



Brussels, 16 June 2020
(OR. en)

8805/20
CRS CRP 25

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
27 May 2020

I. Adoption of the agenda

8209/1/20 REV 1 OJ CRP2 21 COMIX 225
8147/20 OJ CRP1 21 + COR 1

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 2)

Justice and Home Affairs

2. Informal videoconference of the Ministers of Home Affairs on
5 June 2020: Preparation

The Committee held an exchange of views in preparation of the informal videoconference of the Ministers of Home Affairs.

3. Informal videoconference of the Ministers of Justice on 4 June
2020: Preparation

The Committee held an exchange of views in preparation of the informal videoconference of the Ministers of Justice.

General Affairs

4. Informal videoconference of the Ministers of European Affairs on 26 May 2020: Follow-up

The Presidency presented the main discussions at the informal videoconference.

Economic and Financial Affairs

5. Informal videoconference of the Ministers of Economy and Finance on 9 June 2020: Agenda

The Presidency presented the main items on the agenda of the informal videoconference of the Ministers of Economy and Finance.

Foreign Affairs

6. Informal videoconference of the Ministers of Foreign Affairs/Development on 8 June 2020: Agenda

The EEAS presented the main items on the agenda of the informal videoconference of the Ministers of Foreign Affairs/Development.

7. Eastern Partnership Leaders' videoconference - Orientation debate
Exchange of views 7826/20

The Committee held an exchange of views on the preparation of the above-mentioned videoconference.

General Affairs

8. (poss.) Multiannual Financial Framework 2021-2027 and Recovery package
Presentation by the Commission

The Committee took note of the presentation by the Commission and held an exchange of views.

Foreign Affairs

9. Informal videoconference of the Ministers of Foreign Affairs on 29 May 2020: Preparation

The Committee held an exchange of views in preparation of the informal videoconference of the Ministers of Foreign Affairs.

COREPER (PART 1)

Competitiveness

27. Informal videoconference of Ministers of Research on 29 May
2020: *Preparation*

The Committee held an exchange of views in preparation of the informal videoconference of the Ministers of Research. The Committee agreed to invite the scientific advisor to the President of the European Commission and a Croatian scientist to address the Ministers.

28. Informal videoconference of Ministers of Space on 29 May
2020: *Preparation*

The Committee held an exchange of views in preparation of the informal videoconference of the Ministers of Space.

Space

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| 29. Conclusions on space for a sustainable Europe | 7733/20 |
| <i>Preparation for the adoption</i> | 7862/20 |
| <i>Decision to use the written procedure</i> | |

The Committee agreed on the draft text of the Council Conclusions and decided on the use of the written procedure for the adoption of the text.

Education, Youth, Culture and Sport

30. Informal videoconference of Ministers of Sport on 2 June 2020:
Preparation

The Committee held an exchange of views in preparation of the informal videoconference of the Ministers of Sport. The Committee agreed to invite representatives of the International Olympic Committee to address the Ministers.

Sport

31. Conclusions on empowering coaches by enhancing opportunities to acquire skills and competences 8121/20
Preparation for the adoption
Decision to use the written procedure

The Committee agreed on the draft text of the Council Conclusions and decided on the use of the written procedure for the adoption of the text.

Transport, Telecommunications and Energy

32. Informal videoconference of the Ministers of Transport on 4 June 2020: *Agenda*

The Presidency presented the main items on the agenda of the informal videoconference of the Ministers of Transport.

33. Informal videoconference of the Ministers of Telecommunications on 5 June 2020: *Agenda*

The Presidency presented the main items on the agenda of the informal videoconference of the Ministers of Telecommunications.

Employment, Social Policy, Health and Consumer Affairs

34. Informal videoconference of the Ministers of Employment and Social Policy on 9 June 2020: *Agenda*

The Presidency presented the main items on the agenda of the informal videoconference of the Ministers of Employment and Social Policy.

Agriculture and Fisheries

35. Informal videoconference of Agriculture Ministers on 8 June 2020: *Agenda*
(For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda of the informal videoconference of the Ministers of Agriculture.

IV. Any other business

COREPER (PART 2)

EU-Japan videoconference

The Committee was debriefed of the EU-Japan videoconference.

