

Brussels, 26 November 2019
(OR. en, fr)

14544/19
CRS CRP 38

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
6 and 11 November 2019

I. Adoption of the agenda

13676/19 OJ CRP1 38
13688/1/19 REV 1 OJ CRP2 38 + CM 4742/19

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

2. Mobility package I

- a) Regulation on access to the profession and access to the haulage market
- b) Regulations on rest time periods and on tachographs
- c) Directive on enforcing social rules and on lex specialis for posting of drivers

Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogues of 4 and 5 November 2019.

Youth

3. Regulation on the European Solidarity Corps (ESC) 13618/1/19 REV 1
2021 to 2027
Preparation for the trilogue

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

Employment and Social Policy

4. Revision of Regulations on coordination of social security 13582/19
systems (883/04 and 987/09)
Preparation for the trilogue

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

COREPER (PART 2)

WEDNESDAY 6 NOVEMBER 2019

General Affairs

15. Meeting of the Council (General Affairs) on 19 November 2019:
Preparation

- a) Enhancing respect for the Rule of Law in the Union
 - i) Exchange of views with the Director of the Fundamental Rights Agency (FRA)
 - ii) Conclusions on the evaluation of the Rule of Law dialogue
Adoption
- 13622/19

The Committee prepared this item for the Council.

- b) Other items in connection with the Council meeting

The Presidency provided further information regarding the Council meeting.

Foreign Affairs

16. Meeting of the Council (Foreign Affairs) on 11-12 November 2019: Preparation

- a) Current affairs

The Committee prepared this item for the Council.

- b) Afghanistan
Exchange of views

The Committee prepared this item for the Council.

- c) Regional security in the Gulf/Iran
Exchange of views

The Committee prepared this item for the Council.

- d) Follow-up on Security and Defence issues (in particular on PESCO and coherence)
Exchange of views

The Committee prepared this item for the Council.

- e) CSDP missions and operations
Exchange of views

The Committee prepared this item for the Council.

- f) Other items in connection with the Council meeting

The EEAS provided further information regarding the Council meeting.

17. Council Decision establishing the general conditions under which third States could exceptionally be invited to participate in individual PESCO projects 13437/19
CORLX
Preparation for the adoption

The Committee held an exchange of views and agreed to return to this issue at the continuation of its session.

18. Meeting of the Council (Foreign Affairs/Development) on 25 November 2019: Agenda

The EEAS presented the main items on the agenda.

- transferred from Part I
40. Council Decision and Council Regulation concerning restrictive measures in view of the situation in the Eastern Mediterranean 13611/19
CORLX
Preparation for the adoption

The Committee agreed to forward the draft Decision and the draft Regulation to the Council for adoption.

A statement by the Council Legal Service can be found in 14544/19 ADD1.

Economic and Financial Affairs

19. Meeting of the Council (Economic and Financial Affairs) on 8 November 2019: Preparation

- a) (poss.) Council recommendation on the appointment of a member of the Executive Board of the European Central Bank
Adoption 13424/1/19 REV 1

The Committee prepared this item for the Council.

- b) Conclusions on climate finance for the COP25
Adoption 13657/19

The Committee prepared this item for the Council and agreed to forward the draft conclusions to the Council for adoption.

Statement by Bulgaria

"While in a spirit of compromise the Republic of Bulgaria can support the 2019 ECOFIN Climate Finance Conclusions, it would like to reiterate its understanding of the new wording used in the first and second paragraphs of the Conclusions, and more specifically the text related to "swift" and "ambitious" progress and implementation of the Paris Agreement and its long-term goals. Bulgaria's understanding is that this text does not provide for and could not be interpreted as an agreement of the Council on potential revision of the 2030 EU Climate goals, nor does it prejudice the decision of the European leaders on the EU's Long Term Climate Goal (by 2050).

Bulgaria reiterates its position, namely:

- The EU binding target, endorsed by the European Council, of at least 40% domestic reduction in greenhouse gas emissions by 2030 compared to 1990, as well as the EU goals for energy efficiency and renewable energy until 2030, are the absolute limit for our country and Bulgaria cannot support any further increase of these targets.
- When deciding on the EU long-term goal, it should be taken into account the cost-effectiveness, socio-economic characteristics of the countries, and their potential to sustain and finance the costs associated with the practical implementation of policies that will be incorporated into the future EU strategy, while fully respecting the sovereign right of each Member State to decide on its energy mix.

Bulgaria's understanding is that the Council conclusions should not prevent the financing of natural gas projects, taking into account the significant role of natural gas in the transition to a low carbon economy."

- c) 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 2-3 December 2019: Agenda

The Presidency presented the main items on the agenda.

21. Appointment of the European Data Protection Supervisor (EDPS) - Process within the Council
Endorsement

13457/1/19 REV 1

The Committee endorsed the internal process that could be followed in the Council to define its position and to prepare for contacts with the European Parliament on the appointment of the EDPS.

MONDAY 11 NOVEMBER 2019

Foreign Affairs

17. Council Decision establishing the general conditions under which third States could exceptionally be invited to participate in individual PESCO projects
Preparation for the adoption

The Committee held an exchange of views and agreed to revert to this issue at one of its forthcoming sessions.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Friends of Cohesion Summit (Prague, 5 November 2019)

The Committee took note of the information provided by Czechia.

