



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 24 September 2013
(OR. en)**

13604/13

CRS/CRP 30

SUMMARY RECORD

Subject: 2464th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 4 and 6 September 2013

SUMMARY

Page

1. Adoption of the provisional agenda and "I" items 7

Coreper Part 2

I

2. Judgment of the Court of Justice in Joined Cases C-584/10 P, C-593/10 P and C-595/10 P ("Kadi II")
3. Case before the General Court of the European Union
– Case T-273/13 (Mohammad Sarafriz v. Council)
4. Case before the General Court of the European Union
– Case T-274/13 (Hamid Reza Emadi v. Council)
5. Case before the General Court of the European Union
– Case T-351/13 (Crown Equipment (Suzhou) Co. Ltd and Crown Gabelstapler GmbH & Co. KG v. Council)
6. Information Assurance Policy on Public Key Infrastructure
7. Special report No 5/2013: Are EU Cohesion Policy funds well spent on roads?
8. Approval of the draft design of a Slovakian 2 euro circulation coin commemorating the 10th anniversary of the accession of the Slovak Republic to the European Union
9. Approval of the draft design of a Slovenian 2 euro circulation coin celebrating the 600th anniversary of the crowning of Barbara Celjska
10. Approval of the draft design of a Spanish 2 euro circulation coin dedicated to UNESCO's Cultural and Natural Heritage sites in Spain
11. Draft design of the Dutch two euro circulation coin commemorating the official farewell to the former Queen Beatrix during a ceremony to be held on 14 September 2013 and draft designs of the Dutch national sides of euro coins with the effigy of King Willem Alexander
12. Preparatory work on economic and financial aspects of the EU-Third Countries' summits for the second half of 2013

II

- 13. Relations with the European Parliament (September 2013) 9
- 14. Follow-up to the Council meeting (Foreign Affairs) on 21 August 2013 9

Coreper Part 1

I

15. Replies to written questions put to the Council by Members of the European Parliament

- a) E-002873/2013 - Fiorello Provera and Charles Tannock
Alleged presence of foreign jihadists in Syria
- b) E-004186/2013 - Nuno Melo
Chemical weapons in Syria
- c) E-004727/2013 - Nuno Melo
Angela Merkel's statements
- d) P-004808/2013 - Paul Murphy
Addition of the LTTE to the EU' terrorist list
- e) E-005057/2013 - Diogo Feio
Germany - security risk
- f) E-005225/2013 - Antigoni Papadopoulou
Unfair Eurogroup decisions
- g) E-005259/2013 - João Ferreira
Milk quotas and sugar quotas
- h) E-005312/2013 - Ingeborg Gräßle
Cost of the 'Residence Palace Building' - further procedure
- i) E-005357/2013 - João Ferreira and Inês Cristina Zuber
The peace process in Colombia and the EU's position on it
- j) E-005388/2013 - Hans-Peter Martin
The cost of the Council's Open Day
- k) E-005465/2013 - Hans-Peter Martin
Spending by the Council on public relations
- l) E-005570/2013 - Nuno Melo
European seed law
- m) E-005686/2013 - Adam Bielan
Proposals for tighter rules on the free movement of persons within the EU
- n) E-005696/2013 - Cornelia Ernst
Member States' compliance with the Visa Code
- o) E-005750/2013 - Lara Comi
Youth Guarantee
- p) E-005816/2013 - Diogo Feio
Progress made by Greece and the challenges it faces according to the International Monetary Fund (IMF)
- q) E-005821/2013 - Diogo Feio
Italy urges the EU to prioritise the fight against youth unemployment
- r) E-005834/2013 - Diogo Feio
Prison overcrowding in the European Union
- s) E-005910/2013 - Marc Tarabella
Employment prospects for young people
- t) E-006153/2013 - William (The Earl of) Dartmouth
Cost of staff missions 2012

