



Brussels, 23 May 2019
(OR. en, fr)

9669/19
CRS CRP 17

SUMMARY RECORD

PERMANENT REPRESENTATIVES COMMITTEE

7, 8 and 13 May 2019

I. Adoption of the agenda

9009/1/19 REV 1 OJ CRP2 17 + CM 2836/19
9047/19 OJ CRP1 17 + 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)

TUESDAY 7 MAY 2019

General Affairs

2. Meeting of the Council (General Affairs) on 21 May 2019:
Preparation
Other items in connection with the Council meeting

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

Foreign Affairs

3. Meeting of the Council (Foreign Affairs) on 13-14 May 2019: Preparation

a) Current Affairs

The Committee prepared this item for the Council.

b) Libya *Exchange of views*

The Committee held an exchange of views and agreed to revert to this issue at the continuation of its session.

c) Sahel *Exchange of views* Conclusions *Adoption*

8924/19

The Committee prepared this item for the Council. The Committee also approved the text of the draft conclusions and agreed to forward them to the Council for adoption.

d) Sahel (in the presence of representatives of the G5 Sahel) *Exchange of views*

The Committee prepared this item for the Council.

e) PESCO *Exchange of views* Recommendation on the first annual report on PESCO implementation *Adoption*

8986/19

8795/19

The Committee prepared this item for the Council. The Committee also approved the text of the draft Recommendation and agreed to forward it to the Council for adoption.

f) Other items in connection with the Council meeting

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

4. Meeting of the Council (Foreign Affairs/Trade) on 27 May 2019: Agenda

The Presidency presented the main items on the agenda.

5. Regulation establishing the Neighbourhood, Development and International Cooperation Instrument (NDICI) 8891/19
+ ADD 1-7
State of play and guidance for further work + ADD 4 COR 1

The Committee endorsed the draft compromises on 5 thematic packages ("Working better together/Inclusiveness", "Peace, stability and conflict prevention, including CBSD", "OCTs", "Gender/SRHR", and "LDCs and MICs") as well as the "Green lines", while inserting brackets around the provisions on indigenous people. The Committee also provided further guidance on the thematic packages related to "Migration" and "Environment, biodiversity and climate change".

29. Eastern Partnership 10th Anniversary Statement 8973/19
Approval COEST

The Committee approved the text of the draft Statement with possible limited further adjustments in view of its adoption and took note of the possibility that the text could also serve as the basis for Chair's conclusions.

Economic and Financial Affairs

6. Meeting of the Council (Economic and Financial Affairs) on 17 May 2019: Preparation
- a) International meetings
- i) Follow-up to the G20 Meeting of Finance Ministers and Central Bank Governors and of the IMF and World Bank Spring meetings in April 2019 in Washington
Information from the Presidency and the Commission

The Committee prepared this item for the Council.

- ii) Terms of reference for the G20 Meeting of Finance Ministers and Central Bank Governors in June 2019 in Fukuoka, Japan
Approval

The Committee prepared this item for the Council.

- iii) Digital taxation in the international context
Policy debate

The Committee prepared this item for the Council.

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| iv) | First meeting of the Coalition of finance ministers
for climate action
<i>Information from the Commission</i> | 9019/19
9077/19 |
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The Committee prepared this item for the Council.

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| b) | European Semester 2019
Conclusions on Country Reports: 2019 In-depth reviews
and implementation of the 2018 Country-Specific
Recommendations
<i>Adoption</i> | 9021/19
9023/19 |
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The Committee prepared this item for the Council. The Committee also approved the text of the draft conclusions and agreed to forward them to the Council for adoption.

- c) Other items in connection with the Council meeting

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

MONDAY 13 MAY 2019

Foreign Affairs

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| 79. | Restrictive measures against cyber-attacks threatening the Union
or its Member States
<i>Preparation for the adoption</i> | 7862/19
9179/19 |
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The Committee agreed on the draft Council Decision and Council Regulation and agreed to forward them to the Council for adoption.