COREPER (PART 1)

Recovery plan

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

Follow-up of the informal videoconference of Ministers of Tourism on 20 May 2020

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

"I" items approved**COREPER (PART 2)****Judicial Affairs**

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| 10. | Case T-218/20 (Waseem Alkattan v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 8043/20
JUR |
| 11. | Case T-252/20 (Joshua David Silver e.a. v. Council of the European Union)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 8062/20
JUR |

Transparency

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| 12. | Public access to documents
Confirmatory application No 10/c/01/20
<i>Decision to use the written procedure for the adoption</i> | 8033/20
8034/20
INF
API |
| 13. | Public access to documents
Confirmatory application No 13/c/01/20
<i>Decision to use the written procedure for the adoption</i> | 7808/20
7810/20
INF
API |
| 14. | Eighteenth annual report on public access to documents
<i>Decision to use the written procedure for the adoption</i> | 8118/20
7483/20
INF
API |

Economic and Financial Affairs

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| 15. | European Court of Auditors' Special Report No 11/2020 on Energy efficiency in buildings
<i>Designation of a Working Party</i> | 8039/20
FIN |
| 16. | European Court of Auditors' Special Report No 12/2020 on the European Investment Advisory Hub
<i>Designation of a Working Party</i> | 8052/20
FIN |
| 17. | Conclusions concerning the structure and rates of excise duty applied to manufactured tobacco
<i>Decision to use the written procedure for the adoption</i> | 8095/20 + ADD 1
8093/20
FISC |

Statement by Hungary

"While supporting the text of the Council conclusions concerning the structure and rates of excise duty applied to manufactured tobacco, Hungary declares that the last turn of point 13 of these conclusions cannot be interpreted as Hungary's commitment that, in case of raise of (minimum) excise duty on any tobacco product, such raise will have to be aligned to those applicable in Member States, which have recently increased the rates of excise duty on such tobacco product."

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| 18. | Transfer No DEC 09/2020 (Section III - Commission) | 8070/20 |
| | <i>Approval</i> | 7968/20 |
| | <i>Decision to use the written procedure</i> | FIN |
| 19. | Transfer No DEC 10/2020 (Section III - Commission) | 8072/20 |
| | <i>Approval</i> | 7969/20 |
| | <i>Decision to use the written procedure</i> | FIN |

General Affairs

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| 20. | Conclusions on ECA Report No 15/2019 on the implementation of the 2014 staff reform package at the Commission | 8104/20 |
| | <i>Decision to use the written procedure for the adoption</i> | 8102/20 |
| | | STAT |

Justice and Home Affairs

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| 21. | (poss.) Conclusions on enhancing cooperation with partners from Western Balkans in the field of migration and security | 8126/20 |
| | <i>Decision to use the written procedure for the adoption</i> | 8132/20 |
| | | JAI |
| | | RELEX |

The above-mentioned item is withdrawn.

Foreign Affairs

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| 22. | Request for declassification of documents relating to EULEX Kosovo in the context of case T-602/15 RENV | 8065/20 |
| | <i>Authorisation to produce a copy of or an extract from a Council document for use in legal proceedings</i> | 9633/6/14 REV 6 |
| | | R-UE |
| | | 5911/14 R-UE |
| | | CSDP/PSDC |
| 23. | Council Decision in support of the UN Secretary General's Mechanism for investigation of the alleged use of chemical, biological and toxin weapons | 6288/20 |
| | <i>Decision to use the written procedure for the adoption</i> | 6152/20 |
| | | CORLX |
| 24. | Council Decision appointing the EU Force Commander of the European Union military operation in the Mediterranean (EUNAVFOR MED IRINI) | 7867/20 |
| | <i>Decision to use the written procedure for the adoption</i> | 7597/20 |
| | | CORLX |

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| 25. | Restrictive measures to combat terrorism - Common Position
2001/931/CFSP - pre-notification of updated statements of
reasons
<i>Decision to use the written procedure for the adoption</i> | 8119/20 + ADD 1
CORLX |
| 26. | Conclusions on Afghanistan
<i>Decision to use the written procedure for the adoption</i> | 8179/20
8223/20
COASI |
| 48. | Council Implementing Decision and Implementing Regulation
concerning restrictive measures against the Democratic People's
Republic of Korea
<i>Decision to use the written procedure for the adoption</i> | 8041/20
7982/20 + ADD 1
7983/20 + ADD 1
CORLX |

COREPER (PART 1)

