

Brussels, 23 February 2016
(OR. en)

6111/16

CRS/CRP 1

SUMMARY RECORD

Subject: 2569th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 13 and 18 January 2016

I. Adoption of the provisional agenda

5171/1/16 REV 1 OJ/CRP2 1 + CM 1141/1/16 REV 1

The Committee adopted the provisional 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)

6. Establishment of an Ad Hoc Working Party on the Strengthening of the Banking Union
5114/16 ECOFIN 6 EF 13 CODEC 10

The Committee agreed on the mandate of the Ad Hoc Working Party on the Strengthening of the Banking Union, thus allowing for its establishment.

Statement by Germany

"Germany welcomes the establishment of a high-level working party to reach a common understanding on measures to reduce bank risks. However, Germany opposes the proposal of the Commission to mutualise deposit insurance. The proposal is not a suitable basis for discussion. For this reason, Germany is opposing the mandate for the establishment of a high-level working party presented by the Presidency, since it would enable negotiations on the EDIS proposal.

The European Commission proposal on EDIS sets the wrong priorities and incentives. Through the proposal, existing and future bank risks, which are still largely of a national origin, are being transferred to other Member States and their depositors – whereas the responsibility for those risks remain national.

It is now the main task to reduce risks in the banking sector across the European Union."

38. Presidency priorities
= Presentation by the Presidency

The Presidency presented its priorities and working methods.

39. Preparation of the Council meeting (Economic and Financial Affairs) on 15 January 2016

a) European Semester 2016

- Council Recommendation on the economic policy of the euro area
= Approval
5134/16 ECOFIN 16 UEM 7 SOC 6 EMPL 6 COMPET 2 ENV 4 EDUC 3
RECH 2 ENER 2 JAI 10
+ ADD 1
- Annual Growth Survey
= Draft Council conclusions
15564/15 ECOFIN 1009 UEM 437 SOC 725 EMPL 471 COMPET 573 ENV 812
EDUC 326 RECH 313 ENER 440 JAI 1027
- Alert Mechanism Report
= Draft Council conclusions
15565/15 ECOFIN 1010 UEM 438 SOC 726 EMPL 472
+ COR 1

The Committee agreed to forward the draft Council conclusions on the AGS and on the AMR, as well as the draft Council recommendations on the economic policy of the euro area to ECOFIN.

- b) Combatting VAT fraud in the EU: Use of the reverse charge mechanism
= Exchange of views
15196/15 FISC 189 ECOFIN 971
15517/15 FISC 198 ECOFIN 1002

The Committee prepared a discussion on this item, which will take place in ECOFIN on 15 January 2016, on the basis of the note by the Czech Republic and the note by the Presidency.

- c) Any other business
– (poss.) Fight against the financing of terrorism
= Information from the Commission

The Committee took note of a presentation of ongoing work by the Commission and confirmed that this item would be included in the agenda for the 15 January Council meeting.

- d) Other items in connection with the Council meeting

The Committee finalised the provisional agenda for this Council meeting and reviewed the state of readiness of the agenda items listed.

40. European Union Civil Service Tribunal
– Draft Council Decision appointing three judges
15467/15 JUR 809 COUR 67
15454/15 JUR 807 COUR 65

The Committee could not unanimously agree on the proposed appointments. The Presidency will reflect on the way forward.

41. Follow-up to the Council meeting (Foreign Affairs/Trade) on 15 and 19 December 2015

The Committee took note of the follow-up to the Foreign Affairs Council in Trade formation held in Nairobi on 15 and 19 December 2015.

42. Preparation of the Council meeting (General Affairs) on 18 January 2016

- a) Preparation of the European Council on 18-19 February 2016
= Annotated draft agenda
5072/16 CO EUR-PREP 1

The Committee took note of the annotated draft agenda of the European Council on 18-19 February 2016 and submitted it to the General Affairs Council on 18 January 2016.

- b) Other items in connection with the Council meeting

Italy, supported by Spain, requested an AOB for the General Affairs Council on the linguistic regime of EPSO competitions. The Presidency took note of the request.

