



Brussels, 18 October 2017
(OR. en)

13411/17

CRS CRP 37

SUMMARY RECORD

Subject: 2643rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 4 and 6 October 2017

I. Adoption of the agenda

12751/17 OJ CRP1 33 + ADD 1

12768/17 OJ CRP2 33 COMIX 657 + COR 1

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 4 OCTOBER 2017 (10:00)

2. Proposal for a Directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of **audiovisual media services** in view of changing market realities (**First reading**) (**Legislative deliberation**)
= Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 28 September 2017.

3. **Preparation** for the Council meeting (**Agriculture and Fisheries**) on 9 October 2017

1. Proposal for a Council Regulation fixing for 2018 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the **Baltic Sea**
(*Non-legislative activity*)
= Political agreement
12460/17 PECHE 345
11404/17 PECHE 299
+ ADD 1

The Committee examined this item with a view to reaching an agreement at Council.

2. **EU-Norway**: Annual consultations for **2018** (*Non-legislative activity*)
= Exchange of views
12461/17 PECHE 346 N 32

The Committee prepared this item for the Council meeting.

3. **ICCAT** Annual meeting (Marrakech, 14 - 22 November 2017) (*Non-legislative activity*)
= Exchange of views
12464/17 PECHE 347

The Committee prepared this item for the Council meeting.

4. Proposal for a Regulation of the European Parliament and the Council on the **approval and market surveillance** of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (**First reading**) (**Legislative deliberation**)
= Preparation for the trilogue
12642/17 ENT 198 MI 656 CODEC 1475
12643/17 ENT 199 MI 657 CODEC 1476

The Committee agreed on a mandate for the forthcoming trilogue.

5. **Setting** of the provisional **agenda** for the Council meeting (**Employment, Social Policy, Health and Consumer Affairs**) on 23 October 2017

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

6. Proposal for an Interinstitutional Proclamation on the **European Pillar of Social Rights**
= Consideration of the Presidency proposal in order to prepare inter-institutional discussions
12604/17 SOC 601 EMPL 461 EDUC 347 SAN 329 ECOFIN 757

The Committee considered the Presidency proposal and agreed to revert to the matter at its next meeting.

FRIDAY 6 OCTOBER 2017 (10:00)

7. **Preparation** for the Council meeting (**Environment**) on 13 October 2017

1. Draft Council conclusions on the European Union priorities for the third meeting of the United Nations Environment Assembly (**UNEA-3**) (Nairobi, 4-6 December 2017) (*Non-legislative activity*)

= Adoption
12608/17 ENV 777 DEGEN 209 ONU 120

The Committee agreed to forward the text to Council in view of its adoption.

2. Draft Council conclusions on the **Paris Agreement** and preparations for the UNFCCC meetings (Bonn, 6-17 November 2017) (*Non-legislative activity*)

= Adoption
12579/17 CLIMA 246 ENV 772 ONU 119 DEVGEN 207 ECOFIN 752
ENER 368 FORETS 35 MAR 158 AVIATION 120

The Committee agreed to forward the text to Council in view of its adoption.

8. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC to enhance **cost-effective emission reductions** and low-carbon investments (**First reading**) (**Legislative deliberation**)

= Preparation for the trilogue
12580/17 CLIMA 247 ENV 773 ENER 369 TRANS 374 IND 224 COMPET 625
MI 649 ECOFIN 753 CODEC 1461
+ COR 1

The Committee agreed on the mandate for the forthcoming trilogue.

49. **Setting** of the provisional **agenda** for the Council meeting (Transport, **Telecommunications** and Energy) on 24 October 2017

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

COREPER (PART 2)

22. Preparation of the Council meeting (Justice and Home Affairs) on 12-13 October 2017

- a) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/399 as regards the rules applicable to the temporary reintroduction of border control at **internal borders (First reading)**
 - = Policy debate
 - 12723/17 FRONT 413 CODEC 1485 COMIX 656

The Committee agreed to add this item to the agenda of the Council meeting and took note of the discussion held in the Mixed Committee.

- b) **Counter-terrorism¹**
 - = Exchange of views

The Committee took note that at the Council, this discussion will be held in a restricted session.

- c) **Freezing and Confiscation:** Proposal for a Regulation of the European Parliament and of the Council on the mutual recognition of freezing and confiscation orders **(First reading)**
 - = Policy debate
 - 12685/17 JAI 849 COPEN 286 DROIPEN 123 IA 147 CODEC 1480

The Committee prepared this item for the Council meeting.

