

Brussels, 21 June 2019
(OR. en)

10417/1/19
REV 1
CRS CRP 20

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
29 May 2019

I. Adoption of the agenda

9648/19 OJ CRP1 20
9612/1/19 REV 1 OJ CRP2 20

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)

Transport, Telecommunications and Energy

2. Meeting of the Council (Transport, Telecommunications and Energy) on 6 and 7 June 2019:
Preparation

Conclusions on the future of a highly digitised Europe	9592/19
beyond 2020: "Boosting the digital and economic	9596/19
competitiveness across the Union and the digital cohesion"	
<i>Policy debate</i>	
<i>Adoption</i>	

The Committee prepared this item for the Council.

Employment, Social Policy and Health

3. Meeting of the Council (Employment, Social Policy, Health and Consumer Affairs) on 13 and 14 June 2019: Preparation

1. Directive on equal treatment (Article 19) 9567/1/19 REV 1
Progress report

The Committee prepared this item for the Council.

2. Conclusions on "Closing the gender pay gap: Key policies and measures" 9357/19 + ADD 1
Adoption

The Committee prepared this item for the Council.

3. Conclusions on "The changing world of work: Reflections on new forms of work and implications for the safety and health of workers" 9574/19
Adoption

The Committee prepared this item for the Council.

4. Conclusions on "FEAD - Fund for European Aid to the Most Deprived: Valuable support but its contribution to reducing poverty is not yet established" 9531/19
(CoA SR No 5/2019)
Adoption

The Committee prepared this item for the Council.

5. Facilitating investments to transform and improve health systems 9555/19
Exchange of views

The Committee prepared this item for the Council.

Agriculture and Fisheries

4. Meeting of the Council (Agriculture and Fisheries) on 18 June 2019: Agenda (For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main points on the agenda.

Fisheries

5. Regulation on the European Maritime and Fisheries Fund (EMFF) 9476/19 + COR 1
Guidance for further work

The Committee provided guidance for future work.

Environment

6. Council Decision on the position to be taken on behalf of the European Union at the 18th meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES CoP 18) 9611/19 + ADD 1-2
Preparation for the adoption

The Committee found agreement on the draft Decision.

Statement by the Permanent Representatives Committee

"For the purpose of CITES CoP 18, if a Member State considers that a position taken by the EU diverges with the interests of its dependent countries and territories, which are not bound by EU law, it will inform the Council or its preparatory bodies so that efforts can be made to reach a solution which accords with the common position, in conformity with the principle of sincere cooperation. Should it not be possible to reach a solution, and having informed the Council or its preparatory bodies of its intention to do so, the Member State concerned may express the interest of its dependent countries and territories, without affecting the Union's interest, and may enter a reservation pursuant to Article XV(3) of CITES and announce its decision to do so in the meeting after the vote."

Statements by the Commission

"The Commission thinks that the Council Decision should be based on two substantive legal bases, i.e. Articles 192 TFEU on environment and 207 TFEU on trade because decisions which will be made at the CoP aim specifically at regulating international trade in the species concerned and have a direct and immediate effect on such trade. The Commission has always had this position and regrets that the Council has departed from the Commission proposal on the legal basis, in light of the significant trade implications of CITES and the issues under discussion at the CoP. The Commission reserves its rights in this regard."

"The Commission does not support the voting arrangements between the EU and Member States as presented in the document circulated for this meeting. The Commission view is that the proposed voting arrangements are not in line with the Treaties. They foresee Member States' voting in several areas which fall under EU competence and therefore the EU should be voting on such agenda items at the CITES CoP. During the extensive discussions in relation to voting arrangements, the Commission has constantly sought to adhere to a clear methodology on EU competence, based on the occupied field approach and the impact that the proposed decisions in question could have on Union legislation and policy. This cannot be limited to cases concerning amendments to Union legislation. The Commission reserves its rights in this regard."

COREPER (PART 2)

Foreign Affairs

22. Meeting of the Council (Foreign Affairs) on 17 June 2019:
Agenda

The EEAS presented the main items on the agenda. A number of delegations requested that CFSP effectiveness is discussed as a separate item on the agenda.

21. Meeting of the Council (Foreign Affairs/Trade) on 27 May 2019: Follow-up

The Committee took note of the main outcomes of the Council meeting.

General Affairs

16. Meeting of the Council (General Affairs) on 18 June 2019:
Agenda

The Presidency presented the main items on the agenda.

17. Cohesion Policy - Common Provisions Regulation (Block 7) 9590/19
Partial mandate for negotiations with the European Parliament

The Committee agreed on a partial mandate for negotiations with the European Parliament.

