

Brussels, 29 June 2021  
(OR. en)

10232/21  
CRS CRP 21

**SUMMARY RECORD**  
PERMANENT REPRESENTATIVES COMMITTEE  
2 and 4 June 2021

**I. Adoption of the agenda**

9267/21 OJ CRP1 21 + COR 1  
9299/1/21 REV 1 OJ CRP2 21

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)**

**Environment**

2. Regulation amending Aarhus Regulation (EC) No 1367/2006 9041/21  
*Preparation for the trilogue*

The Committee prepared a revised mandate for the forthcoming trilogue.

3. Meeting of the Council (Environment) on 10 June 2021: Preparation

1. Regulation concerning batteries and waste batteries, 9052/21  
repealing Directive 2006/66/EC and amending Regulation  
(EU) No 2019/1020  
*Progress report*

The Committee prepared this item for the Council meeting.

2. Conclusions on forging a climate-resilient Europe – the new EU Strategy on Adaptation to Climate Change  
*Approval*

9104/21

The Committee prepared this item for the Council meeting.

#### Statement by Poland

"Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów wyrażenie "gender", Polska będzie interpretowała jako płeć ("sex"), zgodnie z art. 10, art. 19 para 1 oraz art. 157 para 2 i 4 Traktatu o Funkcjonowaniu Unii Europejskiej, a odniesienia do równości płci jako równość kobiet i mężczyzn zgodnie z art. 2 Traktatu o Unii Europejskiej, art. 8 i 10 Traktatu o Funkcjonowaniu Unii Europejskiej oraz art. 23 Karty Praw Podstawowych."

#### 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 Poland understands wording "gender" as referring to "sex" in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union and gender equality as a equality between women and men, according to Article 2 of the Treaty on European Union, Article 8 and 10 of the Treaty on the Functioning of the European Union, as well as art. 23 of the EU Charter of Fundamental Rights."

3. Communication on the EU Action Plan on Zero Pollution  
*Exchange of views*

9032/21

The Committee prepared this item for the Council meeting.

### **Employment, Social Policy, Health and Consumer Affairs**

4. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs)  
on 14 and 15 June 2021: Preparation

1. Conclusions on the socio-economic impact of COVID-19  
on gender equality  
*Approval*

8878/21 + ADD 1

The Committee prepared this item for the Council meeting.

### Statement by Poland

"Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów, wyrażenie "gender equality" Polska będzie interpretowała jako równość kobiet i mężczyzn, zgodnie z art. 2 i 3 Traktatu o Unii Europejskiej oraz art. 8 i 157 para 3 Traktatu o Funkcjonowaniu Unii Europejskiej. W związku z powyższym, pozostałe wyrażenia zawierające termin "gender", Polska będzie interpretowała jako płeć ("sex"), zgodnie z art. 10, art. 19 para 1 oraz art. 157 para 2 i 4 Traktatu o Funkcjonowaniu Unii Europejskiej."

### Courtesy translation

"Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Poland ensures equality between women and men within the 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. Therefore, Poland understands "gender equality" as referring to "equality between men and women", in accordance with art. 2 and 3 of the Treaty on the European Union and art. 8 and 157 (3) of the Treaty on the Functioning of the European Union. Consequently, Poland understand any remaining wording containing "gender" as referring to "sex" in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union."

2. Conclusions on the Strategy for the Rights of Persons with Disabilities (2021-2030)  
*Approval*

9127/21

The Committee prepared this item for the Council meeting.

### Statement by Poland

"Równość kobiet i mężczyzn została zapisana w traktatach Unii Europejskiej jako podstawowe prawo. Polska zapewnia równość kobiet i mężczyzn w ramach polskiego krajowego systemu prawnego zgodnie z międzynarodowymi traktatami praw człowieka oraz w ramach podstawowych wartości i zasad Unii Europejskiej. Z tych powodów wyrażenie "gender", Polska będzie interpretowała jako płeć ("sex"), zgodnie z art. 10, art. 19 para 1 oraz art. 157 para 2 i 4 Traktatu o Funkcjonowaniu Unii Europejskiej, a odniesienia do równości płci jako równość kobiet i mężczyzn zgodnie z art. 2 Traktatu o Unii Europejskiej, art. 8 i 10 Traktatu o Funkcjonowaniu Unii Europejskiej oraz art. 23 Karty Praw Podstawowych."

