

Brussels, 11 July 2022  
(OR. en)

11245/22  
CRS CRP 28

**SUMMARY RECORD**  
PERMANENT REPRESENTATIVES COMMITTEE  
15 and 17 June 2022

**I. Adoption of the agenda**

10087/22 OJ CRP1 24 + COR 1 + ADD 1  
10182/2/22 REV 2 OJ CRP2 24 COMIX 312

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)**

**WEDNESDAY 15 JUNE 2022**

**Internal Market and Industry**

2. Regulation on a single market for digital services (Digital Services Act) and amending Directive 2000/31/EC 9022/22  
*Analysis of the final compromise text with a view to agreement*

The Committee endorsed the text of the final compromise and mandated the Presidency to inform the European Parliament that, should the European Parliament adopt its position at first reading in accordance with this compromise (subject to revision by the legal linguists), the Council would approve the European Parliament's position and the act shall be adopted.

## Statement by Belgium

"Belgium has always welcomed the main objectives of the DSA proposal to better protect internet users and their fundamental rights online while fostering innovation, growth and competitiveness within the single market. This proposal also aims to establish powerful transparency requirements and a clear accountability framework for those important actors. These elements are particularly essential in order to effectively regulate the online environment and make it a safer place for our citizens and businesses.

In this context, we welcome the political agreement negotiated by the French Presidency on behalf of the Council, which contains many ambitious provisions in line with these underlying objectives.

However, we regret the deletion of an explicit indication of the obligation for the intermediary service provider to give the reasons for its refusal to execute an order sent by competent authorities (article 8 and 9). The words "and if the order was not given any effect, the reason thereof" were added as part of the text of the General Approach and merely had as an objective to increase the transparency, a key principle of the DSA. In our understanding, this motivation to be given by an intermediary service provider follows the feedback obligation and should not be understood as contradicting the fact that Articles 8 and 9 are not empowering provisions. Even though we would have preferred the words of the text of the General Approach to be maintained, we can support the proposed text, which we consider to be a step forward in view of an effective and efficient enforcement of EU and national laws.

Finally, we would like to thank the French Presidency for the significant work accomplished and the progress made since the beginning of this year. We now count on a swift approval of the text by the European Parliament in order to respect the timeline that was set for this process and the necessary implementation and application."

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

3. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 16 June 2022: preparation

The Committee agreed to withdraw the point on the Council Decision authorising Member States to ratify the ILO Violence and Harassment Convention from the agenda. The Committee approved the participation of a representative of the French Council for people with disabilities for the item on the employment of persons with disabilities.

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| 1. Social imbalances procedure                                                                                                                                                                                                                  | 9222/22  |
| <i>Exchange of views</i>                                                                                                                                                                                                                        | 10122/22 |
| <i>Presentation of the opinion of the Employment Committee and the Social Protection Committee on the proposal by Belgium and Spain for the introduction of a Social Imbalances Procedure in the European Semester by the respective chairs</i> |          |

The Committee prepared this item for the Council meeting.

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| 2. | 2022 European Semester<br><i>Policy debate</i>                                                                                                                                                     | 9518/22                                                  |
|    | (a) Contribution on employment and social policies aspects of the country-specific recommendations: recommendations on the 2022 national reform programmes to each Member State<br><i>Approval</i> | 9942/1/22 REV 1<br>9602/1/22 REV 1<br>9601/22<br>9890/22 |

The Committee prepared this item for the Council meeting.

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| (b) | Assessment of the country-specific recommendations for 2022 and implementation of the country-specific recommendations for 2019 and 2020: opinion of the Employment Committee and the Social Protection Committee<br><i>Approval</i> | 9946/1/22 REV 1<br>+ ADD 1-4 |
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The Committee prepared this item for the Council meeting.

### **Employment and Social Policy**

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| 4. | Directive on adequate minimum wages in the European Union<br><i>Analysis of the final compromise text with a view to agreement</i> | 9881/22 + ADD 1 |
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The Committee endorsed the text of the final compromise and mandated the Presidency to inform the European Parliament that, should the European Parliament adopt its position at first reading in accordance with this compromise (subject to revision by the legal linguists), the Council would approve the European Parliament's position and the act shall be adopted.

#### Statement by Austria

"Austria supports the objective of adequate minimum wages in the European Union. Austria reiterates that primary law, the Treaty-based division of competences between the EU and its Member States as well as the principles of subsidiarity and proportionality must be fully respected. Different labour market models, full autonomy of the social partners and well-established collective bargaining systems have to be preserved.

Austria underlines that according to Article 153 (5) Treaty on the Functioning of the European Union, notably regarding the nature and limits of Union competence in this respect, the European Union cannot intervene directly in the level of pay, so as not to affect the competence of the Member States and the autonomy of the social partners in this area.

Therefore, a legal basis only exists for a Directive creating a procedural framework, which cannot oblige Member States to grant access to minimum wage protection to all workers.

Against the background of the analysis contained in the opinion of the Council Legal Service, Austria highlights its wage determination model, which is solely based on collective bargaining agreements. Austria holds the view that the proposed Directive does not intend to change or undermine the Austrian wage setting system and that it will not affect the Member States with well-functioning collective bargaining systems.