- 43. Relations with the European Parliament (January 2016)
15349/15 PE 195 INST 442 POLGEN 179 CODEC 1738

The Presidency informed the Committee of the highlights of the last plenary part-session (12-15 December 2015). It also informed delegations of the main items scheduled at the forthcoming plenary part-session (18-21 January 2016).

- 44. Preparation of the Council meeting (Foreign Affairs) on 18 January 2016

- a) Syria
- b) Iraq
- c) MEPP
- d) Ukraine
- e) Other items in connection with the Council meeting

The Committee took note of the presentation by EEAS on the preparation of the Foreign Affairs Council meeting on 18 January 2016.

- 46. Draft Council conclusions on the Middle East Peace Process
5254/16 COMEP 2 MAMA 9 CFSP/PESC 32

The Committee examined the text of the draft Council conclusions and submitted them to the Council as a possible "A" item.

IV. Any other business

COREPER (PART 2)

The Commission informed the Committee on the last developments on the US Visa Waiver Programme. The Presidency noted that these matters would be further discussed at the VISA Working party.

The Commission also provided the Committee with a state of play on the negotiations with the Mexican authorities for a Passenger Name Record (PNR) agreement.

"I" items approved

COREPER (PART 2)

2. Case T-552/15 before the General Court of the European Union
 - Bank Refah v. Council of the European Union
5099/16 JUR 7 RELEX 8 CFSP/PESC 12 MOG 4 CONOP 3
3. Case T-553/15 before the General Court of the European Union
 - Export Development Bank of Iran v. Council of the European Union
5102/16 JUR 8 RELEX 9 CFSP/PESC 13 MOG 5 CONOP 4
4. Resolutions, Decisions and Opinions adopted by the European Parliament at its part-session in Strasbourg from 14 to 18 December 2015
15358/15 PE-RE 10
5. Transparency - Public access to documents
Confirmatory application No 23/c/01/15
14178/15 INF 192 API 108
6. **This item was transferred to part II.**
7. Submission of national side of commemorative 2 euro coin by France
15277/15 ECOFIN 978 UEM 432
8. Submission of national side of commemorative 2 euro coin by Belgium
15536/15 ECOFIN 1007 UEM 436
9. Commission Delegated Regulation (EU) .../... of 30.11.2015 supplementing Directive 2003/71/EC of the European Parliament and of the Council with regard to regulatory technical standards for approval and publication of the prospectus and dissemination of advertisements and amending Commission Regulation (EC) No 809/2004
 - = Intention not to raise objections to a delegated act
5004/16 EF 2 ECOFIN 2 DRS 1 DELACT 1
14885/15 EF 220 ECOFIN 943 DRS 71 DELACT 167
10. Special Report No 15/2015 "ACP-EU Energy Facility support for renewable energy in East Africa"
 - = Designation of Working Party
5025/16 FIN 2 ACP 2 PTOM 2
11. Special Report No 17/2015 "Commission's support of Youth Action Teams: redirection of ESF funding achieved, but insufficient focus on results"
 - = Designation of Working Party
5027/16 FIN 4 FSTR 2 REGIO 2 SOC 1 JEUN 2 EMPL 2

