



Council of the
European Union

Brussels, 14 April 2015
(OR. en, fr)

7457/15

CRS/CRP 12

SUMMARY RECORD

Subject: 2535th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 25 March 2015

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1. Adoption of the provisional agenda and "I" items

doc. 7416/15 OJ/CRP1 12

7348/1/15 REV 1 OJ/CRP2 12

The above-mentioned agendas are approved.

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

UK made a statement on the following item:

- 3. Commission Regulation (EU) .../... of XXX amending, as regards the trade in species of wild fauna and flora, Regulation (EC) No 865/2006 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97**
- **Decision not to oppose adoption**
7322/15 ENV 170 WTO 70
6548/15 ENV 80 WTO 52
+ ADD 1

"Article 1(3) of the proposed Regulation introduces a new Article 7(6) into Commission Regulation 865/2006, stating that "*Export permits and re-export certificates issued by third countries shall be accepted only if the competent authority from the third country concerned provides, where requested to do so, satisfactory information that the specimens were obtained in accordance with the legislation on the protection of the species concerned*". The UK considers that the CITES Management Authorities of Member States retain the discretion to decide when it is appropriate to seek information from the CITES Management Authority of the third country concerned."

ES joined the UK statement.

Statements are made on the following item:

18. Proposal for a Decision of the European Parliament and of the Council providing macro-financial assistance to Ukraine (First reading)

– **Approval of the final compromise text and the Council declaration**

5924/15 ECOFIN 68 UEM 22

+ ADD 1

Statement by LU

"Le Luxembourg peut accepter la déclaration relative à l'assistance macro-financière à l'Ukraine. De son point de vue, cette déclaration ne peut être considérée comme une décision anticipée s'agissant de porter l'assistance macro-financière en faveur de l'Ukraine à 2,5 milliards d'euros. Dans ce contexte, le Luxembourg continuera de suivre attentivement le cours des réformes structurelles en Ukraine et le respect des conditionnalités pour l'octroi d'une telle aide."

Statement by FI

"Finland can join the Council declaration and interprets it as the Council encouraging the Commission to propose, in addition to the present proposal of EUR 1.8 bn, further MFA for Ukraine of up to EUR 700 mn."

Statement by SE

"With the help of the EU and the international community, Ukraine has the opportunity to lay the basis for stability and growth over the medium term. We therefore strongly support the third macro-financial assistance of EUR 1.8 billion and the declaration inviting the Commission to propose, at the appropriate moment, further macro-financial assistance to Ukraine. However, any additional MFA, above EUR 1.8 billion, needs to be financed through reallocation within the EU budget."

Statement by SI

"Slovenia agrees with the Council declaration. However, Slovenia shares the view of some Member States that the statement on macro-financial assistance to Ukraine shall not prejudice any future decision. All risks for the EU budget should be duly taken into consideration. Furthermore, possible additional macro-financial assistance to Ukraine shall not in any case affect EU budget financing of cohesion policy and rural development."

The Commission made statements on the following item:

20. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1304/2013 of the European Parliament and the Council on the European Social Fund, as regards an increase of the initial pre-financing amount paid to operational programmes supported by the Youth Employment Initiative (First reading)

– **General approach**

7316/15 REGIO 21 FSTR 14 FC 16 SOC 185 EMPL 104 FIN 223 CODEC 367

The Commission made the following statement on the budgetary neutral character of its proposal, as set out in Annex II of the document 7316/15:

"The Commission confirms that the increased pre-financing in 2015 from the specific allocation for the Youth Employment Initiative (YEI), as proposed on 4 February 2015 (COM(2015) 46), will be covered by the currently available payment appropriations on the budget line for the YEI specific allocation. The Commission will not propose an Amending Budget in 2015 for this purpose as potential adjustments will exclusively be dealt with through reprioritisations within the European Social Fund budget for 2014-2020 without extra contributions to the EU budget from Member States."

The Commission presented explanations on the timely payment of the pre-financing, which are reflected in the following Commission statement:

"The Commission's main priority is to quickly adopt this proposal so that the pre-financing can be immediately made available to Member States. The Commission would like to reassure the Council by confirming that this additional pre-financing will be paid without delay to Member States upon the entry into force of the Regulation. In fact, the Commission normally executes pre-financing payments within a matter of a couple of days in the interest of equal treatment of all Member States."

Coreper Part 1

II

7. **Proposal for a Decision of the European Parliament and of the Council concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**
7330/15 CLIMA 29 ENV 173 MI 175 IND 44 ENER 101 ECOFIN 215
TRANS 98 COMPET 126 CODEC 369

The Committee agreed, subject to some adjustments to the text in the third column of document 7330/15, to give the Presidency a mandate to start negotiations with the European Parliament with a view to a first reading agreement on the above-mentioned proposal. The first informal trilogue is scheduled for 30 March 2015. The mandate can be found in 7566/15.