### 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 Poland understands wording "gender" as referring to "sex" in line with art. 10, art. 19 para 1 and art. 157 para 2 and 4 of the Treaty on the Functioning of the European Union and gender equality as a equality between women and men, according to Article 2 of the Treaty on European Union, Article 8 and 10 of the Treaty on the Functioning of the European Union, as well as art. 23 of the EU Charter of Fundamental Rights."

3. Conclusions on Telework  
*Approval*

8972/21

The Committee prepared this item for the Council meeting.

### **Employment and Social Policy**

5. Revision of Directive on carcinogens and mutagens at work  
(fourth batch)  
*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 27 May 2021.

### **Internal Market and Industry**

6. Directive amending Directive 2013/34/EU as regards disclosure  
of income tax information (CBCR)  
*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 1 June 2021.

### **Transport, Telecommunications and Energy**

7. Meeting of the Council (Transport, Telecommunications and Energy) on 11 June 2021:  
Preparation

1. Revision of the TEN-E Regulation  
*General approach*

8891/21

The Committee prepared this item for the Council meeting.

2. A hydrogen strategy for a climate-neutral Europe  
*Exchange of views*

9150/21

The Committee prepared this item for the Council meeting.

3. Conclusions on a Renovation Wave that repairs the  
economy now and creates green buildings for the future  
*Approval*

8923/21

The Committee prepared this item for the Council meeting.

## **Health**

8. Regulation on Health Technology Assessment (HTA)  
*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 31 May 2021.

## **Employment, Social Policy, Health and Consumer Affairs**

4. (continuation) Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 14 and 15 June 2021: Preparation

4. Regulation on a reinforced role for the European Medicines Agency in crisis preparedness and management for medicinal products and medical devices  
*General approach*
- 9115/21  
9116/21

The Committee prepared this item for the Council meeting.

## COREPER (PART 2)

### WEDNESDAY 2 JUNE 2021

#### Justice and Home Affairs

18. (poss.) Council Recommendation (EU) 2020/912 of 30 June 2020 on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction  
*Approval*

The Committee agreed on the addition of Japan in Annex I.

19. Council Recommendation amending Council Recommendation (EU) 2020/1475 on free movement 9220/21  
*Presentation by the Commission*  
*Exchange of views*

The Committee took note of the Commission's presentation, held a preliminary exchange of views and will revert on this issue at its next meeting.

20. Meeting of the Council (Justice and Home Affairs) on 7-8 June 2021: Preparation
- a) Regulation on Assignments of Claims 9050/21  
*General approach*

The Committee prepared this item for the Council.

### Statement by Belgium

"La Belgique soutient de manière générale les objectifs poursuivis par la proposition de Règlement et accepte le texte présenté pour approche générale. La Belgique regrette toutefois le manque de clarté de la proposition, qui pourra mener à des difficultés d'application. La Belgique regrette également la solution qui a été retenue concernant les cessions de créances garanties par une sûreté sur une propriété immobilière ou sur un actif enregistré dans un registre public. La Belgique aurait préféré une exclusion des conflits de priorité relatifs à ces créances garanties, qui aurait été plus claire et plus simple à appliquer. Nous espérons que ces éléments pourront être améliorés au cours des futures négociations interinstitutionnelles avec le Parlement européen et qu'ils feront l'objet d'une attention particulière à l'occasion de l'évaluation de l'instrument prévue à l'article 13."

### Courtesy copy

"Belgium generally supports the objectives pursued by the proposed Regulation and accepts the text presented for a general approach. Belgium however regrets the lack of clarity of the proposal, which may lead to difficulties of application. Belgium also regrets the solution adopted concerning the assignment of claims secured by a security right over immoveable property or moveable property subject to registration in a public register. Belgium would have preferred an exclusion of priority conflicts over these secured claims, which would have been clearer and simpler to apply. We hope that these elements can be improved during the future interinstitutional negotiations with the European Parliament and that they will be subject of a particular attention during the review of the instrument provided for in Article 13."

