

Brussels, 16 April 2018
(OR. en, fr)

7996/18
CRS CRP 12

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
28 March 2018

I. Adoption of the agenda

7486/18 OJ CRP1 12
7512/1/18 REV 1 OJ CRP2 12 COMIX 152

The Committee adopted the 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)

Telecommunications

2. Directive on the European Electronic Communications Code
(recast)
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 20 March 2018.

Culture/Audiovisual Matters

3. Review of the Directive on audiovisual media services (AVMS)
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 March 2018.

Internal Market and Industry

4. Regulation on the Single Digital Gateway
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 22 March 2018.

Environment

5. Regulation on monitoring and reporting of CO2 emissions for heavy duty vehicles
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 March 2018.

Energy

6. Directive on energy efficiency
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 20 March 2018.

7. Directive on renewable energy (recast)
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 March 2018.

Internal Market and Industry

8. Directive on empowering national competition authorities: 7348/18
ECN Plus
Mandate for negotiations with the European Parliament

The Committee agreed on a mandate for the forthcoming trilogue.

Statement by Denmark

"Denmark supports the proposal and the overall aim of empowering the national competition authorities. Effective competition rules are crucial for ensuring a well-functioning Single Market and growth as competition encourages innovation, efficiency and guarantees consumers the best choice.

However, Denmark finds that, as point of principle, the choice of applicable procedural law should remain a matter for the Member States, who can thereby ensure that proceedings are in line with their rules and legal traditions. Therefore, Denmark strongly regrets the wording of Article 12 of this Directive.

Although it does not change Denmark's position on this matter, Denmark welcomes the references in Article 12 and recital 29 of this Directive, to the general principles of EU law and the Charter of Fundamental Rights of the European Union, in particular Articles 47 and 48. These references make it clear that those rules apply in all proceedings concerning infringements of Articles 101 and 102 TFEU, including non-criminal judicial proceedings."

COREPER (PART 2)

General Affairs

30. European Council follow-up

The Committee took note of the main outcomes of the European Council.

Foreign Affairs

31. EU-Western Balkans Summit (Sofia, 17 May 2018) 7432/18 *Policy debate*

The Committee held an exchange of views on the upcoming EU-Western Balkans Summit and agreed to revert to this issue at its next session.

32. Meeting of the Council (Foreign Affairs) on 19 March 2018: Follow-up

The EEAS informed the Committee about the main outcomes of the meeting.

33. Meeting of the Council (Foreign Affairs) on 16 April 2018: Agenda

The EEAS presented the main points on the agenda. Delegations requested the addition of items on Iran and on the Future of external financing instruments.

34. Restrictive measures targeting sectoral cooperation and exchanges with the Russian Federation: review of impact *Information from the Commission*

This item was discussed in a restricted session.

Justice and Home Affairs

35. Regulation establishing a European Travel Information and Authorisation System (ETIAS) 7152/18 *Mandate for negotiations with the European Parliament*

The Committee agreed on a revised mandate for the forthcoming trilogue.

36. Adapting the common visa policy to new challenges 7172/18 *Policy debate* 7364/18

The Committee held an exchange of views on the Commission's communication "Adapting the common visa policy to new challenges".

37. Council Decision on the Global Compact for Safe, Orderly and Regular Migration in the area of immigration policy 7391/18 + ADD 1
Guidance for further work

38. Council Decision on the Global Compact for Safe, Orderly and Regular Migration in the field of development cooperation 7400/18 + ADD 1
Guidance for further work

The Committee discussed the way forward for these two proposals.

General Affairs

39. Reform of the Electoral Act 7328/18
Approval

The Committee discussed the abovementioned proposal and agreed to return to it at its next session. On article 9a (concerning the definition by the member states of the conditions for the exercise of the right to vote in the EP elections by their nationals residing in third countries) and the corresponding recital, Greece indicated that it could accept the Presidency's proposal taking into account that no obligation is stemming for the Member States.

40. Relations with the EP (March 2018)
Debriefing

The above-mentioned item was withdrawn.

41. Meeting of the Council (General Affairs) on 20 March 2018:
Follow-up

The above-mentioned item was withdrawn.