8. **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 for the informal trilogue**

The Committee took note of the results of the second informal trilogue with the EP on the above-mentioned Directive, held in Brussels on 24 March 2015.

9. **Proposal for a Directive of the European Parliament and of the Council amending Directive 2007/36/EC as regards the encouragement of long-term shareholder engagement and Directive 2013/34/EU as regards certain elements of the corporate governance statement (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**
7315/15 DRS 26 CODEC 366

The Committee provided a mandate to the Presidency to start negotiations with the European Parliament on the basis of the Presidency compromise set out in Annex to document 7315/15.

10. **Proposal for a Council Decision on the conclusion, on behalf of the European Union, of the Marrakesh Treaty to facilitate access to published works for persons who are blind, visually impaired, or otherwise print disabled**
- **Guidance for further work**
7321/15 PI 16

The Committee discussed several possible options for achieving a rapid ratification and implementation of the Marrakesh Treaty on the basis of the Presidency note (doc. 7321/15), but no agreement was reached. The Committee decided to return to this file at one of its next meetings on the basis of a revised Presidency compromise proposal.

11. **Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee has been informed of the outcome of the first informal trilogue.

12. **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)**
 - **Preparation for the informal trilogue**
6598/15 TRANS 65 CODEC 255

The Committee confirmed the mandate for the sixth trilogue as set out in 6598/15.

13. **Proposal for a Directive of the European Parliament and of the Council on the dissemination of Earth observation satellite data for commercial purposes (First reading) (Legislative deliberation)**
- **Guidance for further work**
7268/15 ESPACE 5 COMPET 121 IND 42 MI 169 CSDP/PSDC 145
CSC 61 TRANS 94 RECH 80 CODEC 363 IA 3

After discussion, the Committee agreed to proceed with the examination of the proposal at the Space Working Party, taking into account the Commission's political engagement to provide the necessary additional elements of information during negotiations and in particular in relation to MS' concerns regarding further evidence of market distortion and benefits of the proposal.

Coreper Part 2

II

25. Follow-up to the European Council meeting on 19/20 March 2015

The Committee took note of the intended follow-up to the March EC in particular in the following areas: the Energy Union, the Eastern Partnership Summit, Ukraine and Libya.

26. Europa Building - Follow-up to file 5345/15 IMM 1

The Director General of the Administration, Mr. Shapcott presented the overall monitoring of the Europa Building site referring to information included in the 5345/15 note.

He confirmed that all the efforts of the Buildings Agency are focused to meet the needs of the 28 Members States with the construction of the project they choose in the 2005 competition, and to allow the move of the Delegations to the new Building in September 2016.

The Buildings Agency presents a budget monitoring with a current construction cost still included in the budget. The evolution of this cost includes changes related to the Lisbon Treaty and technology updates, for example High Definition Quality broadcast equipment. However the company has introduced claims that have yet to be processed by the Buildings Agency.

The Member States will be regularly informed on the time and cost.

BE confirmed that a new Task Force meeting will be fixed.

A technical meeting will be organized to answer to questions related to the move, communication and IT. A site visit is foreseen in late April (date tbc).

27. Follow-up to the Council meeting (General Affairs) on 17 March 2015

The Committee took note of the key outcomes of the March GAC, which focused on the preparations of the March European Council and the European Semester; the Council also took note of the two letters received from the Icelandic authorities on the country's candidate status.

28. Composition of the Economic and Social Committee
7359/15 CES 17 INST 82 AG 9

The Committee:

- discussed the composition of the Economic and Social Committee on the basis of a Presidency compromise text and took note of delegations positions;
- took note of the Presidency's intention to carry on consultations in order to find a compromise acceptable to all delegations.

29. Follow-up to the Council meeting (Justice and Home Affairs) on 12/13 March 2015

The Chair presented the outcome of the Justice and Home Affairs Council emphasising the main items: fight against terrorism, migration and data protection. The Chair also informed delegations that the declaration made by seven delegations on the Directive on provisional legal aid was included in the minutes of the Council. One delegation asked for clarification on the reinforced application of the Schengen framework.

30. Follow-up to the Council meeting (Foreign Affairs) on 16 March 2015

The Committee took note of the key outcomes of the Council meeting (Foreign Affairs) on 16 March 2015. Items included Africa (strategic debate based on an issues paper; several Council conclusions adopted), Libya, migration (first exchange of views on external aspects) and Eastern Partnership (preparations of the Riga Summit).

31. Preparation of the Eastern Partnership Summit

The Committee received a brief overview from the European External Action Service on progress with preparations for the Eastern Partnership Riga Summit and of the envisaged next steps, and had an exchange of views on the main messages and deliverables of the Summit.

32. Preparation of the EU-Ukraine Summit
7487/15 COEST 106 PESC 324 RESTREINT UE

The European External Action Service informed the Committee of the state of play of preparations for the EU-Ukraine Summit to be held in Kyiv, on 27 April 2015. The Committee will hold a substantive discussion on the topic on 1 April 2015.