### Statement by Spain

"Spain supports the objectives pursued by the proposed Regulation and accepts the text presented for a general approach. Spain shares the statement of Belgium related to claims secured by a security right over immoveable property or moveable property subject to registration in a public register, and also considers that an exclusion of priority conflicts over these secured claims would have been clearer and simpler to apply. We hope that these elements can be improved during the future interinstitutional negotiations with the European Parliament and that they will be subject of a particular attention during the review of the instrument provided for in Article 13."

- b) Regulation on cross-border e-Justice in Europe (e-CODEX)  
*General approach*

9005/21

The Committee prepared this item for the Council.

## Joint statement by Estonia and France

"Estonia and France welcome the objective of the Commission proposal and the text of the general approach prepared by the Portuguese Presidency.

As to the location of e-CODEX, Estonian and French delegations propose e-Codex to be handled entirely in Tallinn, and that the eu-LISA Regulation (2018/1726) is amended as follows in the course of the next negotiation phases:

- In article 17 (3), the following shall be added: *“The tasks relating to the development and operational management of the e-Codex system referred to in articles 1(4a) and 8b shall be carried out in Tallinn, Estonia, where the necessary equipment for these tasks is installed.”*

- As a consequence, in order to avoid contradiction between the subparagraphs of article 17 (3), the reference to article 1 (4a) shall be added in article 1 (5) (changes with bold and strikethrough): *“The Agency may be made responsible for the preparation, development or operational management of large-scale IT systems in the area of freedom, security and justice other than those referred to in paragraphs 3, ~~and 4~~ and **4a** of this Article, including existing systems, only if so provided by relevant Union legal acts governing those systems, based on Articles 67 to 89 TFEU, taking into account, where appropriate, the developments in research referred to in Article 14 of this Regulation and the results of pilot projects and proofs of concept referred to in Article 15 of this Regulation.”*

- c) Combating illegal content online in the context of Digital Services Act Proposal 9048/21  
*Policy debate*

The Committee prepared this item for the Council.

- d) Conclusions on the protection of vulnerable adults across the European Union 8636/21  
*Approval*

The Committee prepared this item for the Council.

- e) e-evidence negotiations 9095/21  
i) Negotiations for EU-US agreement on cross-border access to e-evidence  
*State of play*  
ii) Negotiations on a second additional protocol to the Budapest Convention  
*State of play*

The Committee prepared this item for the Council.



- f) Setting up of the European Public Prosecutor's Office (EPPO)  
*State of play* 9030/21

The Committee prepared this item for the Council.

- g) Key elements for the public prosecution services including as regards judicial cooperation in criminal matters  
*Exchange of views* 9091/21

The Committee prepared this item for the Council.

- h) Regulation amending Regulation (EU) 2016/794 on Europol  
*Progress report* 9158/21

The Committee prepared this item for the Council.

- i) Directive on the resilience of critical entities  
*Progress report* 8969/21  
PROCIV

The Committee prepared this item for the Council.

- j) New Pact on Migration and Asylum: state of play and way forward  
*Progress report* 9178/21

The Committee prepared this item for the Council.

- k) Update by the Counter-Terrorism Group (CTG) on further cooperation between competent authorities dealing with counter-terrorism<sup>1</sup>  
*Exchange of views* -

The Committee prepared this item for the Council.

- l) COVID-19 and fighting criminality: one year after  
*Policy debate* 8997/21

The Committee prepared this item for the Council.

- m) Artificial Intelligence: internal security outlook  
*Presentation by the Commission*  
*Exchange of views* 9096/21

The Committee prepared this item for the Council.

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<sup>1</sup> Exceptionally, in the presence of the Schengen Associated States.

- n) Communication on a Schengen Strategy  
*Presentation by the Commission*  
*Exchange of views*

The Committee prepared this item for the Council.

