



Brussels, 4 May 2016
(OR. en)

8345/16

CRS/CRP 14

SUMMARY RECORD

Subject: 2582nd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 20 and 22 April 2016

I. Adoption of the provisional agenda

8000/16 OJ CRP1 14 + COR 1
8017/1/16 REV 1 OJ CRP2 14 COMIX 296

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 1)

11. 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 held on 18 April 2016.

12. Fourth Railway Package (market pillar) **(First reading) (Legislative deliberation)**
- a) Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure
 - b) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail
 - c) Proposal for a Regulation of the European Parliament and of the Council repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings
- = 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 held on 19 April 2016.

13. Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC **(First reading) (Legislative deliberation)**
- = Preparation for the trilogue
- 7812/16 ENV 212 ENER 107 IND 67 TRANS 103 ENT 70 SAN 129
PARLNAT 92 CODEC 418

The Committee discussed and agreed the mandate for the forthcoming trilogue.

14. Proposal for a Regulation of the European Parliament and of the Council on requirements relating to emission limits and type-approval for internal combustion engines for non-road mobile machinery **(First reading) (Legislative deliberation)**
- = Analysis of the final compromise text with a view to agreement
- 7795/16 ENT 69 ENV 211 MI 212 CODEC 413

The Committee reached an agreement on the compromise text proposed by the Presidency and invited the Presidency to send a letter to the European Parliament confirming this agreement.

15. 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 held on 19 April 2016.

16. Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites **(First reading) (Legislative deliberation)**

= Preparation for the trilogue

7897/1/16 TELECOM 46 CONSOM 81 MI 221 CODEC 446 **REV 1**

The Committee discussed and agreed the mandate for the forthcoming trilogue.

COREPER (PART 2)

32. Preparation of the Council meeting (Justice and Home Affairs) on 21 April 2016

- Migration: follow-up to the European Council and future actions
- = Exchange of views

The Committee took note of the outcome of the Mixed Committee on the latest state of play in implementation of the EU-Turkey statement.

- Other items in connection with the Council meeting

The Committee took note of the latest changes to the agenda and handling of this Council meeting, including the addition of an item on the follow-up to the terrorist attacks in Brussels on 22 March 2016.

33. Matrimonial property regimes and Registered partnerships

- a) Proposal for a Council Decision authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships
- = Preparation for a general approach
- b) Proposal for a Council Regulation implementing enhanced cooperation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes
- and
- Proposal for a Council Regulation implementing enhanced cooperation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships
- = Preparation for a general approach
- 7752/16 JUSTCIV 54
- 7733/16 JUSTCIV 48
- 7753/16 JUSTCIV 55
- + **COR 1**
- 7734/16 JUSTCIV 49
- 7735/16 JUSTCIV 50

The Committee reached agreement on the text of the Decision authorising enhanced cooperation and the two Regulations implementing it.

DK announced that it will abstain on the Council Decision, since the subject matter of the enhanced cooperation falls within the scope of Protocol 22.

The Council Legal Service confirmed that the adoption of the two Regulations would not affect the application of existing bilateral agreements between non participating Member States and participating Member States which concern the same matters.

UK presented the following statement:

Statement by UK

"The United Kingdom notes, for the purposes of both COREPER and Council, its consistent position across all legislative files that references to the Charter of Fundamental Rights in operative articles, such as those in the two proposed Council Regulations implementing enhanced cooperation, are unnecessary, because all EU legislation must in any event respect the rights and observe the principles reflected in the Charter.

In the context of the Commission's agenda for better law making, the United Kingdom emphasises the importance of the European Union adopting best practice in legal drafting and clarity, and considers that it is out of step with such practice to duplicate existing law in this way. For the sake of completeness, the United Kingdom also emphasises that substantive family law matters such as marriage, registered partnerships, succession and divorce are, and must remain, the competence of Member States."

34. Follow-up to the Council meeting (Foreign Affairs) on 18/19 April 2016

On the basis of the follow-up note provided by the EEAS, the Committee took note of the main outcomes of the Council session and recalled some of the points made during the Council meeting.

35. Presentation of the agenda of the Council meeting (Foreign Affairs/Development) on 12 May 2016

The EEAS presented the agenda for the forthcoming Council meeting Foreign Affairs/Development on 12 May 2016.

36. Presentation of the agenda of the Council meeting (Foreign Affairs/Trade) on 13 May 2016

The Presidency presented the agenda for the forthcoming Council meeting Foreign Affairs/Trade on 13 May 2016.

