



Brussels, 12 April 2022
(OR. en)

8168/22
CRS CRP 13

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
16 and 18 March 2022

I. Adoption of the agenda

7164/1/22 REV 1 OJ CRP1 11
7181/3/22 REV 3 OJ CRP2 11

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

60. Meeting of the Council (Environment) on 17 March 2022: preparation

The Committee decided to take the AOB requested by Estonia in public. The Committee also approved the attendance of the Norwegian Minister of Climate and Environment for the AOB on UNEA.

Education, Youth, Culture and Sport

2. Meeting of the Council (Education, Youth, Culture and Sport) on 4 and 5 April 2022: agenda

The Presidency presented the main items on the agenda. The Committee decided to take in public the items flagged as such on the agenda at this stage.

3. Informal videoconference of education ministers on 16 March 2022

1. Agenda

The Presidency presented the agenda. The Committee approved the attendance of the Ukrainian Minister of Education and Science.

2. Preparation

Coordinated and solidarity-based European response to the war in Ukraine in the field of education
Exchange of views

7154/22

The Committee prepared this item for the Council meeting.

Agriculture and Fisheries

4. Meeting of the Council (Agriculture and Fisheries) on 21 March 2022: preparation

The Committee approved the attendance of the Ukrainian Minister of Agrarian Policy and Food for the item on the situation on agricultural markets.

Update on the drafting of the report on the application of EU health and environmental standards to imported agricultural and agri-food products

Information from the Commission
Exchange of views

The Committee agreed to postpone this item.

5. Meeting of the Council (Agriculture and Fisheries) on 7 April 2022: agenda (for the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda. The Committee decided to take the AOBs, that are on the agenda at this stage, in public.

Internal Market and Industry

6. Regulation on a single market for digital services (Digital Services Act) and amending Directive 2000/31/EC
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 15 March 2022.

Employment, Social Policy, Health and Consumer Affairs

7. Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 29 March 2022: preparation

1. COVID-19: the next challenges for the EU's strategy on vaccine solidarity 6994/22
Exchange of views

The Committee prepared this item for the Council meeting.

2. The European response to rare diseases: a first practical application of the public health union? 6995/22
Exchange of views

The Committee prepared this item for the Council meeting.

Health

8. Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU 7024/22
Preparation for the trilogue

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

COREPER (PART 2)

WEDNESDAY 16 MARCH 2022

General Affairs

18. Follow-up to the informal meeting of Heads of State or Government on 10 and 11 March 2022
- (a) Energy
 - (b) Other issues
- Exchange of views*

The Committee held an exchange of views.

19. Council meeting (General Affairs) on 22 March 2022: preparation

- (a) Preparation for the European Council meeting on 24 and 25 March 2022: conclusions 5594/22
Exchange of views

The Committee prepared this item for the Council meeting.

- (b) Revision of the Regulation on the statute and funding of European political parties and European political foundations 6686/22 + COR 1
14386/21
+ ADD 1 to 4
Partial general approach

The Committee prepared this item for the Council meeting.

Statement by Hungary

"Hungary agrees with the French Presidency's compromise for a Council mandate on the Commission's recast proposal of the regulation on the European political parties and foundations. Indeed, we are pleased to see the Member States' accordance on protecting the European politics from external influence and on respecting the Member States' competence regarding national referendums. Through the efforts made at working group level the Council was able to make refinements in the text and addressed the issues that emerged from the Commission's proposal in terms of subsidiarity and the division of competences. Hungary is of the opinion though that the Council's work on formulating its position would be greatly facilitated if the Commission's proposals paid more attention to the compliance of the intended provisions with the Treaty-based principles.

Despite the generally positive approach to the text, Hungary considers that by comprising provisions for the national parties, the proposed Council mandate does not comply with the division of competences, thus intervenes in an area that falls within the exclusive competence of the Member States. Our position remains solid on the fact that regulating national parties is an unshared right of the Member States, thus we take this consideration primal in the interpretation of the Council mandate."

Statement by Poland

"Poland understands the formulation "gender balance" as referring to the equal representation of women and men, in line with art. 2 of the Treaty on European Union and art. 23 of the Charter of Fundamental Rights of the EU."

(c) European Semester

- | | | |
|------|--|--------------------|
| i) | Synthesis report on Council contributions on the 2022 European Semester <i>Exchange of views</i> | 6825/22 |
| ii) | Updated roadmap on the 2022 European semester <i>Presentation by the Presidency</i> | 13452/1/21 REV 1 |
| iii) | Draft Recommendation on the economic policy of the euro area <i>Transmission to the <u>European Council</u></i> | 5080/22 5081/22 |

The Committee prepared this item for the Council meeting.

