



Brussels, 6 October 2021  
(OR. en)

12573/21  
CRS CRP 33

**SUMMARY RECORD**  
PERMANENT REPRESENTATIVES COMMITTEE  
15 and 17 September 2021

**I. Adoption of the agenda**

11738/21 OJ CRP1 31  
11768/21 OJ CRP2 31

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. Meeting of the Council (Environment) on 6 October 2021: Agenda

The Presidency presented the main items on the agenda.

**Internal Market and Industry**

3. Appointment of the Chairperson of a Board of Appeal of the European Union Intellectual Property Office (EUIPO)  
*Examination of the candidatures*

11447/21

The Committee selected the candidate whom it wishes to recommend to the Council to appoint to the post of Chairperson of a Board of Appeal of the EUIPO.

## **COREPER (PART 2)**

**WEDNESDAY 15 SEPTEMBER 2021**

### **Foreign Affairs**

24. EU-Western Balkans Summit (Brdo, 6 October 2021)

11476/1/21 REV 1

*Exchange of views*

The Committee held an exchange of views and agreed to circulate a revised text following delegations' comments.

25. EU-US Trade and Technology Council

*Information from the Commission*

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

26. Developments in Afghanistan and their wider implications

*Presentation by the EEAS*

The Committee took note of the presentation by the EEAS of its concept note for a regional platform with Afghanistan's direct neighbours.

### **General Affairs**

27. Meeting of the Council (General Affairs) on  
21 September 2021: Preparation

- a) Presentation of the priorities of the Slovenian Presidency

The Committee prepared this item for the Council meeting.

- b) Preparation of the European Council on 21-22 October  
2021: Annotated Draft Agenda

11566/21

*Exchange of views*

The Committee prepared this item for the Council meeting.

- c) COVID-19 EU coordination

11690/21

*State of play*

The Committee prepared this item for the Council meeting.

- d) EU-UK relations

*State of play*

The Committee prepared this item for the Council meeting.

- f) Conference on the Future of Europe  
*Information from the Presidency and exchange of views*

The Committee prepared this item for the Council meeting.

- g) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

### **Justice and Home Affairs**

28. Meeting of the Council (Justice and Home Affairs) on  
7-8 October 2021: Agenda

The Presidency presented the main items on the agenda.

### **Economic and Financial Affairs**

29. Meeting of the Council (Economic and Financial Affairs) on  
5 October 2021: Agenda

The Presidency presented the main items on the agenda.

## **FRIDAY 17 SEPTEMBER 2021**

### **Justice and Home Affairs**

30. State of play in the field of financing of external migration  
related activities  
*Information from the Commission*

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

### **Foreign Affairs**

31. EU-Ukraine Summit (Kyiv, 12 October 2021) 11505/1/21 REV 1  
*Exchange of views*

The Committee held an exchange of views and agreed to circulate a revised text following delegations' comments.

## General Affairs

27. Meeting of the Council (General Affairs) on  
21 September 2021: Preparation

- e) Legislative programming: 11723/21
  - i) Annual Foresight Report 11601/21
  - ii) Letter of intent 11603/21  
*Presentation by the Commission and exchange of views*

The Committee prepared this item for the Council meeting.

#### **IV. Any other business**

##### **COREPER (PART 1)**

None.

##### **COREPER (PART 2)**

Russia call debrief

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

Russia Duma elections

The Committee took note of the information provided by Lithuania.

