



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 6 March 2014
(OR. en)**

6545/14

CRS/CRP 6

SUMMARY RECORD

Subject: 2485th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 12, 13 and 14 February 2014

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- 1. Adoption of the provisional agenda and "I" items**
doc. 6304/1/14 REV 1 OJ/CRP1 6 + REV 1 ADD 1
6376/1/14 REV 1 OJ/CRP2 6 COMIX 95

The above-mentioned agendas are approved with the following changes :

The following items are **withdrawn** :

(Coreper Part 1, under II)

- 16. Proposal for a Directive of the European Parliament and of the Council on marine equipment and repealing Directive 96/98/EC (First reading) (Legislative deliberation)**
– **(poss.) Analysis of the final compromise text with a view to agreement**

(Coreper Part 2, under I)

- 51. (poss.) Draft Council conclusions on the Cooperation and Verification Mechanism**
6251/14 COVEME 3

The following CRP2 agenda item is **transferred** from Part I to Part II :

- 39. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) N° 223/2009 on the European Statistics (First reading)**
– **Preparation for the informal trilogue**
6101/1/14 REV 1 STATIS 16 ECOFIN 108 CODEC 306

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

Coreper Part 1

II

16. **Proposal for a Directive of the European Parliament and of the Council on marine equipment and repealing Directive 96/98/EC (First reading) (Legislative deliberation)**
– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the outcome of the informal trilogue of 10 February 2014.

17. **Proposal for a Regulation of the European Parliament and of the Council on multiannual funding for the action of the European Maritime Safety Agency in the field of response to pollution caused by ships and to marine pollution caused by oil and gas installations (First reading) (Legislative deliberation)**
– **Preparation for the informal trilogue**
6159/14 MAR 18 FIN 101 CODEC 317 ENV 112

The Chair informed the Committee that the item had been removed from the agenda and postponed to a later date.

18. **Proposal for a Directive of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to making available on the market of pressure equipment (First reading) (Legislative deliberation)**
– **Analysis of the final compromise text with a view to agreement**
5998/14 ENT 33 CONSOM 36 CODEC 281

The Committee approved the texts as represented in document 5998/14 by qualified majority and agreed that the letter is sent to the European Parliament with a view to reaching an agreement at first reading (Procedural decision according to Art. 19 (7) (k) of the Council's Rules of Procedure).

19. **Preparation of the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 20 and 21 February 2014**

1. **Industrial Competitiveness (*Non-legislative activity*)**
a) **Communication from the Commission: "For a European industrial renaissance"**
5489/14 IND 18 COMPET 34 MI 54 ENER 26 TRANS 30 TELECOM 20
ESPACE 12 ENV 59 RECH 26 REGIO 7 EDUC 24 PI 7 ECO 11
+ REV 1 (bg)

- b) **Communication from the Commission on "A vision for the internal market for industrial products"**
5742/14 COMPET 47 MI 74 IND 29 CONSOM 23 TELECOM 23
- c) **Communication from the Commission on "Energy prices and costs in Europe"**
5599/14 ENER 23 COMPET 37 CONSOM 19 FISC 7
+ REV 1 (en)
- d) **Communication from the Commission on "A policy framework for climate and energy in the period from 2020 to 2030"**
5644/14 CLIMA 6 ENV 60 ENER 27 IND 24 COMPET 43 MI 69 ECOFIN 65
TRANS 31 AGRI 35
+ REV 1 (en)
+ REV 2 (pl)
- **Presentation by the Commission**
- **Policy debate**
5810/14 IND 33 COMPET 52 MI 81 ENER 45 ENV 108

The Committee took note of the questions for the policy debate as set out in 5810/14 and decided to put them forward to the Competitiveness Council.

2. **European Semester 2014 - Internal Market and Industry aspects** *(Non-legislative activity)*

- a) **Communication from the Commission on "the Annual Growth Survey 2014"**
15803/13 ECOFIN 984 SOC 904 COMPET 781 EDUC 425 ENV 1025
RECH 509 ENER 502 FISC 214 JAI 1039
+ COR 1
- b) **Report from the Commission on "A single market for growth and jobs: An analysis of progress made and remaining obstacles in the Member States: Contribution to the Annual Growth Survey 2014"**
16171/13 COMPET 824 MI 1027 CONSOM 196 IND 329 RECH 535
TRANS 588 TELECOM 308 ENER 522 POLGEN 220
- **Policy debate**
5898/14 COMPET 59 MI 96 IND 37 RECH 41 POLGEN 17

The Committee prepared the Competitiveness Council item on European semester 2014 - Internal market and industry aspects on the basis of document 5898/14.

