



Brussels, 8 January 2020
(OR. en)

5094/20
CRS CRP 2

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
11 and 16 December 2019

I. Adoption of the agenda

14921/19 OJ CRP1 43 + ADD 1
14930/19 OJ CRP2 43 + CM 5158/19

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)

Agriculture and Fisheries

2. (Meeting of the Council (Agriculture and Fisheries) on 16 and 17 December 2019:
Preparation

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| 1. | Regulation amending Regulation (EU) 2016/1139 and | 14801/19 |
| | Regulation (EU) No 508/2014 as regards Eastern Baltic | 14802/19 |
| | cod | |
| | <i>General approach</i> | |

The Committee prepared this item for the Council.

Statement by Austria

"Österreich hat Verständnis dafür, dass der außergewöhnlich schlechte Zustand des östlichen Dorschs in der Ostsee Maßnahmen für Fischer erfordert, die von Einkommensverlusten betroffen sind. Österreich ruft die Erklärung der Europäischen Kommission und der Ostseeanrainerstaaten vom Oktober 2019 in Erinnerung.

„Das vereinbarte Ziel besteht darin, die Wiederaufstockung der Bestände bis zu einem nachhaltigen Niveau zu unterstützen, wie im mehrjährigen Bewirtschaftungsplan für die Ostsee vorgesehen. Diese Wiederaufstockung dürfte jedoch mehrere Jahre in Anspruch nehmen. Aufgrund dessen wird es zu Überschusskapazitäten bei den Fischereifloten und zu negativen sozioökonomischen Folgen für die betroffenen Gemeinschaften und Fischereibetriebe in den jeweiligen Mitgliedstaaten kommen. Die Mitgliedstaaten im Ostseeraum und die Kommission betonen daher, wie wichtig ein angemessenes Krisenmanagement und effektive Kontrollmaßnahmen für die Fischerei sind, damit es nicht zu Ausstrahlungseffekten auf die Befischung anderer Arten kommt.“

Österreich spricht sich für die finanziellen Zuwendungen an die Fischer aus, möchte aber gleichzeitig auf die Bedeutung des angemessenen Krisenmanagements und effektiver Kontrollmaßnahmen, wie sie im ursprünglichen Vorschlag der Europäischen Kommission vorgesehen waren, eindringlich hinweisen."

Courtesy translation

"Austria understands that the exceptionally bad stock status of Eastern cod in the Baltic Sea requires measures for the fishers affected by loss of income. Austria recalls the declaration of the European Commission and the Baltic Sea Member States from October 2019.

„The agreed objective is to support the recovery of the stocks towards sustainable levels, as envisaged in the Baltic Sea multi-annual management plan. However, a recovery cannot be expected for several years. This situation will therefore lead to redundant fishing fleet capacity and to adverse socio-economic consequences for communities and fishing businesses in the Member States that are affected. The Member States in the Baltic Sea and Commission therefore emphasize the importance of ensuring proper management of the crisis and effective control measures of fisheries to avoid spillover effects into fisheries of other species.“

Austria supports financial compensation for the fishers, but wants to insist at the same time on the importance of a proper management of the crisis and efficient control measures as they were envisaged in the original proposal by the European Commission."

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| 2. | Council Regulation on Atlantic and North Sea TACs and | 14790/19 |
| | Quotas for 2020 | 13438/19 |
| | <i>Political agreement</i> | + ADD 1-2 |

The Committee prepared this item for the Council.

3. Conclusions on stepping up EU action to protect and restore the world's forests 14829/19
Adoption

The Committee prepared this item for the Council, which will be taken as an item without discussion.

Fisheries

23. EU-Norway: annual consultations for 2020 14997/19
Establishment of the EU position

The Committee established the EU position on cod in the North Sea and Skagerrak in view of the third round of negotiations with Norway.

