



Council of the
European Union

**Brussels, 25 March 2015
(OR. en)**

7138/15

CRS/CRP 10

SUMMARY RECORD

Subject: 2533rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 11 and 16 March 2015

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 - c) E-011236/2014 - Victor Negrescu (S&D)
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1. Adoption of the provisional agenda and "I" items

doc. 6969/15 OJ/CRP1 10

7008/1/15 REV 1 OJ/CRP2 10 + CM 1886/15

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

The following items are **added** :

(Coreper Part 2, under I)

59. Restrictive measures against Iran

- **Letters to entities whose listings under Council Decision 2010/413/CFSP and Regulation (EU) No 267/2012 were annulled by the judgment of the EU General Court in Cases T-176/12, Joined Cases T-420/11 and T-56/12**
7043/15 PESC 266 CONUN 47 COMEM 51 CONOP 17 COARM 59 FIN 196

60. Council Decision launching the European Union CSDP Military Advisory Mission in the Central African Republic (EUMAM RCA) and amending Decision (CFSP) 2015/78

7018/1/15 REV 1 CSDP/PSDC 138 PESC 258 COAFR 92 RELEX 200

CONUN 48 CSC 60 EUMAM RCA 21

5919/15 CSDP/PSDC 63 PESC 129 COAFR 45 RELEX 93 CONUN 24

CSC 25 EUMAM RCA 9

61. Council Decision on the signing and conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Central African Republic on the status in the Central African Republic of the European Union Military Advisory Mission in the Central African Republic (EUMAM RCA)

7015/15 CSDP/PSDC 129 PESC 257 COAFR 87 RELEX 198 CONUN 45

CSC 59 EUMAM RCA 20

6607/15 CSDP/PSDC 106 PESC 214 COAFR 69 RELEX 165 CONUN 32

CSC 47 EUMAM RCA 16

62. – Council Decision 2012/642/CFSP concerning restrictive measures against Belarus

- **Council Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus**

- **Draft letters**

7188/15 PESC 281 RELEX 224 COEST 99 FIN 205

(Coreper Part 2, under II)

63. Draft Council conclusions on the EU Regional Strategy for Syria and Iraq as well as the ISIL / Da'esh threat

7051/15 COPS 69 COMAG 38 COMEM 52 PESC 267 CSDP/PSDC 135

COHAFA 24 SY 2

The following items are **withdrawn** :

(Coreper Part 1, under I)

3. Draft minutes of Council meetings

- a) 3360th meeting of the Council of the European Union (Agriculture and Fisheries), held in Brussels on 15 and 16 December 2014**
16924/14 PV/CONS 72 AGRI 806 PECHE 597
+ COR 1
+ ADD 1

(Coreper Part 2, under I)

39. Global Conference on Cyberspace 2015, The Hague, Netherlands

- **Draft lines to take**
6918/15 CYBER 15 RELEX 191 JAIEX 13 TELECOM 65 COPS 63

45. (poss.) Enlargement

- **Accession negotiations with Montenegro**
 - **Chapter 30: External relations**
6938/15 ELARG 12

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

UK made statements on the following items:

8. Proposal for a Council Decision authorising Member States to ratify, in the interest of the European Union, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation with regard to matters related to judicial cooperation in criminal matters

– Request for the consent of the European Parliament

6782/15 SOC 152 EMPL 78 MIGR 14 JAI 153

6731/15 SOC 149 EMPL 76 MIGR 12 JAI 148

"The United Kingdom wishes to record its view that there is no exclusive external competence for the Union arising from the Protocol in respect of the subject matter referred to in this draft Council Decision. Accordingly, there is no requirement for the Member States to be authorised to this extent to ratify the Protocol in the interests of the Union, and Member States should be able to consider ratification of the Protocol in their own right. Further, the United Kingdom considers that this draft Decision, being a measure proposed pursuant to Title V of Part Three of the Treaty on the Functioning of the European Union, is subject to Protocol (No 21) to the Treaties on the position of the United Kingdom and Ireland in Respect of the Area of Freedom, Security and Justice. The United Kingdom does not consider that it is automatically bound, as suggested by Recital (9), to participate in the Council Decision simply on account of its participation on Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims, and Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. We consider that the opt-in applies to this measure and we have not opted in."

9. Proposal for a Council Decision authorising Member States to ratify, in the interest of the European Union, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation with regard to matters related to social policy

– Request for the consent of the European Parliament

6782/15 SOC 152 EMPL 78 MIGR 14 JAI 153

6732/15 SOC 150 EMPL 77 MIGR 13 JAI 149

"The United Kingdom wishes to record its view that there is no exclusive external competence for the Union arising from the Protocol in respect of the subject matter referred to in this draft Council Decision. Accordingly, there is no requirement for the Member States to be authorised to this extent to ratify the Protocol in the interests of the Union, and Member States should be able to consider ratification of the Protocol in their own right."

CZ made a statement on the following item:

- 51. Council Decision on the Union position within the Association Council set up by the Euro Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, with regard to the adoption of a recommendation on the implementation of the EU-Tunisia Action Plan implementing the privileged partnership (2013-2017)**
6670/15 MED 6 PESC 216 TU 6
6529/15 MED 5 TU 5

"The Czech Republic wishes to stress the political significance of the 2013-2017 Action Plan and express its full support for the adoption of its content.