The Committee further adopted the revised mandate of the Horizontal Working Party on cyber issues.

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| 29. | (poss.) Eastern Partnership 10th Anniversary Statement
<i>Approval</i> | 8973/19 |
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The Committee took note that the text would take the form of Chair's conclusions.

3. Meeting of the Council (Foreign Affairs) on 13-14 May 2019:
Preparation

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| b) | Libya (in the presence of SRSG Salamé)
<i>Exchange of views</i>
Statement
<i>Approval</i> | 9174/19 |
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The Committee prepared this item for the Council. The Committee also agreed on the draft statement and agreed to forward it to the Council for approval.

COREPER (PART 1)

Transport

33. IMO - EU coordination for the 74th session of the Marine Environment Protection Committee 9005/19 + COR 1
Establishment of the EU position

The common EU position was supported by all delegations.

Education, Youth, Culture and Sport

34. Meeting of the Council (Education, Youth, Culture and Sport) on 22 and 23 May 2019:
Preparation

1. Recommendation on a comprehensive approach to the teaching and learning of languages 8638/19
Adoption
The Committee prepared this item for the Council.
2. Recommendation on high quality early childhood education and care systems 7976/19
Adoption
The Committee prepared this item for the Council.
3. Conclusions on upskilling pathways 8639/19 + COR 1
Adoption
The Committee prepared this item for the Council.
4. Building the future of Europe: The contribution of education and training to strengthening social cohesion 8653/19
Policy debate
The Committee prepared this item for the Council.
5. Conclusions on young people and the future of work 8754/19
Adoption
The Committee prepared this item for the Council.
6. Resolution establishing guidelines on the Governance of the EU Youth Dialogue 8760/19
Adoption
The Committee prepared this item for the Council.
7. Young people as agents of democracy in the EU 8763/19
Policy debate
The Committee prepared this item for the Council.

8. Resolution on EU Member States' representation and coordination for WADA 8709/19

Adoption

The Committee prepared this item for the Council.

Statement by the Commission

"The Commission welcomes the efforts of the Member States to improve the coordination process prior to the meetings of the World Anti-Doping Agency.

Safeguarding the integrity of sport is one of the main priorities of the EU in the field of sport.

The Commission will continue to support Member States in these efforts, both at expert and political level.

However, the Commission would like to raise two issues with regard to "Annex II – Practical Arrangements regarding preparations for WADA meetings on matters falling within Union competences" proposed for adoption:

First, limiting the Treaty prerogatives of the institutions is against the law of the Union: the Commission is entrusted by Article 17 of the Treaty on the EU (TEU) with the prerogative to represent the Union, and this treaty prerogative cannot be limited by practical arrangements established unilaterally by the Council or by the Member States, as it is the case in Annex II – Practical arrangements regarding preparations for the WADA meetings on matters falling within EU competence.

Second, the on-the-spot coordination at the meetings of the World Anti-Doping Agency, or at other preparatory meetings, is to be convened and chaired by the Commission representative in the EU delegation, and not by the Presidency, as it is proposed in Annex II – Practical arrangements regarding preparations for the WADA meetings on matters falling within EU competence.

As Guardian of the Treaty, the Commission reserves all its rights."

9. Conclusions on access to sport for persons with disabilities 8699/1/19 REV 1
Adoption

The Committee prepared this item for the Council.

10. Increasing the participation of children and young people in sport in 21st century Europe 8801/1/19 REV 1
Policy debate

The Committee prepared this item for the Council.

Competitiveness

35. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 27 and 28 May 2019

1. Agenda

The Committee agreed on the provisional agenda for the forthcoming Council meeting.

2. Preparation

Conclusions on the competitiveness of the tourism sector
as a driver for sustainable growth, jobs and social cohesion
in the EU for the next decade
Adoption

8871/19

The Committee prepared this item for the Council.

