

Brussels, 20 September 2018
(OR. en)

12227/18
CRS CRP 28

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE (Part 2)

25 July 2018

I. Adoption of the agenda

11376/18 OJ CRP2 28

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)

Justice and Home Affairs

2. Migration¹
State of play

The Committee held an exchange of views on this issue.

General Affairs

3. MFF - post 2020
State of play

The Presidency provided information regarding the state of play on this file and intentions for upcoming work.

¹ Exceptionally in the presence of the Schengen Associated States.

4. EMA/EBA relocation
State of play

The Committee discussed the state of play on the two files.

5. Meeting of the Council (General Affairs) on
18 September 2018: Agenda

The Presidency presented the main points on the agenda.

6. Legislative Programming
Information from the Presidency

The Presidency provided information regarding its letter to the Commission summarising the exchange of views at the preceding session of the Committee.

Foreign Affairs

7. 9th EU-Republic of Korea Summit (Brussels, 19 October 2018) 11262/18
Orientation debate

The Committee held an exchange of views on the preparation of the above-mentioned summit.

Other items

8. 2018 EU-NATO Parallel and Coordinated Exercises (PACE)
State of play

The Commission and the EEAS informed the Committee on the state of play of preparations for the EU HEX-ML 18 (PACE) exercise to be held in November 2018.

IV. Any other business

COREPER (PART 2)

European Citizens' Initiative

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

Citizens' consultations

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

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

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| 9. | Case C-251/18 (Sport Trace/Netherlands)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11234/18
JUR |
| 10. | Case C-413/18 P (H. v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11212/18
JUR |
| 11. | Case C-416/18P (Restrictive measures - Ukraine misappropriation)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11268/18
JUR |
| 12. | Case T-285/18 (Viktor Pavlovysh Pshonka v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11101/18
JUR
CORLX |
| 13. | Case T-289/18 (Artem Viktorovych Pshonka v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11103/18
JUR
CORLX |

Institutional Affairs**Appointments**

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| 14. | Convening of a Conference of the Representatives of the Governments of the Member States - Appointment of an Advocate-general to the Court of Justice of the EU
<i>Approval</i> | 11179/18
COUR |
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Economic and Financial Affairs

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| 15. | ECA SR No 13/2018 on tackling radicalisation that leads to terrorism
<i>Designation of a Working Party</i> | 11178/18
FIN |
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General Affairs

16. UK entering into negotiations with the EFTA States (Iceland, Liechtenstein, Norway and Switzerland) 11332/18
Non-objection AELE
Decision to use the written procedure

The above-mentioned item was withdrawn.

17. MFF (2021-2027) 10993/18
Decision to consult an institution or body CADREFIN

Justice and Home Affairs

18. Regulation establishing the Asylum and Migration Fund (AMF) 11148/18
Decision to consult an institution or body CADREFIN
19. Regulation establishing the border management and visa instrument (BMVI) as part of the Integrated Border Management Fund 11149/18
Decision to consult an institution or body CADREFIN
20. Regulation establishing the Internal Security Fund 11150/18
Decision to consult an institution or body CADREFIN
21. Union Civil Protection Mechanism Decision 11283/18
Mandate for negotiations with the European Parliament PROCIV

Statement by Italy

"Regarding the compromise text of the Union Civil Protection Mechanism Decision as set out in the Annex ST 11283/18, Italy reiterates its concerns on:

- on the constraints placed on the budgetary authorities on the exclusive use of redeployments within headings 3 and 4 of the Multiannual Financial Framework 2014-2020 with reference to the financing of the Mechanism - recital 15(a).

Italy points out that the exclusive use of redistribution involves significant reduction of other programs of great interest, included in headings 3 and 4, for which an agreement has already been reached.

Italy supports financing the Union Civil Protection Mechanism with flexible instruments as for the Commission's proposal.