42. Meeting of the Council (General Affairs) on 17 April 2018:
Agenda

The Presidency presented the main points on the agenda.

43. Meeting of the Council (General Affairs) on 12 April 2018:
Preparation

a) Strategic context and priorities of cohesion policy 7434/18
post-2020
Exchange of views

The Committee prepared this item for the Council.

- b) Communicating cohesion policy
Information from the Commission

The Committee prepared this item for the Council.

- c) Other items in connection with the Council meeting

No new items were raised under this heading.

Economic and Financial Affairs

- 44. Facility for Refugees in Turkey - Financing of the second tranche 7435/18
Exchange of views

The Committee held an exchange of views on the financing of the second tranche of the Facility for Refugees in Turkey and agreed to return to this issue at its next session.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Debrief from the Euro Summit (Brussels, 23 March 2018)

The Committee took note of the debrief provided.

Debrief from the EU-Turkey meeting (Varna, 26 March 2018)

The Committee took note of the debrief provided.

Dublin Regulation - Information from the Presidency on the state of play

The Committee took note of the information provided by the Presidency.

SPA with Japan

The Committee took note of the information provided.

Citizens' consultations

The Committee took note of the information provided.

Salisbury follow-up

This item was discussed in a restricted session.

"I" items approved

COREPER (PART 1)

Institutional Affairs

Written questions

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| 9. | Replies to questions for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure | 7413/18
PE-QE |
| a) | Kazimierz Michał Ujazdowski (ECR)
'Criteria for joining PESCO'
'PESCO work on the eastern flank of Europe' | 7240/18 |
| b) | Wajid Khan (S&D)
'Persecution of Rohingya civilians in Myanmar' | 6769/18 |
| c) | Lynn Boylan (GUE/NGL), Matt Carthy (GUE/NGL),
Liadh Ní Riada (GUE/NGL) and Martina Anderson
(GUE/NGL)
'Irish participation in PESCO' | 6770/18 |
| d) | Alfred Sant (S&D)
'Update on the EU-Canada competition agreement' | 6771/18 |
| e) | Wolf Klinz (ALDE)
'Negative impact of the US tax reform on the EU'
'Negative impact of the US tax reform on the EU' | 6773/18 |
| f) | Martin Schirdewan (GUE/NGL)
'Removal of eight countries from the EU list of non-cooperative tax jurisdictions' | 6774/18 |
| g) | Lola Sánchez Caldentey (GUE/NGL), Anne-Marie Mineur
(GUE/NGL) and Judith Sargentini (Verts/ALE)
'COHOM's decision-making process' | 6775/18 |
| h) | Rory Palmer (S&D)
'European Investment Bank' | 6776/18 |

Internal Market and Industry

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| 10. | Regulation on cash controls
<i>Mandate for negotiations with the European Parliament</i> | 6889/18
7221/18
UD |
| 11. | Regulation on Rail Transport Statistics (recast)
<i>Adoption of the legislative act</i> | 7293/18
PE-CONS 8/18
STATIS |

Agriculture

- | | |
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| 12. Directive on control of Newcastle disease
<i>Adoption of the legislative act</i> | 7300/18
PE-CONS 6/18
AGRI |
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Culture/Audiovisual Matters

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| 13. Regulation on the Creative Europe Programme - EU Youth Orchestra (EUYO)
<i>Adoption of the legislative act</i> | 7299/18
PE-CONS 5/18
AUDIO |
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Education

- | | |
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| 14. Decision on Europass
<i>Adoption of the legislative act</i> | 7298/18
PE-CONS 70/17
EDUC |
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Telecommunications

- | | |
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| 15. Regulation on cross-border parcel delivery services
<i>Adoption of the legislative act</i> | 7291/18
PE-CONS 69/17
POSTES |
|---|------------------------------------|

Transport

- | | |
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| 16. Directive on qualification of professional drivers
<i>Adoption of the legislative act</i> | 7292/18
PE-CONS 71/17
TRANS |
| 17. Amended proposal for a Decision on the EU-Canada Air Transport Agreement
<i>Request for the consent of the European Parliament</i> | 7118/18
6730/18
AVIATION |
| 18. Decision on Satellite-based Augmentation Services in Ukraine based on EGNOS: opening of negotiations
<i>Adoption</i> | 6627/18
6934/18
+ ADD 1 R-UE
TRANS |

