



Brussels, 29 September 2016
(OR. en)

12731/16

CRS/CRP 30

SUMMARY RECORD

Subject: 2597th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 14 September 2016

I. Adoption of the agenda

12078/16 OJ CRP1 29 + COR 1 + ADD 1
12103/1/16 REV 1 OJ CRP2 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 1)

2. Proposal for a Regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the **collection, management and use of data in the fisheries sector** and support for scientific advice regarding the Common Fisheries Policy (recast) (**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 5 September 2016.

3. **Setting** of the provisional agenda for the Council meeting (**Agriculture and Fisheries**) on 10 and 11 October 2016 (for the items in the remit of the Permanent Representatives Committee)

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

4. **Preparation** for the Council meeting **Competitiveness** (Internal Market, Industry, Research and Space) on 29 September 2016

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

The Committee took note of the Presidency's intention concerning the handling of this agenda point.

2. State of play of the **European steel industry** (*Non-legislative activity*)
 - = Information from the Commission
 - = Exchange of views11950/16 IND 185 COMPET 464 COMER 95 ENER 307 EMPL 326

The Committee took note of the Presidency's intention concerning the handling of this agenda point and submitted the above mentioned background note to Council.

COREPER (PART 2)

25. Restrictive measures against Iran: listing (*restricted session*)

12072/16 CORLX 346 CFSP/PESC 704 RELEX 730 CONUN 175

MOG 100 CONOP 67 COARM 152 FIN 546 **EU RESTRICTED**

The Committee held an exchange of views on this issue, in a restricted session, and agreed to revert to it at an upcoming meeting.

26. Preparation of the Council meeting (General Affairs) on 20 September 2016

a) Preparation of the European Council on 20-21 October 2016

= Annotated Draft Agenda
11223/16 CO EUR-PREP 31

The Committee took note of the annotated draft agenda submitted by the President of the European Council, setting out the main items that the European Council is expected to address at its meeting on 20-21 October 2016.

b) European Council follow-up

The Committee was provided with an overview of the state of play in the implementation of the June EC conclusions and prepared the discussion of Ministers on this issue.

c) (poss.) Mid-term review of the Multiannual Financial Framework

= Presentation by the Commission
= Exchange of views

The Committee took note of the Commission's presentation on the package adopted the same day. The Presidency outlined its intentions for this item at the Council.

The Presidency announced the activation of the Friends of the Presidency group to address the mid-term review of the Multiannual Financial Framework. More detail on next steps will be provided at the Committee's meeting next week.

d) Legislative programming - Letter of Intent

= Presentation by the Commission
= Exchange of views

The Presidency informed the Committee how it intends to structure the exchange of views at the Council on the Commission's Letter of Intent, as part of the first cycle of legislative programming under the new Inter-Institutional Agreement.

- e) Other items in connection with the Council meeting

The Presidency updated delegations on the agenda and confirmed the expected timings of the Council meeting.

27. **Investment Package**

- = Presentation by the Commission
- = Information from the Presidency

The Committee took note of the Commission's presentation of the proposals adopted the same day on the extension of the Investment Plan for Europe, the establishment of the European Fund for Sustainable Development and the EIB external lending mandate.

The Presidency gave indications on the handling of these proposals and announced the activation of the Friends of the Presidency group for the European Fund for Sustainable Development.

28. Relations with **Switzerland** (*restricted session*)

12089/16 CH 7 AELE 63 MI 563

EU RESTRICTED

The Committee discussed, in a restricted session, the state of play in relations with Switzerland.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

None.