(d) Other items in connection with the Council meeting

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

Foreign Affairs

21. Council meeting (Foreign Affairs) on 21 March 2022: preparation

(a) Current affairs

The Committee prepared this item for the Council meeting.

(b) Russian aggression against Ukraine *Exchange of views*

The Committee prepared this item for the Council meeting.

(c) Mali *Exchange of views*

The Committee prepared this item for the Council meeting.

- (d) Strategic Compass
Exchange of views

The Committee prepared this item for the Council meeting.

- (e) Other items in connection with the Council meeting

No items were raised under this heading.

22. Council Decision concerning restrictive measures in view of the situation in Bosnia and Herzegovina – annual review
Approval
Decision to use the written procedure for the adoption

6638/1/22 REV 1
6637/22
CORLX

The Committee confirmed its agreement on the text and decided to use the written procedure for its adoption.

General Affairs

23. Regulation on Cohesion's Action for Refugees in Europe (CARE)
Analysis of the final compromise text with a view to agreement

7051/22

The Committee approved the Commission proposal without amendments. The European Parliament will be informed.

Economic and Financial Affairs

24. Council meeting (Economic and Financial Affairs)
on 15 March 2022: follow-up

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

25. Council meeting (Economic and Financial Affairs)
on 5 April 2022: agenda

The Presidency presented the main items on the agenda.

Foreign Affairs

26. Regulation on the public procurement reciprocity instrument
Presidency debriefing on the outcome of the trilogue

The Presidency debriefed on the trilogue which took place on 14 March 2022. The Committee will revert at the end of March to confirm the political agreement.

27. Regulation amending Regulations (EU) No 514/2014, (EU) No 516/2014 and (EU) 2021/1147 on the funding of home affairs policies

7070/22

Analysis of the final compromise text with a view to agreement

The Committee approved the Commission proposal without amendments. The European Parliament will be informed.

Statement by Ireland

"Ireland notes that it is intended that the Council will make a decision (authorising the opening of negotiations for an Agreement between the Council and the Parliament) (to adopt the proposed Regulation) less than 3 months after presentation of this proposed decision to the Council.

As this is a Title V measure, Protocol 21 on the Position of Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaties applies and Ireland therefore has the right to opt-in to the measure.

Ireland fully supports the proposal that represents an important response to the war in Ukraine. Ireland intends to opt-in to the measure following the required government and parliamentary approvals.

Notwithstanding Protocol 21 and Ireland's right to opt-in to this regulation, Ireland has, in light of the exceptional circumstances faced and mindful of the importance of the proposed regulation in enabling Member States respond to the crisis in Ukraine, unilaterally decided to waive our right in order to facilitate the speedy adoption of the measure.

In practice, this means that Ireland will not insist, in this instance, upon its right to have 3 months within which to exercise Ireland's option to notify the President of the Council of its wish to participate in the adoption and application of the proposed Council Decision in accordance with the provisions of Article 3 of Protocol 21.

Ireland will instead opt-in pursuant to Article 4 of Protocol 21 meaning that we will opt-in after the adoption of the measure. Ireland will do this as quickly as possible. This will mean that Ireland will not be in a position to avail of the funds it will release in order to respond to the crisis in the same timeframe as other Member States and until such time as the Commission approves our subsequent Article 4 opt-in.

With this in mind, we would call on the Commission to, in due course, expedite Ireland's Article 4 opt-in to the measure in order to ensure that there is no adverse impact on Ireland's ability to use the increased flexibility to respond to crisis.

The text being considered does not include a recital reflecting Ireland's decision to opt-in pursuant to Article 4. It is understood the text being finalised by the lawyer linguists will be amended to include the correct recital. It is critical that this is the case.

Finally, it is incumbent to note that Ireland's Treaty rights again appear to have been inadequately considered in the preparation of this Regulation. While we welcome the importance and symbolism of the rapid response the proposed regulation represents, the matter of Ireland's Protocol 21 rights must be respected and considered from the outset in all future measures to which it applies, as a domestic constitutional imperative."

28. Regulation amending Regulation (EU) 2018/1862 on the Schengen Information System (SIS)
Presidency debriefing on the outcome of the trilogue

The Presidency briefed on the trilogue which took place on 15 March 2022. The Committee will revert at the end of March to confirm the political agreement.

FRIDAY 18 MARCH 2022

Foreign Affairs

30. EU-China summit (via video conference, 1 April 2022) 6526/22 R-UE
Policy debate

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

31. Russian aggression against Ukraine
Exchange of views

The Committee held an exchange of views.