3. **European Semester 2014 - Research and innovation aspects**
(Non-legislative activity)
Communication from the Commission on "the Annual Growth Survey 2014"
- **Presentation by the Commission**
 - **Policy debate**
15803/13 ECOFIN 984 SOC 904 COMPET 781 EDUC 425 ENV 1025
RECH 509 ENER 502 FISC 214 JAI 1039
+ COR 1
6052/14 RECH 47 IND 44 COMPET 73

The Committee took note of the questions for the policy debate as set out in 6052/14 and decided to put them forward to the Competitiveness Council.

4. **Draft Council conclusions on the progress report from the Commission on European Research Area (ERA) 2013** *(Non-legislative activity)*
- **Adoption**
13812/13 RECH 410 COMPET 663 MI 779 TELECOM 238
6093/14 RECH 49 COMPET 77 MI 120 TELECOM 32

The outcome of the proceedings of the Committee is set out in 6353/14.

5. **Progress report on establishing appropriate relations between the European Union and the European Space Agency (ESA)** *(Non-legislative activity)*
- **Presentation by the Commission**
 - **Exchange of views**
5978/14 ESPACE 17 COMPET 71 IND 41 TRANS 41 RECH 44
6160/14 ESPACE 19 COMPET 79 IND 47 TRANS 45 RECH 51

The Committee took note of the questions for the exchange of views as set out in 6160/1/14 REV 1 and decided to put them forward to the Competitiveness Council.

20. **Setting of the provisional agenda for the Council meeting (Transport, Telecommunications and Energy) on 4 March 2014**

The Committee agreed on the provisional agenda.

21. **Setting of the provisional agenda for the Council meeting (Environment) on 3 March 2014**

The Committee approved the provisional agenda as set out in 6813/14.

22. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community, in view of the implementation by 2020 of an international agreement applying a single global market-based measure to international aviation emissions (First reading) (Legislative deliberation)

– **Preparation for the informal trilogue**

6071/14 ENV 100 AVIATION 28 MI 115 IND 46 ENER 42 CODEC 298

The Committee considered the Presidency compromise suggestions set out in 6071/14 and gave the Presidency a mandate for negotiating with the European Parliament at the informal trilogue foreseen on 18 February 2014, with a view to a first reading agreement on the file.

23. Proposal for a Regulation of the European Parliament and of the Council on the prevention and management of the introduction and spread of invasive alien species (First reading) (Legislative deliberation)

– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information given by the Presidency on the outcome of the exploratory informal trilogue held on 11 February 2014 and the major elements discussed by the Institutions.

24. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1013/2006 on shipments of waste (First reading) (Legislative deliberation)

– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information given by the Presidency on the outcome of the first informal trilogue held on 10 February 2014.

25. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 691/2011 on European environmental economic accounts (First reading) (Legislative deliberation)

– **Analysis of the final compromise text with a view to agreement**

6094/14 ENV 105 STATIS 15 ECO 19 FIN 98 CODEC 304

+ COR 1

The Committee took note of the change related to delegated/implementing acts with respect to the initial mandate and agreed at qualified majority, and of the overall compromise; it therefore authorized the Presidency to send a letter to the European Parliament with a view to an agreement in first reading.

26. **Preparation of the Council meeting (Education, Youth, Culture and Sport) on 24 February 2014**
1. **Draft Council conclusions on efficient and innovative education and training to invest in skills - supporting the 2014 European Semester (*Non-legislative activity*)**
- **Adoption**
6084/14 EDUC 36 SOC 76 ECOFIN 105

The outcome of the examination of this file is contained in 6285/14.

2. **Developing skills and enhancing employability in the light of PIAAC and PISA results (*Non-legislative activity*)**
- **Policy debate**
(Public debate in accordance with Article 8(2) CRP [proposed by the Presidency])
6085/14 EDUC 37 SOC 77

The Committee agreed to forward the discussion paper (doc. 6085/14) to the Council as a basis for the policy debate to be held on this subject.