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

5. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
- a) E-001282/2016 - Gilles Pargneaux (S&D), Robert Rochefort (ALDE), José Inácio Faria (ALDE), Rachida Dati (PPE), Frédérique Ries (ALDE), Cristian Dan Preda (PPE), Hugues Bayet (S&D), Constance Le Grip (PPE), Jean-Paul Denanot (S&D), Alain Cadec (PPE) and Ingeborg Gräßle (PPE)
Census of those living in the camps around Tindouf
11953/16 PE-QE 287
 - b) E-002121/2016 - Julie Ward (S&D), Ana Gomes (S&D), Ernest Urtasun (Verts/ALE) and Pascal Durand (Verts/ALE)
Israeli settlement construction in area E2
11371/16 PE-QE 261
 - c) E-002137/2016 - Joëlle Mélin (ENF)
The consequences of the immigration crisis for the Schengen Treaty
11932/16 PE-QE 282
 - d) E-002900/2016 - João Pimenta Lopes (GUE/NGL)
Killing of Palestinians by Israeli military forces
11933/16 PE-QE 283
 - e) E-003345/2016 - Hugues Bayet (S&D)
Legality of forced returns following the EU-Turkey agreement
11934/16 PE-QE 284
 - f) E-003709/2016 - Ramon Tremosa i Balcells (ALDE)
Article 218 TFEU - transparency of negotiations: comprehensive air transport agreements, fair competition clause/financial transparency and economic cost of the Gibraltar issue
11281/16 PE-QE 259
 - g) E-003726/2016 - Ernest Urtasun (Verts/ALE), Marina Albiol Guzmán (GUE/NGL) and Miguel Urbán Crespo (GUE/NGL)
New information on the Edward Snowden case
11937/16 PE-QE 285
 - h) E-003906/2016 - Edouard Ferrand (ENF)
Turkey
11938/16 PE-QE 286
 - i) E-005103/2016 and E-005104/2016 - Pavel Poc (S&D) and Paul Brannen (S&D)
Current use of neonicotinoid insecticides in the EU
Current use of neonicotinoid insecticides in the EU
11362/16 PE-QE 260
+ COR 1

6. Advisory Committee on Freedom of Movement for Workers
Draft Council Decision appointing the members and alternate members
= Adoption
11244/16 SOC 466 EMPL 305
11243/16 SOC 465 EMPL 304
7. Advisory Committee for the Coordination of Social Security Systems
Appointment of Mr Stanisław RÓŻYCKI, member for Poland, in place of
Mr Michał MENES, who has resigned
= Adoption
11972/16 SOC 501 EMPL 327
8. Advisory Committee on Safety and Health at Work
Appointment of Mr Paul CULLEN alternate member for Ireland, in place of
Ms Margaret LAWLOR, who has resigned
= Adoption
11978/1/16 SOC 502 EMPL 328 REV 1
9. Commission Delegated Regulation (EU) .../... of 8.7.2016 supplementing Regulation (EU)
No 1316/2013 of the European Parliament and of the Council establishing the Connecting
Europe Facility (Text with EEA relevance)
= Intention not to raise objections to a delegated act
11401/16 TRANS 311 DELACT 168
11150/16 TRANS 292 DELACT 153
+ ADD 1

The above-mentioned item was withdrawn.

10. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC)
No 1333/2008 of the European Parliament and of the Council as regards the use of Sucralose
(E 955) as a flavour enhancer in chewing gum with added sugars or polyols
= Decision not to oppose adoption
11686/16 DENLEG 71 AGRI 447 SAN 312
11462/16 DENLEG 68 AGRI 429 SAN 301
+ ADD 1
11. Commission Regulation (EU) .../... of XXX amending Annex to Regulation (EU)
No 231/2012 laying down specifications for food additives listed in Annexes II and III to
Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards
specifications for Steviol glycosides (E 960)
= Decision not to oppose adoption
11687/16 DENLEG 72 AGRI 448 SAN 313
11659/16 DENLEG 69 AGRI 445 SAN 306
+ ADD 1