- d) **ECRIS-TCN:** Proposal for a Regulation of the European Parliament and of the Council establishing a centralised system for the identification of Member States holding conviction information on third country nationals and stateless persons (TCN) to supplement and support the European Criminal Records Information System (ECRIS-TCN system) and amending Regulation (EU) No 1077/2011 **(First reading)**
 - = Policy debate
 - 12596/17 COPEN 284 EJUSTICE 109 JURINFO 49 DAPIX 306 CODEC 1464

The Committee prepared this item for the Council meeting.

- e) Other items in connection with the Council meeting

The Committee agreed to remove the item on the Schengen Information System from the Council's agenda. The Presidency provided further information with regard to the Council.

¹ Exceptionally, in the presence of the Schengen Associated States

23. **Preparation of the Council meeting (Economic and Financial Affairs) on 10 October 2017**

a) **European Semester 2017 - Lessons learnt**

= Exchange of views

12674/17 ECOFIN 762 UEM 259 SOC 604 EMPL 464 COMPET 631 ENV 785
EDUC 350 RECH 318 ENER 375 JAI 848

The Committee took note of the letter from the EFC chair and prepared the discussion by ministers.

b) **Preparation of the G20 Meeting** of Finance Ministers and Central Bank Governors and of the IMF Annual Meetings between 12 and 15 October in Washington

= G20 terms of reference

= Statement to the IMFC

The Committee took note of the G20 terms of reference and the statement to the IMFC and agreed to submit them to the Council for approval.

c) **Climate finance for the COP23**

= Draft Council conclusions

12599/1/17 REV 1 ECOFIN 755 ENV 776 CLIMA 248 FIN 575

The Committee took note of draft Council conclusions in view of the Council meeting.

d) Other items in connection with the Council meeting

The Presidency provided further information with regard to the Council meeting.

24. **Preparation of the Council meeting (General Affairs) on 17 October 2017**

a) **Preparation of the European Council on 19 October 2017**

= Draft guidelines for the conclusions

11571/17 CO EUR-PREP 38

The Committee examined the draft guidelines for the conclusions of the upcoming European Council meeting on 19 October 2017.

b) **Annual rule of law dialogue**

= Exchange of views

12671/17 FREMP 99 JAI 847 COHOM 103 POLGEN 125 AUDIO 103
DIGIT 196

The Presidency provided further information regarding the handling of this item in the Council.

c) Other items in connection with the Council meeting

No new items were raised under this heading.

25. **EU-India Summit**

= State of play of preparations

12654/17 COASI 153 ASIE 38 CFSP/PESC 828 POLGEN 124 RELEX 800

DEVGEN 210 CONOP 73 WTO 215 ENER 372 JAI 846

CYBER 135 CSDP/PSDC 510 ENV 782 MIGR 190 COHOM 102

CLIMA 250 RECH 314

The Committee took note of the debrief given by the Commission and the EEAS on the state of play of preparations of the EU-India Summit.

26. Preparations for the **Eastern Partnership Summit** (Brussels, 24 November 2017)

The Committee continued to discuss the outstanding issues, and agreed to revert to this item at its next meeting.

IV. Any other business

COREPER (PART 1)

- a) Tallinn Digital Summit (29 September 2017)
= Information from the Presidency

The Committee took note of information provided by the Presidency.

- b) Proposal for a Regulation of the European Parliament and of the Council on safeguarding competition in air transport, repealing Regulation (EC) No 868/2004 (**First reading**)
(Legislative deliberation)
= Information from the Polish delegation
12937/17 AVIATION 128 CODEC 1525

The Committee took note of information provided by the Polish delegation.

COREPER (PART 2)

- Nord Stream 2

The Committee took note of the German delegation's views as regards the way forward on this file.

- Tallinn Digital Summit (29 September 2017)

The Committee took note of the information provided. This item was discussed in a restricted session.

"I" items approved**COREPER (PART 1)**

9. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
 - a) E-004246/2017 - Ramón Luis Valcárcel Siso (PPE)
The priorities of the Estonian presidency and the common agricultural policy (CAP)
12022/17 PE-QE 182
 - b) E-004577/2017 - Hermann Winkler (PPE) and Joachim Zeller (PPE)
Legal framework conditions for Nord Stream 2 and similar gas pipelines
12045/17 PE-QE 185
10. Draft minutes of the following Council meeting
= Adoption
 - 3544th meeting of the Council of the European Union (Competitiveness (Internal Market, Research and Space)), held in Brussels on 29 and 30 May 2017
9726/1/17 PV CONS 31 COMPET 451 IND 140 RECH 209 ESPACE 28 REV 1
+ ADD 1 REV 1
11. Case before the General Court of the European Union
Case T-560/17 (Fortischem a.s. v European Parliament and Council of the European Union)
= Information note for the Permanent Representatives Committee (Part 1)
12472/17 JUR 436 ENV 764
12. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Draft Council Decision appointing an alternate member for France
= Adoption
 - 12284/17 SOC 588 EMPL 453
 - 12283/17 SOC 587 EMPL 452
13. Advisory Committee for the Coordination of Social Security Systems
Appointment of Ms Martina ROSENMAJR-KHOSHIDEH, alternate member for Austria, in place of Mr Martin SONNTAG, who has resigned
= Adoption
 - 12586/17 SOC 598 EMPL 459
+ COR 1
14. Commission Directive (EU) .../... of XXX amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on end-of life vehicles
= Decision not to oppose adoption
 - 12550/17 ENV 769 ENT 194
+ COR 1
 - 11721/17 ENV 715 ENT 181
+ ADD 1