18. Cohesion Policy - Interreg Regulation 9594/19
Partial mandate for negotiations with the European Parliament

The Committee agreed on a partial mandate for negotiations with the European Parliament, as set out in 9781/19.

Economic and Financial Affairs

19. Meeting of the Council (Economic and Financial Affairs) on
14 June 2019: Preparation

Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

Justice and Home Affairs

20. Meeting of the Council (Justice and Home Affairs) on 6-7 June 2019: Preparation

- a) Regulation on the assignments of claims 9562/19
Progress report

The Committee prepared this item for the Council.

- b) Digitalisation of judicial cooperation 9566/19
i) Regulation amending Regulation (EC)
No 1393/2007 on the Service of Documents
ii) Regulation amending Council Regulation (EC)
No 1206/2001 on the Taking of Evidence
Policy debate

The Committee prepared this item for the Council.

- c) EPPO Regulation: Implementation
Information from the Commission on the state of play

The Committee prepared this item for the Council.

- d) (poss.) Regulation establishing the Asylum and Migration Fund (AMF) 9618/19
Partial general approach

The Committee prepared this item for the Council. The Committee also approved the draft text and agreed to forward it to the Council for a partial general approach.

- e) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting. The Committee agreed to withdraw the item on the full application of the Schengen acquis in Bulgaria and Romania from the agenda.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Enlargement

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

"I" items approved**COREPER (PART 1)****Institutional Affairs****Appointments**

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| 7. | Two alternate members (FR) of the Advisory Committee on Safety and Health at Work
<i>Adoption</i> | 9329/19
9445/19
SOC |
| 8. | Four members (EL, FR, LU (2)) and four alternate members (EL, FR, LU (2)) of the Management Board of the European Agency for Safety and Health at Work
<i>Adoption</i> | 9092/2/19 REV 2
9091/19
9455/19
9454/19
9470/19
SOC |
| 9. | One member (MT) and one alternate member (MT) of the Management Board of the European Agency for Safety and Health at Work
<i>Adoption</i> | 9649/19
9650/19
SOC |

Judicial Affairs

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| 10. | Case T-141/19 (Peter Sabo e.a. v Council and European Parliament)
<i>Information note for the Permanent Representatives Committee (Part 1)</i> | 9453/19
JUR |
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Transport

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| 11. | Joint declaration on regional transport cooperation within the Eastern Partnership
<i>Approval</i> | 9552/19
TRANS |
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Agriculture

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| 12. | Conclusions on biosecurity
<i>Adoption</i> | 9571/19
AGRI
VETER |
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Delegated or Implementing Acts

Environment

13. Commission Delegated Regulation (EU) .../... of 6.3.2019 supplementing Directive 2003/87/EC of the European Parliament and of the Council as regards measures adopted by the International Civil Aviation Organisation for the monitoring, reporting and verification of aviation emissions for the purpose of implementing a global market-based measure
Delegated act - Decision to raise objections
- 9527/19
7252/19 + COR 1
CLIMA

Internal Market and Industry

14. Commission Delegated Regulation (EU) .../... of 14.3.2019 supplementing Regulation (EU) No 305/2011 of the European Parliament and of the Council by establishing classes of performance in relation to resistance to wind load for external blinds and awnings
Delegated act - Intention not to raise objections
- 9662/19
7640/19 + ADD 1
MI
15. Commission Delegated Decision (EU) .../... of 14.3.2019 supplementing Regulation (EU) No 305/2011 of the European Parliament and of the Council with regard to the applicable systems to assess and verify constancy of performance of balustrade kits and railing kits intended to be used in construction works solely to prevent falls and not submitted to vertical loads from the structure
Delegated act - Decision to request an extension of the time-limit
- 9659/19
7644/19 + ADD 1
MI

COREPER (PART 2)

Judicial Affairs

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| 23. | Case C-260/19 P (BENA PROPERTIES Co. S.A. v. Council)
<i>Information note for the Permanent Representatives Committee</i>
<i>(Part 2)</i> | 9581/19
JUR 278 |
| 24. | Case C-261/19 P (CHAM HOLDING v. Council)
<i>Information note for the Permanent Representatives Committee</i>
<i>(Part 2)</i> | 9588/19
JUR 279 |