- o) Implementation of interoperability: state of play on the implementation of Entry/Exit and the European Travel Information and Authorisation System  
*Information from the Commission*

9085/21

The Committee prepared this item for the Council.

- p) (poss.) Conclusions on the EU Citizenship Report - Empowering citizens and protecting their rights  
*Approval*

The Committee agreed on the withdrawal of this item of the Council agenda.

- q) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

### **General Affairs**

21. COVID-19 EU coordination  
*Information from the Commission*

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

### **Foreign Affairs**

23. Informal videoconference of the Ministers of Foreign Affairs/Development on 14 June 2021: Agenda

The EEAS presented the main items on the agenda.

24. Meeting of the Council (Foreign Affairs) on 21 June 2021: Agenda

The EEAS presented the main items on the agenda.

### **Economic and Financial Affairs**

25. Meeting of the Council (Economic and Financial Affairs) on 18 June 2021: Preparation  
Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

## **FRIDAY 4 JUNE 2021**

### **General Affairs**

26. Meeting of the Council (General Affairs) on 22 June 2021:  
Agenda

The Presidency presented the main items on the agenda.

- a) Preparation of the European Council on 24-25 June 2021: 8086/21  
Annotated Draft Agenda  
*Exchange of views*

The Committee took note of the information provided by the PEC Cabinet and held an exchange of views.

### **Foreign Affairs**

27. EU-United States Summit (Brussels, 15 June 2021)  
*State of play*

The Committee took note of the information provided by the PEC Cabinet.

**IV. Any other business**

**COREPER (PART 1)**

None.

**COREPER (PART 2)**

None.

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**"I" items approved****COREPER (PART 1)****EU positions for international negotiations**

- |     |   |                                     |
|-----|---|-------------------------------------|
| 9.  | Council Decision on the EU position on UNECE (June 2021)<br><i>Adoption</i>   | 9003/21<br>9000/21<br>9001/21<br>MI |
| 10. | Council Decision on the EU position at the 13th session of the Committee of Technical Experts of the Intergovernmental Organisation for International Carriage by Rail (OTIF) 2021<br><i>Adoption</i> | 9151/21<br>8678/21<br>TRANS         |

**Internal Market and Industry**

- |     |  |                       |
|-----|--|-----------------------|
| 12. | Regulation amending Regulation (EU) 2016/1628 as regards the transitional provisions of certain machinery to address the impact of COVID-19 crisis<br><i>Mandate</i> | 9110/21 + ADD 1<br>MI |
|-----|--|-----------------------|

**Statement by Denmark**

"Denmark supports that the Commission looks into the consequences of the Covid-19 outbreak and the associated supply chain and production disruptions for the non-road mobile machinery manufacturers. Nevertheless, we should ensure that the response to the covid-19 crisis does not unnecessarily restrain the green transition. We do believe that a swift transition to emission stage V is needed, not least in order to improve our air quality.

The situation due to the covid-19 crises has changed character compared to last year's amendments to 2016/1628. Furthermore, fewer engines are affected by the entry into force of stage V. Therefore, we do not see the need to have more than six months prolongation of the transitional provision. We would thus have liked to see a six months prolongation for the production of the machinery fitted with those engines as well as a six months prolongation for the placing on the market instead of the proposed nine month."

**Agriculture**

- |     |   |                |
|-----|---|----------------|
| 13. | CFS Policy Recommendations on Agroecological and other Innovative Approaches<br><i>European Union coordination of a common position</i> | 9136/21<br>FAO |
|-----|---|----------------|

## Delegated or Implementing Acts

### **Internal Market and Industry**

14. Commission Delegated Regulation (EU) .../... of 19.4.2021 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the alcohol interlock installation facilitation in motor vehicles and amending Annex II to that Regulation  
*Delegated act - Intention not to raise objections* 9126/21  
7997/21 + ADD 1  
ENT
15. Commission Delegated Regulation (EU) .../... of 23.4.2021 supplementing Regulation (EU) 2019/2144 of the European Parliament and of the Council by laying down detailed rules concerning the specific test procedures and technical requirements for the type-approval of motor vehicles with regard to their driver drowsiness and attention warning systems and amending Annex II to that Regulation  
*Delegated act - Intention not to raise objections* 9128/21  
8164/21 + ADD 1  
ENT