Education

3. Regulation on Erasmus
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 9 December 2019.

Culture/Audiovisual Matters

4. Regulation on Creative Europe 2021-2027 14615/19 + COR 1
Preparation for the trilogue

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

Environment

5. Directive on drinking water
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 3 December 2019.

6. Meeting of the Council (Environment) on 19 December 2019: Preparation

1. Conclusions on post-2020 global biodiversity framework 14828/19
Convention on Biological Diversity (CBD)
Adoption

The Committee prepared this item for the Council.

2. EU environment and climate policy in the new legislative term 14715/19
Exchange of views

The Committee prepared this item for the Council.

Internal Market and Industry

7. Regulation amending Regulation (EC) No 715/2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) 14232/1/19 REV 1
Mandate for negotiations with the European Parliament

The Committee agreed on a mandate for negotiations with the European Parliament and agreed to make that mandate public.

Statement by Denmark, Ireland and the Netherlands

"Denmark, Ireland and The Netherlands would like to stress that:

- Reducing NO_x emissions from diesel road vehicles is critical to address the damaging health effects of air pollution. According to the EEA, exposure to NO₂ concentrations was responsible for 70 000 premature deaths in the EU 28 in 2017¹. This comes on top of illnesses and economic costs due to air pollution.
- Several EU Member States currently face infringement actions by the European Commission and/or by domestic courts because of continuous breaches of the NO₂ limit value set in the Ambient Air Quality Directive (2008/50/EC). Such exceedances often occur in urban areas, where road traffic is particularly dense. To meet current EU limit values it must be ensured that vehicles emit less NO_x in all driving conditions and as soon as possible.
- According to Regulation 715/2007, the 80mg/km NO_x emission limit applies "under normal conditions of use", including road conditions. This is also emphasized by the European Court of Justice in its judgement of 14 December 2018². The conformity factor (CF) should therefore be strictly limited to measurement uncertainties of the PEMS equipment and be based on the latest scientific evidence. Given the study results provided by the Joint Research Center (JRC), we do not see any justification to apply a final or temporary CF of more than 1,32. At the minimum, the value should be put in brackets until the publication of the JRC report, expected by the end of this year.
- With this declaration, we want to call upon the European Commission to ensure that the CF is aligned with 1 in the shortest time possible and without the further use of temporary factors. This is critical to improve air quality in European cities and meet ambient air quality obligations set by EU law. The best way to achieve this is to lower the conformity factor annually on the basis of scientific analyses through the procedure of delegated acts."

¹ The European Environment: State and Outlook 2020, European Environment agency, 4/12/2019.

² Judgment of the general court (Ninth Chamber, Extended Composition), 13 December 2018, recital n° 122.

COREPER (PART 2)

WEDNESDAY 11 DECEMBER 2019

Economic and Financial Affairs

24. Regulation on Sustainable Finance - taxonomy 14880/19
Preparation for the trilogue

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

MONDAY 16 DECEMBER 2019

Economic and Financial Affairs

24. Regulation on Sustainable Finance - taxonomy 15056/19
Preparation for the trilogue

The Committee agreed on a revised mandate in view of the forthcoming trilogue.

IV. Any other business

COREPER (PART 1)

European Green Deal
Presentation by the Commission

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

COREPER (PART 2)

European Green Deal

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

Confidentiality of proceedings

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

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

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| 8. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
<i>Adoption by silence procedure</i> | 14864/19
PE-QE |
| a) | Pedro Marques (S&D)
"Turkey/north-east Syria" | 14259/19 |
| b) | Francisco José Millán Mon (PPE)
"Resumption of trade negotiations with Thailand" | 14080/19 |

Appointments

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| 9. | One member (SI) of the Advisory Committee on Freedom of Movement for Workers
<i>Adoption</i> | 14683/19
SOC |
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Transport

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| 10. | IMO - Union submission IMO/PPR 7 - exhaust gas cleaning systems
<i>Endorsement</i> | 14816/19
MAR |
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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 submissions in question to the IMO by the European Commission on behalf of the European Union. The Commission reserves all its rights in this regard."

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| 11. | IMO - Union submission IMO/PPR 7 - controls on cybutryne
<i>Endorsement</i> | 14819/19
MAR |
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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.