27. **Amended proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund [repealing Council Regulation (EC) No 1198/2006 and Council Regulation (EC) No 861/2006 and Council Regulation No xxx/2011 on integrated maritime policy] (First reading) (Legislative deliberation)**
- **Analysis of the final compromise text with a view to agreement**
6152/1/14 PECHE 54 CODEC 315 CADREFIN 23 FC 8 REV 1
+ ADD 1 REV 1

The Presidency announced that an agreement had been reached with the European Parliament on the proposal for a European Maritime and Fisheries Fund as set out in 6152/14 ADD 1 REV 1 (consolidated text).

The Commission representative welcomed the agreement which it considered very satisfactory. He underlined that the Commission would only formally reach a position on the agreement the following Friday. The Commission intends at the formal adoption to issue two statements, one in relation to the addition of Article 349 TFEU as legal basis which it accepts in a spirit of compromise, and one in relation to the Latvian concerns regarding SMEs.

The Netherlands delegation expressed its dissatisfaction over the fact that Article 129a on pulse trawl, which was part of the Council's General Approach, was not part of the agreement. It considered that this was a deviation from the Presidency's negotiating mandate and the omission had taken place in a non transparent manner. The omission is a serious issue which needs a solution in the short term and should be brought before the Council.

The Danish delegation wanted to see clarified whether money for storage aid could be used for the development of sustainable fisheries and aquaculture instead. The Romanian delegation regretted that the funds available for aquaculture had been reduced and maintained its reserve for the time being. The Latvian delegation welcomed the Commission statement regarding SMEs. It was not totally satisfied with various elements of the agreement reached and might abstain at the formal adoption.

The German delegation supported the agreement and recalled that it would make a statement regarding its constitutional system at the time of the formal adoption. The Polish delegation could accept the agreement. Likewise, the Croatian delegation accepted the agreement but considered issues such as the reduction of power of engines and the required days at sea to be bitter pills.

The Presidency stated that the issue of pulse trawl should be part of the discussions on the Omnibus proposal and welcomed the statements by the Commission. He noted that a qualified majority was in favour of the agreement and that the European Parliament would be now officially informed of the Council's endorsement of the agreement.

- 28. Proposal for a Directive of the European Parliament and of the Council amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large companies and groups (First reading) (Legislative deliberation)**
– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the debriefing by the Presidency on the outcome of the informal trilogue which led to a political agreement ad referendum. The Committee decided to return to this file on 19 February 2014.

- 29. Proposal for a Directive of the European Parliament and of the Council on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union (First reading) (Legislative deliberation)**
– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the debriefing by the Presidency on the outcome of the informal trilogue. The Committee decided to return to this file on 19 February 2014.

- 30. Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**
 - **Preparation for the informal trilogue**

The Presidency informed the Committee on the outcome of the informal trilogue on 13 February 2014.

The Committee agreed on a revised negotiating mandate with a view to the forthcoming trilogues.

- 31. Remunerations (First reading) (Legislative deliberation)**
(This item will be taken in restricted session)
- a) **Proposal for a Regulation of the European Parliament and of the Council adjusting with effect from 1 July 2011 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto**
 - b) **Proposal for a Regulation of the European Parliament and of the Council adjusting with effect from 1 July 2012 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto**
 - **Preparation for the informal trilogue**
17622/13 STAT 55 FIN 936 CODEC 2919
17625/13 STAT 56 FIN 937 CODEC 2920
 - **Presidency debriefing on the outcome of the informal trilogue**

Following the exchanges of views on 24 January and 12 February 2014, the Committee reached an agreement on the Council's negotiating mandate in preparation for the informal trilogues with the European Parliament. This mandate includes a 0% adjustment for 2011 and a 0% adjustment for 2012.

The Presidency reported on the outcome of the first informal trilateral meeting held on 14 February 2014 and invited delegations to express their positions on the suggested figures at the next meeting on 19 February 2014.

Coreper Part 2

II

39. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) N° 223/2009 on the European Statistics (First reading)

– **Preparation for the informal trilogue**

6101/1/14 REV 1 STATIS 16 ECOFIN 108 CODEC 306

A qualified majority of the Committee supported the compromise text in document 6101/1/14 REV 1 on a Presidency negotiating mandate drawn up with the intention of reaching an early second reading agreement with the European Parliament. With a view to taking account of concerns expressed by the Commission representative, supported by a number of delegations, on the drafting of Article 6a, the Presidency decided to launch a silent procedure ending at 16:00 on 14 February 2014 on a revised text, including a Commission statement, on that Article.