---

**"I" items approved****COREPER (PART 1)****Institutional Affairs****Written questions**

4. Replies to questions for written answer submitted to the Council  
by Members of the European Parliament  
*Adoption by silence procedure*
- a) Özlem Demirel (The Left) 11643/21  
"Training activities by EU Training Mission in Mali" PE-QE
- b) Jordi Cañas (Renew), Adrián Vázquez Lázara (Renew) 11137/21  
"Freedom of expression in Venezuela: the El Nacional ruling"
- c) Tomáš Zdechovský (PPE) 11245/21  
"Failure of the control mechanism in the 'sofagate' affair"
- d) Izabela-Helena Kloc (ECR) 10829/1/21 REV1  
"The inclusion of abortion in the post-Cotonou partnership agreement"
- e) Özlem Demirel (The Left) 11135/21  
"Strategic dialogue on military responses to cyber threats"
- f) Marco Zanni (ID), Marco Campomenosi (ID), Anna Bonfrisco (ID), Susanna Ceccardi (ID) 11117/21  
"Turkey's request to take part in a PESCO military mobility project"
- g) Pedro Marques (S&D) 11115/21  
"Ban on European citizens entering the UK"
- h) Guido Reil (ID) 11114/21  
"Principle of subsidiarity"
- i) Özlem Demirel (The Left) 11018/21  
"Military equipment for the Libyan Ministry of Defence"
- j) Markéta Gregorová (Verts/ALE) 11147/21  
"The Amnesty Law in Georgia" 11304/21

- |    |   |          |
|----|---|----------|
| k) | João Ferreira (The Left)<br>"The situation in Svalbard and its impact on the cod fishing fleet"   | 11179/21 |
| l) | Francisco José Millán Mon (PPE)<br>"Vessels of less than 9 metres in length exempt from geolocation – Council’s general approach on the reform of the Fisheries Control Regulation" | 11033/21 |
| m) | Patrick Breyer (Verts/ALE)<br>"Use of unsafe encryption standards"  | 11081/21 |
| n) | Cornelia Ernst (The Left)<br>"Agreement on the consultation of the US biometric database IDENT"   | 11244/21 |
| o) | Lukas Mandl (PPE)<br>"The Council’s reaction to the crisis in Nicaragua"  | 11183/21 |
| p) | Klemen Grošelj (Renew)<br>"Access to the Council non- paper on borders in the Western Balkans"  | 11116/21 |
| q) | Jean-Paul Garraud (ID)<br>"Muslim Brotherhood officially classified a terrorist organisation"   | 11289/21 |
| r) | Sandra Pereira (The Left)<br>"Exclusion of the German Communist Party from the parliamentary elections"   | 11319/21 |

### **Appointments**

- |    |   |                             |
|----|---|-----------------------------|
| 5. | Renewal of the Advisory Committee on Freedom of Movement for Workers 2020-2022<br><i>Adoption</i> | 11415/21<br>11414/21<br>SOC |
|----|---|-----------------------------|

### **Judicial Affairs**

- |    |  |                 |
|----|--|-----------------|
| 6. | Case T-269/21 (Arctic Paper Grycksbo v Commission)<br><i>Information note for the Permanent Representatives Committee (Part I)</i> | 11653/21<br>JUR |
|----|--|-----------------|

### **EU positions for international negotiations**

- |    |   |                             |
|----|---|-----------------------------|
| 7. | ICAO High level conference on COVID-19<br><i>Establishment of the EU position</i> | 11673/21 + ADD1<br>AVIATION |
|----|---|-----------------------------|

## **Agriculture**

8. Attendance of third parties at the informal videoconference of the WP AGRIFIN on 22 September 2021  
*Approval*
- 11581/21  
AGRI

## **Employment and Social Policy**

9. Attendance of a third party at the Social Questions Working Party on 24 September 2021  
*Approval*
- 11597/21  
GENDER

## **Transport**

10. IMO - Joint submission - MEPC 77 on Marked Based Measures  
*Endorsement*
- 11583/21  
+ COR 1  
+ ADD 1  
MAR  
OMI

### Statement by the Commission

"The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission's view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard."

11. IMO - Joint submission - MEPC 77 on ship's EEXI and CII performance in the IMO Data Collection System  
*Endorsement*
- 11582/21  
+ COR 1  
+ ADD 1  
MAR  
OMI



### Statement by the Commission

"The Commission considers that Union submissions to be sent to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation, which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

In the Commission's view, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing. This is because there is no evidence to suggest that the IMO, as a specialised agency of the United Nations, would be in a position to reject such a submission.

The Treaty provisions on external representation of the Union must be applied. It should therefore be made by the European Commission on behalf of the European Union and sent to the IMO by the Commission.

The Commission reserves all its rights in this regard."