Agriculture

36. Preparation of the Codex Alimentarius Committee on Food
Labelling (Ottawa, 13-17 May 2019) - Draft Codex Guidelines
on Front-of-Pack Nutrition Labelling
Establishment of the EU position

9064/19

The common EU position was supported by all delegations except the UK.

IV. Any other business

COREPER (PART 2)

Conference on security of 5G networks

The Committee took note of the information provided by the Czech delegation.

Situation in the exclusive economic zone of Cyprus

The Committee took note of the information provided by the Cypriot delegation.

COREPER (PART 1)

None.

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

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| 7. | Case T-643/16 (Gamaa Islamya Egypte v. Council) - Judgment of the Court
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 8955/19
JUR |
| 8. | Case T-276/13 RENV (Growth Energy and Renewable Fuels Association v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 8968/19
JUR |

Institutional Affairs**Appointments**

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|-----|---|---------------------------|
| 9. | An alternate member (ES) of the Committee of the Regions
<i>Adoption</i> | 8842/19
8841/19
CDR |
| 10. | A member (SE) of the Committee of the Regions
<i>Adoption</i> | 8845/19
8844/19
CDR |
| 11. | A member (IT) of the Committee of the Regions
<i>Adoption</i> | 8848/19
8847/19
CDR |

Economic and Financial Affairs

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| 12. | New Estonian Commemorative Coin for 2020 | 8965/19
UEM |
| 13. | Capital Requirements Regulation (CRR)
<i>Adoption of the legislative act</i> | 8667/19
PE-CONS 15/19
EF |
| 14. | Capital Requirements Directive (CRD)
<i>Adoption of the legislative act</i> | 8725/19
PE-CONS 16/19
EF |

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| 15. | Bank Recovery and Resolution Directive (BRRD)
<i>Adoption of the legislative act</i> | 8729/19
PE-CONS 48/19
EF |
| 16. | Single Resolution Mechanism Regulation (SRMR)
<i>Adoption of the legislative act</i> | 8726/19
PE-CONS 47/19
EF |
| 17. | Emir Refit Regulation
<i>Adoption of the legislative act</i> | 8748/19
PE-CONS 73/19
EF |

Justice and Home Affairs

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| 18. | Interoperability Regulation (borders and visa)
<i>Adoption of the legislative act</i> | 8731/19
PE-CONS 30/19
COSI |
| 19. | Interoperability Regulation (police and judicial cooperation, asylum and migration)
<i>Adoption of the legislative act</i> | 8733/19
PE-CONS 31/19
COSI |

Statement by the United Kingdom

"The United Kingdom (UK):

- Notes the intensive efforts by the Romanian Presidency, and preceding presidencies, to bring this file to a conclusion.
- Considers that the establishment of an interoperable architecture between EU information systems in the fields of police and judicial cooperation, asylum and migration to be a significant and necessary step towards greater European security. The UK remains strongly committed to our shared aim of a safer and more secure Europe for all our people. As such, the UK supported the Commission's interoperability proposal.
- Notes however that the text for adoption today falls short of that proposal's ambition in several key areas. It also differs significantly from the recommendations of the High Level Expert Group.
- Nonetheless, recognises that adoption of this file represents a step forward on important and shared priorities, and hopes that there is scope for the ambition of the original Commission proposal to be fully realised in the future."

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| 20. | eu-LISA Regulation: Council Decision on the conclusion of a complementary arrangement with Schengen Associated States
<i>Adoption</i> | 7948/19
15832/1/18 REV 1
12367/18
DAPIX |
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| 21. | Schengen evaluation Recommendation - Switzerland return
<i>Adoption</i> | 8831/19
8830/19
SCH-EVAL |
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Foreign Affairs

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| 22. | Council Decision on the Overseas Association, including
Greenland
<i>Partial general approach</i> | 8892/19
ACP |
| 23. | Conclusions on combating desertification in the EU
(CoA SR No 33/2018)
<i>Adoption</i> | 8908/19
SUSTDEV |
| 24. | Conclusions on the EU-LAC Joint Communication
<i>Adoption</i> | 8972/19
COLAC |
| 25. | EU Annual Report on Human Rights and Democracy in the
World 2018
<i>Adoption</i> | 8593/19
8592/19
COHOM |

