 1
AGRILEG
PREP-BXT

Internal Market and Industry

62. Commission Regulation (EU) .../... of XXX amending Annex XIV to Regulation (EU) No 1907/2006 of the European Parliament and of the Council as regards the substance group 4-(1,1,3,3-Tetramethylbutyl)phenol, ethoxylated (covering well-defined substances and substances of unknown or variable composition, complex reaction products or biological materials, polymers and homologues)
Decision not to oppose adoption
Decision to use the written procedure
- 13707/20
13278/20 + ADD 1
COMPET