

Brussels, 13 June 2018
(OR. en)

10094/18
CRS CRP 19

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
23, 24, 25 and 28 May 2018

I. Adoption of the agenda

9067/2/18 REV2 OJ CRP2 19 + CM 2980/18
9077/18 OJ CRP1 19

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 2)

WEDNESDAY 23 MAY 2018

Justice and Home Affairs

2. Regulation on Data Protection by EU Institutions and bodies 8394/1/18 REV 1
Preparation for the trilogue

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

3. Eurojust Regulation 8898/18
Preparation for the trilogue

The Committee agreed on a revised mandate for the forthcoming trilogue and mandated the JHA Counsellors to finalise the technical aspects of the mandate.

4. Freezing and Confiscation Regulation 8876/18
Preparation for the trilogue 8877/18

The Committee discussed this issue and agreed to revert to it at its next session.

5. Meeting of the Council (Justice and Home Affairs) on 04-05 June 2018: Preparation

- a) Contract Law-Sales of Goods Directive 8888/18
Policy debate

The Committee prepared this item for the Council.

- b) Directive on Insolvency, restructuring and second chance 8830/18 + ADD 1
Partial general approach

The Committee prepared this item for the Council and agreed to submit the partial general approach to the Council for approval.

- c) Brussels IIa Regulation: recast 8886/18
Policy debate

The Committee prepared this item for the Council.

- d) EPPO Regulation: Implementation 8939/18
State of play

The Committee prepared this item for the Council.

- e) Strategy and action plan on e-Justice 2019-2023 8990/18
Information from the Presidency

The Committee prepared this item for the Council.

Economic and Financial Affairs

8. Meeting of the Council (Economic and Financial Affairs) on 25 May 2018: Preparation

- a) Measures to strengthen administrative cooperation in the area of VAT 8769/18
General approach

The Committee prepared this item for the Council.

- b) (poss.) VAT General Reverse Charge Mechanism 8770/1/18 REV 1
General approach

The Committee prepared this item for the Council.

- c) (poss.) VAT E-publications 8771/18
General approach

The Committee prepared this item for the Council.

- d) Council conclusions on the 2018 In-Depth Reviews and implementation of the 2017 Country Specific Recommendations 8803/18
9065/18
Adoption

The Committee agreed to submit the draft conclusions to the Council for adoption.

- e) Council conclusions on the Ageing Report 2018 8804/18
Adoption

The Committee agreed to submit the draft conclusions to the Council for adoption.

- f) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

Foreign Affairs

6. Meeting of the Council (Foreign Affairs/Trade and Development) on 22 May 2018: Follow-up

The above-mentioned item was withdrawn.

7. Meeting of the Council (Foreign Affairs) on 28 May 2018:
Preparation

a) Iran

The Committee prepared this item for the Council.

b) DRC

The Committee prepared this item for the Council.

d) Venezuela

The Committee agreed to include the adoption of conclusions to the agenda of the Council and decided to revert to this issue at the continuation of its meeting.

e) Other items in connection with the Council meeting

The EEAS provided further information regarding the Council meeting.

11. EU-Japan Summit (Brussels, tbc) 8890/18
Orientation debate

The Committee held an exchange of views on the preparation of the EU-Japan Summit.

12. EU-China Summit (Beijing, tbc) 8893/18
Orientation debate

The Committee held an exchange of views on the preparation of the EU-China Summit.

General Affairs

52. MFF Group - Interpretation regime

The Committee agreed on the following:

- The experts will meet in the format of an ad hoc working group.
- This ad hoc working group on MFF will work under the authority of Coreper.
- Whenever possible, the Presidency will allow a request and pay regime.
- Whenever necessary, the Presidency will convene the ad hoc working group without interpretation.
- The efficiency of the proceedings will be the basis of the Presidency assessment.
- The already scheduled meetings of the ad hoc working group on MFF will not be affected.
- The mandate for the ad hoc working group will remain the same as it was for the FoP MFF.