Statement by France

"La France souscrit au Rapport annuel de l'Union européenne sur les droits de l'Homme et la démocratie dans le monde, qui rappelle le rôle moteur de l'Union européenne dans la promotion de principes au cœur de son identité et des enjeux de paix, de sécurité, de progrès et de développement au niveau mondial. La France souhaite apporter les précisions suivantes concernant les mentions aux droits des populations autochtones faites dans le rapport.

La France, attachée au principe d'égalité entre tous les individus, soutient toute démarche permettant d'assurer aux populations autochtones la pleine jouissance des droits fondamentaux.

Se référant à la déclaration interprétative qu'elle a formulée lors de l'adoption de la Déclaration des Nations-Unies sur les Droits des peuples autochtones, la France tient à rappeler qu'elle interprète les références, dans ce texte, aux «peuples autochtones» conformément à ses principes à valeur constitutionnelle d'indivisibilité de la République et d'unité du peuple français. La France ne reconnaît pas de peuples distincts au sein du peuple français, ni de droit collectif à quelque groupe que ce soit, défini par une communauté d'origine, de culture, de langue ou de croyance.

Les droits de l'Homme sont des droits universels qui ont vocation à s'appliquer à tous les individus, sans aucune distinction. La France reste engagée à ce que chaque individu puisse jouir pleinement et effectivement, sans aucune discrimination, de ces droits fondamentaux."

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| 26. | HR/VP Report on Operation ALTHEA SMR-29
<i>Approval</i> | 9010/19
7569/19 COR 1
EUMC |
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27.	European Union's position for the 15th Association Council with Tunisia <i>Establishment of the EU position</i>	9013/19 TU
28.	Conclusions of the 51st European Economic Area (EEA) Council, 20 May 2019 <i>Establishment of the EU position</i>	8824/19 EEE
30.	PSC Decision BiH/28/2019 - appointment of EU Force Commander <i>Decision to publish in the Official Journal</i>	8814/19 8186/19 PSC DEC
31.	Council Decision concerning EUCAP Sahel Niger - amendment <i>Adoption</i>	8762/19 8385/19 CORLX
32.	Council Implementing Decision and Regulation concerning restrictive measures against the Central African Republic - UN update <i>Adoption</i>	9006/19 8873/19 8875/19 CORLX

COREPER (PART 1)

Institutional Affairs

Written questions

37.	Replies to questions for written answer submitted to the Council by Members of the European Parliament <i>Adoption by silence procedure</i>	8864/19 PE-QE
a)	Bill Etheridge (EFDD) 'Drugs policy failure'	8235/19
b)	Udo Voigt (NI) 'Contact between high-ranking EU representatives and George Soros (III)'	7590/19
c)	Ramón Luis Valcárcel Siso (PPE) 'European values and the rotating presidency of the Council'	8066/19
d)	Lynn Boylan (GUE/NGL) 'EU training mission in Mali'	7514/19
e)	Nicolas Bay (ENF) 'The Kalasha community under threat'	8611/19
f)	João Pimenta Lopes (GUE/NGL) 'EU's refusal to observe Venezuela's presidential elections in 2018'	8346/19
g)	Dennis de Jong (GUE/NGL) 'Coca-Cola's sponsorship of Romania's Presidency'	8173/19
h)	Younous Omarjee (GUE/NGL) 'Independence from sponsors of the EU Council Presidency'	8174/19
i)	Daciana Octavia Sârbu (S&D) 'Disinformation'	8166/19
j)	João Pimenta Lopes (GUE/NGL) 'Disinformation: pretext for censorship policies and freedom restrictions'	8348/19
k)	Ole Christensen (S&D) 'Sponsorship of the Council Presidency'	8164/19