Institutional Affairs

25. **Minutes of Council meetings**
Approval

GAC 19.03.2019

7612/19 + ADD 1

Appointments

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|-----|---|---------------------------|
| 26. | A member (BG) of the European Economic and Social Committee
<i>Adoption</i> | 9535/19
9534/19
CES |
| 27. | A member (AT) of the European Economic and Social Committee
<i>Adoption</i> | 9538/19
9537/19
CES |
| 28. | A member (PT) of the European Economic and Social Committee
<i>Adoption</i> | 9540/19
9539/19
CES |
| 29. | A member and an alternate member (AT) of the Committee of the Regions
<i>Adoption</i> | 9600/19
9599/19
CDR |
| 30. | Two alternate members (LU) of the Committee of the Regions
<i>Adoption</i> | 9605/19
9603/19
CDR |
| 31. | A member (SE) of the Committee of the Regions
<i>Adoption</i> | 9623/19
9622/19
CDR |
| 32. | Two members and two alternate members (CZ) of the Committee of the Regions
<i>Adoption</i> | 9626/19
9625/19
CDR |

Transparency

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| 33. | Public access to documents | 8436/19 |
| | Confirmatory application No 13/c/01/19 | INF |
| | <i>Adoption</i> | API |

Economic and Financial Affairs

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| 34. | ECA SR No 6/2019 on tackling fraud in EU cohesion spending | 9467/19 |
| | <i>Designation of a Working Party</i> | FIN |

General Affairs

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| 35. | Non-binding criteria for the application of Articles 290 and 291 TFEU | 9343/19 + COR 1 |
| | <i>Adoption</i> | JUR |
| | <i>Approval of a letter</i> | INST |
| 36. | Coordinated EU and Member States position with view to the Open-Ended Working Group (OEWG) | 9420/19 |
| | <i>Approval</i> | CYBER |

Justice and Home Affairs

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| 37. | Council Decision extending the term of office of a Deputy Executive Director of Europol | 9358/19 |
| | <i>Adoption</i> | 9360/19 |
| | | ENFOPOL |
| 38. | Conclusions on Preventive Policing | 9532/19 |
| | <i>Adoption</i> | 9533/19 |
| | | ENFOPOL |
| 39. | Conclusions on preventing and combating radicalisation in prisons | 9366/19 |
| | <i>Adoption</i> | CT |
| 40. | Conclusions on Novel Actionable Information | 9482/19 |
| | <i>Adoption</i> | 9481/19 |
| | | COSI |

41.	Agreements between the EU and Switzerland and Liechtenstein on the application of the 'Prüm Decisions'	9505/19 DAPIX
a)	Council Decision on the signing and provisional application (Switzerland) <i>Adoption</i>	8740/19 8744/19 DAPIX
b)	Council Decision on the conclusion (Switzerland) <i>Request for the consent of the European Parliament</i>	8730/19 DAPIX
c)	Council Decision on the signing and provisional application (Liechtenstein) <i>Adoption</i>	8747/19 8750/19
d)	Council Decision on the conclusion (Liechtenstein) <i>Request for the consent of the European Parliament</i>	8732/19 DAPIX
42.	Participation of the EU to GRECO (Group of States against Corruption) <i>Approval</i>	9336/19 DROIPEN

Statement by Hungary

"Hungary expresses its concerns about the procedure, the legal effect of the EU observer status in GRECO and the legal bases referred in the Presidency's document.

Hungary considers that the Council should play a decisive role in this process, and the participation of the EU in GRECO should not be based on Article 220 TFEU. However, any future proposal for such a Council Decision should have the appropriate legal basis both from procedural and substantive point of views. Hungary is convinced that Article 218(9) TFEU may not be applied as a legal basis as it does not reflect the institutional nature of such a status for the EU in GRECO, nor the EU competences existing under the Treaties.

Any future Council Decision should guarantee that the observer status of the EU would remain within the limits of the EU competences arising from the treaties and its external competence and not affect the rights and obligations of the Member States, including their direct representation and individual capacity to participate in any votes in GRECO.

Acting as an observer cannot make the impression as if EU were a fully fledged member of GRECO.

The future Council Decision on the observer status of the EU in GRECO cannot create any legal obligation or competence for obtaining full membership of the EU in GRECO."

43.	Civil Protection Presidency report	9407/19 PROCIV
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Foreign Affairs

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| 44. | Council Decision in support of a process of confidence-building leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East
<i>Adoption</i> | 9324/19
9136/19
CORLX |
| 46. | Conclusions on Countering Hybrid Threats
<i>Adoption</i> | 9675/19
HYBRID |

Energy

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| 47. | Conclusions on non-power nuclear and radiological technologies and applications
<i>Adoption</i> | 9437/19
ATO |
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