15. Commission delegated Regulation (EU) .../... of 3.8.2017 on the conditions for classification, without testing, of cross laminated timber products covered by the harmonised standard EN 16351 and laminated veneer lumber products covered by the harmonised standard EN 14374 with regard to their reaction to fire
= Intention not to raise objections to a delegated act
12636/17 MI 655 ENT 197 COMPET 628 DELACT 168
11705/17 MI 585 ENT 179 COMPET 572 DELACT 139
+ ADD 1
16. Memorandum of Understanding between the Islamic Republic of Iran and the European Union on cooperation on climate change
= Approval of signature on behalf of the European Union
12644/17 CLIMA 249 ENV 779 ENER 371 IRAN 4
17. Draft Council conclusions with a view to the seventh session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) (Kigali, Rwanda, 30 October - 3 November 2017)
= Adoption
12473/17 AGRI 495 FAO 36
18. Draft Council Decision on the conclusion, on behalf of the Union, of the Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo* on the establishment of a European Common Aviation Area (ECAA)
= Adoption
12182/1/17 TRANS 365 AVIATION 116 RELEX 761 REV 1
15654/16 AVIATION 254 RELEX 1083
19. Proposal for a Regulation of the European Parliament and of the Council on establishing a multi-annual plan for demersal stocks in the North Sea and the fisheries exploiting those stocks and repealing Council Regulation (EC) 676/2007 and Council Regulation (EC) 1342/2008 **(First reading) (Legislative deliberation)**
= Mandate for negotiations with the European Parliament
12551/17 PECHE 355 CODEC 1454
12438/17 PECHE 344 CODEC 1437

* This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244 (1999) and the Opinion of the International Court of Justice on Kosovo's declaration of independence.

20. Proposal for a Decision of the European Parliament and of the Council amending Directive 87/217/EEC of the Council, Directive 2003/87/EC of the European Parliament and of the Council, Directive 2009/31/EC of the European Parliament and of the Council, Regulation (EU) No 1257/2013 of the European Parliament and of the Council, Council Directive 86/278/EEC and Council Directive 94/63/EC as regards procedural rules in the field of environmental reporting and repealing Council Directive 91/692/EEC **(First reading)**
(Legislative deliberation)

= Mandate for negotiations with the European Parliament
12673/17 ENV 784 CLIMA 252 CODEC 1478
+ ADD 1 REV 1
+ COR 1

Joint statement by the Czech Republic, Lithuania, Belgium and Hungary

"The Czech Republic, Lithuania, Belgium and Hungary would like to raise a concern about the procedure applied regarding Article 5 of the Decision concerning the **Ship Recycling Regulation**. The proposed change in reporting obligations constitutes an extension of reporting obligations placed on Member States and goes beyond the necessary amendments arising from the repeal of Directive 91/692/EEC. This amendment is therefore a change in substance rather than a technical adjustment.

A Ship Recycling Regulation Committee was established according to Article 25 of the Ship Recycling Regulation to assist the Commission. However, the Committee was neither notified of the proposal nor consulted on the proposed change.

We regret that the Commission did not consult the designated experts on this matter and hopes that in the future such technical issues will be referred to the relevant committees."

21. Proposal for a Regulation of the European Parliament and the Council amending Regulation (EC) No 1059/2003 as regards the territorial typologies (Tercet) **(First reading)**
(Legislative deliberation)

= Confirmation of the final compromise text with a view to agreement
12571/17 STATIS 54 REGIO 94 CODEC 1456

COREPER (PART 2)