However, from the Czech Republic's point of view, Article 218(9) TFEU is not the correct procedural legal basis for the adoption of the 2013-2017 Action Plan, neither for the adoption of similar acts in a similar context, because these constitute important policy documents with political, but not legal effects. The relationship between the mentioned Action Plan and the Regulation (EU) No 232/2014 establishing a European Neighbourhood Instrument (ENI) cannot change the above stated fact, since it is too vague to cause legal effects of the Action Plan in the sense of the judgement in case C-399/12 Germany v. Council. In the view of the Czech Republic, the interpretation given to Article 218(9) by the Court of Justice of the EU in the above referred case cannot be further extended to cover the current situation and the status of the Action Plan or similar political documents adopted in the framework of other association agreements."

Coreper Part 1

II

- 13. Proposal for a Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources (ILUC Directive) (Second reading) (Legislative deliberation)**

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

The Committee took note of the results of the first informal trilogue with the EP on the above-mentioned Directive, held in Strasbourg on 10 March 2015. After tripartite technical meetings, the Presidency will seek for a revised mandate from the Committee for the second informal trilogue.

- 14. Fourth Railway Package (First reading) (Legislative deliberation)**

- a) **Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004**
 - b) **Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (Recast)**
 - c) **Proposal for a Directive of the European Parliament and of the Council on railway safety (Recast)**
- **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 March 2015 and mandated experts at technical level to reflect the above amendments in the texts.

- 15. Preparation for the Council meeting (Agriculture and Fisheries) on 16 March 2015**

- **Proposal for a Council Regulation amending Regulation (EU) 2015/104 as regards certain fishing opportunities**
 - **Political agreement**
 - **(poss.) Decision to use the written procedure for adoption**
 - 5687/15 PECHE 36
 - 6798/15 PECHE 74
 - 6936/15 PECHE 80

As part of the preparation of the "Agriculture and Fisheries" Council, the Presidency presented a compromise as set out in 6936/1/15 REV 1 + ADD 1 REV 1 following an agreement reached at the level of the Fisheries Attachés meeting on 10 March 2015.

All delegations supported the compromise, with the exception of PT who entered a negative scrutiny reserve while not objecting to the use of the written procedure. Therefore, all delegations agreed to the use of the written procedure for the adoption of the Regulation. Consequently, this item is withdrawn from the agenda of the "Agriculture and Fisheries" Council.

Adoption by written procedure is envisaged for 24 March 2015 followed by publication on 30 March 2015.

16. Proposal for a Regulation of the European Parliament and of the Council on Animal Health (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 second trilogue on Animal Health Law and of the comments of the Commission representative.

17. Proposal for a Directive of the European Parliament and of the Council on package travel and assisted travel arrangements, amending Regulation (EC) No 2006/2004, Directive 2011/83/EU and repealing Council Directive 90/314/EEC (First reading) (Legislative deliberation)

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

The Committee took note of the debriefing prepared by the Presidency on the outcome of the second informal trilogue of the 5th of March 2015.

18. Proposal for a Directive of the European Parliament and of the Council concerning measures to ensure a high common level of network and information security across the Union (First reading) (Legislative deliberation)

- **Preparation for the informal trilogue**
6905/15 TELECOM 64 DATAPROTECT 29 CYBER 14 MI 148 CSC 58 CODEC 311

The Committee granted the Presidency a mandate, as set out in 6905/15, and asked the Presidency to get back to the Committee prior to the trilogue on the issue of scope.

Coreper Part 2

II

55. Preparation of the Council meeting (Foreign Affairs) on 16 March 2015

The Committee took note of the presentation by the European External Action Service on the preparation of the Council meeting (Foreign Affairs) on 16 March 2015. Items would include:

a) Africa

- **Draft Council conclusions on the political situation in Burundi in the pre-electoral context**
6944/15 COAFR 86 ACP 37 RELEX 193
- **Draft Council conclusions on the Gulf of Guinea Action Plan 2015-2020**
6942/15 COAFR 85 ACP 36 PESC 251 RELEX 192 JAI 194
- **Draft Council conclusions on Mali**
7097/15 COAFR 94 ACP 41 PESC 273 DEVGEN 30 COTER 44 COMAG 39
COHAFA 26 RELEX 213
- **Draft Council conclusions on Ebola**
7096/15 COAFR 93 COHAFA 25 SAN 67

Africa: The strategic discussion will focus on three broad thematic areas outlined in the issues paper: "Peace", "Prosperity" and "Partnership" and will be complemented by the adoption of four sets of Council conclusions, i.e. on Mali, on elections in Burundi, on Gulf of Guinea Action Plan 2015-2020 as well as on Ebola.

