

Brussels, 23 February 2016
(OR. en)

6114/16

CRS/CRP 3

SUMMARY RECORD

Subject: 2571st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 27 and 29 January 2016

I. Adoption of the provisional agenda

5478/16 OJ/CRP1 3 + ADD 1

5483/16 OJ/CRP2 3

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 1)

15. Setting of the provisional agenda of the Council meeting (Agriculture and Fisheries) on 15 February 2016 (For the items in the remit of the Permanent Representatives Committee)

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

16. Proposal for a Regulation of the European Parliament and of the Council on requirements relating to emission limits and type-approval for internal combustion engines for non-road mobile machinery **(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 26 January 2016.

17. Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites **(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 first trilogue of 26 January 2016.

18. 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)**
- Preparation of the trilogue
5390/16 PHARM 5 SAN 23 MI 22 COMPET 15 CODEC 48
+ **COR 1**
+ **ADD 1**

The Committee provided a mandate to the Presidency to continue negotiations with the European Parliament on the basis of the Presidency compromise.

35. Proposal for a Regulation of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...] /2013 and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (Official controls Regulation) **(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 27 January 2016.

36. Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 715/2007 and (EC) No 595/2009 as regards the reduction of pollutant emissions from road vehicles **(First reading) (Legislative deliberation)**
- State of play
- 5654/16 ENV 30 ENT 18 MI 41 CODEC 91**

The Committee gave its support to the Presidency's approach on the way forward and agreed that the Presidency sends a letter to the European Parliament expressing the readiness of the Council to pursue negotiations without delay with a view to finding a compromise on the Euro 5/6 file, while not agreeing to any preconditions, in particular in the context of the comitology measure regarding real driving emissions (doc. 14506/15 + ADD 1), or excluding any negotiating options at the current stage.

COREPER (PART 2)

29. Migration
- = Information from the Presidency, including on recent IPCR roundtables

The Committee took note of the information provided by the Presidency and held an exchange of views on the main pending files.

30. Implementation of the EU-Pakistan readmission agreement
- = State of play

The Committee was informed by the Commission and the EEAS on the state-of-play in the implementation of the agreement.

31. Presentation of the agenda of the Council meeting (Foreign Affairs) on 15 February 2016

The Committee took note of a presentation by the EEAS of the provisional agenda of the February Foreign Affairs Council.

32. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 12 February 2016

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

33. Presentation of the agenda of the Council meeting (General Affairs) on 16 February 2016

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

34. Relations with the European Parliament (February 2016)
15352/15 PE 196 INST 443 POLGEN 180 CODEC 1739

The Presidency informed the Committee of the highlights of the last plenary part-session (18-21 January 2016). It also informed delegations of the main items scheduled at the forthcoming plenary part-session (1-4 February 2016) on the basis of document 15352/1/15 REV1.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

- Safe Harbour

The Committee was informed on the state of play concerning the transfer of personal data from the EU to the US.

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

2. Replies to written questions put to the Council by Members of the European Parliament (+)

- a) E-007886/2015 - Nicolas Bay (NI)
Kiev's non-compliance with the ceasefire
15369/15 PE-QE 632
- b) E-010990/2015 - Tatjana Ždanoka (Verts/ALE), Jean-Luc Schaffhauser (ENF), Georgi Pirinski (S&D), Alfred Sant (S&D), Yana Toom (ALDE), Ivo Vajgl (ALDE) and Javier Nart (ALDE)
Decision of the Ukrainian parliament and the respect for fundamental rights
15519/15 PE-QE 642
- c) E-011159/2015 - Viviane Reding (PPE)
Gender balance in the European Economic and Social Committee
5278/16 PE-QE 11
- d) E-013034/2015 - Liisa Jaakonsaari (S&D)
EU arms trade
5281/16 PE-QE 12
- e) E-013298/2015 - Jean-François Jalkh (ENF)
Migrants and the underground economy in Europe
15374/15 PE-QE 635
- f) E-013383/2015 - Hugues Bayet (S&D)
Recent developments with the FTT
5282/16 PE-QE 13
- g) E-013683/2015 - Silvia Costa (S&D) and Elena Valenciano (S&D)
Dialogue among Member States on the rule of law
5283/16 PE-QE 14
- h) E-013910/2015 - Jozo Radoš (ALDE)
Annual report on arms exports
5286/16 PE-QE 15
- i) E-014063/2015 - Ángela Vallina (GUE/NGL)
Following up the Council's conclusions on Israel's water and sanitation policy towards the occupied Palestinian population
15370/15 PE-QE 633
- j) E-014085/2015 - Andrew Lewer (ECR)
Energy Union governance system without local and regional authorities
15371/15 PE-QE 634
- k) E-014225/2015 - Isabella Adinolfi (EFDD)
Increasing the resources of the European Union Solidarity Fund (EUSF)
15491/15 PE-QE 641
- l) E-014490/2015 - Dimitrios Papadimoulis (GUE/NGL)
Uniform Deposit Insurance Scheme
15384/15 PE-QE 636
- m) P-014755/2015 - Ruža Tomašić (ECR)
Croatian citizens do not want Croatia to turn into a collection centre for migrants
15480/15 PE-QE 640

