

Brussels, 20 September 2018
(OR. en)

12229/18
CRS CRP 29

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
5 and 7 September 2018

I. Adoption of the agenda

11768/18 OJ CRP2 29
11860/18 OJ CRP1 29

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)

General Affairs

**2. Meeting of the Council (General Affairs) on
18 September 2018: Preparation**

- a) Multiannual Financial Framework 2021-2027
Policy debate

The Committee took note of the information provided by the Presidency and agreed to return to this item at its next session.

- b) Presentation of the priorities of the Austrian Presidency

The Committee prepared this item for the Council.

- c) Rule of Law in Poland / Article 7(1) TEU Reasoned
Proposal
Hearing of Poland in accordance with Article 7(1) TEU

11458/18

The Committee prepared this item for the Council.

- d) Legislative programming
i) Letter of Intent
Presentation by the Commission
Exchange of views
ii) Legislative files
State of play

The Committee took note of the information provided by the Presidency and agreed to return to this item at its next session.

- e) Other items in connection with the Council meeting

No other items were raised.

Foreign Affairs

3. EU-US trade relations
State of play

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

Justice and Home Affairs

4. Migration
State of play

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

COREPER (PART 1)

Competitiveness

20. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 27 and 28 September 2018: Agenda

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

Employment and Social Policy

21. Agencies
- a) Regulation on Eurofound
 - b) Regulation on EU-OSHA
 - c) Regulation on CEDEFOP
- 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 5 September 2018.

Energy

22. Regulation on electricity (recast) 5834/2/18 REV 2
Preparation for the trilogue

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

23. Directive on electricity (recast) 7506/2/18 REV 2
Preparation for the trilogue

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

IV. Any other business

COREPER (PART 2)

Fisheries agreement with Côte d'Ivoire

The Commission requested that the following statement is added to the minutes regarding items 27 and 28 approved by Coreper on 25 July 2018.

Statement by the Commission

"By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)(a)(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the decisions on the signature and provisional application as well as conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement between the Republic of Côte d'Ivoire and the European Community (2018-2024), the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph), and therefore maintains its initial proposal."

Trilogues

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

COREPER (PART 1)

None.

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

5. Case T-335/18 (Gamal Mohamed Hosni Elsayed Mubarak and others v. Council) 11504/18
Information note for the Permanent Representatives Committee (Part 2) JUR

Institutional Affairs

6. **Minutes of Council meetings**
Approval

- a) ECOFIN 25.05.2018 9377/18 + ADD 1
+ ADD 1 COR 1
- b) FAC 28.05.2018 9612/18 + ADD 1
- c) JHA 04-05.06.2018 9847/18 + ADD 1

Economic and Financial Affairs

7. ECA SR No 12/2018 on broadband in the EU Member States 11499/18
Designation of a Working Party FIN
8. ECA SR No 14/2018 on the EU Chemical, Biological, 11501/18
Radiological and Nuclear Centres of Excellence
Designation of a Working Party FIN
9. ECA SR No 16/2018 on ex-post review of EU legislation 11503/18
Designation of a Working Party FIN
10. ECA SR No 18/2018 on the main objective of the preventive 11721/18
arm of the Stability and Growth Pact
Designation of a Working Party FIN
11. Council Decision on Own Resources 11736/18
Decision to consult an institution or body FIN

Justice and Home Affairs

- | | | |
|-----|---|----------------------------------|
| 12. | Regulation amending Regulation (EU) No 216/2013 on the electronic publication of the Official Journal of the European Union
<i>Agreement in principle</i>
<i>Request for the consent of the European Parliament</i> | 11684/18
14463/17
JURINFO |
| 13. | Schengen evaluation Recommendation - Norway visa policy
<i>Adoption</i> | 11460/18
11459/18
SCH-EVAL |