- the obligations and restricted measures, also connected to the possible limitation of rescEU operational costs, envisaged for Member States requesting repeatedly assistance through the Union Civil Protection Mechanism – Article 6(4) and Article 23(4aa). These prescriptions risk to undermine the principle of solidarity, the core and founding value of the Union Civil Protection Mechanism which has allowed the strengthening of Member States capacities in coping with disasters.

- the limited Union financial support for the establishment of rescEU capacities - Article 21(3). In this regard Italy considers that an increase of the financial assistance, in particular regarding the minimum percentage, could represent a major valuable incentive for Member States participation in building up rescEU capacities.
- the limited Union financial support for rescEU operational costs deployed inside the Union and the lack of coherence with the “European civil protection pool” – Article 23(4aa). In this regard Italy considers that an increase of the percentage of the Union financial support could ensure a better functioning of rescEU in coherence with the provisions foreseen for the “European civil protection pool” avoiding potential differences of treatment among requesting Member States."

Statement by Bulgaria

"Regarding the compromise text of the Union Civil Protection Mechanism Decision as set out in the Annex ST-11283/18, Bulgaria reiterates its concerns on:

- the limited Union financial support for the establishment of rescEU capacities (Art. 21.3). In this regard Bulgaria considers that an increase of the financial assistance, in particular the minimum threshold, could represent a valuable incentive for Member States' participation in setting up rescEU capacities.
- the limited Union financial support for rescEU operational costs deployed inside the Union (Art. 23, 4aa). Bulgaria considers that operational costs should be financed entirely by the Union or in coherence with the provisions foreseen for the European Civil Protection Pool in order to ensure a better functioning of rescEU and avoiding heavy administrative burden to Member States."

Foreign Affairs

22.	Council Decision on the signing of the EU-China Agreement in relation to WTO Dispute Settlement case 492 <i>Adoption</i>	10880/1/18 REV 1 10881/18 10883/18 WTO
23.	Council Decision on the conclusion of the EU-China Agreement in relation to WTO Dispute Settlement case 492 <i>Request for the consent of the European Parliament</i>	10880/1/18 REV 1 10882/18 10883/18 WTO
24.	Recommendations to be signed in the CETA Joint Committee <i>Endorsement</i>	11131/18 WTO
25.	DPRK restrictive measures - review - Decision and Implementing Regulation <i>Adoption</i>	11143/18 11140/18 11142/18 CORLX

EU positions for international negotiations

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| 26. | IMO-Union submission to be submitted to the 73rd session of the Marine Environment Protection Committee (MEPC 73) of the IMO in London from 22-26 October 2018 concerning marine Litter from sea-based sources: input to the IMO action plan on marine plastic litter from ships
<i>Endorsement</i> | 11098/18
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OMI |
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Statement by the Commission

"The Commission considers that the above mentioned "Union submissions" to be submitted to the IMO are 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."

Fisheries

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| 27. | Council Decision on the signing and provisional application of the Protocol implementing the FPA between the Republic of Côte d'Ivoire and the EC (2018 - 2024)
<i>Decision to use the written procedure for the adoption</i> | 10983/18
10854/18
10856/18
PECHE |
| 28. | Council Decision on the conclusion of the Protocol on the implementation of the FPA in the fisheries sector between the Republic of Côte d'Ivoire and the EC (2018 - 2024)
<i>Decision to use the written procedure for the consent of the European Parliament</i> | 10983/18
10858/18
PECHE |
| 29. | Regulation on the allocation of fishing opportunities under the Protocol on the implementation of the FPA in the fisheries sector between the Republic of Côte d'Ivoire and the EC (2018 - 2024)
<i>Decision to use the written procedure for the adoption</i> | 10983/18
10857/18
PECHE |

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| 30. | Council Regulation amending Regulation (EU) 2017/1970
fixing for 2018 the fishing opportunities for certain fish stocks
and groups of fish stocks applicable in the Baltic Sea
<i>Decision to use the written procedure for the adoption</i> | 11011/18
11081/18
PECHE |
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Internal Market and Industry

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| 31. | Industry Indicators Framework
<i>Approval</i> | 11244/18
COMPET
IND |
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