Justice and Home Affairs

61. Extraordinary Council meeting (Justice and Home Affairs) on 28 March 2022: agenda and preparation
- (a) European coordination for the reception of refugees from Ukraine

The Committee took note of the agenda and prepared the sole item for the Council meeting. The Committee agreed to revert at its next meeting.

- (b) Other items in connection with the Council meeting

No items were raised under this heading.

Foreign Affairs

21. Council meeting (Foreign Affairs) on 21 March 2022: preparation
- (d) Strategic Compass 7334/22
Approval

The Committee prepared this item for the Council meeting.

32. Council meeting (Foreign Affairs) on 11 April 2022: agenda

The EEAS presented the main items on the agenda.

General Affairs

18. Follow-up to the informal meeting of Heads of State or Government on 10 and 11 March 2022

- (a) Energy
Exchange of views

The Committee held an exchange of views.

19. Council meeting (General Affairs) on 22 March 2022: preparation

- (e) Conference on the Future of Europe
Information from the Presidency
Exchange of views

7078/22

The Committee prepared this item for the Council meeting.

33. Council meeting (General Affairs) on 12 April 2022: agenda

The Presidency presented the main items on the agenda.

Justice and Home Affairs

34. Electronic evidence

7106/22

- (a) Regulation on European Production and Preservation Orders for electronic evidence
(b) Directive on legal representatives for gathering evidence
Approval of a letter

The Committee approved the text and agreed to send the letter to the European Parliament.

Economic and Financial Affairs

35. Regulation on digital operational resilience for the financial sector (DORA Regulation)
Preparation for the trilogue

7092/22
+ ADD 1-5

The Committee prepared the forthcoming trilogue.

IV. Any other business

COREPER (PART 1)

European Semester 2022 - updated roadmap
Presentation by the Presidency

13452/1/21 REV 1

The Presidency presented the updated European Semester Roadmap 2022.

COREPER (PART 2)

Situation of the Mission of Ukraine to the EU in Brussels

The Committee took note of the information provided by Poland.

Humanitarian crisis in Poland

The Committee took note of the information provided by Poland.

"I" items approved

COREPER (PART 1)

Institutional affairs

9. **Minutes of Council meetings**

Approval

Agriculture and Fisheries Council of 17 January 2022

5509/22 + ADD 1

Appointments

10. One member (RO) of the Management Board of the European Agency for Safety and Health at Work

Adoption

6773/22
SOC

11. One alternate member (EE) of the Management Board of the European Agency for Safety and Health at Work

Adoption

6802/22
SOC

12. One member (IT) of the Management Board of the European Centre for the Development of Vocational Training

Adoption

6761/22
SOC

Other

13. Attendance of third parties at the Working Party on Animals and Veterinary Questions (Chief Veterinary Officers) on 28 and 29 March 2022

Approval

7028/22
VETER

EU positions for international negotiations

14. Opening statement by the European Union and its Member States at the second segment of the fourth session of the Conference of the Parties to the Minamata Convention (COP 4.2)

Approval

7107/22 + ADD 1
ENV

Judicial Affairs

15. Case C-160/20 (Stichting Rookpreventie Jeugd and Others v Staatssecretaris van Volksgezondheid, Welzijn en Sport)
Information note for the Permanent Representatives Committee (Part 1)

7032/22
JUR

Energy

16. Non-binding joint commitment to accelerate the transformation to a net zero energy system
Approval of a non-binding instrument

6783/22
ENER

Delegated or Implementing Acts

Internal Market and Industry

17. Commission Delegated Regulation (EU) .../... of 26 January 2022 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 event data recorder and for the type-approval of those systems as separate technical units and amending Annex II to that Regulation
Delegated act – Intention not to raise objections

7017/22
5740/22 + ADD 1
ENT

COREPER (PART 2)

MONDAY 16 MARCH 2022

Institutional affairs

36. Minutes of Council meetings

Approval

- (a) ECOFIN on 18 January 2022 5510/22 + ADD 1
- (b) FAC on 24 January 2022 5633/22 + ADD 1
- (c) GAC on 25 January 2022 5634/22 + ADD 1