- n) P-014876/2015 - Piernicola Pedicini (EFDD), Marco Valli (EFDD), Fabio Massimo Castaldo (EFDD) and Dario Tamburrano (EFDD)
Trade in tobacco products
15385/15 PE-QE 637
 - o) P-015211/2015 - Ángela Vallina (GUE/NGL)
Council position on the 2016-2020 gender equality strategy and implications for the principle of equality between women and men
15413/15 PE-QE 638
3. Case before the Court of Justice
Case C-687/15 - (European Commission v. Council)
Application for annulment of the Council conclusions, adopted on 26 October 2015, on the World Radiocommunication Conference 2015 (WRC-15) of the International Telecommunication Union (ITU)
 - Information note for the Permanent Representatives Committee (Part 1)
5439/16 JUR 32 TELECOM 5
 4. Governing Board of the European Agency for Safety and Health at Work
Draft Council Decision appointing an alternate member of the Governing Board of the European Agency for Safety and Health at Work for Spain
 - Adoption
5138/16 SOC 8 EMPL 8
5137/16 SOC 7 EMPL 7
 5. Advisory Committee for the Coordination of Social Security Systems
Draft Council Decision appointing a member and an alternate member of the Advisory Committee for the Coordination of Social Security Systems for Romania
 - Adoption
5227/16 SOC 15 EMPL 14
5226/16 SOC 14 EMPL 13
 6. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Ms Lone HENRIKSEN, member for Denmark, in place of Ms Rikke Maria HARHOFF, who has resigned
 - Adoption
5153/16 SOC 9 EMPL 9
+ COR 1 (lt)
 7. Advisory Committee on Freedom of Movement for Workers
Appointment of Mr Adam ROGALEWSKI, member for Poland, in place of Mr Jakub KUS, who has resigned
 - Adoption
5396/16 SOC 29 EMPL 22
 8. Advisory Committee on Freedom of Movement for Workers
Appointment of Ms Isla SCOTT, alternate member for United Kingdom, in place of Ms Deborah MORRISON, who has resigned
 - Adoption
5397/16 SOC 30 EMPL 23

9. Commission Regulation (EU) .../... of XXX amending Annexes IV and V to Regulation (EC) No 850/2004 of the European Parliament and of the Council on persistent organic pollutants
 - Decision not to oppose adoption
 - 5270/16 ENV 14 ENT 11
 - 14472/15 ENV 726 ENT 249
 - + ADD 1
10. Commission Decision of XXX amending Decision 2014/312/EU establishing the ecological criteria for the award of the EU Ecolabel for indoor and outdoor paints and varnishes
 - Decision not to oppose adoption
 - 5271/16 ENV 15
 - + **COR 1 (It)**
 - 14490/15 ENV 730
 - + ADD 1
11. Commission Decision of XXX on the reference document on best environmental management practice, sector environmental performance indicators and benchmarks of excellence for the tourism 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
 - 5272/16 ENV 16
 - 15088/15 ENV 784
 - + ADD 1
12. Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6)
 - Decision not to oppose adoption
 - 5334/16 ENV 18 ENT 13 MI 19
 - 14506/15 ENV 735 ENT 253 MI 753
 - + ADD 1
13. Commission Regulation (EU) .../... of XXX amending and correcting Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of certain food additives permitted in all categories of foods
 - Decision not to oppose adoption
 - 5311/16 DENLEG 5 AGRI 16 SAN 13
 - 5023/16 DENLEG 1 AGRI 2 SAN 2
 - + ADD 1
14. Commission Regulation (EU) .../... of XXX amending Regulation (EU) No 1332/2011 laying down common airspace usage requirements and operating procedures for airborne collision avoidance (Text with EEA relevance)
 - Decision not to oppose adoption
 - 5414/16 AVIATION 5
 - 15265/15 AVATION 165
 - + REV 1 (fi)
 - + ADD 1
 - + ADD 1 REV 1 (fi)