### **Agriculture**

16. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards steviol glycosides (E 960) and rebaudioside M produced via enzyme modification of steviol glycosides from Stevia  
*Decision not to oppose adoption* 8917/21  
8291/21 + ADD 1  
DENLEG

## **COREPER (PART 2)**

**WEDNESDAY 2 JUNE 2021**

### **Judicial Affairs**

28. Case T-195/21 Oleksandr Viktorovych KLYMENKO v. Council  
Action for annulment - Restrictive measures - Ukraine  
*Information note for the Permanent Representatives Committee  
(Part 2)* 8926/21  
JUR
29. Case C-242/21 P, É. Boshab v. Council (Appeal - restrictive  
measures D. R. Congo) 9029/21  
*Information note for the Permanent Representatives Committee  
(Part 2)* JUR
30. Judgment of the General Court of 21 April 2021 in Case T-  
322/19 - Aisha Qaddafi v. Council - Libya restrictive measures  
*Information note for the Permanent Representatives Committee  
(Part 2)* 9090/21  
JUR

### **Transparency**

31. Public access to documents 8005/21  
Confirmatory application No 13/c/01/21  
*Adoption* INF  
API
32. Public access to documents 8206/21 + ADD 1  
Confirmatory application No 14/c/01/21  
*Adoption* INF  
API

### **Economic and Financial Affairs**

33. Transfer No DEC 06/2021 (Section III - Commission) 8901/21  
*Approval* 8233/21  
FIN
34. Transfer No DEC 07/2021 (Section III - Commission) 8905/21  
*Approval* 8247/21  
FIN
35. Transfer No DEC 08/2021 (Section III - Commission) 8909/21  
*Approval* 8524/21  
FIN
36. Transfer No DEC 10/2021 (Section III - Commission) 8912/21  
*Approval* 8526/21  
FIN

37.	Transfer No DEC 11/2021 (Section III - Commission) <i>Approval</i>	9092/21 8899/21 FIN
38.	Transfer No DEC 12/2021 (Section III - Commission) <i>Approval</i>	9093/21 8900/21 FIN
39.	Mobilisation of the European Globalisation Adjustment Fund (EGF/2020/005 BE/Swissport) <i>Approval</i>	8902/21 8904/21 FIN
40.	Mobilisation of the European Globalisation Adjustment Fund (EGF/2020/003 DE/GMH Guss) <i>Approval</i>	8906/21 8908/21 FIN
41.	Mobilisation of the European Globalisation Adjustment Fund (EGF/2020/004 NL/KLM) <i>Approval</i>	8910/21 8911/21 FIN
42.	Mobilisation of the European Globalisation Adjustment Fund (EGF/2020/007 FI/Finnair) <i>Approval</i>	8913/21 8914/21 FIN
43.	Council Implementing Decision authorising the Netherlands to apply a reduced tax rate to electricity for vessels at berth in a port <i>Adoption</i>	9114/21 8752/21 FISC
44.	Council Implementing Decision authorising Denmark to apply a reduced tax rate to electricity for vessels at berth in a port <i>Adoption</i>	9117/21 8754/21 FISC

### **General Affairs**

45.	EP Resolutions and decisions (May 2021)	8815/21 PE-RE
46.	Cohesion policy legislative package 2021-2027: Just Transition Fund (JTF) Regulation <i>Adoption of the legislative act</i>	9088/21 + ADD 1 PE-CONS 5/21 FSTR

### **Statement by Bulgaria**

"The Republic of Bulgaria understands the reporting on common indicators in Annexes I and II of the European Social Fund Plus Regulation and in Annex III of the Just Transition Fund Regulation by using a category of "non-binary", as not obligatory. The Republic of Bulgaria does not intend to gather and report relevant data, as such a category does not exist in its national legislation."