37. Preparation of the EU-Ukraine Summit (Brussels, 19 May 2016)

= Orientation debate

7942/16 COEST 95 CFSP/PESC 313

EU RESTRICTED

The Committee took note of the state of preparations for the EU-Ukraine Summit which will take place on 19 May in Brussels.

IV. Any other business

COREPER (PART 1)

- Preparation for the 39th Assembly of the ICAO (Montreal, 27 September-7 October 2016)
= Information from the Commission

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

COREPER (PART 2)

None.

"I" items approved

COREPER (PART 1)

2. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
 - a) E-015657/2015 - Inês Cristina Zuber (GUE/NGL)
Conclusions of the EU-Turkey Summit on managing the migrant crisis
(29 November 2015)
7187/16 PE-QE 111
 - b) E-000431/2016 - Kazimierz Michał Ujazdowski (ECR)
Better application of the European Citizens' Initiative (ECI)
7778/16 PE-QE 144
3. Case before the Court of Justice
Case C-365/15 (Wortmann-Hauptzollamt Bielefeld)
Preliminary ruling - Article 241 of Regulation no 2913/92 of the Council of 12 October 1992
(Community Customs Code)
= Information note for the Permanent Representatives Committee (Part 1)
7888/16 JUR 147 UD 82 ANTIDUMPING 1
4. Proposal for a Regulation of the European Parliament and the Council on the conservation of
fishery resources and the protection of marine ecosystems through technical measures,
amending Council Regulations (EC) No 1967/2006, (EC) No 1098/2007, (EC) No 1224/2009
and Regulations (EU) No 1343/2011 and (EU) No 1380/2013 of the European Parliament and
of the Council, and repealing Council Regulations (EC) No 894/97, (EC) No 850/98, (EC)
No 2549/2000, (EC) No 254/2002, (EC) No 812/2004 and (EC) No 2187/2005
= Optional consultation of the Committee of the Regions
7693/16 PECHE 129 CODEC 396 IA 13
6993/16 PECHE 79 CODEC 281 IA 9
5. Commission Regulation (EU) .../... of XXX amending Annex I to Regulation (EC)
No 1334/2008 of the European Parliament and of the Council as regards certain flavouring
substances from a group related with an alpha beta unsaturation structure
= Decision not to oppose adoption
7703/16 DENLEG 26 AGRI 172 SAN 125
7374/16 DENLEG 23 AGRI 154 SAN 104
+ ADD 1

6. Commission Regulation (EU) .../... of XXX amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards inorganic ammonium salts
 = Decision not to oppose adoption
 7871/16 COMPET 152 ENV 217 CHIMIE 24 MI 218 ENT 73 SAN 131
 CONSUM 79
 6307/16 COMPET 65 ENV 83 CHIMIE 6 MI 97 ENT 37 SAN 57 CONSOM 38
 + ADD 1
7. Commission Decision of XXX amending Decisions 2011/263/EU, 2011/264/EU, 2012/720/EU and 2012/721/EU in order to take account of developments in the classification of substances
 = Decision not to oppose adoption
 7723/16 ENV 205
 7253/16 ENV 177
 + ADD 1
8. Commission Regulation (EU) .../... of XXX on the technical specification for interoperability relating to the "control-command and signalling" subsystems of the rail system in the European Union (Text with EEA relevance)
 = Decision not to oppose adoption
 7886/16 TRANS 108
 6822/16 TRANS 67
 + ADD 1
9. Commission Directive (EU) .../... of XXX amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences (Text with EEA relevance)
 = Decision not to oppose adoption
 7887/16 TRANS 109
 6937/16 TRANS 72
 + ADD 1
10. Proposal for a Directive of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC of the European Parliament and of the Council (**First reading**) (**Legislative deliberation**)
 = Political agreement
 7759/1/16 TRANS 101 MAR 110 CODEC 406 REV 1

Statement by UK

"The United Kingdom fully supports the aims and objectives of the proposal for a Directive laying down technical requirements for inland waterway vessels, and believes that the proposal will lead to significant improvements in safety.

However, the United Kingdom believes that the final adoption of a delegated act is disproportionate and that an implementing act would be more appropriate given that the issue at stake is the implementation of international standards, and not the supplementation or amendment of a non-essential part of the legislation. Consequently, the United Kingdom is abstaining against the Directive laying down technical requirements for inland waterway vessels."

