



Brussels, 14 June 2016
(OR. en)

9833/16

CRS/CRP 19

SUMMARY RECORD

Subject: 2587th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 24 and 25 May 2016

I. Adoption of the provisional agenda

9295/1/16 REV 1 OJ CRP1 19

9269/1/16 REV 1 OJ CRP2 19

The Committee adopted the provisional 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)

2. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of **visas** when crossing the external borders and those whose nationals are exempt from that requirement (**Georgia**) (**First reading**)
= Mandate for negotiations with the European Parliament
7083/16 VISA 75 CODEC 301 COEST 70 COMIX 209

The Committee confirmed the conclusions drawn by COMIX and agreed to revert to this issue in a future meeting, before the June JHA Council.

3. **Follow-up** to the Council meeting (**Justice and Home Affairs**) on 20 May 2016

The Committee took note of the main outcomes of this Council session.

4. **Preparation** of the Council meeting (**Justice and Home Affairs**) on 9/10 June 2016

a) **Digital Agenda** : Proposal for a Directive of the European Parliament and of the Council on certain aspects concerning contracts for the supply of digital content
(First reading)

= Policy debate

8879/16 JUSTCIV 110 CONSOM 105 DIGIT 49 AUDIO 58 CODEC 645

The Committee took note of the Presidency paper which will be submitted to ministers for discussion.

b) **Criminal Justice in cyberspace**

= Policy debate

= Draft Council conclusions: adoption

9256/16 JAI 465 COPEN 166 DROIPEN 92 CYBER 56 JAIEX 44 EJUSTICE 84

The Committee approved the two sets of draft conclusions and submitted them to Council for adoption.

c) Other items in connection with the Council meeting

No items were raised under this heading.

5. **Follow-up** to the Council meeting (**General Affairs**) on 24 May 2016

The Committee took note of the main outcomes of this Council session.

6. **Follow-up** to the Council meeting (**Foreign Affairs**) on 23 May 2016

The Committee took note of the main outcomes of this Council session.

7. Draft Council Decision on the signing and provisional application of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the **SADC EPA** States, of the other part

= Adoption

9179/16 ACP 72 WTO 141 COAFR 140 RELEX 416

5729/16 ACP 18 WTO 18 COAFR 18 RELEX 67

5730/2/16 REV 2 ACP 19 WTO 19 COAFR 19 RELEX 68

5730/16 ADD 1-10 ACP 19 WTO 19 COAFR 19 RELEX 68

+ **ADD 1, 6, 9, 10 REV 1 (it)**

+ ADD 6 COR 1 (fr)

The Committee took stock of the state of play on this file and will revert to it at its next meeting.

8. **Preparation of the Council meeting (Economic and Financial Affairs) on 25 May 2016**

a) **Anti-Tax Avoidance Package**

- Proposal for a Council Directive laying down rules against tax avoidance practices that directly affect the functioning of the internal market
 - = General approach
 - 9060/16 FISC 78 ECOFIN 405
 - 9063/16 FISC 79 ECOFIN 406

The Committee held an exchange of views on this file and identified the open issues which will be submitted to ministers for discussion.

b) **Other items in connection with the Council meeting**

No items were raised under this heading.

COREPER (PART 1)

20. **Setting** of the provisional **agenda** for the Council meeting (**Employment, social policy health** and consumer affairs) on 16 and 17 June 2016

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

21. **Preparation** for the Council meeting (**Transport, Telecommunications and Energy**) on 6 and 7 June 2016

1. **NOx emissions by diesel cars** (*Non-legislative activity*)

= Policy debate

(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])

9075/1/16 **REV 1** TRANS 177 COMPET 245 ENV 289 CLIMA 49

The Committee submitted the discussion paper to Council as a basis for the policy debate.

2. Proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Union **Aviation Safety Agency**, and repealing Regulation (EC) No 216/2008 of the European Parliament and of the Council (**First reading**) (*Legislative deliberation*)

= Progress report

8522/16 AVIATION 90 CODEC 568 RELEX 333

+ ADD 1

+ **ADD 1 COR 1**

+ ADD 2

The Committee noted and agreed to submit the progress report to Council.

