



Brussels, 12 June 2017
(OR. en, fr)

9429/17

CRS/CRP 18

SUMMARY RECORD

Subject: 2628th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 17 and 19 May 2017

I. Adoption of the agenda

9167/17 OJ CRP1 18

9182/1/17 REV 1 OJ CRP2 18

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 17 May 2017

2. Proposal for a Regulation of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of **consumer protection laws (First reading) (Legislative deliberation)**
- = Preparation for the trilogue
- 9036/17 CONSOM 198 MI 397 COMPET 324 TELECOM 113JUSTCIV 103
DIGIT 129 IND 117 CODEC 778

The Committee agreed on the mandate for the forthcoming trilogue.

3. **Setting** of the provisional **agenda** for the Council meeting (**Transport, Telecommunications and Energy**) on 8 and 9 June 2017

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

4. Proposal for a Directive of the European Parliament and of the Council on a system of inspections for the safe operation of ro-ro ferry and high-speed passenger craft in regular service and amending Directive 2009/16/EC of the European Parliament and of the Council on **port State control** and repealing Council Directive 1999/35/EC (**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 11 May 2017.

5. Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/45/EC on **safety rules and standards for passenger ships** (**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 11 May 2017.

6. Proposal for a Directive of the European Parliament and of the Council amending Council Directive 98/41/EC on the **registration of persons sailing on board passenger ships** operating to or from ports of the Member States of the Community and amending Directive 2010/65/EU of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States (**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 11 May 2017.

7. **Preparation** for the Council meeting "**Competitiveness**" (Internal Market, Industry, Research and Space) on 29 and 30 May 2017

1. **Competitiveness "check-up"**: State of play of the real economy (*Non-legislative activity*)
= Presentation by the Commission
= Exchange of views

The Committee took note of the Presidency's intentions for the exchange of views.

2. **Review of progress on implementation of the Digital Single Market strategy and Single Market strategy** (*Non-legislative activity*)
- = Presentation by the Commission
 - = Exchange of views
8998/17 COMPET 314 MI 391 CONSOM 189 PI 54 IND 112 ECOFIN 343
+ ADD 1
9000/17 COMPET 315 TELECOM 110 MI 392 IND 113 DIGIT 126 AUDIO 63
JUSTCIV 100 CONSOM 190

The Committee took note of the Presidency's intentions for the exchange of views and submitted the background paper as a basis for the discussion.

3. **Industrial policy in Europe** (*Non-legislative activity*)
- a) The future of the European Union industry policy
 - = Exchange of views
8943/17 COMPET 304 IND 102
 - b) Draft Council conclusions on a "Future EU industrial policy strategy"
 - = Adoption
8944/17 COMPET 305 IND 103

The Committee took note of the Presidency's intentions for the exchange of views, submitted the background paper as a basis for the discussion, confirmed the agreement on the draft Council conclusions and forwarded them to the Council in view of their adoption.

4. **Business Transfer** (*Non-legislative activity*)
- = Outcome of the Business Transfer Conference (Malta, 17 March 2017)
8945/17 COMPET 306 IND 104

The Committee took note of the Presidency's intentions for handling this item.

5. **Space strategy for Europe** (*Non-legislative activity*)
- a) Space strategy for Europe implementation
 - = Exchange of views
8489/17 ESPACE 21 RECH 111 COMPET 270 IND 90 EU-GNSS 20
TRANS 152 TELECOM 90 MI 350 EMPL 212 CSDP/PSDC 210
CFSP/PESC 353
 - b) Draft Council conclusions on a "Space strategy for Europe"
 - = Adoption
8486/17 ESPACE 20 RECH 110 COMPET 269 IND 89 EU-GNSS 19
TRANS 151 TELECOM 89 MI 349 EMPL 211 CSDP/PSDC 209
CFSP/PESC 351

The Committee took note of the Presidency's intentions for the exchange of views, submitted the background paper as a basis for the discussion, confirmed the agreement on the draft Council conclusions and forwarded them to the Council in view of their adoption.

6. Draft Council conclusions on "**Streamlining the research and innovation monitoring and reporting landscape**" (*Non-legislative activity*)
= Adoption
8462/17 RECH 108 COMPET 267

The Committee confirmed the agreement on the Council conclusions and forwarded them to the Council in view of their adoption.