12. Commission Directive (EU) .../... of XXX amending Directive 2009/32/EC of the European Parliament and of the Council on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients
= Decision not to oppose adoption
11689/16 DENLEG 73 AGRI 449 SAN 314
11675/16 DENLEG 70 AGRI 446 SAN 310
+ ADD 1
13. Commission Regulation (EU) No .../.. of XXX correcting the French language version of Regulation (EU) No 139/2014 laying down requirements and administrative procedures related to aerodromes pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council
= Decision not to oppose adoption
11396/16 AVIATION 157
11133/16 AVIATION 145
14. Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 1321/2014 as regards the introduction of certain categories of aircraft maintenance licences, the modification of the acceptance procedure of components from external suppliers and the modification of the maintenance training organisations privileges
= Decision not to oppose adoption
11399/16 AVIATION 158
11145/16 AVIATION 147
+ ADD 1
- The above-mentioned item was withdrawn.
15. Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 1254/2009 as regards certain criteria to allow Member States to derogate from the common basic standards on civil aviation security and to adopt alternative security measures (Text with EEA relevance)
= Decision not to oppose adoption
11402/16 AVIATION 159
11247/16 AVIATION 151
16. Commission Decision of XXX authorising France to derogate pursuant to Article 14(6) of Regulation (EC) No 216/2008 of the European Parliament and of the Council from certain common aviation safety rules concerning the installation of components
= Decision not to oppose adoption
11404/16 AVIATION 160
11249/1/16 REV 1 AVIATION 152

17. Commission Regulation (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards bisphenol A
= Decision not to oppose adoption
11963/16 COMPET 465 ENV 555 CHIMIE 46 MI 555 ENT 162 SAN 319
CONSOM 198
11324/16 COMPET 426 ENV 503 CHIMIE 43 MI 507 ENT 141 SAN 297
CONSOM 172
+ ADD 1
18. Commission Decision of XXX on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the Construction sector under Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS)
= Decision not to oppose adoption
11987/16 ENV 557
11007/16 ENV 482
+ ADD 1
19. Commission Regulation (EU) .../... of XXX amending Commission Regulation (EC) No 692/2008 as regards the methodology for the determination of evaporative emissions (Type 4 test)
= Decision not to oppose adoption
11992/16 ENV 560 ENT 163 MI 557
11049/16 ENV 484 ENT 13 MI 496
+ ADD 1
20. Commission Decision of XXX amending Decisions 2009/300/EC, 2011/263/EU, 2011/264/EU, 2011/382/EU, 2011/383/EU, 2012/720/EU and 2012/721/EU in order to prolong the period of validity of the ecological criteria for the award of the EU Ecolabel to certain products
= Decision not to oppose adoption
11994/16 ENV 561
11449/16 ENV 509
21. Commission Decisions on the signature of the Draft Joint Statement on the First White House Arctic Science Ministerial and of the Joint Communiqué on the Human Frontier Science Programme Organisation 2016
= Establishment of the EU position
11949/16 RECH 261 COEST 213 ENV 552 EDUC 271

22. IMO – Draft Union submission to be submitted to the 97th session of the Maritime Safety Committee (MSC 97) of the IMO in London from 21 – 25 November 2016 concerning a report on the audit process of the International Long-Range Identification and Tracking of ships (LRIT) Data Exchange
= Endorsement
11983/16 MAR 221 OMI 57

Statement by the Commission

"The Commission considers that the above mentioned "Union submission" 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, to present the submission in question to the IMO by the European Commission on behalf of the European Union is the only legally correct way forward. In case of non-respect of the above rules, the Commission reserves all its rights in this regard."