3. Draft Council Decisions authorising the Commission to open negotiations on comprehensive **air transport agreements with third parties** (*Non-legislative activity*)

- a) Draft Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union **and its Member States** and the Association of Southeast Asian Nations (**ASEAN**)

Draft Decision of the Representatives of the Governments of the Member States, meeting within the Council, authorising the European Commission to negotiate, on behalf of the Member States, the provisions of a comprehensive air transport agreement between the European Union and its Member States and the Association of Southeast Asian Nations (ASEAN) on matters that do not fall within the exclusive Union competence

8904/16 AVIATION 101 RELEX 388 ASIE 29

+ ADD 1

+ ADD 2

EU RESTRICTED
EU RESTRICTED
EU RESTRICTED

- b) Draft Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the State of **Qatar** as regards matters falling within the exclusive Union competence

Draft Decision of the Representatives of the Governments of the Member States, meeting within the Council, authorising the European Commission to negotiate, on behalf of the Member States, the provisions of a comprehensive air transport agreement between the European Union and its Member States and the State of Qatar on matters that do not fall within the exclusive Union competence

8905/16 AVIATION 107 RELEX 394 MOG 60

EU RESTRICTED

+ ADD 1

EU RESTRICTED

+ ADD 2

EU RESTRICTED

- c) Draft Council Decision authorising the Commission to open negotiations on a comprehensive air transport agreement between the European Union and its Member States and the **United Arab Emirates** as regards matters falling within the exclusive Union competence

Draft Decision of the Representatives of the Governments of the Member States, meeting within the Council, authorising the European Commission to negotiate, on behalf of the Member States, the provisions of a comprehensive air transport agreement between the European Union and its Member States and the United Arab Emirates on matters that do not fall within the exclusive Union competence

9081/16 AVIATION 111 RELEX 407 MOG 59

EU RESTRICTED

+ ADD 1

EU RESTRICTED

+ ADD 2

EU RESTRICTED

- d) Draft Council Decision authorising the Commission to open negotiations on comprehensive air transport agreements between the European Union **and its Member States** and the Republic of **Turkey**

Draft Decision of the Representatives of the Governments of the Member States, meeting within the Council, authorising the European Commission to negotiate, on behalf of the Member States, the provisions of a comprehensive air transport agreement between the European Union and its Member States and the Republic of Turkey on matters that do not fall within the exclusive Union competence

8914/16 AVIATION 107 RELEX 394 NT 16

EU RESTRICTED

+ ADD 1

EU RESTRICTED

+ ADD 2

EU RESTRICTED

= Adoption

The Committee agreed to forward the draft Council Decisions to Council for adoption.

4. Preparation of the **ICAO** Assembly concerning a Global Market Based Measure (Montreal, 24 September – 4 October 2016) (*Non-legislative activity*)
= Exchange of views
8652/16 AVIATION 94 RELEX 356 ENV 285 CLIMA 48

The Committee agreed to submit the background note to Council as a basis for the exchange of views.

5. Proposal for a Directive of the European Parliament and of the Council on the recognition of **professional qualifications in inland navigation** and repealing Council Directive 96/50/EC and Council Directive 91/672/EEC (**First reading**) (*Legislative deliberation*)
= General approach
8970/16 TRANS 169 MAR 147 EDUC 142 SOC 258 ETS 31 MI 343
CODEC 668
+ COR 1

The Committee submitted the document to Council with a view to inviting the Council to reach a general approach.

22. Proposal for a Regulation of the European Parliament and of the Council establishing a framework on market access to **port services** and financial transparency of ports (**First reading**) (**Legislative deliberation**)
= 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 24 May 2016.

23. Proposal for a Directive of the European Parliament and of the Council on the **accessibility** of public sector bodies' **websites** (**First reading**) (**Legislative deliberation**)
= Analysis of the final compromise text with a view to agreement
9043/16 TELECOM 85 CONSOM 111 MI 354 CODEC 684

The Committee reached an agreement on the compromise text proposed by the Presidency.