7. **Economic rationale for public research and innovation funding and its impacts** (*Non-legislative activity*)
= Exchange of views
8949/17 RECH 129

The Committee took note of the Presidency's intentions for the exchange of views and submitted the background paper as a basis for the discussion.

Friday 19 May 2017

8. **Waste package (First reading) (Legislative deliberation)**
- a) Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment
 - b) Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/31/EC on the landfill of waste
 - c) Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/98/EC on waste
 - d) Proposal for a Directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste
- = Preparation for the trilogue
- 8963/17 ENV 421 COMPET 309 MI 388 AGRI 254 IND 109 CONSOM 185
ENT 118 CODEC 754
 - 8957/17 ENV 417 ENT 116 MI 386 CODEC 750
 - 8958/17 ENV 418 CODEC 751
 - 8959/17 ENV 419 COMPET 308 MI 387 AGRI 251 IND 107 CONSOM 184
ENT 117 CODEC 752
 - 8960/17 ENV 420 IND 108 CODEC 753

The Committee agreed on the mandate for the forthcoming trilogue.

9. 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
8971/17 CLIMA 115 ENV 423 ENER 159 TRANS 166 IND 110 COMPET 310
MI 389 ECOFIN 341 CODEC 756

The Committee agreed on the mandate for the forthcoming trilogue.

10. **Implementation of the Marrakesh Treaty (First reading) (Legislative deliberation)**
- a) Proposal for a Directive of the European Parliament and of the Council on certain permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society
- b) Proposal for a Regulation of the European Parliament and of the Council on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled
- = Presidency debriefing on the outcome of the trilogue
= Analysis of the final compromise text with a view to agreement
8756/17 PI 44 CODEC 711
8757/17 PI 45 CODEC 712

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 10 May 2017.

The Committee approved the final compromise text and agreed that the customary letter be sent to the European Parliament.

11. Proposal for a Regulation of the European Parliament and of the Council on addressing unjustified **geo-blocking** and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC **(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 18 May 2017.

12. Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to **carcinogens** or mutagens at work **(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 17 May 2017.

7. **(continuation) Preparation** for the Council meeting "**Competitiveness**" (Internal Market, Industry, Research and Space) on 29 and 30 May 2017

8. Proposal for a Directive of the European Parliament and of the Council on the enforcement of the Directive 2006/123/EC on services in the internal market, laying down a **notification procedure** for authorisation schemes and requirements related to services, and amending Directive 2006/123/EC and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System **(First reading) (Legislative deliberation)**
= General approach
9020/17 COMPET 320 MI 395 EST 36 DIGIT 127 SOC 321 EMPL 241
CONSOM 195 CODEC 773

The Committee examined the Presidency compromise with a view to reaching a general approach at Council. Based on the Presidency note, delegations outlined their preferred options. The guidance provided by the Committee will be reflected in a revised document, which will be submitted to the Council for its adoption. DK entered a parliamentary scrutiny reservation.

13. Commission delegated Regulation (EU) .../... of 2.2.2017 on the adaptation of Annex III to Regulation (EU) No 1315/2013 of the European Parliament and of the Council on Union guidelines for the development of the **trans-European transport network**
= Consideration of a possible objection to a delegated act
8991/17 TRANS 168 DELACT 81
+ ADD 1
6092/17 TRANS 52 DELACT 25
+ ADD 1 – ADD 8

The Committee concluded that there was the necessary qualified majority of the Member States intending to object to the delegated act and agreed to forward it to Council.

COREPER (PART 2)

23. Preparation of the Council meeting (Justice and Home Affairs) on 18 May 2017

- Other items in connection with the Council meeting

The Presidency provided further information with regards to the upcoming Justice and Home Affairs Council. The Commission requested to address aviation security under 'Any other business'. The Presidency also debriefed the Committee on the results of the IPCR high level roundtable of 12 May 2017 on the Central Mediterranean route and the implementation of the Malta Declaration.