For these reasons, Austria interprets the text in the following way:

- The proposed Directive does not confer individual rights for workers;
- Obligations on adequacy stemming from the Directive are limited to statutory minimum wages;
- According to the Directive, wages negotiated by social partners are always considered to be adequate;
- The Directive allows but does not oblige Member States to introduce statutory minimum wages;

The Directive allows but does not oblige Member States to introduce collective agreements in areas where social partners have not agreed on a collective bargaining agreement."

### Statement by Bulgaria

„Република България отдава голямо значение на утвърждаването и защитата на правата на човека. Страната е и ще продължи да бъде отдадена на ангажиментите си в областта на правата на човека.

През 2018 г. Конституционният съд на Република България прие решение, в което се посочва, че Конвенцията на Съвета на Европа за превенция и борба с насилието над жени и домашното насилие („Истанбулската конвенция“) утвърждава правни концепции, свързани с понятието „социален пол“ (англ. „gender“), които са несъвместими с основните принципи на Конституцията на България. Освен това през 2021 г. Конституционният съд допълнително поясни, че понятието „пол“ (англ. „sex“), използвано в Конституцията, в контекста на националния правов ред, следва да се разбира само в неговия биологичен смисъл (мъже и жени).

Република България не се противопоставя на приемането на проекта за Директива за минимални работни заплати, като отчита колко важен е въпросът, но в съответствие с горепосочените решения на Конституционния съд **заявява, във връзка с референцията към „данни, разбити по социален пол“ в чл. 10(2) на Директивата, че Република България ще събира и предоставя само данни, разбити по пол (мъжки/женски).**“

### Courtesy translation

“The Republic of Bulgaria attaches great importance to the promotion and protection of human rights. The country is and will remain dedicated to its human rights commitments.

In 2018, the Bulgarian Constitutional Court adopted a decision stating that the Council of Europe’s Convention on Preventing and Combatting Violence against Women and Domestic Violence (“Istanbul Convention”) promotes legal concepts related to the notion of gender that are incompatible with main principles of the Bulgarian Constitution. In addition, in 2021, the Constitutional Court further clarified that the notion “sex” used in the Constitution, in the context of the national legal order, could only be regarded in the sense of its biological determination (men and women).

The Republic of Bulgaria does not oppose the adoption of draft Directive on Minimum Wages taking into account the great importance of the matter, but in line with the above-mentioned decisions of the Constitutional Court, **declares in relation to the reference to “data desegregated by gender” in art. 10(2) of the Directive, that the Republic of Bulgaria shall only collect and provide data disaggregated by sex (male/female).**”

### Statement by Hungary

"The Hungarian Government is committed to ensuring an appropriate and efficient functioning of the national minimum wage setting system. Since 2010, the Hungarian minimum wage has more than doubled and was set after consultation with the social partners. This fact, among others, clearly demonstrates the government's firm commitment to raising living standards for all. As a result of an agreement signed by the Government and the social partners the national minimum wage in Hungary has been further increased by 20% from 1st January 2022 which was the highest development rate in the EU.

Hungary recalls that regulation about pay, including the determination of minimum wages clearly falls within the exclusive competence of the Member States as enshrined in Article 153 (5) of TFEU and is an essential tool of national economic policy.

Furthermore, Hungary recognises and promotes equality between men and women in accordance with the Fundamental Law of Hungary and the primary law, principles and values of the European Union, as well as commitments and principles stemming from international law. Equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term of „gender“ as reference to sex and, accordingly, the reference to “data desegregated by gender” in Art. 10(2) of the text of the directive as data disaggregated by sex (women and men)."

### 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, a wyrażenie "gender pay gap" Polska będzie interpretowała jako różnice w wynagrodzeniach 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 Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, the expression "gender equality" will be interpreted by Poland as equality between women and men, the expression "gender pay gap" will be interpreted by Poland as differences between women and men wages, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8 and 157 para. 3 of the Treaty on the Functioning of the European Union. In connection with the above, the remaining expressions containing the term "gender" will be interpreted by Poland as "sex", in accordance with Article 10, Article 19 para 1 and Article 157 para 2 and 4 of the Treaty on the Functioning of the European Union."

5. Directive on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures

9880/22 + ADD 1

*Analysis of the final compromise text with a view to agreement*

The Committee endorsed the text of the final compromise and, subject to revision by the legal linguists, the Council will adopt its position at first reading.

#### 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, a wyrażenie "gender balance" Polska będzie interpretowała jako równowagę 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 Polish national legal system in accordance with international human rights treaties and within the framework of the fundamental values and principles of the European Union. For these reasons, the expression "gender equality" will be interpreted by Poland as equality between women and men, the expression "gender balance" will be interpreted by Poland as balance between women and men, in accordance with Article 2 and 3 of the Treaty on European Union and Article 8 and 157 para. 3 of the Treaty on the Functioning of the European Union. In connection with the above, the remaining expressions containing the term "gender" will be interpreted by Poland as "sex", in accordance with Article 10, Article 19 para 1 and Article 157 para 2 and 4 of the Treaty on the Functioning of the European Union."