24. 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 trilogue
9029/16 DRS 18 CODEC 682

The Committee agreed the mandate for the forthcoming trilogue.

25. Proposal for a Regulation of the European Parliament and of the Council on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health, plant reproductive material, plant protection products and amending Regulations (EC) No 999/2001, 1829/2003, 1831/2003, 1/2005, 396/2005, 834/2007, 1099/2009, 1069/2009, 1107/2009, Regulations (EU) No 1151/2012, [...]/2013 and Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC, 2008/120/EC and 2009/128/EC (**Official controls Regulation**) (**First reading**) (**Legislative deliberation**)
= 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 24 May 2016.

26. Proposal for a Regulation of the European Parliament and of the Council establishing specific conditions for fishing for **deep-sea stocks** in the North-East Atlantic and provisions for fishing in international waters of the North-East Atlantic and repealing Regulation (EC) No 2347/2002 (**First reading**) (**Legislative deliberation**)
= 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 24 May 2016.

IV. Any other business

COREPER (PART 1)

- **Effort sharing**
= Information from the Commission

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

COREPER (PART 2)

None.

"I" items approvedCOREPER (PART 2)

I

9. Draft Council Decision appointing a member, proposed by Malta, of the Committee of the Regions
 = Adoption
 8878/16 CDR 47
 8877/16 CDR 46
10. Recommendation to the Council concerning the use of cryptographic products to protect electronic links in the context of the GALILEO project
 8907/16 CSCI 30 CSC 138
 8909/16 CSCI 31 CSC 139
 EU RESTRICTED
 EU RESTRICTED
11. Determination of equivalence pursuant to Article 8(3) of the Interinstitutional Agreement (IIA) between the European Parliament and the Council concerning the forwarding to and handling by the European Parliament of classified information held by the Council on matters other than those in the area of common foreign and security policy
 8870/16 PE 63 INST 211 RELEX 383 JAI 379 CSC 133
12. Draft Regulation of the European Parliament and of the Council amending Regulation (EU) No 575/2013 as regards exemptions for commodity dealers **(First reading)**
 = Adoption of the legislative act
 9090/16 CODEC 686 ECOFIN 409 EF 123
 PE-CONS 13/16 EF 68 ECOFIN 261 CODEC 361
13. Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment **(First reading)**
 = Adoption of the legislative act
 9091/16 CODEC 687 ECOFIN 410 STATIS 28 UEM 160 COMER 62
 PE-CONS 8/16 ECOFIN 151 UEM 55 STATIS 7 COMER 20 CODEC 207
 + COR 1 (nl)
14. Draft Regulation of the European Parliament and of the Council on protection against dumped imports from countries not members of the European Union (codification) **(First reading)**
 = Adoption of the legislative act
 9092/16 CODEC 688 CODIF 22 ANTIDUMPING 6 COMER 63 WTO 136
 PE-CONS 47/15 CODIF 85 ANTIDUMPING 14 COMER 96 WTO 146
 CODEC 1028