### Energy

12. High Level Group meeting on Central and South Eastern European Connectivity (CESEC) (Ljubljana, 21 September 2021) - Ministerial conclusions  
*Approval*  
*Authorisation to sign on behalf of the European Union* 11598/21 + ADD 1  
ENER

### Delegated or Implementing Acts

#### **Agriculture**

13. Commission Regulation (EU) .../... of XXX correcting Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for terbuthylazine in or on certain products  
*Decision not to oppose adoption* 11600/21  
11119/21 + ADD 1  
AGRILEG
14. Commission Regulation (EU) .../... of XXX amending Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards radish leaves  
*Decision not to oppose adoption* 11602/21  
11131/21  
AGRILEG

- |     |  |  |
|-----|--|--|
| 15. | Commission Regulation (EU) .../... of XXX amending Annexes II, III and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acibenzolar-S-methyl, aqueous extract from the germinated seeds of sweet Lupinus albus, azoxystrobin, clopyralid, cyflufenamid, fludioxonil, fluopyram, fosetyl, metazachlor, oxathiapiprolin, tebufenozide and thiabendazole in or on certain products<br><i>Decision not to oppose adoption</i> | 11635/21<br>11127/21<br>+ ADD 1-2<br>AGRILEG |
| 16. | Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards the maximum residue level for bentazone in peas with pods<br><i>Decision not to oppose adoption</i>  | 11636/21<br>11142/21<br>+ ADD 1-2<br>AGRILEG |
| 17. | Commission Regulation (EU) .../... of XXX amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the inclusion of 4-amino-5-(3-(isopropylamino)-2,2-dimethyl-3oxopropoxy)-2-methylquinoline-3-carboxylic acid in the Union list of flavourings<br><i>Decision not to oppose adoption</i>  | 11647/21<br>11141/21 + ADD 1<br>DENLEG       |
| 18. | Commission Regulation (EU) .../... of XXX amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the inclusion of 2-(4-methylphenoxy)-N-(1H-pyrazol-3-yl)-N-(thiophen-2-ylmethyl)acetamide in the Union list of flavourings<br><i>Decision not to oppose adoption</i>   | 11650/21<br>11129/21 + ADD 1<br>DENLEG       |

### **Internal Market and Industry**

- |     |   |                                     |
|-----|---|-------------------------------------|
| 19. | Commission Delegated Regulation (EU) .../... of 7.7.2021 amending Annexes II, III and IV to Regulation (EU) No 2019/1009 of the European Parliament and of the Council for the purpose of adding pyrolysis and gasification materials as a component material category in EU fertilising products<br><i>Delegated act - Intention not to raise objections</i> | 11451/21<br>10840/21 + ADD 1<br>ENT |
| 20. | Commission Delegated Regulation (EU) .../... of 5.7.2021 amending Annexes II and IV to Regulation (EU) 2019/1009 of the European Parliament and of the Council for the purpose of adding precipitated phosphate salts and derivates as a component material category in EU fertilising products<br><i>Delegated act - Intention not to raise objections</i>   | 11452/21<br>10630/21 + ADD 1<br>ENT |

- |     |  |   |
|-----|--|---|
| 21. | Commission Delegated Regulation (EU) .../... of 6.7.2021 amending Annexes II, III and IV to Regulation (EU) No 2019/1009 of the European Parliament and of the Council for the purpose of adding thermal oxidation materials and derivatives as a component material category in EU fertilising products<br><i>Delegated act - Intention not to raise objections</i>   | 11453/21<br>10634/21 + ADD 1<br>ENT     |
| 22. | Commission Delegated Regulation (EU) .../... of 23.6.2021 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 intelligent speed assistance systems and for the type-approval of those systems as separate technical units and amending Annex II to that Regulation<br><i>Delegated act - Intention not to raise objections</i> | 11648/21<br>10309/21<br>+ ADD 1-7<br>MI |
| 23. | 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 carcinogenic, mutagenic or reproductive toxicant (CMR) substances<br><i>Decision not to oppose adoption</i>  | 11456/21<br>11070/21 + ADD 1<br>MI      |

Statement by Germany

"Germany assumes that the German version of the recitals will be corrected as follows:

- In the second sentence of recital 3 the word „angezeigt“ is replaced by „angemessen“.
- In recital 4 and 5 the word “Antragstellung” is replaced by “Anwendung”.