Appointments

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| 38. | Replacement of members (DK, IT, PL, DE, EE) of the Advisory Committee on Freedom of Movement for Workers
<i>Adoption</i> | 8327/1/19 REV 1
8356/19
8397/19
8625/19
8350/19
SOC |
| 39. | Replacement of alternate members (DK, PL) of the Advisory Committee on Freedom of Movement for Workers
<i>Adoption</i> | 8328/19
8410/19 + COR 1
SOC |
| 40. | Replacement of an alternate member (PL) of the Advisory Committee for the Coordination of Social Security Systems
<i>Adoption</i> | 8172/19
SOC |
| 41. | Nominations of members and alternate members (HU) of the Advisory Committee on Freedom of Movement for Workers
<i>Adoption</i> | 8420/19
8419/19
SOC |
| 42. | Nominations of members and alternate members (HU) of the Advisory Committee on Safety and Health at Work
<i>Adoption</i> | 7981/19
7980/1/19 REV 1
SOC |
| 43. | Minutes of the Council Meetings
<i>Approval</i> | |
| | a) COMPET 18-19.02.2019 | 6783/19 + ADD 1 |
| | b) TTE (Energy) 04.03.2019 | 7232/19 + ADD 1 |
| | c) ENV 05.03.2019 | 7234/19 + COR 1
+ ADD 1 |

Judicial Affairs

44. Case C-204/19 P (Ryanair and Airport Marketing Services Ltd v Commission and Council) 8664/19
Information note for the Permanent Representatives Committee (Part I) JUR
45. Case C-205/19 P (Ryanair and Airport Marketing Services Ltd v Commission and Council) 8666/19
Information note for the Permanent Representatives Committee (Part I) JUR
46. Case C-113/19 Luxaviation 8758/19
Information note for the Permanent Representatives Committee (Part I) JUR

Transport

47. Council Decision on the conclusion of the Agreement between the European Union and the Government of the Republic of the Philippines on certain aspects of air services 8813/19
Adoption 15056/18
TRANS

Internal Market and Industry

48. Regulation on supplementary protection certificate for medical products 8734/1/19 REV 1
Adoption of the legislative act + ADD 1 REV 1
PE-CONS 52/19
PI

Statement by Malta

"Malta reiterates the same position conveyed during the Competitiveness Council of 18 February 2019 and the COREPER I meeting of 20 February 2019, that it is against the introduction of stockpiling within the Export Waiver dossier. Furthermore, Malta is not satisfied with the necessary safeguards placed in the text."

Fisheries

49. Regulation laying down conservation and control measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation (NAFO) 8751/19
Adoption of the legislative act PE-CONS 34/19
PECHE

EU positions for international negotiations

50. IMO/MEPC 74/MSC 101 - Council Decision on the EU position to be taken on the adoption of amendments 8918/19
Adoption 8675/19
MAR
OMI

Statements by the Commission

- on EU competence

"In so far as the relevant amendments to Annex II to the International Convention for the Prevention of Pollution from Ships (MARPOL) and to the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011, amendments to the International Life-Saving Appliance Code, amendments to Forms C, E and P of the appendix to the International Convention for the Safety of Life at Sea, and to the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels are concerned, their adoption at the IMO affects existing Union legislation. Therefore, these amendments fall within the exclusive external competence of the Union. Consequently, the Union position established in respect of those amendments cannot be limited in scope and must therefore be understood as covering them in their entirety, without prejudice to Article 2(2) TFEU."

- on the affectation of the alternative fuels infrastructure directive

"The Commission considers that the commitments to be undertaken by the Union at MSC 101, which would introduce amendments to the International Code of Safety for Ship Using Gases or Other Low-flashpoint Fuels (IGF Code), will affect common EU rules as laid down both in Directive 2009/45/EC on safety rules and standards for passenger ships and in Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure, or alter their scope. The Union position in respect of the amendments to the IGF Code must therefore be understood in the sense that the Union's exclusive competence results from the fact that both Directives 2009/45 and 2014/94 may be affected."