23. Draft Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Republic of the Philippines on certain aspects of air services
= Adoption
11447/16 AVIATION 161 RELEX 672 ASIE 68
+ ADD 1
11260/16 AVIATION 149 RELEX 643 ASIE 64
11261/16 AVIATION 150 RELEX 644 ASIE 65

24. Proposal for a Regulation of the European Parliament and of the Council on medical devices, and amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 **(First reading) (Legislative deliberation)**
and
Proposal for a Regulation of the European Parliament and of the Council on in vitro diagnostic medical devices **(First reading) (Legislative deliberation)**
= Political agreement
11661/1/16 PHARM 49 SAN 307 MI 530 COMPET 448 CODEC 1151 REV 1
11662/16 PHARM 50 SAN 308 MI 531 COMPET 449 CODEC 1152
+ COR 1
11663/16 PHARM 51 SAN 309 MI 532 COMPET 450 CODEC 1153

The German delegation, supported by the Austrian delegation, submitted the below statement concerning the German language version for the minutes of Coreper and Council. The French, Italian, Polish, Portuguese and Slovenian delegations have expressed similar concerns regarding their respective language versions.

Statement by Germany

"Germany submits the following statement for entry in the minutes of the Coreper meeting on 14 September 2016 and the General Affairs Council meeting on 20 September 2016:
Germany would like to point out that the German language version requires considerable improvement to bring it in line with the English language version. Germany assumes that it will remain possible to make improvements in the course of revision by the lawyer-linguists, and that the political agreement will not impede that process."

54. Draft Council Decision establishing the position to be adopted on behalf of the Union with regard to certain proposals submitted to the 17th meeting of the Conference of the Parties (CoP 17) to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (Johannesburg, South Africa, 24 September – 5 October 2016)
= Adoption
11897/16 ENV 549 WTO 243
11676/16 ENV 527 WTO 231 ADD 1 REV 1
11676/16 ENV 527 WTO 231 ADD 2 REV 1
11676/1/16 REV 1 ENV 527 WTO 231

COREPER (PART 2)

29. Transparency - Public access to documents
Confirmatory application No 10/c/01/16
12004/1/16 REV 1 INF 154 API 93
30. Draft Council Decision appointing two members and two alternate members, proposed by the Kingdom of Spain, of the Committee of the Regions
= Adoption
11515/16 CDR 81
5603/16 CDR 8
31. Draft Council Decision appointing a member, proposed by the Federal Republic of Germany, of the Committee of the Regions
= Adoption
11920/16 CDR 87
11919/16 CDR 86
32. Draft Council Decision appointing a member, proposed by the Portuguese Republic, of the Committee of the Regions
= Adoption
11923/16 CDR 90
11922/16 CDR 89
33. Multiannual Financial Framework (MFF) 2014-2020 Review/Revision
= Activation of the Friends of Presidency group and terms of reference
12081/16 CADREFIN 55 POLGEN 98
34. Resolutions, Decisions and Opinions adopted by the European Parliament at its part-sessions in Strasbourg from 4-7 July 2016 and in Brussels on 22-23 June 2016
11765/16 PE-RE 5
35. Draft Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 883/2013, as regards the secretariat of the Supervisory Committee of the European Anti-Fraud Office (OLAF) (**First reading**)
= Adoption of the legislative act
11840/16 CODEC 1184 GAF 48 FIN 526
PE-CONS 25/16 GAF 34 FIN 354 CODEC 854
36. Recommendation to the Council concerning an interim approval of cryptographic products to protect links in the framework of EU NAVFOR MED
11737/16 CSCI 55 CSC 235 **EU RESTRICTED**

37. Recommendation to the Council concerning the use of cryptographic products to protect electronic links in the context of the GALILEO project
11891/16 CSC 242 CSCI 56 EU **RESTRICTED**
38. Council Decision of ... amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of Eesti Pank
11565/16 UEM 288
11492/16 UEM 277
39. Proposal for a Decision of the European Parliament and of the Council providing macro-financial assistance to the Hashemite Kingdom of Jordan
= Negotiating mandate
10064/16 ECOFIN 584 UEM 247 RELEX 584 MED 22 CODEC 1006
40. Recommendation for a Council Recommendation on the establishment of National Productivity Boards
= Adoption
11956/16 ECOFIN 780 UEM 293
10252/16 ECOFIN 614 UEM 254

Statement by the Commission

"The Commission welcomes the adoption by the Council of the recommendation for euro area countries to set up National Productivity Boards.