24. Qualification: Proposal for a Regulation of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents **(First reading)**

- Period of Validity of Residence Permits issued to Refugees and Beneficiaries of Subsidiary Protection
 - = Preparation for a general approach
 - 9001/17 ASILE 31 CODEC 766

A majority of delegations could support the Presidency's compromise proposal on the period of validity of residence permits issued to refugees and beneficiaries of subsidiary protection as presented in 9001/17.

25. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 08/09 June 2017

The Committee took note of the main items of the June JHA Council.

26. Preparation of the Council meeting (Foreign Affairs/Development) on 19 May 2017

- a) Humanitarian crises
- b) Post-Cotonou Framework
- c) Other items in connection with the Council meeting

The EEAS informed the Committee on the main items of the Council. Items under 'Any other business' include Ocean conference (request from Sweden), High level conference 'Sixty years and beyond contributing to Development Cooperation' (request from Italy), the mix of instruments and approach to Middle Income countries (request from Poland).

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

- a) Dispute Resolution Mechanisms
 - Proposal for a Council Directive on Double Taxation Dispute Resolution Mechanisms in the European Union
 - = General approach
 - 9010/17 FISC 98 ECOFIN 344
 - 9011/17 FISC 99 ECOFIN 345

The Committee discussed the three main issues in the Presidency compromise and forwarded the text to the Council with a view to reaching a General approach.

- b) (poss.) Common Corporate Tax Base
 - Proposal for a Council Directive on a Common Corporate Tax Base (CCTB)
 - = Policy debate
 - 9019/17 FISC 101 ECOFIN 347
 - 13730/16 FISC 170 IA 99
 - + ADD 1

The Presidency informed the Committee about intended handling of this item at the Council.

- c) Movement of capital
 - 2016 EFC Report on the movement of capital and the freedom of payments
 - Report from the Commission - accelerating the Capitals Markets Union: Addressing national barriers to capital flows
 - = Exchange of views
 - 7557/17 ECOFIN 226 MDC 1
 - 7757/17 EF 64 ECOFIN 236 SURE 6 UEM 75

The Presidency informed the Committee about the two reports to be presented at the Council and the expected update of the roadmap in the Commission's report on accelerating the Capitals Market Union (CMU).

- d) European Semester 2017
 - Macroeconomic Imbalance Procedure (MIP): In depth-reviews
 - = Draft Council conclusions
 - 9032/17 ECOFIN 349 UEM 107 SOC 323 EMPL 243

The Presidency informed the Committee about intended handling of this item at the Council. Timing of the adoption by the Commission of the 2017 Country Specific Recommendations (CSRs) is still pending.

- e) Other items in connection with the Council meeting

The Presidency provided updated information with regards to the upcoming Council.

28. **Follow-up** to the Council meeting (**Foreign Affairs/Trade**) on 11 May 2017

The Committee took note of the key outcomes of this Council.

29. **Follow-up** to the Council meeting (**Foreign Affairs**) on 15 May 2017

The Committee took note of the key outcomes of this Council. Several delegations requested Council conclusions on maritime security in the context of the Global Strategy at Foreign Affairs Council of June.

30. **Follow-up** to the Council meeting (**General Affairs**) on 16 May 2017

The Committee took note of the key outcomes of the Council.

31. **New European Consensus on Development**

8785/1/17 REV 1 DEVGEN 77 ACP 33 RELEX 369

The Committee held an exchange of views on amended paragraphs 39 and 40 and agreed to submit the text to the Council for adoption.

Statement by Luxembourg

"Le Luxembourg regrette que le nouveau Consensus européen pour le développement, qui définira le cadre à moyen terme de la coopération au développement de l'Union européenne et de ses Etats membres, se soit éloigné de l'objectif principal de sa raison d'être, à savoir l'éradication de la pauvreté, tout en plaçant cet objectif dans le nouveau cadre de l'Agenda 2030.

Au cours des négociations, le Luxembourg avait notamment exprimé ses inquiétudes quant à la mise en place de conditionnalités et l'insertion d'une référence aux réadmissions ainsi qu'en ce qui concerne le respect des critères du CAD de l'OCDE dans le contexte du nexus sécurité – développement.