#### Statement by Germany

"Deutschland legt die Richtlinie so aus, dass daraus insgesamt kein nationaler Umsetzungsbedarf folgt und die geltende deutsche Rechtslage unter die Aussetzungsklauseln in Art. 8 a und Art. 5 Absatz 3a fällt. Wir regen dringend an, dass folgende Punkte in der rechtstechnischen Überarbeitung geprüft werden: In der Aussetzungsklausel in Art. 8a wird durch Anpassung der Verweise klargestellt, dass die Aussetzung auch Art. 4 Absatz 1 erfasst. Zudem werden in Art. 5 die Absätze 3a und 4 vertauscht."

## **Internal Market and Industry**

6. Directive amending Directive 2013/34/EU, Directive 2004/109/EC, Directive 2006/43/EC and Regulation (EU) No 537/2014, as regards corporate sustainability reporting  
*Preparation for the trilogue* 9941/22  
+ ADD 1 REV 1

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

## **Environment**

7. Meeting of the Council (Environment) on 28 June 2022: preparation

1. Fit for 55 package

- (a) ETS revision (excluding BRT) 9891/22 + ADD 1-3
- (i) Revision of Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading (ETS)
- (ii) Revision of Directive 2003/87/EC as regards aviation's contribution (ETS Aviation)
- (iii) Revision of Decision (EU) 2015/1814 (Market Stability Reserve)  
*(poss.) General approach*

The Committee started preparing this item for the Council meeting.

- (b) Revision of Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 (ESR)  
*(poss.) General approach* 9892/22

The Committee prepared this item for the Council meeting.

- (c) Revision of Regulation (EU) 2018/841 on greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF)  
*(poss.) General approach* 9906/22

The Committee started preparing this item for the Council meeting.

## **FRIDAY 17 JUNE 2022**

### **Environment**

8. Regulation amending Annexes IV and V to Regulation (EU) 2019/1021 on persistent organic pollutants (POPs) 9907/1/22 REV 1  
*Preparation for the trilogue*

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

7. (continuation) Meeting of the Council (Environment) on 28 June 2022: preparation

2. Regulation on shipments of waste 9895/22  
*Progress report*

The Committee prepared this item for the Council meeting.

1. (continuation) Fit for 55 package

- (d) Revision of Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading (ETS BRT) 10184/22  
*(poss.) General approach*

The Committee continued preparing this item for the Council meeting.

- e) Regulation establishing a Social Climate Fund 9969/22 + ADD 1  
*(poss.) General approach*

The Committee started preparing this item for the Council meeting.

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

9. Meeting of the Council (Transport, Telecommunications and Energy) on 27 June 2022: preparation

1. Fit for 55 package

- a) Revision of the Energy Efficiency Directive (recast) 9885/22  
*(poss.) General approach*

The Committee started preparing this item for the Council meeting.

- b) Revision of the Renewable Energy Directive 9887/22  
*(poss.) General approach*

The Committee started preparing this item for the Council meeting.



2. Regulation on methane emissions reduction in the energy sector  
*Progress report* 10161/22

The Committee prepared this item for the Council meeting.

3. Revision of the Energy Performance of Buildings Directive  
*Progress report* 9894/22

The Committee prepared this item for the Council meeting.

4. Energy situation in the EU in the context of the war in Ukraine  
*Exchange of views* 9898/22

The Committee prepared this item for the Council meeting.

### **Fisheries**

10. Regulation amending various Regulations as regards fisheries control  
*Preparation for the trilogue* 10027/22

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

11. ClientEarth request for internal review of Council Regulation (EU) 2022/109 of 27 January 2022 fixing for 2022 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in Union waters and for Union fishing vessels in certain non-Union waters  
*Approval of a letter – Council’s reply to a request under Article 10 of Regulation (EC) No 1367/2006* 9811/22  
9303/2/22 REV 2

The Committee recommended to the Council to approve the reply.

## **COREPER (PART 2)**

### **Foreign Affairs**

26. EU-Western Balkans leaders' meeting on 23 June 2022 10082/22  
*Exchange of views*

The Committee held an exchange of views.

### **General Affairs**

25. Council meeting (General Affairs) on 21 June 2022: preparation

- (b) Regulation on the transparency and targeting of political advertising 8647/2/22 REV 2  
*Partial general approach*

The Committee prepared this item for the Council meeting and agreed to change the aim to 'Information provided by the Presidency' on the Council agenda.

- (c) Conference on the Future of Europe 10033/22 + ADD 1  
*Exchange of views*

The Committee prepared this item for the Council meeting.

- (d) 2022 European Semester: Integrated country-specific recommendations 9601/22  
*Approval* 9602/1/22 REV 1  
*Transmission to the European Council* 9890/22  
10191/22

The Committee prepared this item for the Council meeting.

### **Justice and Home Affairs**

32. Directive on the resilience of critical entities 10040/22  
*Preparation for the trilogue* 10041/22

The Committee prepared the forthcoming trilogue, foreseen for 28 June 2022.