9. IIA on Better Law-Making - International agreements
State of play and guidance for further work

The Committee held an exchange of views and agreed to revert to this issue at one of its forthcoming sessions.

THURSDAY 24 MAY 2018

Justice and Home Affairs

5. Meeting of the Council (Justice and Home Affairs) on 04-05 June 2018: Preparation (*continuation*)

- f) Counter-Terrorism: Enhancing cooperation between competent authorities¹
Exchange of views

The Committee prepared this item for the Council.

- g) Multidisciplinary approach in the area of Internal Security: 8933/18
The EU Policy Cycle for organised and serious international crime 2014-2017
Policy debate

The Committee prepared this item for the Council.

- h) Cooperation between CSDP missions/operations and EU JHA agencies
Report on implementation

The Committee prepared this item for the Council.

- i) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

10. Dublin Regulation (recast) 9047/18
State of play and guidance for further work

The Committee held an exchange of views and decided to revert to this issue at its meeting on 29 May 2018 in the context of the preparation of the Council (Justice and Home Affairs) on 4-5 June 2018.

2. Regulation on Data Protection by EU Institutions and bodies
Analysis of the final compromise text with a view to agreement

The Committee took note of the provisional agreement found at the last trilogue and agreed to revert to this issue at one of its forthcoming sessions for the confirmation of the final agreement.

¹ Exceptionally, in the presence of the Schengen Associated States

Economic and Financial Affairs

14. (poss.) Facility for Refugees in Turkey - Financing of the second tranche
Political Endorsement

The above-mentioned item was withdrawn.

13. Draft general budget of the EU for the financial year 2019
Presentation by the Commission

The Commission presented the draft general budget of the EU for the financial year 2019.

Foreign Affairs

7. Meeting of the Council (Foreign Affairs) on 28 May 2018:
Preparation (*continuation*)

transferred from Wednesday's meeting

- c) Post-Cotonou 8938/18
+ ADD 1 REV 1
8094/18
8095/18

The Committee held an exchange of views and agreed to revert to this issue at the continuation of its session.

- d) Venezuela 9161/18
Conclusions
Adoption

The Committee prepared this item for the Council and agreed to submit the draft conclusions to the Council for adoption.

MONDAY 28 MAY 2018

Foreign Affairs

7. Meeting of the Council (Foreign Affairs) on 28 May 2018:
Preparation (*continuation*)

- c) Post-Cotonou 8938/1/18 REV 1
+ ADD 1 REV 2
8094/18
8095/18

The Committee finalised its preparation of this item for the Council and recommended that the aim of this item be changed to "exchange of views" by the Council when adopting its agenda.

COREPER (PART 1)

WEDNESDAY 23 MAY 2018

Internal Market and Industry

34. Regulation on the Single Digital Gateway 8444/18
Preparation for the trilogue

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

35. Directive on the notification procedure 8923/18
Preparation for the trilogue

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

FRIDAY 25 MAY 2018

Internal Market and Industry

36. Directive on empowering national competition authorities: 8879/18 + ADD 1
ECN Plus
Preparation for the trilogue

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

Transport, Telecommunications and Energy

37. Meeting of the Council (Transport, Telecommunications and Energy) on 7, 8 and 11 June 2018: Preparation

1. Cybersecurity Act Regulation 8834/18
General approach

The Committee prepared the item for Council.

Internal Market and Industry

38. Directive on copyright in the Digital Single Market 8672/18
Mandate for negotiations with the European Parliament

The Committee agreed on an amended mandate.

Energy

39. Directive on energy efficiency
Presidency briefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 16 May 2018.

40. Directive on renewable energy (recast)
Presidency briefing 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 2018.

41. Regulation on governance of the Energy Union
Presidency briefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 23 May 2018.

Agriculture

42. Regulation on veterinary medicinal products 8883/18 + ADD 1
Preparation for the trilogue

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

Transport, Telecommunications and Energy

37. (*continuation*) Meeting of the Council (Transport, Telecommunications and Energy) on 7, 8 and 11 June 2018: Preparation

2. Mobility package II 7864/18
Directive on combined transport
Progress report

The Committee prepared the item for Council.