Foreign Affairs

- | | | |
|-----|--|---|
| 14. | PSC Decision EUNAVFOR MED/1/2018 - appointment of EU Force Commander
<i>Decision to publish in the Official Journal</i> | 11481/18
11334/18
PSC DEC |
| 15. | Council Decision on the strategic priorities with Tunisia 2018-2020
<i>Adoption</i> | 11740/18
11092/18
MAMA |
| 16. | EUCAP Sahel Niger Mission - extension - Decision
<i>Adoption</i> | 11315/18
11165/18
CORLX |
| 17. | EU action in support of UNVIM in Yemen - Decision
<i>Adoption</i> | 11634/18
11398/18
CORLX |
| 18. | Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine - Decision and Implementing Regulation
<i>Adoption</i> | 11711/18
11292/18
11294/18
CORLX |

Other items

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| 19. | Interim approval of a cryptographic product
<i>Approval</i> | 11374/18 R-UE
CSCI
CSC |
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COREPER (PART 1)

Institutional Affairs

Written questions

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| 24. | Reply to question for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> | 11517/18
PE-QE |
| a) | João Pimenta Lopes (GUE/NGL)
'Threats to the electoral and peace process in Colombia'
'Detention of Jesús Santrich and the Colombian peace accords' | 10952/18 |
| b) | Kostas Chrysogonos (GUE/NGL)
'Further escalation of Turkey's provocative behaviour' | 10958/18 |
| c) | Nicolas Bay (ENF)
'Scandalous arrest of a representative of the Serbian Government in Kosovo' | 10671/18 |
| d) | João Pimenta Lopes (GUE/NGL)
'Murder of community leaders, activists and political militants in Brazil' | 11728/18 |
| e) | Nicolas Bay (ENF), France Jamet (ENF), Gilles Lebreton (ENF), Jean-Luc Schaffhauser (ENF), Bernard Monot (ENF), Marie-Christine Arnautu (ENF), Sylvie Goddyn (ENF), Christelle Lechevalier (ENF) and Steeve Briois (ENF)
'Monitoring grants allocated to Kosovo' | 10669/18 |
| f) | Xabier Benito Ziluaga (GUE/NGL)
'Situation with the RIS3 2014-2020 round of investment and the new 2021-2028 round' | 10943/18 |
| g) | João Ferreira (GUE/NGL)
'Implications of the Court of Justice decision on Western Saharan waters for EU fisheries agreements' | 10985/18 |
| h) | Bronis Ropë (Verts/ALE)
'Implementation of EU commitments in the agricultural sector' | 10989/18 |

Appointments

25. Executive Director of the European Union Intellectual Property Office (EUIPO) 11397/18 + COR 1
11386/18
Adoption PI

Other

26. Appointment of three new European Coordinators for the trans-European transport network (TEN-T) 11146/18
TRAN
Approval of a letter

Delegated or Implementing Acts

Internal Market and Industry

27. Commission Regulation (EU) .../... of XX.XX. 11659/18 + COR 1
amending Annex V to Regulation (EC) No 1223/2009 of the 11020/18 + ADD 1
European Parliament and of the Council on cosmetic products MI
Decision not to oppose adoption

Agriculture

28. Commission Regulation (EU) .../... of XXX amending Annexes 11630/18
II, III and IV to Regulation (EC) No 396/2005 of the European 11436/18
Parliament and of the Council as regards maximum residue + ADD 1-2
levels for abamectin, acibenzolar-S-methyl, clopyralid, AGRILEG
emamectin, fenhexamid, fenpyrazamine, fluazifop-P,
isofetamid, Pasteuria nishizawae Pn1, talc E533B and
tebuconazole in or on certain products
Decision not to oppose adoption
29. Commission Regulation (EU) .../... of XXX amending Annexes 11633/18
III and V to Regulation (EC) No 396/2005 of the European 11453/18
Parliament and of the Council as regards maximum residue + ADD 1-2
levels for diphenylamine and oxadixyl in or on certain products AGRILEG
Decision not to oppose adoption
30. Commission Regulation (EU) .../... of XXX amending Annexes 11625/18
II and III to Regulation (EC) No 396/2005 of the European 11434/18
Parliament and of the Council as regards maximum residue + ADD 1-2
levels for penoxsulam, triflumizole and triflumuron in or on AGRILEG
certain products
Decision not to oppose adoption
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