Other

- 37. Attendance of a third party at the meeting of the Working Party on Atomic Questions on 16 March 2022 7115/22
Approval ATO
- 38. Attendance of third parties at the informal video conference of the Working Party on Maritime Issues (EU Maritime Security Strategy) on 17 March 2022 7088/22
Approval POLMAR
- 39. Attendance of third parties at the meeting of the Working Party on Development Cooperation and International Partnerships on 17 March 2022 7105/22
Approval DEVGEN
- 40. Attendance of a third party at the meeting of the Working Party on the Western Balkans Region on 17 March 2022 7069/22
Approval COWEB
- 41. Attendance of a third party at the meeting of the United Nations Working Party on 17 March 2022 7189/22
Approval CONUN
- 42. Attendance of third parties at the meeting of the Working Party on Judicial Cooperation in Criminal Matters (COPEN) – joint investigation teams – on 18 March 2022 7209/22
Approval COPEN
- 43. Attendance of a third party at the meeting of the Middle East/Gulf Working Party on 22 March 2022 7034/22
Approval 7077/22
MOG

- | | | |
|-----|--|------------------|
| 44. | Attendance of third parties at the meeting of the Working Party on Terrorism on 23 March 2022 <i>Approval</i> | 6990/22 CT |
| 45. | Attendance of third parties at the meetings of the Military Committee on 22 and 29 March 2022 <i>Approval</i> | 7108/22 EUMC |
| 46. | Attendance of a third party at a meeting of the Political and Security Committee on 29 March 2022 <i>Approval</i> | 7059/22 COPS |
| 47. | Attendance of a third party at a meeting of the Working Party on Human Rights on 30 March 2022 <i>Approval</i> | 7040/22 COHOM |

Economic and Financial Affairs

- | | | |
|-----|---|----------------------------|
| 48. | Estimates of expenditure and revenue for the European Council and Council for 2023 <i>Approval</i> | 6713/22 6096/22 FIN |
| 49. | Council Implementing Decision authorising Slovenia to extend a VAT derogation <i>Adoption</i> | 7038/22 6436/22 FISC |

General Affairs

- | | | |
|-----|---|------------------|
| 50. | EP resolutions and decisions (March I 2022) | 6391/22 PE-RE |
|-----|---|------------------|

Justice and Home Affairs

- | | | |
|-----|---|--------------------|
| 51. | Status agreement with Moldova on the operational activities carried out by the European Border and Coast Guard Agency in Moldova | 7200/22 FRONT |
| (a) | Council Decision on the signing <i>Decision to use the written procedure for the adoption</i> | 7201/22 7204/22 |
| (b) | Council Decision on the conclusion <i>Request for the consent of the European Parliament Decision to use the written procedure</i> | 7202/22 7204/22 |

52. US Visa Waiver Program: Enhanced Border Security Partnership (EBSP)
Approval of a letter 6768/22
VISA

Foreign Affairs

53. Climate and Environment Declaration by Humanitarian Aid Donors
Authorisation to sign a non-binding instrument 7057/22 + COR 1
COHAFA
54. Conclusions on Cameroon
Approval 7075/22
COAFR
55. United Nations Water Conference 2023 – Key elements for the European Union and the Member States for the interactive dialogues
Information from the Presidency 6714/22
DEVGEN
56. Conclusions on the Ninth Review Conference of the Biological and Toxin Weapons Convention (BTWC)
Approval 7050/1/22 REV 1
7047/22
CONOP

EU positions for international negotiations

57. Council Decision on the EU position within the WTO General Council as regards the review of the Bali Decision on tariff rate quotas
Adoption 6798/22 + ADD 1
6799/22 + ADD 1
WTO

Statement by the Commission

"The Commission considers that the Council Decision should be addressed to the Commission, and therefore considers the changes to Article 3 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."

FRIDAY 18 MARCH 2022

Institutional affairs

Other

62. Attendance of third parties at the meeting of the Working Party on Development Cooperation and International Partnerships on 28 March 2022
Approval 7316/22
DEVGEN

Economic and Financial Affairs

58. Decision on providing macro-financial assistance to the Republic of Moldova
Confirmation of the final compromise text with a view to agreement 6991/22
ECOFIN

Foreign Affairs

59. Conclusions on Special Report 01/2022 by the European Court of Auditors on EU support for the rule of law in the Western Balkans
Approval 6352/22
ELARG
63. Request from the European Parliament for access to the EU position paper on the preparation for the 66th session of the UN Commission on the Status of Women
Approval of a letter 7229/22
COHOM
64. Principles regarding Russia and Belarus in multilateral fora
Approval 7262/22
7261/22
CONUN
65. Council Decision on the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine)
Decision to use the written procedure for the adoption 7097/22
7095/22
CORLX
66. Restrictive measures in view of the situation in Myanmar/Burma - pre-notification
Approval 7166/22
CORLX

Agriculture

67. Initiative to request an extraordinary session of the FAO Council to discuss the consequences of the Russian Federation's aggression against Ukraine on global food security and agriculture
Approval 7271/1/22 REV 1
7271/22 ADD 1
FAO