34. Electronic evidence  
(a) Regulation on European Production and Preservation Orders for electronic evidence  
(b) Directive on legal representatives for gathering evidence  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the outcome of the trilogue held on 14 June 2022.

## **Economic and Financial Affairs**

35. Regulation on markets in crypto-assets (MiCA)  
*Presidency debriefing on the outcome of the trilogue*

The Committee took note of the outcome of the trilogue held on 14 June 2022.

## **General Affairs**

33. Regulations amending Regulations (EU) 2021/953 and 10212/22 + COR 1  
(EU) 2021/954 on the EU Digital COVID Certificate  
*Analysis of the final compromise text with a view to agreement*

The Committee took note of the outcome of the trilogue held on 14 June 2022 and confirmed agreement on the text. The Presidency will send a letter to the chair of LIBE Committee.

25. Council meeting (General Affairs) on 21 June 2022: preparation

- (a) Preparation of the European Council of 23 and 24 June 8237/22  
2022: Conclusions  
*Exchange of views*

The Committee prepared this item for the Council meeting and agreed to revert on this issue at its meeting on 20 June 2022.

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

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

## **Foreign Affairs**

27. Council meeting (Foreign Affairs) on 20 June 2022: preparation

- (a) Current affairs

The Committee prepared this item for the Council meeting.

- (b) Horn of Africa  
*Exchange of views*

The Committee prepared this item for the Council meeting.

- (c) Egypt  
*Exchange of views*

The Committee prepared this item for the Council meeting.

- (d) Russian aggression against Ukraine  
*Exchange of views*

The Committee prepared this item for the Council meeting.

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

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

28. Defence industry – Follow-up in the Council preparatory bodies of the examination of the topics mentioned in the conclusions of the special meeting of the European Council on 30 and 31 May 2022

*Information from the Presidency*

The Committee took note of the information provided by the Presidency and agreed to revert on this issue at its meeting on 29 June 2022 with a proposal for an ad-hoc WP mandate.

### **Economic and Financial Affairs**

29. Council meeting (Economic and Financial Affairs) on 17 June 2022: preparation

- (a) Directive on ensuring a global minimum level of taxation for multinational groups in the Union  
*General approach*
- 8778/22  
8779/22

The Committee prepared this item for the Council meeting.

- (b) European Central Bank/Commission Convergence Reports and enlargement of the euro area
- 9705/22  
9707/22 + ADD 1
- (i) Recommendation by the euro area Member States on the Commission proposal on the adoption of the euro by Croatia  
*Adoption*
- 10054/22
- (ii) Letter from the President of the Council to the European Council  
*Approval*
- 10055/22

The Committee prepared this item for the Council meeting.

- (c) Economic recovery 9728/22 + ADD 1
- (i) State of play regarding the implementation of the RRF  
*Exchange of views*
  - (ii) Council implementing decisions  
*Adoption*

The Committee prepared this item for the Council meeting.

- (d) 2022 European Semester: Country-specific recommendations 9601/22  
*Approval* 9602/1/22 REV 1  
9890/22  
10191/22

The Committee prepared this item for the Council meeting.

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

The Committee took note of the information provided by the Presidency and agreed on the participation of the EIB President to the breakfast and the Council meeting and the DG of the European Stability Mechanism to the breakfast.

30. Council meeting (Economic and Financial Affairs) on 12 July 2022: agenda

The incoming Presidency presented the main items on the agenda.

### **Justice and Home Affairs**

31. Council meeting (Justice and Home Affairs)  
on 9 and 10 June 2022: follow-up

The Committee took note of the main outcomes of the Council and the intended next steps, and agreed to revert on the issue at its meeting on 22 June 2022.

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

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

None.

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

EU-UK

The Committee took note of the information provided by the Commission on the latest developments.

Transparency register

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

Trilateral Memorandum of Understanding (MoU) with Israel and Egypt on cooperation related to trade, transport and export of natural gas to the European Union

The Committee took note of the information provided by Belgium.

##### **Joint statement by Belgium, Luxembourg, supported by Denmark**

“La Belgique et le Luxembourg soutiennent l'objectif du protocole d'accord trilatéral avec l'Égypte et Israël sur la coopération en matière de commerce, de transport et d'exportation de gaz naturel vers l'Union européenne. Nous regrettons toutefois que la Commission n'ait pas inclus la clause territoriale de l'UE dans le protocole d'accord dès l'entame des négociations. La clause aurait dû être incluse dans le premier projet et non après que le Conseil l'ait demandé pour la 2ème fois. Les conclusions du Conseil de 2012 et 2016 sont en effet claires : tout accord avec Israël doit inclure une clause stipulant que l'accord ne s'applique pas aux territoires occupés par Israël depuis 1967 - la Cisjordanie, Jérusalem-Est, Gaza et le plateau du Golan. Cela ne peut constituer un précédent. Tout accord UE-Israël, même lorsqu'il associe des pays tiers, doit inclure cette clause territoriale. Cela doit être une condition préalable. La Belgique et le Luxembourg prennent note du refus israélien d'inclure cette clause dans le protocole d'accord et soutient dans ce sens la déclaration unilatérale de la Commission. Il doit s'agir d'une déclaration claire et publique soulignant l'inapplicabilité du protocole d'accord aux territoires occupés par Israël depuis 1967. La Belgique et le Luxembourg demandent également que cette déclaration unilatérale soit jointe au protocole d'accord.”