15. Draft Regulation of the European Parliament and of the Council on protection against subsidised imports from countries not members of the European Union (codification)
(First reading)
= Adoption of the legislative act
9095/16 CODEC 689 CODIF 23 COMER 64 WTO 137
PE-CONS 48/15 CODIF 86 COMER 97 WTO 147 CODEC 1029
+ COR 1 (fr)
16. European Defence Agency
 - a) Draft Council Decision concerning the Staff Regulations of the European Defence Agency, and repealing Decision 2004/676/EC
 - b) Draft Council Decision concerning the Rules applicable to national experts seconded to the European Defence Agency, and repealing Decision 2004/677/EC
 - c) Draft Council Decision concerning the financial rules of the European Defence Agency
8452/16 CORLX 185 CFSP/PESC 359 POLARM 5 IND 84 RECH 113
ECO 36
7542/16 CORLX 137 CFSP/PESC 264 POLARM 2 IND 60 RECH 82 ECO 28
7544/16 CORLX 138 CFSP/PESC 265 POLARM 3 IND 61 RECH 83 ECO 29
7545/16 CORLX 139 CFSP/PESC 266 POLARM 4 IND 62 RECH 84 ECO 30
17. Reply to the letters from Ambassador Tagliavini and the Swiss Mission to the EU to the Secretary-General of the Council of the EU on the request of the European Court of Human Rights for testimony of Ambassador Tagliavini in the case Georgia versus Russia
= Approval
9234/16 COEST 127
18. Draft Council Decision authorising the opening the negotiations on a Convention on the recognition and enforcement of judgments in civil and commercial matters (the Judgments Convention) in the framework of the Hague Conference on Private International Law
= Adoption
8814/16 JUSTCIV 107
8851/16 JUSTCIV 109
EU RESTRICTED
19. Draft EU - Bangladesh Standard Operating Procedures for the Identification and Return of Persons without an Authorisation to Stay
= Endorsement
9118/16 MIGR 94 COASI 86

The above-mentioned item was withdrawn.

COREPER (PART 1)

27. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
- a) E-001905/2016 - Kathleen Van Brempt (S&D)
Accessibility of the Internet
8430/16 PE-QE 172
 - b) E-002012/2016 - Lorenzo Fontana (ENF)
Case of the Turkish Minister of the Interior - jihadists
8431/16 PE-QE 173
 - c) P-002123/2016 - Esther de Lange (PPE)
Consequences of the Dutch Government rejecting the Approval Act of the EU-Ukraine
Association Agreement
8548/16 PE-QE 177
 - d) E-002417/2016 - João Ferreira (GUE/NGL)
'No-fly list' - EU citizens prevented from boarding and travelling
8493/16 PE-QE 176
 - e) E-002566/2016 - Neena Gill (S&D)
EU joint liaison team to support counter-terrorism actions by Member States
8432/16 PE-QE 174
 - f) E-002628/2016 - Lynn Boylan (GUE/NGL)
Follow-up question on transparency
8433/16 PE-QE 175
28. Case before the General Court of the European Union
Case T-41/16 (Cyprus Turkish Chamber of Industry and others v Commission)
= Information note for the Permanent Representatives Committee (Part 1)
9107/16 JUR 230 AGRI 275 AGRIORG 42
29. Case before the General Court of the European Union
T-53/16, T-77/16, T-165/16 (Ryanair Ltd and Airport Marketing Services Ltd v European
Commission)
= Information note for the Permanent Representatives Committee (Part 1)
9079/16 JUR 228 COMPET 244
30. Judgments of the Court of Justice of 4 May 2016 in Cases C-358/14 Poland v European
Parliament and Council, C-477/14 Pillbox 38 and C-547/14 Philip Morris Brands and others
= Information note for the Permanent Representatives Committee (Part 1)
9028/16 JUR 225 SAN 189 MI 350 COMPET 243 FISC 76 INST 221
31. Governing Board of the European Foundation for the Improvement of Living and Working
Conditions
Appointment of Mr Thomas FISCHER, member for Germany, in place of Ms Marika HÖHN,
who has resigned
= Adoption
9067/16 SOC 264 EMPL 162

32. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Mr Eman GALEA, member for Malta, in place of Mr Roderick MIZZI, who has resigned
= Adoption
9070/16 SOC 267 EMPL 163
33. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Mr Martin BORG, member for Malta, in place of Mr David G. CURMI, who has resigned
= Adoption
9073/16 SOC 268 EMPL 164
34. Advisory Committee on Freedom of Movement for Workers
Appointment of Mr Kai SCHATTENBERG, member for Germany, in place of Mr John F. SCHILLING, who has resigned
= Adoption
9076/16 SOC 269 EMPL 165
35. Governing Board of the European Agency for Safety and Health at Work
Appointment of Mr Dantes Nicolae BRATU, member for Romania, in place of Mr Niculae VOINOIU, who has resigned
= Adoption
9077/16 SOC 270 EMPL 166
36. Governing Board of the European Agency for Safety and Health at Work
Appointment of Ms Anka Mihaela PRICOP, alternate member for Romania, in place of Mr Marian TĂNASE, who has resigned
= Adoption
9078/16 SOC 271 EMPL 167
37. Governing Board of the European Agency for Safety and Health at Work
Appointment of Mr Melhino MERDIECA, member for Malta, in place of Mr Mark GAUCI, who has resigned
= Adoption
9080/16 SOC 272 EMPL 168
38. Governing Board of the European Agency for Safety and Health at Work
Appointment of Mr Mark GAUCI, alternate member for Malta, in place of Mr Vince ATTARD, who has resigned
= Adoption
9082/16 SOC 273 EMPL 169

39. Commission delegated Directive (EU) .../... of 19.4.2016 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium in Hersch cells for certain oxygen sensors used in industrial monitoring and control instruments
 = Intention not to raise objections to a delegated act
 9038/16 ENV 287 MI 352 DELACT 79
 8087/16 ENV 231 MI 243 DELACT 69
 + ADD 1
40. Commission delegated Directive (EU) .../... of 19.4.2016 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead in solders of electrical connections to temperature measurement sensors in certain devices
 = Intention not to raise objections to a delegated act
 9039/16 ENV 288 MI 353 DELACT 80
 8088/16 ENV 232 MI 244 DELACT 70
 + ADD 1
41. Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I and IV
 = Decision not to oppose adoption
 9106/16 ENT 92 MI 355 AGRILEG 73 ENV 291 CHIMIE 33 IND 101
 8438/16 ENT 80 MI 275 AGRILEG 58 ENV 256 CHIMIE 28 IND 83
 + ADD 1
42. 208th session of the ICAO Council (Montreal, 16 May – 17 June 2016)
 = European Union coordination of a common position - technical issues
 9016/16 AVIATION 110 RELEX 405
43. Political Declaration on energy cooperation between the North Seas countries
 = Establishment of the EU position
 8407/16 ENER 181 CLIMA 51 ATO 29
44. Draft Council Decision authorising the opening of negotiations on an agreement between the European Union and the United States of America laying down the terms and conditions of the detailed rules for access by the United States of America to the Public Regulated Service provided by the global navigation satellite system established under the Galileo programme
 = Adoption
 8285/16 TRANS 137 EU-GNSS 20 MAR 131 AVIATION 79 ESPACE 28
 RELEX 311 CSC 115 USA 19
 + ADD 1
 + **ADD 2**
 + **ADD 3**
- EU RESTRICTED**
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45. Draft Council Decision on the conclusion of the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States of the one part, and the Republic of Korea, of the other part
= Adoption
7944/16 TRANS 115 EU-GNSS 17 MAR 114 AVIATION 68 ESPACE 25
RELEX 270 CSC 98 COREE 5
5977/16 TRANS 37 EU-GNSS 8 MAR 39 AVIATION 21 ESPACE 9
RELEX 92 CSC 36 COREE 3
46. Draft Council Decision authorising the opening of negotiations on an agreement between the European Union and the Kingdom of Norway laying down the terms and conditions of the detailed rules for access by the Kingdom of Norway to the Public Regulated Service provided by the global navigation satellite system established under the Galileo programme
= Adoption
8287/16 TRANS 138 EU-GNSS 21 MAR 132 AVIATION 80
ESPACE 29 RELEX 312 CSC 116 N 31 **EU RESTRICTED**
+ ADD 1 **EU RESTRICTED**
+ **ADD 2** **EU RESTRICTED**
+ **ADD 3** **EU RESTRICTED**
47. Proposal for a Regulation of the European Parliament and of the Council concerning the establishment of a Union framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy (recast) (**First reading**) (**Legislative deliberation**)
= Mandate for negotiations with the European Parliament
9020/1/16 **REV 1** PECHE 165 CODEC 679
+ ADD 1
-