27. Case before the Court of Justice of the European Union
Case C-458/17 P (Rami Makhoul v. Council of the European Union)
12670/17 JUR 450 CORLX 434 RELEX 801 MOG 67 CONOP 75
CFSP/PESC 831
28. Case before the EU General Court
Case T-455/17 (Naser Bateni v. Council of the European Union)
12692/17 JUR 452 MOG 68 CONOP 76 CORLX 436
29. Draft Council Decision appointing a member and three alternate members, proposed by the Republic of Finland, of the Committee of the Regions
= Adoption
12305/17 CDR 140
12304/17 CDR 139
30. Draft Council Decision appointing a member, proposed by the Kingdom of the Netherlands, of the Committee of the Regions
= Adoption
12456/17 CDR 144
12455/17 CDR 143
31. Draft Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditor of Národná banka Slovenska
= Adoption
12030/17 UEM 254
12446/17 UEM 257
32. Commission Delegated Regulation (EU) .../... of 11.8.2017 amending Regulation (EU) No 575/2013 of the European Parliament and of the Council as regards the waiver on own funds requirements for certain covered bonds
= Intention not to raise objections to a delegated act
12569/17 EF 209 ECOFIN 751 DELACT 165
11701/17 EF 177 ECOFIN 684 DELACT 137
33. Mobilisation of the Flexibility Instrument to provide the financing for the EFSD
12440/1/17 REV 1 FIN 563
34. DAB No 5/2017: Providing the financing for the EFSD and increasing the EAR further to the revision of the MFF regulation
12439/17 FIN 562 PE-L 37
35. European Court of Auditors' Special Report No 14/2017: "Performance review of case management at the Court of Justice of the European Union"
= Designation of Working Party
12627/17 FIN 578 COUR 13 JUR 449

36. Draft Council Directive on Tax Dispute Resolution Mechanisms in the European Union
 = Adoption
 12545/17 FISC 200 ECOFIN 748
 9806/17 FISC 118 ECOFIN 472

37. Report on the implementation of the obligations under the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management
 = Sixth review meeting of Contracting Parties
 12478/17 ATO 41
 + ADD 1

38. Sharing of OAP with third countries
 = Approval
 12126/17 COSI 200 ENFOPOL 408 JAI 779 CSCI 33 SAP 11

- The above-mentioned item was withdrawn.

39. Draft Council conclusions on the mid-term review of the renewed European Union Internal Security Strategy 2015-2020
 = Adoption
 12646/17 COSI 214 JAI 844
 12650/17 COSI 215 JAI 845

40. Final report of the seventh round of mutual evaluations on "The practical implementation and operation of the European policies on prevention and combating cybercrime"
 = Information to the Council
 12711/17 GENVAL 79 CYBER 136 CATS 98 JAI 855

41. Joint Declaration between the European Union and the Republic of India on a Partnership for Smart and Sustainable Urbanisation
 = Approval
 = Decision to use the written procedure
 12662/17 COASI 154 ASIE 39 DEVGEN 211 ENER 373 CLIMA 251
 RECH 315 TRANS 379 FIN 583

42. Operational Plan for the CSDP Mission EUAM Iraq
 = Approval
 12567/17 COPS 292 CIVCOM 179 CFSP/PESC 823 CSDP/PSDC 507
 RELEX 792 JAI 838 COMEP 21 EUAM IRAQ 6
 12282/17 COPS 282 CIVCOM 171 CFSP/PESC 796 CSDP/PSDC 492
 RELEX 774 JAI 796 COMEP 20
 EUAM IRAQ 5

EU RESTRICTED

43. Political and Security Committee Decision on the appointment of the Head of Mission of the European Union Police Mission for the Palestinian Territories (EUPOL COPPS) (EUPOL COPPS/1/2017 + COR1)
= Authorisation for publication in the Official Journal
11192/17 COPS 242 CFSP/PESC 676 CIVCOM 132 CSDP/PSDC 420
RELEX 647 JAI 685 MOG 60 PSC DEC 30 EUCOPPS 12
10727/17 COPS 222 CFSP/PESC 593 CIVCOM 117 CSDP/PSDC 375
RELEX 575 JAI 636 MOG 52 PSC DEC 23 EUCOPPS 10
+ COR 1
44. Draft Council amending Decision (CFSP) 2015/1763 concerning restrictive measures in view of the situation in Burundi
= Adoption
12453/17 CORLX 428 CFSP/PESC 811 COAFR 258 FIN 567 JAI 816
12260/17 CORLX 416 CFSP/PESC 790 COAFR 248 FIN 552 JAI 794
45. Council Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism
- Amended statements of reasons
= Adoption
12683/17 CORLX 435 COMET 14 COTER 97 CFSP/PESC 832 RELEX 802
FIN 586
+ ADD 1
46. Draft Council Decision amending Decision 2016/849/CFSP concerning restrictive measures against the Democratic People's Republic of Korea
and
Draft Council Regulation amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Transposition of UNSCR 2375 (2017)
12776/17 CORLX 437 CFSP/PESC 837 RELEX 814 COASI 156 COARM 248
CONUN 222 FIN 589
12250/17 CORLX 410 CFSP/PESC 783 COASI 141 COARM 229 CONUN 211
FIN 546
12252/17 CORLX 412 CFSP/PESC 785 RELEX 770 COASI 143 COARM 231
CONUN 213 FIN 548
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