Research

- | | |
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| 19. Decision on the financial provisions for the Research Fund for Coal and Steel
<i>Adoption</i> | 7200/18
14532/17
RECH |
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Delegated or Implementing Acts

Environment

- | | |
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| 20. Commission Delegated Directive (EU) .../... of 27.2.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for certain electrical and electronic components containing lead in glass or ceramic
<i>Delegated act - Intention not to raise objections</i> | 7367/18
6710/18 + ADD 1
ENV |
| 21. Commission Delegated Directive (EU) .../... of 27.2.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solders for the soldering to machined through hole discoidal and planar array ceramic multilayer capacitors
<i>Delegated act - Intention not to raise objections</i> | 7369/18
6712/18 + ADD 1
ENV |
| 22. Commission Delegated Directive (EU) .../... of 27.2.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in cermet-based trimmer potentiometer elements
<i>Delegated act - Intention not to raise objections</i> | 7370/18
6714/18 + ADD 1
ENV |
| 23. Commission Delegated Directive (EU) .../... of 1.3.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead as an alloying element in copper
<i>Delegated act - Intention not to raise objections</i> | 7371/18
6749/18 + ADD 1
ENV |
| 24. Commission Delegated Directive (EU) .../... of 1.3.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in high melting temperature solders
<i>Delegated act - Intention not to raise objections</i> | 7372/18
6750/18 + ADD 1
ENV |
| 25. Commission Delegated Directive (EU) .../... of 1.3.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead as an alloying element in aluminium
<i>Delegated act - Intention not to raise objections</i> | 7373/18
6753/18 + ADD 1
ENV |

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| 26. | Commission Delegated Directive (EU) .../... of 1.3.2018 amending for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead as an alloying element in steel
<i>Delegated act - Intention not to raise objections</i> | 7374/18
6754/18 + ADD 1
ENV |
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Internal Market and Industry

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| 27. | Commission Delegated Decision on the applicable systems to assess and verify constancy of performance of metal faced sandwich panels for structural use pursuant to Regulation (RU) No 305/2011 of the European Parliament and of the Council
<i>Delegated act - Intention not to raise objections</i> | 7384/18
6312/18 + ADD 1
MI |
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Transport

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| 28. | Commission Delegated Regulation (EU) .../... of 16.2.2018 establishing common safety methods for supervision by national safety authorities after the issue of a single safety certificate or a safety authorisation pursuant to Directive (EU) 2016/798 of the European Parliament and of the Council and repealing Commission Regulation (EU) No 1077/2012
<i>Delegated act - Intention not to raise objections</i> | 7379/18
6381/18 + ADD 1
TRANS |
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Agriculture

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| 29. | Commission Regulation (EU) .../... of XXX amending Annex V to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the requirements for the removal of specified risk materials from small ruminants
<i>Decision not to oppose adoption</i> | 7124/18
6295/18
AGRILEG |
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Statement by France

"Lors du comité permanent du 1^{er} février 2018, la France a voté contre le projet de règlement modifiant l'annexe V du règlement (CE) n°999/2001 visant à alléger les mesures de retrait des matériels à risque spécifié (MRS)⁽¹⁾, considérant que cette modification entraîne une augmentation du risque relatif au prion pour les consommateurs.

La liste des MRS pour les petits ruminants doit tenir compte de l'infectiosité des tissus vis-à-vis de l'ensemble des maladies à prion, dont l'encéphalopathie spongiforme bovine (ESB) ainsi que la tremblante. Les avis de l'Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail (Anses) du 20 mars 2017 et de l'EFSA de 2015 concluent que la possibilité de transmission à l'homme de la tremblante ne peut être ni confirmée ni exclue.

L'Anses précise, dans son avis du 20 mars 2017, que tout allègement de la liste des MRS pour les petits ruminants présenterait un risque potentiel accru en matière de santé publique en raison de l'augmentation du niveau d'exposition des consommateurs aux prions de petits ruminants.

La France estime ainsi que ce projet de règlement ne répond pas aux objectifs de l'article 7 du règlement 178/2002 sur la législation alimentaire relatif au principe de précaution.