### Statement by Ireland

“Ireland supports the trilateral Memorandum of Understanding (MoU) with Israel and Egypt on cooperation related to trade, transport and export of natural gas to the European Union. It is an important and timely initiative. Ireland regrets, however, that the agreement does not include a territorial clause despite the fact that the negotiating mandate from the Council clearly stated that a territorial clause would be required. It is established EU policy that all agreements with Israel unequivocally and explicitly indicate their inapplicability to the territories occupied by Israel since 1967. This is set out in Council Conclusions (2012, 2016). The inclusion of a territorial clause is also an important expression of the EU’s support for international law and for a negotiated two-state solution. Moreover, EU policy in this regard is a key enabler that facilitates cooperation with Israel on Horizon Europe, Creative Europe, and other initiatives. The absence of a territorial clause in this agreement must not set a precedent for future agreements of this kind. The unilateral statement proposed by the Commission should clearly and publically underline the inapplicability of the MoU to the territories occupied by Israel since 1967 and be attached to the MoU.”

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**"I" items approved****COREPER (PART 1)****WEDNESDAY 15 JUNE 2022****Institutional affairs****Written questions**

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|-----|---------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| 12. | Reply to question for written answer submitted to the Council by Members of the European Parliament<br><i>Adoption by silence procedure</i> | ☒ 9976/22<br>PE-QE                                         |
|     | Guido Reil (ID)<br>'Interpretive monopoly of constitutional courts'                                                                         | 9365/22                                                    |
| 14. | <b>Minutes of Council meetings</b><br><i>Approval</i>                                                                                       |                                                            |
|     | Education, Youth, Culture and Sport Council on 4 and 5 April 2022                                                                           | 7933/22 + COR 1<br>+ ADD 1 REV 1<br>+ ADD 1 REV 1<br>COR 1 |

**Other**

- |     |                                                                                                                     |                    |
|-----|---------------------------------------------------------------------------------------------------------------------|--------------------|
| 15. | Chairing of certain Working Parties by other delegations, at the request of the Czech Presidency<br><i>Approval</i> | 10154/22<br>POLGEN |
| 16. | Attendance of a third party at the meeting of the Youth Working Party on 22 June 2022<br><i>Approval</i>            | 7305/22<br>JEUN    |
| 17. | Attendance of third parties at the meeting of the Working Party on Space on 21 June 2022<br><i>Approval</i>         | 10063/22<br>ESPACE |
| 18. | Attendance of a third party at the meeting of the Cultural Affairs Committee on 16 June 2022<br><i>Approval</i>     | 10115/22<br>CULT   |

**EU positions for international negotiations**

- |     |                                                                                                          |                          |
|-----|----------------------------------------------------------------------------------------------------------|--------------------------|
| 19. | Council Decision on the position to be taken on behalf of the EU in UNECE (June 2022)<br><i>Adoption</i> | 9786/22<br>9649/22<br>MI |
|-----|----------------------------------------------------------------------------------------------------------|--------------------------|



## **Telecommunications**

20. Conclusions on 5G roll-out in the EU  
(Court of Auditors Special Report No 03/2022)  
*Approval* 9616/22  
TELECOM

## **Environment**

21. Council Decision on the submission, on behalf of the EU, of  
proposals for amendments to Appendices I and II to the CITES  
in preparation of CoP19, and for the inclusion of one species in  
Appendix III to CITES  
*Adoption* 9972/22  
9703/22  
ENV

### **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."

22. European Union negotiating and voting mandate for the election  
of the Special Rapporteur on Environmental Defenders at the  
third extraordinary session of the Meeting of the Parties to the  
Aarhus Convention  
*Approval* 9854/22 + ADD 1  
ENV

## **Fisheries**

23. Regulation laying down conservation and management  
measures applicable in the Western and Central Pacific Fisheries  
Convention Area and amending Council Regulation (EC)  
No 520/2007  
*Mandate for negotiations with the European Parliament* 9986/22  
8503/1/22 REV 1  
PECHE

## **FRIDAY 17 JUNE 2022**

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

24. Council Decision on the position to be adopted on behalf of the  
EU at the Extraordinary Energy Charter Treaty (ECT)  
Conference (Brussels, 24 June 2022)  
*Adoption* 10088/22  
10089/22  
ENER

## **Justice and Home Affairs**

100. Établissement du groupe d'experts informel UE-États-Unis  
*Approbation* 9990/22  
9991/22 + ADD 1  
COPEN