COREPER (PART 2)

17. Case before the EU General Court
Case T-765/15, BelTechExport ZAO v. Council
7854/16 JUR 144 RELEX 259 CFSP/PESC 304 COEST 92
18. Case before the Court of Justice
Case C-18/16, K v. State Secretary for Security and Justice, the Netherlands (Referring court: District court, The Hague, sitting at Haarlem, the Netherlands)
 - Validity of Article 8 of Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection
7981/16 JUR 154 ASILE 10 MIGR 77 FREMP 66
+ COR 1
19. Proposal for a Regulation of the European Parliament and of the Council on the transfer to the General Court of the European Union of jurisdiction at first instance in disputes between the Union and its servants (**First reading**)
 - = Mandate for negotiations with the European Parliament
8038/16 JUR 158 COUR 22 INST 164
6567/16 JUR 91 COUR 16 INST 77
14306/15 JUR 737 INST 411 COUR 62 CODEC 1571 PARLNAT 135
+ REV 1 (dk)
20. Transparency - Public access to documents
 - a) Confirmatory application No 06/c/01/16
7229/16 INF 46 API 32
 - b) Confirmatory application No 07/c/01/16
7233/1/16 REV 1 INF 49 API 35
21. Special Report No 1/2016 "Is the Commission's system for performance measurement in relation to farmers' income well designed and based on sound data?"
 - = Designation of Working Party (°)
7836/16 FIN 226 AGRI 180 AGRIFIN 36 AGRISTR 15
22. Draft Council Decision appointing five members of the Court of Auditors
 - = Adoption
7269/16 INST 114 CMPT 4
7266/16 INST 113 CMPT 3
+ COR 1 (nl)

23. Draft Directive of the European Parliament and of the Council on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime **(First reading)**
 = Adoption of the legislative act
 7829/16 CODEC 422 GENVAL 47 AVIATION 63 DATAPROTECT 29
 ENFOPOL 104
 + ADD 1
 PE-CONS 71/15 GENVAL 81 AVIATION 164 DATAPROTECT 233
 ENFOPOL 417 CODEC 1698
 + COR 1 (it)
24. Commission Delegated Regulation (EU) .../... of 18.3.2016 amending Delegated Regulation (EU) 2015/2195 supplementing Regulation (EU) No 1304/2013 of the European Parliament and of the Council on the European Social Fund, regarding the definition of standard scales of unit costs and lump sums for reimbursement of expenditure by the Commission to Member States
 = Intention not to raise objections to a delegated act
 7893/16 FSTR 14 FC 11 REGIO 18 SOC 173 EMPL 110 AGRISTR 16
 PECHE 134 CADREFIN 20 DELACT 66
 7287/16 FSTR 13 FC 8 REGIO 13 SOC 155 EMPL 103 AGRISTR 11 PECHE 99
 CADREFIN 16
 + ADD 1
25. Draft Council implementing Decision approving the conclusion by the European Police Office (Europol) of the Agreement on Strategic Cooperation between the Federative Republic of Brazil and Europol
 = Adoption
 7882/16 ENFOPOL 105 JAIEX 31 COLAC 26
 + COR 1
 13980/1/15 REV 1 ENFOPOL 333 JAIEX 76 COLAC 106
26. Enlargement
 Accession negotiations with Serbia
 = Outcome of screening on Chapter 6: Company law
 7870/16 ELARG 45
27. Enlargement
 Accession negotiations with Montenegro
 = Fulfilment of an opening benchmark on Chapter 19: Social policy and employment
 7978/16 ELARG 46

28. Council Decision on the signing, on behalf of the European Union and its Member States, and provisional application of a Protocol to the Framework Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, to take account of the accession of the Republic of Croatia to the European Union
= Adoption
7740/16 COASI 43 ASIE 12 ELARG 40
7729/16 COASI 41 ASIE 10 ELARG 37
7730/16 COASI 42 ASIE 11 ELARG 38
29. Draft Council Decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 12.02.01)
= Adoption
7152/16 AELE 16 EEE 12 N 17 ISL 12 FL 14 MI 162 BUDGET 9 FIN 181
7153/16 AELE 17 EEE 13 N 18 ISL 13 FL 15 MI 163 BUDGET 10 FIN 182
30. Draft Council Decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget Line 04 03 01 03)
= Adoption
7160/16 AELE 19 EEE 15 N 20 ISL 15 FL 17 MI 167 FREMP 50 MIGR 59
7161/16 AELE 20 EEE 16 N 21 ISL 16 FL 18 MI 168 FREMP 51 MIGR 60
31. Draft Council Decision amending Decision 2014/486/CFSP on the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine)
= Adoption
7750/16 CORLX 157 CSDP/PSDC 207 CFSP/PESC 294 COEST 90 RELEX 248
CONUN 63 EUAM UKRAINE 11 CSC 94
6349/1/16 REV 1 CORLX 70 CSDP/PSDC 97 CFSP/PESC 140 COEST 46
RELEX 125 CONUN 28 EUAM UKRAINE 7 CSC 45
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