Brussels, 11 July 2023

**SP(2023) 357**

**Replies of the Commission to positions and resolutions adopted by the European Parliament – June 2023 part-session**

**THE FIRST PART OF THIS DOCUMENT INFORMS PARLIAMENT OF THE POSITION OF THE COMMISSION ON AMENDMENTS ADOPTED BY THE PARLIAMENT RELATING TO PROPOSED LEGISLATION DURING THE JUNE 2023 PART-SESSION.**

**IN THE SECOND PART THE COMMISSION LISTS A NUMBER OF NON-LEGISLATIVE RESOLUTIONS ADOPTED BY THE PARLIAMENT DURING THE MAY II AND TE JUNE PART-SESSIONS, WITH EXPLANATIONS AS TO WHY IT WILL NOT BE RESPONDING FORMALLY.**

**CONTENTS**

[**PART ONE – Legislative Resolutions**](#PARTONE)

**ordinary legislative procedure** – **First reading**

* [European Production and Preservation Orders for electronic evidence in criminal matters](#Sippelreg)
* [Harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal proceedings](#Sipperdir)
* [European Union Drugs Agency](#Drugs)
* [Batteries and waste batteries](#Batteries)

[**PART TWO – Non-legislative resolutions**](#PARTTWO)

**Part One**  
**Legislative opinions**

**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council on European Production and Preservation Orders for electronic evidence in criminal matters**

**1. Rapporteur:** Birgit SIPPEL (S&D / DE)

**2. Reference numbers:** 2018/0108 (COD) / A9-0256/2020 / P9\_TA(2023)0225

**3. Date of adoption of the resolution:** 13 June 2023

**4. Legal basis:** Article 82(1) of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)

**6. Commission's position:** accepts all amendments.

**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the proposal for a directive of the European Parliament and of the Council laying down harmonised rules on the appointment of legal representatives for the purpose of gathering evidence in criminal**

**1. Rapporteur:** Birgit SIPPEL (S&D / DE)

**2. Reference numbers:** 2018/0107 (COD) / A9-0257/2020 / P9\_TA(2023)0224

**3. Date of adoption of the resolution:** 13 June 2023

**4. Legal basis:** Articles 53 and 62 of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)

**6. Commission's position:** accepts all amendments.

**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the European Union Drugs Agency**

**1. Rapporteur:** Isabel SANTOS (S&D / PT)

**2. Reference numbers:** 2022/0009 (COD) / A9-0289/2022 / P9\_TA(2023)0226

**3. Date of adoption of the resolution:** 13 June 2023

**4. Legal basis:** Article 168(5) of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)

**6. Commission's position:** accepts all amendments.

**ORDINARY LEGISLATIVE procedure – First reading**

**Follow up to the European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) 2019/1020**

**1. Rapporteur:** Achille VARIATI (S&D / IT)

**2. Reference numbers:** 2020/0353 (COD) / A9-0031/2022 / P9\_TA(2023)0237

**3. Date of adoption of the resolution:** 14 June 2023

**4. Legal basis:** Article 114, and Article 192(1), in relation to Articles 54 to 76, of the Treaty on the Functioning of the European Union

**5. Competent Parliamentary Committee:** Committee on Environment, Public Health and Food Safety (ENVI)

**6. Commission's position:** accepts all amendments.

Commission statements:

“The Commission notes that the approach agreed by the co-legislators linking the applicability of certain sustainability rules with the adoption of the respective delegated or implementing acts by the Commission may impinge on the legal certainty for the economic operators about the applicability of the rules in the Regulation.”

“The Commission regrets the short deadlines for the adoption of delegated and implementing acts as well as several other follow-up actions and expresses concern about the feasibility to comply with these deadlines in time. The Commission notes that the implementation of the Regulation will require significant resources in the Commission.”