EU-China agreement on GIs

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

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

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| 5. | One member (LU) and one alternate member (LU) of the Management Board of the European Centre for the Development of Vocational Training (Cedefop)
<i>Adoption</i> | 13304/1/19 REV 1
13303/19
SOC |
| 6. | One member (SK) and one alternate member (SI) of the Advisory Committee on Freedom of Movement for Workers
<i>Adoption</i> | 13339/19
13464/19
SOC |
| 7. | One member (SE) of the Management Board of the European Foundation for the Improvement of Living and Working Conditions
<i>Adoption</i> | 13569/19
SOC |

EU positions for international negotiations

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| 8. | Council Decision on the EU position for the Eighth Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (Rome, 11-16 November 2019)
<i>Adoption</i> | 13083/19 + COR 1
13057/19
AGRI
RGA |
| 9. | Council Decision on the EU position in Eurocontrol on en route charges
<i>Adoption</i> | 13468/1/19 REV 1
13492/19
AVIATION |

Internal Market and Industry

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| 10. | Conclusions on "Have your say!: Commission's public consultations engage citizens, but fall short of outreach activities" (CoA SR No 14/2019)
<i>Adoption</i> | 13607/19
BETREG |
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Fisheries

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| 11. Council Decision on the signing and provisional application of the Agreement in the form of an exchange of letters between the European Union and Mauritania
<i>Adoption</i> | 13529/19 + ADD 1
12924/19
12927/19
PECHE |
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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 signing and provisional application as well as on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019, 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."

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| 12. Council Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Union and Mauritania
<i>Agreement in principle</i>
<i>Request for the consent of the European Parliament</i> | 13529/19 + ADD 1
12928/19
PECHE |
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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 signing and provisional application as well as on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019, 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."

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| 13. | Regulation on the allocation of fishing opportunities under the Protocol on the implementation of the Fisheries Partnership Agreement with Mauritania
<i>Adoption</i> | 13529/19 + ADD 1
12929/19
PECHE |
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Culture/Audiovisual Matters

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| 14. | EU lines to take for the UNESCO Forum of Ministers of Culture (Paris, 19 November 2019)
<i>Approval</i> | 13597/19 + COR 1
CULT |
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COREPER (PART 2)

WEDNESDAY 6 NOVEMBER 2019

Transparency

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| 22. | Public access to documents
Confirmatory application No 30/c/01/19
<i>Adoption</i> | 12709/19
INF
API |
| 23. | Public access to documents
Confirmatory application No 31/c/03/19
<i>Adoption</i> | 12744/19
INF
API |
| 24. | Public access to documents
Confirmatory application No 17/c/02/19
<i>Adoption</i> | 10659/19
INF
API |

Economic and Financial Affairs

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| 25. | Conclusions on ECA SR No 10/2019 on EU-wide stress tests for banks
<i>Adoption</i> | 13371/19
EF |
| 26. | Decision on the mobilisation of the European Globalisation Adjustment Fund (EGF/2019/001 BE/Carrefour)
<i>Mandate for negotiations with the European Parliament</i> | 13418/19
FIN |

Statement by Belgium

"La Belgique regrette le résultat du vote intervenu sur la proposition de décision ST 12777/2019 (COM(2019) 442 final), à la suite du licenciement de 1019 travailleurs concernés par le dossier EGF/2019/001 BE/Carrefour. Elle note qu'en dépit du fait qu'une majorité qualifiée n'ait pu être atteinte, la quasi-unanimité des Etats membres ne s'est pas opposée à la demande de mobilisation du FEM introduite par la Belgique."

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| 27. | Transfer No DEC 23/2019 (Section III - Commission)
<i>Approval</i> | 13575/19
FIN |
| 28. | Cooperation between the European Parliament and the Council during the annual discharge procedure
<i>Endorsement</i> | 13608/19
FIN |
| 29. | Council Implementing Decision authorising Czechia to apply the generalised reverse charge mechanism
<i>Adoption</i> | 11497/19
10726/19
FISC |

Justice and Home Affairs

30. UNIDROIT - Council Decision authorising negotiations on the conclusion of the "MAC Protocol"
Adoption 13494/19
13444/1/19 REV 1
R-UE
JUSTCIV

Foreign Affairs

31. 15th EU-Uzbekistan Cooperation Council (Brussels, 11 November 2019)
Establishment of the EU position 13347/19
COEST
32. EU Requirements Catalogue 2019
Approval 12315/19
CSDP/PSDC
33. Single Progress Report on the Development of EU Military Capabilities (June 2018 - June 2019) 12324/19 + COR 1
12322/19
CSDP/PSDC
34. EDA Guidelines 2020
Adoption 13578/19
CSDP/PSDC
35. EDA Report to Council 2019 13584/19
13585/19
CSDP/PSDC
36. Exercise Specifications (EXSPEC) for the EU Interoperability Exercise in 2020 (EUIX 2020)
Approval 12417/19
13404/19
CSDP/PSDC
37. Regulation of the European Parliament and of the Council setting up a Union regime for dual-use items
Mandate for negotiations with the European Parliament 13587/19 + COR 1
COMER
38. Conclusions of the 52nd European Economic Area (EEA) Council, 19 November 2019
Establishment of the EU position 13490/19
EEE
39. Council Decision updating the list of projects to be developed under PESCO
Adoption 13586/19
13386/19
CORLX
41. Restrictive measures to combat terrorism - Common Position 2001/931/CFSP - pre-notification of updated statements of reasons
Adoption 13658/19 + COR 1
+ ADD 1
CORLX

EU positions for international negotiations

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| 42. | Council Decision on the EU position in the WTO Council for Trade in Goods as regards the rules of procedure of the Committee on Trade Facilitation
<i>Adoption</i> | 13141/19
13143/19
WTO |
| 43. | Council Decision on the EU position in the EU-Pacific Interim Partnership Agreement Trade Committee regarding amendment of Annexes II and VIII to Protocol II
<i>Adoption</i> | 13506/19
12086/19
ACP |
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