La France considère que les matériels à risques spécifiés constituent le seul outil qui permet de limiter l'exposition du consommateur aux prions et que ce règlement engendre un potentiel risque accru pour les consommateurs. Elle souhaite que la liste des MRS soit révisée dès que de nouveaux éléments scientifiques probants seront disponibles.

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- (1) Le projet de règlement prévoit que la liste des MRS pour les petits ruminants soit réduite au crâne, y compris l'encéphale et les yeux, et à la moelle épinière des animaux âgés de plus de 12 mois ou qui présentent une incisive permanente ayant percé la gencive, ou des animaux dont l'âge est estimé à plus de 12 mois au moyen d'une méthode approuvée par l'autorité compétente de l'État membre d'abattage. En effet, tel qu'indiqué au considérant 12 du projet de règlement, l'estimation de l'âge des ovins et des caprins sur la base de la dentition ne constitue qu'une approximation."

COREPER (PART 2)

Judicial Affairs

45. Case T-693/17 (Abel García Gómez and Others v Single Resolution Board) 7047/18
JUR
Information note for the Permanent Representatives Committee (Part 2)

Institutional Affairs

46. **Minutes of Council meetings**
Approval

- a) GAC 20.11.2017 14620/17
+ ADD 1 REV 1
- b) ECOFIN 23.01.2018 5587/18
+ ADD 1

Appointments

47. An alternate member (MT) of the Committee of the Regions 6971/18
Adoption 6970/18
CDR
48. A member (AT) of the Committee of the Regions 7071/18
Adoption 7070/18
CDR
49. A member (AT) of the Committee of the Regions 7074/18
Adoption 7073/18
CDR
50. A member (DE) of the Committee of the Regions 7305/18
Adoption 7304/18
CDR

Economic and Financial Affairs

51. MFA Georgia 7294/18
Adoption of the legislative act PE-CONS 7/18
ECOFIN
52. New German Commemorative coin 7169/18
UEM

- | | | |
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| 53. | IT VAT derogation to apply a mandatory electronic invoicing
<i>Adoption</i> | 6654/1/18 REV 1
6266/18
FISC |
| 54. | ECA SR No 17/2017 on the Commission's intervention in the Greek financial crisis
<i>Designation of a Working Party</i> | 7285/18
FIN |
| 55. | ECA SR No 5/2018 on renewable energy for sustainable rural development
<i>Designation of a Working Party</i> | 7289/18
FIN |
| 56. | ECA SR No 6/2018 on the free movement of workers
<i>Designation of a Working Party</i> | 7296/18
FIN |
| 57. | ECA SR No 10/2018 on the basic payment scheme for farmers
<i>Designation of a Working Party</i> | 7353/18
FIN |
| 58. | Conclusions on ECA SR No 23/2017 on Single Resolution Board and ECA SR No 2/2018 on The operational efficiency of the ECB's crisis management for banks
<i>Adoption</i> | 7461/18
EF |

General Affairs

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| 59. | EP Resolutions and decisions (March 2018) | 7143/18
PE-RE |
| 60. | Partial renewal of the membership of the General Court
<i>Approval of a letter</i> | 7056/18
+ COR 1 REV 1
COUR |
| 61. | Conclusions on European Court of Auditors' Special Report 1/2018: JASPERS
<i>Adoption</i> | 7377/18
REGIO |

Foreign Affairs

- | | | |
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| 62. | PSC Decision EUBAM Libya/1/2018 - extension of HoM's mandate
<i>Decision to publish in the Official Journal</i> | 7102/18
6493/18
PSC DEC |
| 63. | EUAM Iraq Mission - Decision
<i>Adoption</i> | 7223/18
6633/18
CORLX |

67.	Iran Human Rights restrictive measures - review - Decision and Implementing Regulation <i>Adoption</i>	7357/18 6305/18 6307/18 CORLX
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Other items

64.	Approval of a cryptographic product <i>Approval</i>	7093/18 R-UE CSCI CSC
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65.	Approval of a cryptographic product <i>Approval</i>	7095/18 R-UE CSCI CSC
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66.	Approval of a cryptographic product <i>Approval</i>	7096/18 R-UE CSCI CSC
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