## **COREPER (PART 2)**

### **Judicial Affairs**

37. Case C-262/22 P: QI and Others v Commission and ECB  
*Information note for the Permanent Representatives Committee (Part 2)* 10011/22  
JUR
38. Judgment of the General Court of 6 April 2022 concerning the last applications for annulment brought by individuals who had been subject to restrictive measures in view of the situation in Egypt  
Joined Cases T-335/18, T-338/18 and T-327/19, Mubarak and others v Council  
*Information note for the Permanent Representatives Committee (Part 2)* 10014/22  
JUR
39. Cases T-193/22 and T-193/22 R (OT v Council)  
*Information note for the Permanent Representatives Committee (Part 2)* 10019/22  
JUR

### **Institutional affairs**

#### **Appointments**

40. A member (AT) of the Committee of the Regions  
*Adoption* 9836/22  
9833/22  
CDR
41. An alternate member (CZ) of the Committee of the Regions  
*Adoption* 9571/22  
9494/22  
CDR
42. A member (EE) of the Committee of the Regions  
*Adoption* 9650/22  
9648/22  
CDR
43. An alternate member (LV) of the Committee of the Regions  
*Adoption* 9522/22  
9491/22  
CDR
44. A member (NL) of the Committee of the Regions  
*Adoption* 9573/22  
9500/22  
CDR

## **Other**

- |     |                                                                                                                                                         |                   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 45. | Attendance of a third party at the meeting of the Working Party on Maritime Issues (EU Maritime Security Strategy) on 16 June 2022<br><i>Approval</i>   | 9694/22<br>POLMAR |
| 46. | Attendance of third parties at the meeting of the Working Party of Foreign Relations Counsellors – Horizontal Issues on 17 June 2022<br><i>Approval</i> | 9900/22<br>RELEX  |
| 47. | Attendance of a third party at the meeting of the Working Party on General Affairs on 20 June 2022<br><i>Approval</i>                                   | 9718/22<br>INST   |
| 48. | Attendance of a third party at the meeting of the Working Party on Frontiers on 21 June 2022<br><i>Approval</i>                                         | 9973/22<br>FRONT  |
| 49. | Attendance of third parties at the meeting of the ACP Working Party on 21 June 2022<br><i>Approval</i>                                                  | 10059/22<br>ACP   |
| 50. | Attendance of a third party at the meeting of the Working Party on the Staff Regulations on 29 June 2022<br><i>Approval</i>                             | 9996/22<br>STAT   |

## **Transparency**

- |     |                                                                                         |                                          |
|-----|-----------------------------------------------------------------------------------------|------------------------------------------|
| 51. | Public access to documents<br>Confirmatory application No 04/c/01/22<br><i>Adoption</i> | 8962/22 + ADD 1<br>8961/22<br>INF<br>API |
|-----|-----------------------------------------------------------------------------------------|------------------------------------------|

## **Economic and Financial Affairs**

- |     |                                                                                                                           |                           |
|-----|---------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 52. | Transfer No DEC 13/2022 (Section III – Commission)<br><i>Approval</i>                                                     | 9793/22<br>9583/22<br>FIN |
| 53. | Transfer No DEC 14/2022 (Section III – Commission)<br><i>Approval</i>                                                     | 9794/22<br>9658/22<br>FIN |
| 54. | Decision on the mobilisation of the EGF (EGF/2021/008<br>EL/Attica electrical equipment manufacturing)<br><i>Approval</i> | 9791/22<br>9792/22<br>FIN |

55.	European Court of Auditors Special Report 7/2022: SME internationalisation instruments <i>Designation of a working party</i> <i>Attendance of the European Court of Auditors at the Working Party meeting</i>	9962/22 FIN
56.	European Court of Auditors Special Report 8/2022: ERDF support for SME competitiveness <i>Designation of a working party</i> <i>Attendance of the European Court of Auditors at the Working Party meeting</i>	9964/22 FIN
57.	European Court of Auditors Special Report 9/2022: Climate spending in the 2014-2020 EU budget <i>Designation of a working party</i> <i>Attendance of the European Court of Auditors at the Working Party meeting</i>	9966/22 FIN
58.	European Court of Auditors Special Report 11/2022: Protecting the EU budget <i>Designation of a working party</i> <i>Attendance of the European Court of Auditors at the Working Party meeting</i>	9968/22 FIN
59.	Council Implementing Decision authorising Finland to apply a reduced rate of taxation to electricity supplied to certain heat pumps, electric boilers and recirculating water pumps <i>Adoption</i>	9958/22 9659/22 FISC
60.	Council Implementing Decision authorising Poland to introduce a VAT derogation <i>Adoption</i>	9959/22 9217/22 FISC
61.	Daisy Chain Regulation <i>Confirmation of the final compromise text with a view to agreement</i>	9985/22 9987/22 EF

Statement by the Commission

“The Commission is committed to assessing the impact of the daisy chain deduction rules on the different banking group structures, to ensure that no unjustified differences in level playing field are created. This will require a targeted assessment of the underlying rules on the MREL framework in the BRRD, which however should not entail significant changes to the political agreement reached in the 2019 Banking Package. We intend to carry out this assessment in a timely manner, so that any potential legislative changes could be included in the review of the Crisis Management and Deposit Insurance framework.”