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| 51. | Meetings of the World Anti-Doping Agency (WADA)
(Montreal, 14-16 May 2019)
<i>European Union coordination of a common position</i> | 8931/19
SPORT |
| 52. | Council Decision on the EU position within the Administrative
Committee for the TIR Convention as regards proposal to
amend the Customs Convention on international transport of
goods under cover of TIR carnets
<i>Adoption</i> | 8143/19
8459/19
UD |
| 53. | Council Decision on the EU position in the annual Conference
of the Parties to the Convention on the Conservation and
Management of Pollock Resources in the Central Bering Sea
<i>Adoption</i> | 8706/19
8330/19 + ADD 1
PECHE |
| 54. | Council Decision on the EU position in the Commission for the
Conservation of Antarctic Marine Living Resources (CCAMLR)
<i>Adoption</i> | 8707/19 + ADD 1
8331/19 + ADD 1
PECHE |

Statement by the Commission

"First, the Commission cannot agree with the undue limitation of the Union position for matters falling within shared Union competence, only to the extent that they affect common Union rules.

Second, the Commission cannot agree with the position of the Council that it would necessarily follow from the judgment of the Court of Justice in Joined Cases C-626/15 and C-659/16, that the Union can only support the establishment of Marine Protected Areas in the CCAMLR area together with its Member States, as it cannot be excluded that the establishment of such areas would affect existing EU rules or alter their scope.

In addition, the Commission cannot accept the hybrid nature of the decision of the Union with the representatives of the Governments of the Member States meeting within the Council.

The Commission therefore reserves its rights, including the right to avail itself of legal remedies, maintains its proposal and cannot support neither the addition of a new recital nor the amendment of Article 1 on the Proposal for a Council Decision concerning the position to be taken on behalf of the European Union in the Commission for the Conservation of Antarctic Marine Living Resources and repealing Decision 10840/14.

This decision cannot be accepted as constituting a precedent."

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| 55. | Council Decision on the EU position in the Extended Commission of the Convention for the Conservation of Southern Bluefin Tuna (CCSBT)
<i>Adoption</i> | 8711/19
8340/19 + ADD 1
PECHE |
| 56. | Council Decision on the EU position in the General Fisheries Commission for the Mediterranean (GFCM)
<i>Adoption</i> | 8710/19
8338/19 + ADD 1
PECHE |
| 57. | Council Decision on the EU position in the Inter-American Tropical Tuna Commission (IATTC) and the Meeting of the Parties to the Agreement on the International Dolphin Conservation Programme
<i>Adoption</i> | 8712/19
8341/19 + ADD 1
PECHE |
| 58. | Council Decision on the EU position in the International Commission for the Conservation of Atlantic Tunas (ICCAT)
<i>Adoption</i> | 8708/19
8335/19 + ADD 1
PECHE |
| 59. | Council Decision on the EU position in the Indian Ocean Tuna Commission (IOTC)
<i>Adoption</i> | 8698/19
8320/19 + ADD 1
PECHE |
| 60. | Council Decision on the EU position in the Northwest Atlantic Fisheries Organisation (NAFO)
<i>Adoption</i> | 8703/19
8324/19 + ADD 1
PECHE |
| 61. | Council Decision on the EU position in the North Atlantic Salmon Conservation Organisation (NASCO)
<i>Adoption</i> | 8704/19
8325/19 + ADD 1
PECHE |

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| 62. | Council Decision on the EU position in the North-East Atlantic Fisheries Commission (NEAFC)
<i>Adoption</i> | 8705/19
8326/19 + ADD 1
PECHE |
| 63. | Council Decision on the EU position in the South East Atlantic Fisheries Organisation (SEAFO)
<i>Adoption</i> | 8701/19
8321/19 + ADD 1
PECHE |
| 64. | Council Decision on the EU position in the Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA)
<i>Adoption</i> | 8696/19
8318/19 + ADD 1
PECHE |
| 65. | Council Decision on the EU position in the South Pacific Regional Fisheries Management Organisation (SPRFMO)
<i>Adoption</i> | 8697/19
8319/19 + ADD 1
PECHE |
| 66. | Council Decision on the EU position in the Western and Central Pacific Fisheries Commission (WCPFC)
<i>Adoption</i> | 8702/19
8322/19 + ADD 1
PECHE |