### Statement by Hungary

"The procedure towards the adoption of the Cohesion Policy regulations has reached another important step. Hungary sees it necessary to reiterate its earlier statement regarding the representation and interpretation of gender in these regulations.

Equality between women and men is enshrined in the treaties of the European Union as a fundamental right. Hungary ensures equality between women and men within the framework of its 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 Hungary interprets the concept of "gender" as reference to sex, in line with Article 8, 10, 19 and 157 of the Treaty on the Functioning of the European Union and Article 21 and 23 of the Charter of Fundamental Rights of the European Union.

Furthermore Hungary is convinced that the content of gender is not appropriate to be defined in these legislative documents.

In line with these and its national legislation, Hungary interprets the concept of 'gender' as reference to 'sex' and the concept of 'gender equality' as reference to the 'equality between men and women' in the Regulations. As regards the breakdown of data, Hungary believes that footnote 2 in Annex III of JTF Regulation (and also the first line of Annex I and Annex II respectively of the ESF+ Regulation) should be applied and refer to the term "gender" and the parenthesis as a whole and not only one of the subcategories listed there.

Bearing in mind the fact that determining the content of the term "gender" falls under the exclusive competence of the Member States, the relevant recitals, articles, annexes and footnotes should be understood as referring to the term gender interpreted in accordance with national legislation."

### 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 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."

47. Council Decision concerning the dock dues in the French outermost regions  
*Adoption*

8847/21  
7922/21 + COR 1  
COH  
POSEIDOM

## **Justice and Home Affairs**

48. Lines To Take on China's Global Initiative on Data Security  
*Approval* 9155/21 R-UE  
CYBER

## **Foreign Affairs**

49. EU Exercise Programme 2020-2025  
*Approval* 8834/21  
6947/21  
CFSP/PESC
50. Sixth Progress Report EU-NATO Common Set of Proposals  
9122/21  
POLMIL
51. Council Decision on the conclusion of an Agreement with Cuba  
regarding the modifications in the EU's TRQs in the WTO  
schedule following Brexit  
*Adoption* 9124/21  
10637/20  
10638/20  
WTO
52. Council Decision amending Joint Action 2008/124/CFSP on the  
European Union Rule of Law Mission in Kosovo\*  
(EULEX KOSOVO\*)  
*Adoption* 8058/21  
7790/21  
CORLX
53. Council Decision on Union support for the universalisation and  
effective implementation of the International Convention for the  
Suppression of the Acts of Nuclear terrorism  
*Adoption* 8556/21  
8555/21  
CORLX
54. Appeal against judgment of the EU General Court in Case  
T-322/19, Aisha Qaddafi v. Council  
*Approval* 9315/21  
CORLX
55. International Procurement Instrument (IPI) Regulation  
*Mandate for negotiations with the European Parliament* 9175/21  
COMER

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

### Statement by Luxembourg

"Le Luxembourg soutient la mise en place d'un instrument sur les marchés publics internationaux et plus particulièrement le texte de règlement tel que soumis par la Présidence portugaise du Conseil au COREPER en date du 2 juin 2021.

Tout au long des négociations, le Luxembourg s'est engagé pour que l'IPI trouve le juste équilibre entre d'un côté, la mise en œuvre de l'objectif recherché, à savoir l'ouverture des marchés publics au sein des pays tiers; de l'autre côté, la nécessité de disposer de mécanismes pouvant être mis en œuvre sans charges administratives excessives pour les administrations et les opérateurs économiques, notamment les petites et moyennes entreprises.

L'objectif doit rester celui de la mise en place d'un instrument efficace et de dernier recours s'intégrant de manière cohérente dans la boîte à outils à disposition de l'Union européenne et des États membres.

A cet égard, il conviendra donc à veiller dans le contexte des étapes à venir à ce que le cadre établi au niveau du Conseil ne soit pas altéré au détriment des opérateurs et des autorités nationales qui seront appelées à le mettre en œuvre. Les États membres devront également pouvoir compter sur l'aide de la Commission européenne pour la mise en œuvre du règlement."