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|-----|---------------------------------------------------------------------------------------------------|----------------------------------------------|
| 62. | Revision of the Alternative Investment Fund Managers Directive (AIFMD)<br><i>General approach</i> | 10112/22<br>9768/1/22 REV 1<br>+ REV 1 COR 1 |
|-----|---------------------------------------------------------------------------------------------------|----------------------------------------------|

Statement by Cyprus

“Cyprus is of the view that certain provisions of the text (namely article 50 paragraph 5) may give rise to unfair competition across the Union. More specifically, the host Member State should indeed be in a position to initiate actions by a home Member State when breaches of legislation are observed, as laid down in Article 46(2) of Directive 2011/61/EU. However, such a request regarding possible infringements by an AIFM should be adequately substantiated on the part of the host Member State. Without adequate justification, there could be disruptions to the single market, and cross border competition could be hindered, thus also creating legal uncertainty, as well as possible tensions between NCAs.”

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|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 63. | Regulation on tariff quotas for certain agricultural and industrial products<br><i>Adoption</i>                                                               | 9888/22<br>8940/22<br>UD |
| 64. | Regulation on suspensions of the Common Customs Tariff duties on certain agricultural and industrial products<br><i>Adoption</i>                              | 9896/22<br>8942/22<br>UD |
| 65. | Regulation establishing the European Union Single Window Environment for Customs<br><i>Confirmation of the final compromise text with a view to agreement</i> | 9950/22<br>UD            |

**General Affairs**

- |     |                                                                                                                                                                                                            |                               |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 66. | Conclusions on the protection and safety of journalists and other media professionals<br><i>Approval</i>                                                                                                   | 9688/22<br>AUDIO              |
| 67. | Regulation laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union<br><i>Progress report</i>                                          | 9719/22<br>CYBER              |
| 68. | Conclusions on European Court of Auditors Special Report 5/2022: Cybersecurity of EU institutions, bodies and agencies: Level of preparedness overall not commensurate with the threats<br><i>Approval</i> | 9716/22<br>CYBER              |
| 69. | Conclusions on a framework for a coordinated EU response to hybrid campaigns<br><i>Approval</i>                                                                                                            | 9947/22<br>10013/22<br>HYBRID |

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|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| 70. | EP resolutions and decisions (June 2022)                                                                                                                                                               | 9782/22<br>PE-RE         |
| 71. | Conclusions on education for sustainable development and international citizenship<br><i>Approval</i>                                                                                                  | 9992/22<br>SUSTDEV       |
| 72. | Council conclusions on a homogeneous extended single market and EU relations with Non-EU Western European countries and with the Faroe Islands<br><i>Approval</i>                                      | 10062/1/22 REV 1<br>AELE |
| 73. | Preparedness, response capability and resilience to future crises<br><i>Presidency report</i>                                                                                                          | 10094/22<br>IPCR         |
| 98. | Opinion of the Council Security Committee on the draft Regulation of the European Parliament and of the Council on information security in the institutions, bodies, offices and agencies of the Union | 10231/22<br>CSC          |

### **Justice and Home Affairs**

- |     |                                                                                                                                                                                                                                                                   |                                           |
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| 74. | Europol agreements with third countries: Council Decision on the signing of the Agreement between the European Union and New Zealand on the exchange of personal data between Europol and New Zealand for fighting serious crime and terrorism<br><i>Adoption</i> | 10178/22<br>9954/22<br>9269/22<br>ENFOPOL |
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### **Foreign Affairs**

- |     |                                                                                                                                                                               |                                        |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| 75. | Council Decision concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol<br><i>Adoption</i>                                            | 9334/22 + COR 1<br>9326/22<br>CORLX    |
| 76. | Council Decision establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)<br><i>Adoption</i>                                       | 9345/22<br>9344/22<br>CORLX            |
| 77. | Council Implementing Decision and Implementing Regulation concerning restrictive measures in view of the situation in the Democratic Republic of the Congo<br><i>Adoption</i> | 9842/22<br>9839/22<br>9841/22<br>CORLX |
| 78. | Council Decision amending Decision 2013/354/CFSP on the European Union Police Mission for the Palestinian Territories (EUPOL COPPS)<br><i>Adoption</i>                        | 9357/22<br>9356/22<br>CORLX            |

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| 79. | Restrictive measures against Iran (WMD) - annual review<br><i>Adoption</i>                                                                                                                             | 9863/22<br>9860/22<br>9862/22<br>CORLX                               |
| 80. | Council Decision and Implementing Regulation concerning restrictive measures against ISIL (Da'esh) and Al-Qaeda and persons, groups, undertakings and entities associated with them<br><i>Adoption</i> | 10003/22<br>10000/22<br>10002/22<br>10004/22<br>CORLX                |
| 81. | Council conclusions on addressing the external dimension of a constantly evolving terrorist and violent extremist threat<br><i>Approval</i>                                                            | 9513/1/22 REV 1<br>9512/22 + COR 1-2<br>COTER                        |
| 82. | Regulation on the public procurement reciprocity instrument<br><i>Adoption of the legislative act</i>                                                                                                  | 9977/22<br>+ ADD 1 REV 1<br>+ ADD 2 REV 1<br>PE-CONS 15/22<br>POLCOM |
| 83. | EU-Kazakhstan Cooperation Council (Luxembourg, 20 June 2022)<br><i>Establishment of the EU position</i>                                                                                                | 9980/22<br>COEST                                                     |
| 84. | Conclusions on the Team Europe response to global food security<br><i>Approval</i>                                                                                                                     | 10031/22<br>DEVGEN                                                   |

Statement by Hungary

“The war in Ukraine has had serious consequences on the food and financial sectors and has highlighted the need to accelerate – on a global scale – the food system transition towards sustainability and resilience.