- u) E-006154/2013 - William (The Earl of) Dartmouth
Council staff missions 2012
 - v) E-006172/2013 - Marc Tarabella
2014 elections: an elected President for the Commission
 - w) E-006272/2013 - Marietje Schaake
Any substance which could be used to manufacture chemical weapons should be subject to export control
 - x) E-006512/2013 - Véronique Mathieu Houillon
Importing vehicles into a new Member State of residence
 - y) E-006782/2013 - Hans-Peter Martin
Use of PRISM information by the United Kingdom
16. Case before the General Court
Case T-225/13 (T&L Sugars Ltd and Sidul Açúcares Unipessoal Lda against European Commission)
Application for annulment of Commission Implementing Regulations (EU) No 131/2013, No 281/2013, No 194/2013 (EU) No 194/2013, No 36/2013, No 67/2013 and No 178/2013
and
plea of illegality against Articles 186(a) of Council Regulation (EC) No 1234/2007 and
plea of illegality against Commission Regulations (EU) No 131/2013, No 281/2013 and (EU) No 36/2013
and
request for damages as result of the Commission's breach of its legal obligations, including interest thereupon
(Council intervention before the General Court in support of the Commission)
 17. Commission delegated Regulation (EU) No .../.. of 15.5.2013 supplementing ITS Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of information services for safe and secure parking places for trucks and commercial vehicles
 18. Commission delegated Regulation (EU) No .../.. of 15.5.2013 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to data and procedures for the provision, where possible, of road safety-related minimum universal traffic information free of charge to users
 19. Proposal for a Regulation of the European Parliament and the Council, establishing the Copernicus Programme and repealing Regulation (EU) No 911/2010 (First reading) (Legislative deliberation)
 20. Proposal for a Regulation of the European Parliament and of the Council adapting to Article 290 TFEU a number of legal acts providing for the use of the regulatory procedure with scrutiny
 21. Proposal for a Council Decision on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand
 22. Proposal for a Council Decision on the conclusion of a new Fishery Partnership Agreement and of a new Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius
 23. Proposal for a Regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics (First reading) (Legislative deliberation)

II

24. Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 23 September 2013)
(For the items in the remit of the Permanent Representative Committee) 10
25. Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 26 and 27 September 2013 10
26. Proposal for a Decision of the European Parliament and of the Council establishing a Union action for the European Capitals of Culture for the years 2020 to 2033 (First reading)
(Legislative deliberation) 10
27. Proposal for a Council Decision authorising Member States to sign, ratify or accede to the Cape Town Agreement of 2012 on the Implementation of the provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977
..... 10
28. Proposal for a Council Regulation amending Annex I to Regulation (EEC) No 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff 11
- Any other business 11

1. Adoption of the provisional agenda and "I" items

doc. 13264/13 OJ/CRP1 30

13217/13 OJ/CRP2 30

The above-mentioned agendas are approved.

The Committee approved the "I" items as set out in the summary. Details are contained in the document quoted under item 1.

DE made a statement on the following item :

20. Proposal for a Regulation of the European Parliament and of the Council adapting to Article 290 TFEU a number of legal acts providing for the use of the regulatory procedure with scrutiny

- **Activation of the Friends of the Presidency Group (Comitology)**
- **Consultation of the European Central Bank**

12977/13 JUR 416 AGRI 524 AUDIO 92 AVIATION 135 CHIMIE 98
COHOM 178 CORDROGUE 81 CODEX 23 DELACT 40 DENLEG 96
DRS 152 ECOFIN 739 EDUC 316 EJUSTICE 58 ENER 385 ENT 239 ENV 770
ESPACE 52 FISC 153 FRONT 110 IND 231 INST 453 JAI 707 MAP 73
MAR 114 MI 699 PECHE 342 PESC 990 PHARM 45PI 114 PROCIV 96
RELEX 740 SAN 307 SCHENGEN 29 SOC 628 SPORT 71 STATIS 79
SURE 12 TELECOM 221 TRANS 438 UD 203

"Germany wishes to emphasize its concerns regarding the Commission's proposal for a comitology "Omnibus regulation". Germany can agree to the Presidency proposal to activate a FoP Group in the understanding that the following overall conditions for the further works apply:

- For each legal act a review on a case-by-case basis without prejudice to its outcome is necessary; any automatism is to be rejected. In the draft decision on the activation of the FoP Group, the Presidency rightly points out that an automatic en-bloc alignment of PRAC procedures to delegated acts is not possible and insofar also refers to the advisory opinion of the Council's Legal Service of 11 April 2011, which constitutes an essential orientation also for Germany.
- The "Omnibus-regulation" has to be limited to those cases, which can be aligned to the procedure of delegated acts without problems (in particular without further amendments to the conferral of powers in the basic legal acts) following a case-by-case review, and where amendments/evaluations of the basic legal act are not envisaged anyway.
- The phrasing in the FoP's mandate regarding the request for expert opinion from the expert working groups ("as necessary") is misleading. Based on the reviews being carried out so far, Germany considers the involvement of the expert working groups to be necessary in all cases.
- The Commission has not complied with its obligation to substantiate the reasons for the alignment of the legal acts; it has only claimed a case-by-case review in general terms. The Commission should substantiate the reasons for its proposal for the alignment to delegated legal acts in each single case.
- Germany reserves its right to examine the question of the handling of the announced third "Omnibus-regulation" of the Commission in the light of the actual proposal and to possibly revert to this issue."

Coreper Part 2

II

13. Relations with the European Parliament (September 2013)

12289/13 PE 353 INST 407 POLGEN 142 CODEC 1753

The Committee held a discussion on relations with the European Parliament on the basis of the document 12289/13.

14. Follow-up to the Council meeting (Foreign Affairs) on 21 August 2013

The Committee was informed of the way in which the High Representative intends to follow up on the exchange of views on Egypt that took place at the Foreign Affairs Council on 21 August 2013.

Coreper Part 1

II

- 24. Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 23 September 2013**
(For the items in the remit of the Permanent Representative Committee)

The Committee agreed on the provisional agenda for the forthcoming Council meeting (Agriculture and Fisheries) on 23 September 2013 as set out in 13620/13.

- 25. Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 26 and 27 September 2013**

The Committee agreed the provisional agenda for the meeting of the Competitiveness Council on 26 and 27 September 2013.

- 26. Proposal for a Decision of the European Parliament and of the Council establishing a Union action for the European Capitals of Culture for the years 2020 to 2033 (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**
12543/13 CULT 89 CODEC 1794
+ ADD 1

The Committee authorised the Presidency to start discussions with the European Parliament and the Commission in the context of an informal trilogue and it approved the text contained in the addendum (ADD 1) to document 12543/13 as a basis for such a negotiation.

- 27. Proposal for a Council Decision authorising Member States to sign, ratify or accede to the Cape Town Agreement of 2012 on the Implementation of the provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977**

- **Examination of outstanding issue**
6040/13 TRANS 45 MAR 13
12354/13 TRANS 393 MAR 100

The Committee examined the proposal, resolved the outstanding issues and reached agreement on the amended text of the draft Council Decision.

DE, RO and SK informed the Committee of their intention to deliver statements with regard to the choice of the legal base upon adoption of the Decision by the Council.

CZ announced its intention to abstain from voting.

28. Proposal for a Council Regulation amending Annex I to Regulation (EEC) No 2658/87 on the Tariff and Statistical Nomenclature and on the Common Customs Tariff

– Approval of the final text

8383/13 TDC 3 UD 80

13033/13 TDC 11 UD 206

The Committee approved the Presidency compromise text (with two delegations maintaining a substantial reservation) as set out in the Annex to document 13033/13 and decided to submit this text, after linguistic verification, to the Council for adoption as an item without discussion.

- Any other business

= TIR procedures

At the initiative of the Presidency, the Commission informed on the state of play and ongoing Commission efforts regarding new TIR procedures by Russian customs (Convention on the International Transport of Goods under cover of TIR Carnets simplifies and harmonises the administrative formalities of international road transport). Some delegations took the floor to underline the importance of the issue.