Delegated or Implementing Acts

Agriculture

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| 67. | Commission Regulation (EU) .../... of XXX amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for bispyribac, denatonium benzoate, fenoxycarb, flurochloridone, quizalofop-P-ethyl, quizalofop- P- tefuryl, propaquizafop, tebufenozide in or on certain products
<i>Decision not to oppose adoption</i> | 8820/19
8034/19 + ADD 1-2
AGRILEG |
| 68. | Commission Regulation (EU) .../... of XXX amending Annexes II and IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for aclonifen, Beauveria bassiana strain PPRI 5339, Clonostachys rosea strain J1446, fenpyrazamine, mefentrifluconazole and penconazole in or on certain products
<i>Decision not to oppose adoption</i> | 8832/19
8132/19 + ADD 1-2
AGRILEG |
| 69. | Commission Regulation (EU) .../... of XXX amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards the requirements for export of products containing processed animal protein derived from ruminants and non-ruminants
<i>Decision not to oppose adoption</i> | 8314/19
7678/19 + ADD 1
AGRILEG |

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| 70. Commission Regulation (EU) .../... of XXX amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for aminopyralid, captan, cyazofamid, flutianil, kresoxim-methyl, lambda-cyhalothrin, mandipropamid, pyraclostrobin, spiromesifen, spirotetramat, teflubenzuron and tetraconazole in or on certain products
<i>Decision not to oppose adoption</i> | 8868/19
8139/19 + ADD 1-2
AGRILEG |
| 71. Commission Delegated Regulation supplementing Regulation (EU) 2016/2031 of the European Parliament and of the Council on protective measures against pests of plants, authorising Member States to provide for temporary derogations in view of or of testing, scientific or educational purposes, trials, varietal selections, or breeding
<i>Delegated act - Intention not to raise objections</i> | 8818/19 + ADD 1
7641/19 + ADD 1
PHYTOSAN |

Internal Market and Industry

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| 72. Commission Regulation (EU) .../... of XXX correcting the Bulgarian language version of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
<i>Decision not to oppose adoption</i> | 8309/19
7231/19
MI |
| 73. Commission Regulation (EU) .../... of XXX amending Annex V to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
<i>Decision not to oppose adoption</i> | 8886/19
7396/19 + ADD 1
COMPET |
| 74. Commission Delegated Regulation (EU) .../... of 14.3.2019 amending Delegated Regulation (EU) 2015/2446 as regards the declaration of certain low-value consignments
<i>Delegated act - Intention not to raise objections</i> | 8603/19
7688/19 + ADD 1
UD |
| 75. Commission Delegated Regulation (EU) .../... of 14.3.2019 establishing a Common Training Test for ski instructors under Article 49b of Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of the professional qualifications
<i>Delegated act - Intention not to raise objections</i> | 8479/19 + COR 1
7573/19 + ADD 1
COMPET |

Statement by Germany

"German legal opinion for the running of ski courses as part of university courses

We maintain our interpretation of law that the running of ski courses by university teaching staff as part of university courses, insofar as these courses are not remunerated separately, do not represent a service within the meaning of Article 57 TFEU.

Reason: In this respect, no economic activity is being carried out, which is generally provided in exchange for remuneration. This legal opinion is rooted in the case law of the European Court of Justice, in which freedom to provide services does not apply for schools and universities at least not which belong to the public education system and which are wholly or partially financed from state funds (cf. Recital 34 of the EU Services Directive 2006/123/EC, which explicitly refers to this case law)."