Institutional Affairs

Written questions

36. Replies to questions for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure 8094/20
PE-QE
- a) Harald Vilimsky (ID) 8085/20
"Relaunching of Operation Sophia in the Mediterranean"
- b) Silvia Sardone (ID) 7676/20
"Germany's positive trade balance"
- c) Marco Zanni (ID) 7583/20
"Updating of the EU tax haven blacklist"
- d) Antonio Maria Rinaldi (ID), Marco Zanni (ID), Marco Campomenosi (ID), Alessandro Panza (ID), Lucia Vuolo (ID), Simona Baldassarre (ID), Silvia Sardone (ID), Paolo Borchia (ID), Luisa Regimenti (ID), Danilo Oscar Lancini (ID), Alessandra Basso (ID), Vincenzo Sofo (ID), Andrea Caroppo (ID), Angelo Ciocca (ID), Rosanna Conte (ID), Annalisa Tardino (ID), Stefania Zambelli (ID), Francesca Donato (ID), Anna Bonfrisco (ID), Marco Dreosto (ID), Mara Bizzotto (ID), Elena Lizzi (ID) 7686/20
"Amendments to the ESM system: Suspension of the ratification procedure "
- e) Gianantonio Da Re (ID) 7687/20
"Eurogroup meeting of 16 March 2020: suspension of ratification of the European Solidarity Mechanism – Covid-19 health emergency"

Appointments

37. One member (CY) of the Management Board of the European Centre for the Development of Vocational Training 8155/20
8154/20
Decision to use the written procedure for the adoption SOC
38. One alternate member (CY) of the Management Board of the European Centre for the Development of Vocational Training 8157/20
8156/20
Decision to use the written procedure for the adoption SOC

EU positions for international negotiations

39. ICAO - EU Coordination for the 220th session of the ICAO Council (Montreal, 8 - 26 June 2020) 8107/20 + ADD 1-2
Approval AVIATION
Decision to use the written procedure

The above-mentioned item is withdrawn.

Judicial Affairs

40. Case T-707/18 (Tilly-Sabco v. Council and Commission) 8063/20
Information note for the Permanent Representatives Committee JUR
(Part 1)

Research

41. Council Decision on the renewal of the cooperation agreement 8073/20
in science and technology between the EC and India 6104/20
Decision to use the written procedure for the adoption RECH
42. Council Decision on the renewal of the cooperation agreement 8074/20
in science and technology between the EC and Ukraine 6101/20
Decision to use the written procedure for the adoption RECH

Transport

43. Decision empowering Germany regarding a transport agreement 6640/20 + ADD 1
with Switzerland for international bus and coach cabotage TRANS
Decision to use the written procedure for the adoption of the legislative act

Statement by the Commission

"The Commission disagrees with the omission of Article 2(1) TFEU as legal basis of the decision in question.

While Article 91 TFEU empowers the Union to adopt acts of transport policy, the legislator is warranted powers to authorise Member States to act in the Union's stead in an area of exclusive Union competence only under Article 2(1) TFEU. The decision can therefore be adopted only on the basis of both provisions."

44. Decision empowering Italy regarding a transport agreement with Switzerland for international bus and coach cabotage 6643/20 + ADD 1
TRANS
Decision to use the written procedure for the adoption of the legislative act

Statement by the Commission

"The Commission disagrees with the omission of Article 2(1) TFEU as legal basis of the decision in question.

While Article 91 TFEU empowers the Union to adopt acts of transport policy, the legislator is warranted powers to authorise Member States to act in the Union's stead in an area of exclusive Union competence only under Article 2(1) TFEU. The decision can therefore be adopted only on the basis of both provisions."

Agriculture

45. Preparation of positions of the EU and its Member States with regard to the World Organisation for Animal Health (OIE) 8153/20
VETER
Establishment of the EU position

Fisheries

46. Council Decision on the conclusion of the Protocol to amend the International Convention for the Conservation of Atlantic Tuna (ICCAT) 8018/20 + ADD 1
13447/19
PECHE
Decision to use the written procedure for the adoption

Statement by the Commission

"By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)(a)(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the decision on the conclusion of the Protocol to amend the International Convention for the Conservation of Atlantic Tunas, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph), and therefore maintains its initial proposal."

47. Council Decision on the conclusion of the Fisheries Partnership Agreement in the form of an exchange of letters between the European Union and Mauritania
Decision to use the written procedure for the adoption

8031/20 + ADD 1
12928/19
PECHE

Statement by the Commission

"By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)(a)(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the decision on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania concerning the extension of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania, expiring on 15 November 2019, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph), and therefore maintains its initial proposal."