The Committee agreed on the texts of the draft Council conclusions and sent them to the Council for adoption.

b) Libya

- **Draft Council conclusions**
7193/15 LIBYE 4 COMAG 43 PESC 282

The Committee examined the draft Council conclusions on Libya on the basis of document 7193/15 and agreed to forward them to the Council for adoption, as set out in 7197/1/15 REV 1.

c) Eastern Partnership

The Committee received a brief overview from the European External Action Service on the objective of the discussion on the Eastern Partnership at the Foreign Affairs Council meeting on 16 March 2015.

d) Other items in connection with the Council meeting

The High Representative will debrief members of the Council on her recent visit to Bosnia and Herzegovina; other items to be raised include the situation of the Christian community in Northern Iraq, the financial situation of the Palestinian Authority and the upcoming Global Conference on Cyber Space.

Migration: The Council will have a first discussion on migration to complement the work of the JHA Council.

56. Follow-up to the Council meeting (Economic and Financial Affairs) on 10 March 2015

The Committee took note of the proceedings of this Council meeting.

57. Preparation of the Council meeting (General Affairs) on 17 March 2015

a) European Semester 2015

– **Synthesis report**

– **Updated roadmap**

6538/15 CO EUR-PREP 9 POLGEN 26 ENV 78 ENER 41 MI 109 RECH 32
COMPET 60 IND 23 ECOFIN 131 SOC 100 EDUC 38
TELECOM 51 JAI 108 EMPL 48

6543/15 CO EUR-PREP 10 POLGEN 27 ENV 79 ENER 43 MI 110 RECH 33
COMPET 61 IND 24 ECOFIN 133 SOC 101 EDUC 39
TELECOM 52 JAI 109 EMPL 49

The Committee took note of the Synthesis report, which compiles the Council discussions and contributions on the Annual Growth Survey. An updated European Semester roadmap has also been circulated, reflecting the postponement of the Europe 2020 Review.

b) Other items in connection with the Council meeting

The Presidency confirmed the lunch with the first VP Timmermans which will focus on the Interinstitutional Agreement.

c) Preparation of the European Council on 19/20 March 2015

- **Draft conclusions**
5497/15 CO EUR-PREP 3

The Committee discussed the draft conclusions for the March EC which will focus on the Energy Union, the European Semester/Growth and Jobs, the Eastern Partnership, Russia, Ukraine and Libya.

58. Preparation of the Council meeting (Justice and Home Affairs) on 12/13 March 2015

a) Fight against terrorism: follow up to the statement of 12 February by the Members of the European Council and to the Riga Joint Statement of 29 January by the Ministers of Justice and Home Affairs of the EU

- **Implementation of measures**
6891/15 JAI 160 PESC 242 COSI 31 COPS 61 ENFOPOL 57 COTER 43
SIRIS 15 FRONT 51 COPEN 72 DROIPEN 24

Following the first exchange of views on 4 March 2015, the Committee took note of the amended document by the Presidency (doc. 6891/15) with the measures designed to implement the recent counter-terrorism Statements. These measures have been tabled for discussion and guidance by the JHA Council on 12-13 March 2015.

The discussion confirmed broad agreement of the relevance of the issues outlined in the paper, while some delegations reiterated their concern with respect to the application of the Schengen framework.

b) Other items in connection with the Council meeting

The Chair informed the Committee of the fact that, following the JHA Counsellors meeting of 6 March 2015, the draft text of Chapters II and VI-VII of the draft General Data Protection Regulation had been further revised with a view to reaching a Partial General Approach on these Chapters at the Council meeting on 12-13 March 2015.

63. Draft Council conclusions on the EU Regional Strategy for Syria and Iraq as well as the ISIL / Da'esh threat

7051/15 COPS 69 COMAG 38 COMEM 52 PESC 267 CSDP/PSDC 135 COHAFA 24 SY 2

The Committee examined the draft Council conclusions on the EU Regional Strategy for Syria and Iraq as well as the ISIL/Da'esh threat on the basis of document 7051/15 and agreed to forward them to Council for adoption, as set out in 7247/15.

- **Any other business**

- **European Semester 2015 (CRP1)**

- a) **Synthesis report**

- b) **Updated roadmap**

- **Information from the Presidency**

- 6538/15 CO EUR-PREP 9 POLGEN 26 ENV 78 ENER 41 MI 109 RECH 32

- COMPET 60 IND 23 ECOFIN 131 SOC 100 EDUC 38

- TELECOM 51 JAI 108 EMPL 48

- 6543/15 CO EUR-PREP 10 POLGEN 27 ENV 79 ENER 43 MI 110 RECH 33

- COMPET 61 IND 24 ECOFIN 133 SOC 101 EDUC 39

- TELECOM 52 JAI 109 EMPL 49

Presidency informed the Committee on the documents that will be submitted to the General Affairs Council on 17 March 2015.

- **Delegated acts (CRP2)**

The Commission presented its non-paper on Delegated/Implemented Acts.

- **Draft Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (CRP2)**

The Commission informed that it would adopt a recommendation for a draft Council Decision authorising negotiations on behalf of the Union on the draft Protocol on 13 March 2015. The Chair underlined that there are very tight deadlines within which the Council would be expected to adopt this negotiating mandate, i.e. within a week time with a view to the last negotiating round on the draft Protocol starting in Strasbourg on 23 March 2015, but that the Presidency would do its utmost to ensure a timely adoption of the mandate.