COREPER (PART 2)

19. Case T-246/15, Y. V. Ivanyushchenko v. Council of the European Union
= Production of a Council document before the General Court of the European Union
5442/16 JUR 33 JUR 41 COEST 6
20. Case before the General Court of the European Union
= Case T-288/15 (Ahmed Abdelaziz Ezz and Others v. Council of the European Union)
5449/16 JUR 34 MAMA 14 CFSP/PESC 51
21. Case before the EU General Court
= Case T-731/15, Sergiy Klyuyev v. Council
5469/16 JUR 36 RELEX 46 CFSP/PESC 59 COEST 7
22. Draft Council Regulation (EU) No .../2016 determining the emoluments of EU high-level public office holders
= Approval
5406/16 STAT 3 FIN 35 INST 12 BUDGET 2

Statement by Austria

"Austria welcomes the proposed improvements over the current legal situation. However, Austria is unable to approve the proposal as it considers the provisions for deductions laid down in Article 10(3) and (4) in conjunction with recital 6 too generous, and cannot see any justification for the annual automatic update of the entertainment allowance and the special duty allowance as provided for in Article 19."

23. Proposal for a Regulation of the European Parliament and of the Council on the prospectus to be published when securities are offered to the public or admitted to trading
= Optional consultation of the Committee of Regions
5007/16 EF 5 ECOFIN 5 CODEC 49
14890/15 EF 221 ECOFIN 944 CODEC 1638
+ ADD 1
+ ADD 2
+ ADD 3
24. - Council Decision on the signing, on behalf of the European Union, and provisional application of the Agreement between the European Union and the People's Republic of China on the short-stay visa waiver for holders of diplomatic passports
= Adoption

- Council Decision on the conclusion of the Agreement between the European Union and the People's Republic of China on the short-stay visa waiver for holders of diplomatic passports
= Request by the Council for the consent of the EP
15481/15 VISA 395 CHINE 32
15466/15 VISA 392 CHINE 29
15469/15 VISA 393 CHINE 30
15470/15 VISA 394 CHINE 31

25. Draft Council implementing Decision approving the conclusion by Eurojust of the Memorandum of Understanding between Eurojust and OHIM
= Approval
10794/15 JAIEX 59 COPEN 195 EUROJUST 144 MI 485
11595/15 JAIEX 64 COPEN 224 EUROJUST 159 MI 533
26. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Annex XI (Electronic communication, audiovisual services and information society) to the EEA Agreement (ultra-wide band)
15442/15 EEE 39 AELE 62 TELECOM 238 AUDIO 38 MI 810
15443/15 EEE 40 AELE 63 TELECOM 239 AUDIO 39 MI 811
27. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Annex XXI (Statistics) to the EEA Agreement (health care expenditure statistics)
15438/15 EEE 36 AELE 59 STATIS 94 MI 807
15439/15 EEE 37 AELE 60 STATIS 95 MI 808
28. Draft Council Decision on the position of the European Union on the Rules of Procedure of the EPA Committee set up by the interim Agreement with a view to an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part
= Adoption
12252/15 ACP 130 WTO 193 COAFR 266 RELEX 735
12151/15 ACP 125 WTO 190 COAFR 261 RELEX 722
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