3. Regulation on rail passengers' rights and obligations 8721/18
Progress report

The Committee prepared the item for Council.

4. Mobility package I
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| a) Directive amending Directive 2006/1/EC on the use of hired vehicles | 8387/18 |
| b) Directive on electronic road tolling and exchange of information | 8856/18 |
- General approach*

The Committee prepared the item for Council.

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| c) Regulation on access to the profession | 8919/18 |
| d) Regulation on access to the haulage market | + ADD 1-ADD 4 |
| e) Regulations on rest time periods and on tachographs | |
| f) Directive on enforcing social rules and on lex specialis for posting of drivers | |

Progress report / (poss.) General approach

The Committee prepared the item for Council.

IV. Any other business

COREPER (PART 2)

Country specific recommendations (CSRs)

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

Informal Leaders' dinner in Sofia on 16 May 2018

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

MH-17

The Committee took note of the information provided by the Dutch delegation. This item was held in a restricted session.

EU-Western Balkans Summit in Sofia on 17 May 2018

The Romanian delegation expressed its alignment to the Spanish statement to the summary record of the Committee's meeting on 15 May 2018.

COREPER (PART 1)

Multiannual Financial Framework (MFF)

Presentation by the Commission

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

Action plan on military mobility

Presentation by the Commission

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

"I" items approved**COREPER (PART 2)****Judicial Affairs**

15. Case T-179/18 (Scordis, Papapetrou & Co LLC and Others v. Council of the European Union and Others) 8855/18
JUR
Information note for the Permanent Representatives Committee (Part 2)
16. Case T-197/18 (JV Voscf and Others v. Council of the European Union and Others) 8846/18
JUR
Information note for the Permanent Representatives Committee (Part 2)
17. Case T-198/18 (Chrysses Demetriades & Co. and Provident Fund of the Employees of Chrysses Demetriades & Co v. Council of the European Union and Others) 8851/18
JUR
Information note for the Permanent Representatives Committee (Part 2)

Institutional Affairs**Appointments**

18. A member (SE) of the Committee of the Regions 8724/18
Adoption 8723/18
CDR

Transparency

19. Public access to documents 7277/1/18 REV 1
Confirmatory application No 06/c/01/18 INF
Adoption API
20. Sixteenth annual report on public access to documents 8689/18
Adoption INF

Economic and Financial Affairs

21. Conclusions on good governance in tax matters for agreements with third countries 8344/1/18 REV 1
Adoption FISC
22. ECA SR No 9/2018 on Public Private Partnerships in the EU 8867/18
Designation of a Working Party FIN

General Affairs

23. Case T-95/18 (Gollnisch/European Parliament) 8997/18
Information note for the Permanent Representatives Committee JUR
(Part 2)

Justice and Home Affairs

24. Conclusions on strengthening the cooperation and the use of the 8974/18
Schengen Information System (SIS) to deal with persons JAI
involved in terrorism or terrorism-related activities, including
foreign terrorist fighters
Adoption

Foreign Affairs

25. Syria restrictive measures - review - Decision and Implementing 8657/18
Regulation 8200/18
Adoption 8201/18
CORLX
26. Iran non-proliferation restrictive measures - review - Decision 8805/18 + COR 1
and Implementing Regulation + COR 2
Adoption 7619/18
7621/18
CORLX
27. Conclusions on Enhanced EU Security Cooperation in and with 8941/18 + COR 1
Asia + COR 2
Adoption COASI
28. Conclusions on Election Observation Missions - Efforts made to 8889/18
follow up recommendations but better monitoring needed COHOM
(CoA SR No 22/2017)
Adoption
29. ACP-EU Council of Ministers - Draft Annotated Agenda 8842/18
Adoption ACP
30. Proposed opening of an European Union Delegation to Panama 8986/18
Approval COLAC