Furthermore Germany assumes that in the amendment of appendix 6 of Annex XVII the entry “Pyrithion-Zink; (T-4)-bis[1-(hydroxy-.kappa.O)pyridin-2(1H)-thionato-.kappa.S]zink“ is changed to “Pyrithion-Zink; (T-4)-bis[1-(hydroxy-.kappa.O)pyridin-2(1H)-thionat-.kappa.S]zink“.

## **COREPER (PART 2)**

**WEDNESDAY 15 SEPTEMBER 2021**

### **Judicial Affairs**

32. Case T-334/21 (Mendes de Almeida v. Council) 11562/21 + COR 1  
*Information note for the Permanent Representatives Committee* JUR  
(Part 2)
33. Case T-426/21 (Nizar Assaad v. Council) - Restrictive measures 11605/21  
- Syria JUR  
*Information note for the Permanent Representatives Committee*  
(Part 2)

### **Transparency**

34. Public access to documents 11273/21  
Confirmatory application No 34/c/02/21 11274/21 + ADD 1  
*Adoption* INF  
API
35. Complaint 1499/2021/TE to the European Ombudsman 11575/21  
*Approval of a letter* 11475/21 + ADD 1  
API  
INF

### **Economic and Financial Affairs**

36. Council Decision approving the external auditors of the Banco 11444/21  
de España 11421/21  
*Adoption* UEM
37. Council Decision approving the external auditors of Banka 11445/21  
Slovenije 11422/21  
*Adoption* UEM
38. Joint statement on the European Environment Agency (EEA) 11485/21  
*Approval* 11486/21  
FIN
39. Council position on DAB No 4/2021: Update of revenue 11488/21  
*Adoption* 11489/21  
10423/21  
FIN

40. Council Regulation extending to the non-participating Member States the application of Regulation (EU) 2021/840 establishing the Pericles IV programme  
*Adoption*
- 11487/21  
13255/1/20 REV 1  
GAF

### **General Affairs**

41. Regulation on imports of certain industrial products into the Canary Islands  
*Decision to consult an institution or body*
- 11649/21  
COH
42. Regulation on extension of validity period for operations in the Channel Fixed Link  
*Adoption of the legislative act*
- 11646/21  
UK
43. Launch of negotiations on a Memorandum of Understanding on behalf of the EU on offshore renewable energy cooperation with the United Kingdom  
*Approval*
- 11609/21  
UK
44. Attendance of third parties at the Working Party on Maritime Issues (EU Maritime Security Strategy) on 17 September 2021  
*Approval*
- 11687/21  
POLMAR

### **Justice and Home Affairs**

45. Schengen evaluation Recommendation – Germany external border  
*Adoption*
- 11652/21  
11651/21  
SCH-EVAL

### **Foreign Affairs**

46. Attendance of third parties at the margins of the informal videoconference of the members of the ACP Working Party on 21 September 2021  
*Approval*
- 11660/21  
ACP
47. Attendance of a third party at the margins of the informal videoconference of the members of the CODEV-PI Working Party on 16 September 2021  
*Approval*
- 11708/21  
DEVGEN
48. Attendance of a third party at the Middle East/Gulf Working Party on 22 September 2021  
*Approval*
- 11729/21  
MOG

49. Attendance of a third party at the margins of the informal videoconference of the members of the Dual Use Working Party on 20 September 2021  
*Approval* 11773/21  
COMER
50. Conclusions on Afghanistan  
*Approval* 11712/1/21 REV 1  
*Decision to use the written procedure* 11713/1/21 REV 1  
COASI
51. Council Decision in support of Countering Illicit Proliferation and Trafficking of Small Arms, Light Weapons (SALW) and Ammunition and their Impact in Latin America and the Caribbean in the framework of the EU Strategy  
*Adoption* 11472/21  
11471/21  
CORLX
- Agriculture**
52. Reply letter to EP on cooperation with ANIT  
*Approval of a letter* 11549/21  
INST
- Other items**
53. Attendance of a third party at the margins of the informal videoconference of the members of the Working Party on Public International Law on 29 September 2021  
*Approval* 11618/21  
JUR
-