Hungary is convinced that the European Union, as a net food exporter and top food producer, should ensure the proper functioning of the market and increase its contribution to global food security, particularly in Ukraine and vulnerable food-importing countries that are already facing high levels of acute hunger. However, while recognizing the importance of the Team Europe Response to Global Food Insecurity, which aims to ensure the role of the EU as a responsive, responsible and reliable global actor, Hungary would like to make a national statement regarding the gender aspect of the Council Conclusions.

Hungary recognizes and promotes equality between women and men in accordance with the Fundamental Law of Hungary, and the primary law, principles and values of the European Union, as well as commitments and principles stemming from the international law. In line with these and its national legislation, Hungary interprets the term ‘gender’ used in paragraph 3 as reference to ‘sex’.”

### Statement by Poland

“Poland understands the formulation “gender equality” as referring to the equality between 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. ”

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| 85. | Statement on behalf of the EU and its Member States at the 11th World Urban Forum (Katowice, 27 June 2022)                                                                                         | 10039/22<br>DEVGEN |
| 86. | Abidjan Declaration on Achieving Gender Equality for Successful Land Restoration<br><i>Authorisation to sign a non-binding instrument</i>                                                          | 9702/22<br>DEVGEN  |
| 87. | Declaration of the European Union and its Member States on upholding and promoting respect for international law, including the principles of the Charter of the United Nations<br><i>Approval</i> | 10042/22<br>COJUR  |

### Statement by Slovenia

“Slovenia welcomes the declaration of the EU and its Member States on upholding and promoting respect for International Law. The initiative was launched under the Slovenian Presidency of the Council of the EU and it is, in the current global context seized by the grave violations of International Law by the Russian Federation, gaining on its importance.

As regards para 5 of the Declaration about "legally binding decisions and orders of international courts", Slovenia considers that the term "courts" covers all the adjudicatory means of dispute settlement, hence international courts and tribunals, criminal and arbitral. Honouring all decisions of international courts and tribunals is essential for the states to uphold the rule of law at the international level.”

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|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| 88. | Report to the Council on the activation of Council Decision (CFSP) 2021/698 related to the EGNOS ground segment<br><i>Approval</i>                                                                                                           | 9851/22<br>8331/1/22 REV 1<br><b>R-UE</b><br>COPS |
| 89. | Council Decision on the conclusion on behalf of the Union of the Partnership Agreement on Relations and Cooperation between the European Union and its Member States, of the one part, and New Zealand, of the other part<br><i>Adoption</i> | 9730/22<br>15470/16<br>COASI                      |
| 90. | Conclusions on a strategic partnership with the Gulf<br><i>Approval</i>                                                                                                                                                                      | 10037/22<br>MOG                                   |

### Statement by Poland

“Poland understands the formulation “gender equality” as referring to the equality between 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.”



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| 91. | Seventh EU-NATO progress report                                                                                                                                                 | 10117/22<br>10116/22<br>POLMIL |
| 99. | Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine – pre-notifications<br><i>Approval</i> | 10103/22<br>CORLX              |

**EU positions for international negotiations**

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|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| 92. | Council Decision on the EU position within the EEA Joint Committee concerning an amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, and Protocol 32, on financial modalities for implementation of Article 82 (InvestEU)<br><i>Adoption</i> | 9350/22<br>9349/22<br>AELE |
| 93. | Council Decision on the position to be adopted, on behalf of the EU, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 07 20 03 01 – Social Security)<br><i>Adoption</i>          | 9354/22<br>9353/22<br>AELE |
| 94. | Council Decision on the EU position in the ACP-EU Committee of Ambassadors, with regard to transitional measures under the Cotonou Agreement<br><i>Adoption</i>                                                                                                                                      | 9952/22<br>9813/22<br>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.”

95. Council Decision on the position to be taken on behalf of the EU regarding the determination of the date from which personal data relating to DNA profiles and fingerprints may be supplied by Member States to the United Kingdom  
*Adoption*
- 9586/22 + ADD 1  
+ ADD 1 COR 1  
9539/22 + ADD 1  
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 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.”

96. Council Decision on the EU position within the EC-Ghana EPA Committee as regards the adoption of the Rules of Procedure for dispute settlement  
*Adoption*
- 9637/22  
9199/22 + ADD 1  
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.”

97. Council Decision on the EU position in the WCO in relation to the Rules of Procedure of the Harmonized System Committee  
*Adoption*
- 9886/22  
9106/22  
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.”

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