- | | | |
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| 31. | Conclusions on an EU position on combatting the illicit trade in small arms and light weapons (SALW)
<i>Adoption</i> | 8950/18
CONOP |
| 32. | EU Annual Report on Human Rights and Democracy 2017
<i>Adoption</i> | 8988/18
8987/18
COHOM |
| 33. | Conclusions on strengthening civilian CSDP
<i>Adoption</i> | 9032/18
CIVCOM |
| 53. | DRC restrictive measures: letters of reply to designated persons
<i>Adoption</i> | 8942/18
CORLX |

COREPER (PART 1)

Institutional Affairs

Written questions

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| 43. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> | 8910/18
PE-QE |
| a) | Inmaculada Rodríguez-Piñero Fernández (S&D)
'Publication of documents on the EU's international negotiations' | 8246/18 |
| b) | Sven Schulze (PPE)
'Eurogroup: publication of decisions and minutes of meetings' | 8441/18 |
| c) | Claude Rolin (PPE)
'Opinion 2/15 of 16 May 2017 of the Court of Justice of the European Union (CJEU) and its legal implications on both the agreements with Singapore and Japan and the Council's voting methods' | 8442/18 |

Research

- | | | |
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| 44. | Council Decision on the extension of the S&T cooperation agreement with the United States of America
<i>Request for the consent of the European Parliament</i> | 8757/18
8166/18
RECH |
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EU positions for international negotiations

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| 45. | Council Decision on the EU position for the EU-Switzerland Joint Veterinary Committee
<i>Adoption</i> | 8820/18
14048/1/17 REV 1
AGRI |
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Transport

46. EU submission for the Intersessional Working Group of the IMO on consistent implementation of Regulation 14.1.3 of MARPOL Annex VI - Port State Control Guidelines
Endorsement 8759/18
MAR

Statement by the Commission

"The Commission considers that the above mentioned "Union submissions" to be submitted to the IMO is covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation and should be made by the Commission on behalf of the EU to IMO and should therefore be sent to the IMO by the Commission.

In the view of the Commission, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing as there is no evidence to suggest that the IMO, as a specialized agency of the United Nations, would be in a position to reject such a submission.

The Commission thus maintains its position that the Treaty provisions on external representation of the Union should be applied and, consequently, that the only legally correct way forward is to present the submission in question to the IMO by the European Commission on behalf of the European Union. The Commission reserves all its rights in this regard."

47. EU submission for the Intersessional Working Group of the IMO on consistent implementation of Regulation 14.1.3 of MARPOL Annex VI - Testing and Verification Procedures
Endorsement 8760/18
MAR

Statement by the Commission

"The Commission considers that the above mentioned "Union submissions" to be submitted to the IMO is covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation and should be made by the Commission on behalf of the EU to IMO and should therefore be sent to the IMO by the Commission.

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The Commission thus maintains its position that the Treaty provisions on external representation of the Union should be applied and, consequently, that the only legally correct way forward is to present the submission in question to the IMO by the European Commission on behalf of the European Union. The Commission reserves all its rights in this regard."

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| 48. | EU submission for the Intersessional Working Group of the IMO on consistent implementation of Regulation 14.1.3 of MARPOL Annex VI - Fuel Oil Non-Availability Reports
<i>Endorsement</i> | 8761/18
MAR |
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Statement by the Commission

"The Commission considers that the above mentioned "Union submissions" to be submitted to the IMO is covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation and should be made by the Commission on behalf of the EU to IMO and should therefore be sent to the IMO by the Commission.

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Other items

General Affairs

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| 49. | (poss.) Impact assessment - 2018 Annual report
<i>Endorsement</i> | 8899/18
8900/18
IA
MERTENS |
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Delegated or Implementing Acts

Agriculture

- | | | |
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| 50. | Commission Regulation (EU) .../... of XXX amending Annex I to Regulation (EC) No 396/2005 of the European Parliament and of the Council
<i>Decision not to oppose adoption</i> | 8860/18
8256/18
AGRILEG |
| 51. | Commission Regulation (EU) .../... of XXX amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for lambda cyhalothrin in or on certain products
<i>Decision not to oppose adoption</i> | 8875/18
8352/18 + ADD 1
AGRILEG |