60. Preparation of the Council meeting (Economic and Financial Affairs) on 18 February 2014

a) Annual Growth Survey 2014: Guidance on the implementation of priorities agreed at the December European Council on macroeconomic and fiscal matters

– **Council conclusions**

6145/14 ECOFIN 115 SOC 87 COMPET 78 EDUC 41 ENV 109
RECH 50 ENER 46 FISC 23 JAI 65

The Committee endorsed the Council conclusions, prepared by the Economic and Financial Committee (EFC).

b) Alert Mechanism Report 2014

– **Council conclusions**

6146/14 UEM 25 ECOFIN 116 SOC 88

The Committee endorsed the Council conclusions, prepared by the Economic and Financial Committee (EFC).

- c) **Preparation of G20 meeting of Finance Ministers and Governors (Sydney, Australia, 22-23 February 2014)**
- **Exchange of views**
 - **Terms of reference**

The Committee took note of the EU terms of reference ahead of the G20 Finance Ministerial and Central Bank Governors meeting (22-23 February 2014) and submitted them to the ECOFIN Council for endorsement.

- d) **Single Resolution Mechanism**
- **Proposal for a Regulation of the European Parliament and of the Council establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Bank Resolution Fund and amending Regulation (EU) No 1093/2010 of the European Parliament and of the Council (First reading)**
 - = **Consideration of the European Parliament's amendments in preparation for political agreement**
6187/14 EF 45 ECOFIN 120 CODEC 323

The Committee prepared the ECOFIN debate and examined the scope for compromise on the issues outlined in the relevant report.

e) **Other items in connection with the Council meeting**

Presidency provided information on the current state of the agenda of the upcoming ECOFIN Council and other related items:

- Order of items: The legislative items will be dealt with last, finishing with the Single Resolution Mechanism (SRM) topic as it will probably be lengthy;
- Legislative AOB: The Presidency will provide information on the on-going work on financial services dossiers;
- Ministerial Intergovernmental Agreement (IGA) on Single Resolution Fund (SRF) on 17 February: The participants are the Ministers from all 28 EU Member States;
- IGC on SRF on 18 February: Format 2+1 - participation as in previous IGC meetings (i.e. usually not Ministers) - all 28 EU Member States.

61. EU-US Summit (Brussels, 26 March 2014)

– **Orientation debate**

6164/14 USA 2 PESC 122 RELEX 96 ECOFIN 119 TRANS 47
ENV 114 ENER 47 DEVGEN 20 JAI 66 POLGEN 20
COTRA 5 RESTREINT UE

The Committee had a preliminary discussion in relation to the preparations for the EU-US Summit on the basis of an orientation note (doc. 6164/14 EU RESTRICTED) and a presentation by the EEAS.

Delegations largely welcomed and gave their support to the orientation note while offering comments on particular issues. The Committee agreed on having a very focused agenda and a short joint statement.

The Committee decided to task the COTRA, PSC and TPC working parties to contribute to the preparations and to report back to this Committee in due time.

The Committee also decided to revert to the Summit's preparations at a later date following further preparation in the relevant preparatory bodies of the Council as regards the Summit agenda, the Joint statement and the deliverables.

62. Follow-up to the Council meeting (Foreign Affairs) on 10 February 2014

The Committee took note of the information provided by the EEAS. The Slovenian delegation, supported by the Croatian delegation, requested to add Bosnia and Herzegovina to the agenda of the March 2014 Foreign Affairs Council. The Polish delegation, supported by the Lithuanian delegation, repeated its standing request to have the Eastern Partnership on every agenda of the Foreign Affairs Council, including in March 2014. The Swedish, Lithuanian, Estonian and Polish delegations asked for more information on the technical consultations foreseen with Russia on the impact of Association Agreements/DCFTAs with Eastern partners on the Russian economy and trade relations. The EEAS indicated that these consultations were planned to be held on 12-13 March 2014.

63. Proposal for a Regulation of the European Parliament and of the Council establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (First reading)

- **Approval of the final compromise text with a view to an agreement at first reading**
6269/14 FRONT 30 CODEC 350 COMIX 88

The Committee confirmed the agreement on the text set out in the Annex to document 6269/14, and took note that the Presidency would inform the Chair of the Committee of Civil Liberties, Justice and Home Affairs of the European Parliament accordingly by a letter in order to reach agreement at first reading.

64. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 3/4 March 2014

The Chair presented the draft agenda of the JHA Council on 3-4 March 2014. The Home session will be held on 3 March and the Justice session on 4 March.