Par ailleurs, le Luxembourg a soutenu la demande du Parlement européen d'introduire un mécanisme de suivi pour parvenir à l'objectif fixé de longue date de consacrer 0,7% du revenu national brut (RNB) à l'APD, conformément à l'engagement des Etats membres de l'ONU en 1970, lequel a été réaffirmé à maintes reprises depuis lors par l'Union européenne et ses Etats membres.

Toutes ces demandes ne sont pas ou peu reflétées dans le texte. Le nouveau Consensus marquera un net recul par rapport à celui de 2005, ce que le Luxembourg regrette vivement."

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

None.

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

14. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
- a) E-001641/2017 - Nuno Melo (PPE)
A multispeed Europe
8384/17 PE-QE 99
- b) E-001771/2017 - Hilde Vautmans (ALDE)
The detention of migrants in Hungary
8428/17 PE-QE 100
- c) P-001883/2017 - Jussi Halla-aho (ECR)
Review of partnership between EU Member States and Turkey
8429/17 PE-QE 101
15. Case before the Court of Justice
Opinion 3/15 (request for an opinion by the European Commission on the nature of the competence of the Union to conclude the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled adopted by the World Intellectual Property Organization (WIPO) on 27 June 2013)
= Information note for the Permanent Representatives Committee (Part 1)
9106/17 JUR 236 PI 57
16. Advisory Committee on Safety and Health at Work
Appointment of Ms Marta J. GLOWACKA, member for Austria, in place of Ms Julia SCHITTER, who has resigned
= Adoption
8866/17 SOC 310 EMPL 233
17. Commission delegated Regulation (EU) .../... of 10.4.2017 amending the Annex to Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the list of substances that may be added to processed cereal-based food and baby food and to food for special medical purposes
= Intention not to raise objections to a delegated act
8358/17 DENLEG 33 AGRI 205 SAN 154 DELACT 74
8199/17 DENLEG 31 AGRI 197 SAN 150 DELACT 71
+ ADD 1
18. Commission Regulation (EU) .../.. establishing a guideline on electricity transmission system operation
= Decision not to oppose adoption
7750/17 ENER 122
6668/17 ENER 88
+ ADD 1

19. Draft Council Decision on the adoption of the 2016-2019 High Flux Reactor supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community
= Adoption
8888/17 RECH 126 ATO 19
8468/17 RECH 109 ATO 15
20. Draft Council Decision amending Decision 2008/376/EC on the adoption of the Research Programme of the Research Fund for Coal and Steel and on the multiannual technical guidelines for this programme
= Adoption
8821/17 RECH 120 FIN 281 COMPET 289 ENER 153
8421/17 RECH 106 FIN 269 COMPET 263 ENER 143
21. Draft Council conclusions on the European Court of Auditors' Special Report No 1/2017 entitled "More efforts needed to implement the Natura 2000 network to its full potential"
= Adoption
8964/17 ENV 422 FIN 290 FSTR 40 REGIO 56 AGRI 255
22. Draft Council Decision authorising the Commission to submit, on behalf of the Union, a proposal for an amendment of the Appendices to the Convention on the conservation of migratory species of wild animals with a view to the twelfth meeting of the Conference of the Parties
= Adoption
8975/17 ENV 424
+ ADD 1 REV 1
8856/17 ENV 406

Statement by Germany, Slovakia and Sweden

"This Decision authorizes the Commission to submit the proposal to the Secretariat of the Convention on the conservation of migratory species of wild animals (CMS) on behalf of the Union. As a Decision of the Council, it does not deal with the competences of Member States involved in the listing proposal. This does not change the fact that the matter at hand is a matter of shared environmental competence under Article 4 (2) e) of the Treaty on the Functioning of the EU (TFEU). We thus accept the Decision with the understanding that the proposals will be dealt with in the same manner as the proposals of the EU and its 28 Member States for the last 11th Conference of the Parties of CMS. In particular, the listing proposal at the 11th COP for listing *coracias garrulus*, a bird listed in Annex I of the Birds Directive (2009/147/EC), on the Appendix I of CMS was proposed by the European Union and its 28 Member States."