### Statement by Spain

"Spain has given its support to the IPI text. Nevertheless, we would like to make the following statement to signal some practical aspects to be taken into account in the implementation of this instrument.

First and foremost, Spain underlines that the main objective of the instrument is the opening of public procurement markets in third countries, under conditions equivalent to those offered by the EU.

To apply it effectively, we have to guarantee that the Regulation ensures an effective and homogeneous application of the provisions contained therein and minimize the administrative burden, both for contracting authorities and economic operators. It should not have an impact on value chains, especially for SMEs; nor lead to retaliation in markets where the EU is already present.

The Commission should assist Member States in the implementation of the IPI Regulation, through the development of implementation guides. Spain considers that the Advisory Committee on Public Procurement, established by Council Decision 71/306/EEC, should be involved in the debate on the implementing acts deriving from the IPI Regulation.

We expect the coherent application of all the instruments the EU has at its disposal: the new, such as the IPI or the foreign subsidies regulation, and the already existing ones whose full potential has yet to be deployed."

### Statement by Malta

"Malta thanks the Portuguese Presidency and previous Presidencies for their continued efforts and work to finalise discussions within the Council on this sensitive dossier. In Malta's view, the Regulation should be an important tool to promote access for EU businesses to procurement markets in countries where the market is not open. Malta would however like to stress that it is important to ensure that the application of this Regulation does not cause excessive burden, in particular on small and medium enterprises, public administration and the public finances of small open economies, which are very dependent on importation and global value chains. With these considerations in mind, while Malta will support the Council position in a spirit of compromise, Malta has some concerns with the agreed thresholds in the Council text. "

56. Union for the Mediterranean (UfM) Ministerial Declaration on Energy  
*Approval*
- 9189/21  
MAMA  
MED

### EU positions for international negotiations

57. Council Decision on the EU position within the International Cocoa Council as regards the extension of the International Cocoa Agreement 2010  
*Adoption*
- 9026/21 + ADD 1  
8691/21  
PROBA

### 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."

58. Council Decision on the EU position regarding the requests by the UK to become a Participant to the Arrangement on Officially Supported Export Credits and a Participant to the Sector Understanding on Export Credits for Civil Aircraft ("ASU")  
*Adoption*
- 8463/1/21 REV 1  
+ ADD 1  
8354/21  
CCG  
UK

### 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."

59. Council Decision on the EU position in the ACP-EU Committee of Ambassadors regarding the amendment of Decision No 3/2016 of the ACP-EU Committee of Ambassadors on the CDE Adoption 8657/21 + ADD 1  
8521/21  
ACP

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."

**Other items**

60. Approval of cryptographic product Approval 9051/21  
CSCI  
CSC

**FRIDAY 4 JUNE 2021**

**General Affairs**

61. Mandates of Council preparatory bodies Approval 8728/21  
POLGEN

Joint Statement by Austria, Bulgaria, Cyprus, the Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, Croatia, Hungary, Ireland, Italy, Latvia, Poland, Romania, Slovenia and Slovakia

"Austria, Bulgaria, Cyprus, the Czech Republic, Germany, Denmark, Estonia, Greece, Spain, Finland, Croatia, Hungary, Ireland, Italy, Latvia, Poland, Romania, Slovenia and Slovakia support the compromise proposal of the mandate of WG F.3 (Working Party on Horizontal Agricultural Questions), but wish to state that the purpose of the formation of the new Council Working Groups and the revised mandate is the creation of a better structure without changing the existing and proven ways of cooperation. This concerns, in particular, the role of the Special Committee on Agriculture (SCA)."

**Foreign Affairs**

62. (poss.) SADC-EU Ministerial Political Dialogue, 16 June 2021 - joint communique Approval 9322/21  
COAFR
63. Council amending Decision and Council Regulation concerning restrictive measures in respect of Belarus 9208/21  
9205/21  
9207/21  
CORLX  
Decision to use the written procedure for the adoption