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Research

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| 12. | Euratom programme complementing Horizon Europe
<i>Progress report</i> | 14627/1/19 REV 1
RECH |
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Energy

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| 13. | Regulation on tyre labelling
<i>Political agreement</i> | 14640/19
ENER |
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Agriculture

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| 14. | Election of the Director-General of the World Organisation for Animal Health (OIE)
<i>Confirmation of delegations' positions</i> | 14843/19
VETER |
| 15. | Conclusions on animal welfare
<i>Adoption</i> | 14788/19 + ADD 1
VETER |
| 16. | Conclusions on food fraud
<i>Adoption</i> | 14789/19 + ADD 1
VETER |

Fisheries

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| 17. | Council Regulation fixing for 2020 the fishing opportunities in the Mediterranean and Black Seas
<i>Adoption</i> | 14707/19
14709/19
PECHE |
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Environment

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| 18. | Conclusions on Environmental Economic Accounts
(CoA SR No 16/2019)
<i>Adoption</i> | 14905/19
ENV |
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Delegated or Implementing Acts

Internal Market and Industry

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| 19. | Commission Delegated Regulation (EU) .../... of 30.10.2019
amending Directive 2014/24/EU of the European Parliament and
of the Council in respect of the thresholds for public supply,
service and works contracts, and design contests
<i>Delegated act - Intention not to raise objections</i> | 14784/19
13689/19
MAP |
| 20. | Commission Delegated Regulation (EU) .../... of 30.10.2019
amending Directive 2009/81/EC of the European Parliament and
of the Council in respect of the thresholds for supply, service
and works contracts
<i>Delegated act - Intention not to raise objections</i> | 14785/19
13692/19
MAP |
| 21. | Commission Delegated Regulation (EU) .../... of 30.10.2019
amending Directive 2014/23/EU of the European Parliament and
of the Council in respect of the threshold for concessions
<i>Delegated act - Intention not to raise objections</i> | 14786/19
13696/19
MAP |
| 22. | Commission Delegated Regulation (EU) .../... of 30.10.2019
amending Directive 2014/25/EU of the European Parliament and
of the Council in respect of the thresholds for supply, service
and works contracts, and design contests
<i>Delegated act - Intention not to raise objections</i> | 14787/19
13697/19
MAP |

COREPER (PART 2)

Institutional Affairs

Appointments

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| 25. | Five members of the Court of Auditors
<i>Adoption</i> | 14706/19
14705/19
INST |
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Letters

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| 26. | Request for cessation of term of office as Member of the European Court of Auditors
<i>Approval of a letter</i> | 14825/1/19 REV 1
INST |
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Economic and Financial Affairs

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| 27. | Council Implementing Decision authorising a VAT derogation for the construction of electricity interconnection between Spain and France
<i>Adoption</i> | 14806/19
14089/19
FISC |
| 28. | Exemption from VAT and excise duty as regards defence effort within the Union framework
<i>Adoption</i> | 14809/19
14126/19
FISC |

Justice and Home Affairs

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| 29. | Terms of reference on the Working Party on JHA Information Exchange
<i>Endorsement</i> | 14854/19
DAPIX |
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Joint statement by the Czech Republic, Belgium, Austria, Hungary, Slovakia and the United Kingdom

"The Czech Republic, Belgium, Austria, Hungary, Slovakia and the United Kingdom, aware of the challenges the EU is currently facing in the area of JHA information exchange (development of new and reinforcement of the current tools, implementation of the interoperability package), welcome the creation of the Working Party on JHA Information Exchange. At the same time, the mentioned Member States wish to highlight the importance of striking the right balance between strategic discussions and expert dialogues. If this balance is not ensured during the plenary sessions of this new group, a creation of appropriate expert subgroups, where the matter can be dealt with thoroughly, shall be considered; namely in the areas, where expert discussions proved to be crucial and effective (Prüm, SIS/SIRENE) or where the practice shows such need (PNR-PIU)."