COREPER (PART 2)

32. Judgement in Case T-264/15 Gameart v. Commission (Council intervening)
8857/17 JUR 228 API 67 INF 89
33. Transparency - Public access to documents
Fifteenth annual report of the Council on the implementation of Regulation (EC)
No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding
public access to European Parliament, Council and Commission documents
7903/17 INF 60 API 47
34. Draft Council Decision appointing a member, proposed by the Kingdom of Sweden, of the
Committee of the Regions
= Adoption
8877/17 CDR 76
8876/17 CDR 75
35. Draft Council Decision appointing an alternate member, proposed by the Federal Republic of
Germany, of the Committee of the Regions
= Adoption
8881/17 CDR 80
8880/17 CDR 79
36. Draft Council Decision appointing three members and six alternate members, proposed by the
Czech Republic, of the Committee of the Regions
= Adoption
8885/17 CDR 84
8884/17 CDR 83
37. Draft Regulation of the European Parliament and of the Council on the European Union trade
mark (codification) **(First reading)**
= Adoption of the legislative act
8981/17 CODEC 760 CODIF 16 MI 390 PI 52
PE-CONS 12/17 CODIF 5 MI 169 PI 24 CODEC 286
38. Special Report No 07/2017 "The certification bodies' new role on CAP expenditure: a positive
step towards a single audit model but with significant weaknesses to be addressed "
= Designation of Working Party
8906/17 FIN 288 AGRI 247 AGRIFIN 48 AGRISTR 44
39. Draft Council Decision of ...amending Decision 1999/70/EC concerning the external auditors
of the national central banks, as regards the external auditors of the Nationale Bank van
België/ Banque Nationale de Belgique
= Adoption
8561/17 UEM 105
8173/17 UEM 85

40. Export credits: report on recent developments and external challenges
8865/17 CCG 12 DEVGGEN 81 ECOFIN 331 EF 90 RELEX 374
41. Draft Council conclusions on setting the EU's priorities for the fight against serious and organised crime between 2018 and 2021
= Adoption
8655/17 COSI 86 ENFOPOL 204 CRIMORG 91 ENFOCUSTOM 110
CYBER 65 JAI 378
8654/17 COSI 85 ENFOPOL 203 CRIMORG 90 ENFOCUSTOM 109
CYBER 64 JAI 377
42. Draft Council conclusions on European Court of Auditors Special Report No 33/2016 - "Union Civil Protection Mechanism: the coordination of responses to disasters outside the EU has been broadly effective"
= Adoption
9056/17 PROCIV 42 JAI 406 COHAFA 38 FIN 297
43. Relations with the Republic of Armenia
Establishment of the position of the European Union for the 17th meeting of the EU-Republic of Armenia Cooperation Council (Brussels, 23 May 2017)
= Approval
8802/17 COEST 94
44. Annual Report 2017 to the European Council on EU Development Aid Targets
= Draft Council conclusions
8969/17 DEVGGEN 83 ACP 37 RELEX 381 FIN 291 OCDE 1
45. European Court of Auditors' Special Report No 35/2016 on "The use of budget support to improve domestic revenue mobilisation in sub-Saharan Africa"
= Draft Council conclusions
8992/17 DEVGGEN 84 ACP 38 RELEX 383 COAFR 128
46. Operationalising the Humanitarian-Development Nexus
= Draft Council conclusions
8997/17 DEVGGEN 85 ACP 39 RELEX 384 COHAFA 37
47. Sustainable Garment Value Chains
= Draft Council conclusions
9002/17 DEVGGEN 86 ACP 40 RELEX 385 SOC 319 WTO 109
COMER 68 FDI 8
48. (poss.) EU engagement with civil society in external relations
= Draft Council conclusions
9049/17 DEVGGEN 89 ACP 41 RELEX 388

The above-mentioned item was withdrawn.

49. Draft Council Decision on EU accession to the International Cotton Advisory Committee (ICAC)

= Adoption

8966/17 PROBA 11 RELEX 380 AGRI 256 WTO 108

DEVGEN 82 ACP 36

15540/16 PROBA 24 RELEX 1069 AGRI 680 WTO 364 DEVGEN 283

ACP 184

+ COR 1

+ ADD 1

+ ADD 1 COR 1