12. Special Report No 21/2015 "Review of the risks related to a results-oriented approach for EU development and cooperation action"
= Designation of Working Party
5074/16 FIN 14 DEVGEN 3 ACP 5 RELEX 7
13. Proposal for transfer of appropriations No DEC 46/2015 within Section III - Commission - of the general budget for 2015
5076/16 FIN 16 INST 3 PE-L 1
14. Draft Council Regulation laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency, and repealing Council Regulation (Euratom) No 3954/87 and Commission Regulations (Euratom) No 944/89 and (Euratom) No 770/90
= Adoption
14620/15 ATO 78 AGRI 618 COMER 149
5226/15 ATO 3 AGRI 12 COMER 2
+ COR 1 (de)
15. Schengen evaluation of AUSTRIA - Draft Council Recommendation on addressing the deficiencies identified in the 2015 evaluation of the application of the Schengen acquis in the field of police cooperation
15534/15 SCH-EVAL 63 ENFOPOL 428 COMIX 722
15533/15 SCH-EVAL 62 ENFOPOL 427 COMIX 721
16. Draft Council Implementing Decision approving the conclusion by the European Police Office (Europol) of the Agreement on Strategic Cooperation in the fight against serious crime and terrorism between the United Arab Emirates and Europol
5008/16 ENFOPOL 1 JAIEX 1 MOG 1
+ COR 1
10510/1/15 REV 1 ENFOPOL 193 JAIEX 56 MOG 49
17. Draft Council Implementing Decision approving the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between Bosnia and Herzegovina and Europol
5009/16 ENFOPOL 2 JAIEX 2 COWEB 1
+ COR 1
10509/1/15 REV 1 ENFOPOL 192 JAIEX 55 COWEB 63
18. Draft Council Decision concerning the accession of Croatia to the Convention of 26 May 1997, drawn up on the basis of Article K.3(2)(c) of the Treaty on European Union, on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union
= Adoption
15259/15 JAI 995 DROIPEN 167 COPEN 351 ELARG 72
15245/15 JAI 994 DROIPEN 166 COPEN 350 ELARG 71
19. Relations with Armenia
= Establishment of the position of the European Union for the 16th meeting of the EU-Armenia Cooperation Council (Brussels, 18 January 2016)
15545/15 COEST 395

20. Commission Delegated Regulation (EU) .../... of 25.11.2015 amending Annex III to Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preference
= Intention not to raise objections to a delegated act
5085/16 SPG 1 WTO 2 DELACT 2
14707/15 SPG 16 WTO 256 DELACT 161
+ ADD 1
21. Political and Security Committee Decision on the appointment of the Head of Mission of the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine) (EUAM UKRAINE/1/2016)
= Authorisation for publication in the Official Journal
5040/16 CFSP/PESC 4 CSDP/PSDC 7 COEST 2 PSC DEC 2
EUAM UKRAINE 1
14841/15 CFSP/PESC 827 CSDP/PSDC 656 COEST 366 PSC DEC 61
EUAM UKRAINE 21
22. EUNAVFOR MED Operation Sophia - Council assessment of the implementation on UN Security Council Resolution 2240(2015)
5097/16 COPS 3 CSDP/PSDC 8 MAMA 6 COMED 1 CFSP/PESC 11
EUNAVFOR MED 2
23. Council Decision concerning the signing and conclusion of the Agreement between the Council of Ministers of the Republic of Albania and the European Union on security procedures for exchanging and protecting classified information
15476/1/15 REV 1 CFSP/PESC 875 CSC 314 JAI 1019 COWEB 153
CORLX 246
14259/1/15 REV 1 CORLX 206 CFSP/PESC 781 CSC 279 JAI 870 COWEB 134
24. Council Decision to authorise the High Representative to open negotiations with the Kingdom of Morocco in order to conclude a Security of Information Agreement
15290/15 CFSP/PESC 860 CSC 312 JAI 1002 MAMA 210
14260/15 CORLX 207 CFSP/PESC 782 CSC 280 JAI 871 COAFR 342
25. Draft Regulation of the European Parliament and of the Council on protection against injurious pricing of vessels (codification) **(First reading) (LA)**
= Adoption of the legislative act
11396/15 CODEC 1103 CODIF 96 COMER 113 POLMAR 4
PE-CONS 25/15 CODIF 50 COMER 57 POLMAR 1 CODEC 524
26. Draft Regulation of the European Parliament and of the Council amending Regulation (EU) No 1236/2010 laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries **(First reading) (LA)**
= Adoption of the legislative act
5020/16 CODEC 2 PECHE 1
PE-CONS 61/15 PECHE 404 CODEC 1432

27. Advisory Committee on Freedom of Movement for Workers
Appointment of Mr John F. SCHILLING, member for Germany, in place of
Ms Christina BREIT, who has resigned
= Adoption
14738/15 SOC 696 EMPL 455
28. Administrative Board of the Agency for the Cooperation of Energy Regulators (ACER)
Draft Council Decision appointing three members and three alternates
= Adoption
15109/15 ENER 419
15132/15 ENER 420

Joint statement by Cyprus and Denmark

"Cyprus and Denmark take note of Article 12(1) of Regulation (EC) No 713/2009 establishing an Agency for the Cooperation of Energy Regulators (ACER) which provides that the term of office of the members of the Administrative Board and their alternates shall be four years.