**Part Two**  
**Non-legislative resolutions**

**THE COMMISSION DOES NOT INTEND TO RESPOND FORMALLY TO THE FOLLOWING NON-LEGISLATIVE RESOLUTIONS, ADOPTED BY THE EUROPEAN PARLIAMENT DURING THE MAY II AND JUNE 2023 PART-SESSIONS**

* EU action to combat antimicrobial resistance (2023/2703 (RSP))

EP: B9-0258/2023

Date: 01-06-2023

Competence: Stella KYRIAKIDES, Frans TIMMERMANS and Margaritis SCHINAS

Reason: The Commission will not be responding formally to this resolution on Coordinated action to address antimicrobial resistance (AMR). The proposed measures already set out for further action to address AMR in the Pharmaceutical Package adopted on 26 April 2023 include both proposals for comprehensive legislative provisions to address AMR as part of the revision of the pharmaceutical legislation and a Commission proposal for a Council Recommendation on AMR, which was subsequently adopted on 13 June 2023. Moreover, measures in the legislation on veterinary medicinal products and medicated feed provide a further response to AMR in the field of animal health and food safety. As set out by Commissioner Kyriakides during the plenary those measures and proposed measures together already constitute a robust response to the calls made for further action in the resolution.

* Ukraine’s accession to the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (2023/2689 (RSP))

EP: B9-0267/2023

Date: 15-06-2023

Competence: Didier REYNDERS, Věra JOUROVÁ

Reason: The Commission will not be responding formally to the requests addressed in the resolution as they were comprehensively addressed in plenary by Commissioner Simson, on behalf of Commissioner Reynders.

* EU Day for the victims of the global climate crisis (2023/2740 (RSP))

EP: B9-0269/2023

Date: 15-06-2023

Competence: Frans TIMMERMANS

Reason: The Commission will not be responding formally as Executive Vice-President Vestager replied to the proposal expressed in the resolution during the plenary debate of 12 June 2023. As indicated in her statement, the Commission fully endorses the ‘EU day for the victims of the global climate crisis’ and is taking the necessary steps for its creation together with the Parliament and Council.

* EU/Thailand Partnership and Cooperation Agreement (2022/0252M (NLE))

EP: A9-0193/2023

Rapporteur: Andrey KOVATCHEV

Date: 14-06-2023

Competence: Josep BORRELL FONTELLES

Reason: the Commission will not be responding formally to this resolution, as the issues raised have been comprehensively addressed during the earlier stages of the process leading to the adoption of this resolution and of the “Report on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Kingdom of Thailand, of the other part”(A9-0191/2023). The Commission welcomes the consent given by the European Parliament to the conclusion of the agreement.

* EU/Malaysia Partnership and Cooperation Agreement (2022/0221M (NLE))

EP: A9-0194/2023

Rapporteur: Gheorghe-Vlad NISTOR

Date: 14-06-2023

Competence: Josep BORRELL FONTELLES

Reason: the Commission will not be responding formally to this resolution, as the issues raised have been comprehensively addressed during the earlier stages of the process leading to the adoption of this resolution and of the “Report on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Government of Malaysia, of the other part” (A9-0190/2023). The Commission welcomes the consent given by the European Parliament to the conclusion of the agreement.

* Torture and criminal prosecution of Ukrainian minors Tihran Ohannisian and Mykyta Khanhanov by the Russian Federation (2023/2735 (RSP))

EP: RC9-0268/2023

Date: 15-06-2023

Competence: Josep BORRELL FONTELLES

Reason: The Commission will not be responding formally to the requests addressed in the resolution as they were comprehensively addressed in plenary by Commissioner Simson, on behalf of the High Representative/Vice-President Borrell.

* Humanitarian situation in Sudan, in particular the death of children trapped by fighting (2023/2736 (RSP))

EP: RC9-0291/2023

Date: 15-06-2023

Competence: Josep BORRELL FONTELLES

Reason: The Commission will not be responding formally to the requests addressed in the resolution as they were comprehensively addressed in plenary by Commissioner Simson, on behalf of the High Representative/Vice-President Borrell.

* Deterioration of fundamental freedoms in Hong Kong, notably the case of Jimmy Lai (2023/2737 (RSP))

EP: RC9-0276/2023

Date: 15-06-2023

Competence: Josep BORRELL FONTELLES

Reason: The Commission will not be responding formally to the requests addressed in the resolution as they were comprehensively addressed in plenary by Commissioner Simson, on behalf of the High Representative/Vice-President Borrell.

* Situation in Nicaragua (2023/2743 (RSP))

EP: RC9-0272/2023

Date: 15-06-2023

Competence: Josep BORRELL FONTELLES

Reason: The Commission will not be responding formally to the requests addressed in the resolution as they were comprehensively addressed in plenary by the High Representative/Vice-President Borrell.