The Commission asked for the inclusion of an item on the presentation of the Anti-Corruption in the EU report and, under AOB, for the inclusion of the following items:

- Implementation of the financial programmes 2014-2020 for Home Affairs;
- Implementation of the UN Convention on the Rights of Persons with Disabilities:
6th annual EU Disability High Level Group Report.

65. Proposal for a Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (First reading)

- **Report on the seventh informal trilogue**

The Presidency reported to the Committee on the outcome of the seventh informal trilogue on the Intra-corporate transferee directive as well as the letter from the Chair of the European Parliament's Committee on Employment and Social Affairs received on 13 February 2014.

66. Further discussions on the future development of the Justice and Home Affairs area, in particular on Justice matters

6199/14 JAI 67 JAIEX 10 JUSTCIV 29 CATS 13 DROIPEN 13 COPEN 38 COSI 12
ASIM 9 MIGR 17 VISA 35 FRONT 28 ENFOPOL 26 PROCIV 4 DAPIX 14
CRIMORG 7 EUROJUST 30 GENVAL 10 EJUSTICE 12
ENFOCUSTOM 15 FREMP 22

The Committee held a full round-table on the issues addressed in the Presidency note (doc. 6199/14), expressing the consensus on these matters, diverging views and ideas on future (new) actions to be envisaged. The Commission announced that the Commission Communication on the matter, that had been announced before the Council in March would not be ready in time.

67. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) 2012/2002 establishing the European Union Solidarity Fund (First reading)

- **Adoption of a general approach**
6137/14 REGIO 13 ECOFIN 114 CODEC 312
+ ADD 1

The Committee:

- validated the Presidency proposal for a general approach as set out in the Annex to document 6137/14,
- mandated the Presidency to find a fast agreement at first reading with the European Parliament.

The Hungarian delegation requested to insert the following declaration into the minutes:

"Hungary shares the view that the functioning of the European Union Solidarity Fund should be improved and therefore certain amendments to the Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2012/2002 establishing the European Union Solidarity Fund constitute important developments. Nevertheless, Hungary wishes to express its conviction that there is a crucial need for the comprehensive review of the European Union Solidarity Fund. Hungary firmly believes that it is necessary for the Union to have at its disposal a sound and flexible instrument to allow it to show solidarity and send a clear political signal as well as imminent and genuine assistance to citizens affected by major emergency situations irrespective of the nature of the disaster be it a natural catastrophe or an industrial accident or crime.

Hungary wishes to point out the serious loophole in the European legislation as the existing EU legislation fails to properly address the financial implications of such events. The potential scale, the long-term environmental, human and economic effects, as well as the trans boundary nature of industrial accidents and man-made disasters call for a review of the existing legislative framework. Hungary emphasizes that in the course of the review process the broadening of the scope of the European Union Solidarity Fund to industrial disaster and crime should be considered. Another option concerns environmental liability and proposes to establish a European Industrial Disaster Risk-sharing Facility as already raised at the meeting of the Environment Council on 19 December 2011 (doc. 18596/11 ENV 972 IND 179 PROCIV 170). Without prejudice to the 'polluter pays principle' as established by the Treaty on the Functioning of the European Union, Hungary considers that the co-legislators should engage themselves to find the proper solutions to these significant controversies without further delay. Hungary regrets that the present Proposal failed to address these important challenges."

68. Follow-up to the Council meeting (General Affairs) on 11 February 2014

The Committee was informed on the main issues discussed at the February General Affairs Council, namely :

- the exchange of views on the draft annotated agenda of the March European Council;
- the discussion on the Commission's proposal on the placing in the market and cultivation of a maize product genetically modified;
- under 'any other business' the results of the Swiss referendum; information from RO on the conference on "Sustainable development of the Blue Economy of the Black Sea"; Presidency debriefed on the High Level stakeholders conference for the EU strategy for the Adriatic and Ionian Region (EUSAIR). Slovenia and Croatia informed of the severe devastation caused by the ice storm and heavy sleet and Greece informed of the disasters in the island of Cephalonia due to the earthquake.

– **Any other business**

Switzerland (restricted session)

Following a presentation of the EEAS on the outcome and implications of the referendum in Switzerland of 9 February 2014 on an initiative on mass immigration, the Committee had a discussion on the issue. The EEAS informed that Swiss State Secretary Rossier would come to Brussels on 20 February 2014 to inform the EEAS on further intentions of the Swiss Federal Council, and suggested to debrief the Committee on this meeting in the afternoon of 20 February 2014.