The Commission strongly supports the participation of boards from non-euro area countries in all aspects of the cooperation related to the productivity boards. In its role as facilitator of exchanges of views and mutual learning, the Commission will ensure that such exchanges will take place on an equal basis for all participating boards."

41. Report to the European Council of the Council Decision to Spain and Portugal under Article 126(8) TFEU adopted by ECOFIN on 12 July 2016
10794/16 ECOFIN 676 UEM 262
10793/16 ECOFIN 675 UEM 261
10797/16 ECOFIN 679 UEM 265
10796/16 ECOFIN 678 UEM 264
42. Draft Council Decision on the conclusion, on behalf of the European Union, of the Amending Protocol to the Agreement between the European Community and the Principality of Andorra providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments
= Adoption
11696/16 FISC 129 ECOFIN 758 AELE 54 AND 3
15509/15 FISC 195 ECOFIN 998 AELE 71 AND 13
15510/15 FISC 196 ECOFIN 999 AELE 72 AND 14
+ COR 1 (hu)

43. Special report No 17/2016: The EU institutions can do more to facilitate access to their public procurement
= Designation of Working Party
11899/16 FIN 532 INST 351
44. Draft joint statement on the European Maritime Safety Agency, the European Fisheries Control Agency and the European Border and Coast Guard Agency
= Outcome of the trilogue on 1 September 2016
11930/16 FIN 533 FRONT 335 MAR 219 PECHE 302 INST 352
45. Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the European Union Solidarity Fund to provide assistance to Greece following the earthquake that affected the Ionian Islands in November 2015
11931/16 FIN 534
46. Draft Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Colombia on the short-stay visa waiver
= Adoption
11486/16 VISA 247 COLAC 65
12095/15 VISA 305 COLAC 94
47. Draft Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Palau on the short-stay visa waiver
= Adoption
11523/16 VISA 249 COASI 168
+ COR 1
12080/15 VISA 296 COASI 123
+ COR 1 (it)
+ COR 2 (ro)
48. Draft Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Peru on the short-stay visa waiver
= Adoption
11542/16 VISA 253 COLAC 66
+ COR 1
12099/15 VISA 308 COLAC 97
49. Draft Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Kingdom of Tonga on the short-stay visa waiver
= Adoption
11550/16 VISA 254 COASI 169
12089/15 VISA 299 COASI 126

50. Draft Council Decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XIX (Consumer protection) to the EEA Agreement (Alternative Dispute Settlement System)
= Adoption
10596/16 AELE 50 EEE 35 N 44 ISL 32 FL 36 CONSOM 160
MI 471 JUSTCIV 178
10597/16 AELE 51 EEE 36 N 45 ISL 33 FL 37 CONSOM 161 JUSTCIV 179
51. Draft Council Decision on the conclusion, on behalf of the European Union, of the Protocol (2015) Amending the Product Coverage Annex of the Agreement on Trade in Civil Aircraft
= Adoption
11017/16/16 WTO 203
11018/16/16 WTO 204
11019/16/16 WTO 205
52. Revised indicators for the Comprehensive approach to the EU implementation of the UN Security Council Resolutions 1325 and 1820 on women, peace and security
10805/16 ONU 94 CONUN 169 COHOM 109 COPS 260 CSDP/PSDC 500
CFSP/PESC 691 DEVGEN 191 GENDER 34
+ COR 1
53. Draft Council Decision amending Decision (CFSP) 2015/1763 concerning restrictive measures in view of the situation in Burundi
= Adoption
11968/16 CORLX 339 CFSP/PESC 694 COAFR 239 FIN 538 JAI 723
11810/16 CORLX 334 CFSP/PESC 680 COAFR 235 FIN 524 JAI 714
55. Application of Bosnia and Herzegovina for membership to the European Union
= Draft Council conclusions
12123/16 COWEB 90 ELARG 90
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