Statement by Croatia

"The Republic of Croatia in principle supports the goals and objectives of this delegated regulation. However, Croatia considers that the current wording of this Regulation places unjustified barriers when it comes to the freedom to provide services.

Article 7(3), of this Regulation provides that the ski instructors who have obtained a qualification listed in Annex I in a Member State other than a signatory of the Memorandum at the moment of entry into force of this Regulation and are able to demonstrate professional experience of at least 200 days during the five years immediately preceding the entry into force of this Regulation shall benefit from the principle of automatic recognition as set out in Article 4(2).

Furthermore, Article 8(1) provides that the ski instructors who fall within the scope of this Regulation and have either successfully passed the Common Training Test or who enjoy acquired rights pursuant to Article 7, shall be issued a certificate of qualification. The certificate shall be issued by the Member State or by the competent authority in the Member State.

We consider that the requirement of 200 days of professional experience within the five years immediately prior to the entry into force of this Regulation is too excessive. Given the above, ski instructors would have to work at least 40 days a year, which is certainly a significant amount of time subject to variations in the length of ski seasons, especially given the fact that this is most often not a primary occupation. Therefore, the Republic of Croatia considers that the requirement in Article 7 of this Regulation should have been set to a maximum of 100 days, so that the ski instructors who have been engaged in this work for many years would be able to continue working without being deprived of already acquired rights."

Statement by Slovenia

"Slovenia would like to draw attention to the provision of Article 7.3 of the proposed delegated act. Slovenia believes that this provision concerning acquired rights is discriminatory towards the citizens of the signatories of the Memorandum of Understanding establishing a pilot project for a professional card to be issued to ski instructors in the Union ("Memorandum").

Slovenia believes that Article 7.3 provides certain rights for the citizens of Member States other than the signatories of the Memorandum, who will benefit from the principle of automatic recognition if they acquire the qualification from Annex I and attest that they have professional experience of at least 200 days during the five years preceding the entry into force of the delegated Regulation.

The same right is not provided for the citizens of the signatories to the Memorandum. For example, those Slovenian ski instructors who have not passed the Eurotest or Eurosecurity test, but have professional experience as ski instructors and have acquired national qualification for pursuing the profession will not have the right to automatic recognition of their professional qualification."

Environment

76. Commission Delegated Regulation (EU) .../... of 13.03.2019 amending Annex I to Regulation (EU) 2018/956 of the European Parliament and of the Council as regards the data on new heavy-duty vehicles to be monitored and reported by Member States and by manufacturers
8815/19
7792/19 + ADD 1
CLIMA
Delegated act - Intention not to raise objections

Health

77. Commission Delegated Regulation (EU) .../... of 14.3.2019 amending Delegated Regulation (EU) 2016/217 with regard to vitamin D requirements for infant formula and erucic acid requirements for infant formula and follow-on formula
8588/19 + ADD 1
7620/19 + ADD 1
DENLEG
Delegated act - Intention not to raise objections

Joint statement from Belgium, France, Hungary, Luxembourg and Portugal

"Belgium, France, Hungary, Luxembourg and Portugal fully support the scientific grounds and the technical content of this delegated act.

However, we consider that:

1. It is essential to remain consistent with the legal basis provided by Framework Regulation (EEC) No 315/93 laying down Community procedures for contaminants in food and with the horizontal approach fostered since the Commission's 1997 Green Paper on the general principles of food law in the European Union.
2. Therefore, the new proposed maximum level for the contaminant erucic acid should be set in Commission Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in foodstuffs.
3. A transition period regarding the application of the new maximum limit for vitamin D in infant formulae should be granted.

We invite the European Commission to amend the relevant legal provisions, accordingly."

Transport

78. Commission Delegated Regulation (EU) .../... of 13.3.2019 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the deployment and operational use of cooperative intelligent transport systems
8169/19
7510/19 + ADD 1-9
TRANS
Delegated Act - Decision to request an extension of the time-limit