At the same time, they draw attention to the preferences expressed by Coreper on 2 December 2015 as regards the appointment by the Council of three members and three alternate members of the said Administrative Board, in particular as regards Mr. Georgios SHAMMAS and Mr. Martin HANSEN, who both received an equal level of support.

Mr. SHAMMAS and Mr. HANSEN have agreed to resign after fulfilling two years of their respective four-year mandates. Cyprus and the Denmark note the candidates' agreement and accordingly jointly call upon Coreper to recommend to the Council to appoint each of those persons to the position formerly held by the other one of the two within the Administrative Board of the ACER for the remaining two years of the mandates concerned. This would resolve the situation described above."

Statement by France

"Sur la base de l'article 12 du règlement 713/2009, le Conseil désigne cinq représentants au Conseil d'administration de l'Agence de coopération des régulateurs de l'énergie. La procédure actuellement employée présente certaines lacunes. Aussi, il doit pouvoir être envisagé de la faire évoluer. Les autorités françaises se réservent la possibilité de faire, à l'avenir, des propositions en ce sens."

29. Commission Delegated Regulation (EU) .../... of 18.11.2015 amending Regulation (EU) No 347/2013 of the European Parliament and of the Council as regards the Union list of projects of common interest
= Intention not to raise objections to a delegated act
15156/15 ENER 422 ENV 786 DELACT 170
+ COR 1
14341/15 ENER 395 ENV 715 DELACT 155
+ COR 1
+ ADD 1
+ ADD 2

30. Commission Delegated Regulation (EU) No .../.. of 24.11.2015 supplementing Regulation (EU) No 691/2011 of the European Parliament and of the Council as regards specification of the energy products
= Intention not to raise objections to a delegated act
15404/15 ENV 800 STATIS 92 ECO 148 FIN 895 DELACT 172
14624/15 ENV 742 STATIS 88 ECO 145 FIN 848 DELACT 160
+ ADD 1
31. Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 454/2011 on the technical specification for interoperability relating to the subsystem ‘telematics applications for passenger services’ of the trans-European rail system (Text with EEA relevance)
= Decision not to oppose adoption
5029/16 TRANS 1
14289/15 TRANS 367
+ ADD 1
32. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks
= Decision not to oppose adoption
15522/15 AGRI 693 WTO 295
+ COR 1
14767/15 AGRI 624 WTO 258
+ ADD 1
33. Commission Regulation (EU) .../... of XXX amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the specific requirements for gelatine, collagen and highly refined products of animal origin intended for human consumption
= Decision not to oppose adoption
15243/15 AGRILEG 249 DENLEG 163 VETER 113
14050/15 AGRILEG 222 DENLEG 147 VETER 102
34. 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 title of the food category 12.3 Vinegars
= Decision not to oppose adoption
15474/15 DENLEG 169 AGRI 687 SAN 447
15273/15 DENLEG 164 AGRI 670 SAN 437
+ ADD 1
35. Commission Regulation (EU) .../... of XXX refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health
= Decision not to oppose adoption
15303/15 DENLEG 165 AGRI 671 SAN 439
14805/15 DENLEG 156 AGRI 626 SAN 413
+ ADD 1

36. Commission Regulation (EU) .../... of XXX refusing to authorise a health claim made on foods and referring to the reduction of disease risk
= Decision not to oppose adoption
15304/15 DENLEG 166 AGRI 672 SAN 440
14869/15 DENLEG 158 AGRI 632 SAN 417
+ ADD 1
37. Draft Commission Decision of [xxx] on the safety requirements to be met by European standards for candles, candle supports, containers and accessories pursuant to Directive 2001/95/EC of the European Parliament and of the Council on general product safety
= Decision not to oppose adoption
5179/16 CONSOM 1 MI 5
13998/15 CONSOM 190 MI 714
+ ADD 1
45. Draft Council conclusions on Libya
5253/16 MAMA 8 CFSP/PESC 31 RELEX 28 LIBYE 1
46. **This item was transferred to part II.**
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