



Brussels, 2 August 2016  
(OR. en)

11425/16

CRS/CRP 27

## SUMMARY RECORD

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Subject: 2595th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 20 July 2016

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### I. Adoption of the provisional agenda

11340/16 OJ CRP1 27

11367/1/16 REV 1 OJ CRP2 27 COMIX 535

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)

2. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks (**First reading**) (**Legislative deliberation**)

= Confirmation of the final compromise text with a view to agreement

= Decision to use the written procedure for the political agreement (°)

11122/16 PECHE 271 CODEC 1047

11123/16 PECHE 272 CODEC 1048

The Committee agreed on the final compromise text proposed by the Presidency and also agreed on the decision to use the written procedure.

3. 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)**

= Confirmation of the final compromise text with a view to agreement

11141/16 PECHE 274 CODEC 1049

11142/16 PECHE 275 CODEC 1050

The Committee agreed on the final compromise text proposed by the Presidency. The Spanish delegation informed that it could not support the final compromise text.

4. Proposal for a Regulation of the European Parliament and of the Council setting a framework for energy efficiency labelling and repealing Directive 2010/30/EU **(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 14 July 2016.

## **COREPER (PART 2)**

14. 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 (revision of **the suspension mechanism**) **(First reading)**

= Presidency debriefing on the outcome of the trilogue

11282/16 VISA 240 CODEC 1067 COMIX 528

The Committee confirmed the conclusions reached in the Mixed Committee on the main outstanding issues following the debrief by the Presidency of the trilogue which took place on 11 July. The Presidency will revert to the Committee at its first meeting in September.

15. Presentation of the agenda of the Council meeting (**General Affairs**) on 20 September 2016

The Committee took note of the main items on the agenda of this Council session.

16. Follow-up to the Council meeting (Foreign Affairs) on 18 July 2016

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

17. EU - China Summit (Beijing, 12-13 July 2016)  
= Debriefing

The EEAS and the Commission outlined the main outcomes of the summit.

18. ASEM Summit (Ulaanbaatar, Mongolia, 15-16 July 2016)  
= Debriefing

The EEAS and the Commission outlined the main outcomes of the summit.

19. Draft budget of the European Union for the financial year **2017**  
= Council position  
11166/16 FIN 472 PE-L 46  
+ ADD 1 to ADD 6

The Committee confirmed the agreement reached in the Budget Committee and agreed to use the written procedure for adoption of the Council position. The Presidency therefore cancelled the ECOFIN/Budget Council convened for 22 July.

20. Order of exercising the Presidency of the Council  
= Information from the Presidency

This item was added on the agenda at the start of the meeting. The Presidency informed the Committee of the state of play following the UK referendum and next steps.

#### **IV. Any other business**

##### **COREPER (PART 1)**

- Non-ETS package  
= Information from the Commission

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

##### **COREPER (PART 2)**

- EU-Switzerland relations (restricted session)

The Committee took note of the information provided by the Commission and the EEAS on recent contacts with Switzerland

**"I" items approved****COREPER (PART 1)**

5. Replies to written questions put to the Council by Members of the European Parliament  
= Adoption by silence procedure (+)
- a) E-001102/2016 - Keith Taylor (Verts/ALE)  
Engagement with the business community on human rights in Israel and Palestine  
10479/16 PE-QE 232
  - b) E-002597/2016 - Theodoros Zagorakis (PPE)  
Safety in marine sports and games  
10688/16 PE-QE 242
  - c) E-002745/2016 - Rosa Estaràs Ferragut (PPE)  
Ratification of the Marrakesh Treaty  
10908/16 PE-QE 249
  - d) E-003024/2016 - Marco Zanni (EFDD) and Marco Valli (EFDD)  
David Cameron's connection with the Panama Papers  
10577/16 PE-QE 238
  - e) E-003268/2016 - Kazimierz Michał Ujazdowski (ECR)  
On enhancing transparency in trilogues between the Commission, the Council and Parliament  
10481/16 PE-QE 233
  - f) E-003572/2016 - Marine Le Pen (ENF)  
Visit to Nizip refugee camp  
10372/16 PE-QE 230
  - g) E-003692/2016 - Marie-Christine Arnautu (ENF)  
European institutions and the subsidiarity principle  
10646/16 PE-QE 241
  - h) E-003750/2016 - Annie Schreijer-Pierik (PPE), Bas Belder (ECR) and Peter van Dalen (ECR)  
Providing visas to Syrian clergy without intention to request asylum  
10369/16 PE-QE 229
  - i) E-004103/2016 - Morten Løkkegaard (ALDE)  
Parallel agreements  
10373/16 PE-QE 231
  - j) E-004125/2016 - Siôn Simon (S&D)  
Contract lengths of unpaid trainees at the Council of the European Union  
10593/16 PE-QE 240
  - k) P-004615/2016 - Eleni Theocharous (ECR)  
Threat by Turkey to suspend the agreement on refugees  
10494/16 PE-QE 234

6. Draft minutes of the following Council meeting  
= Approval (°)  
– 3464th meeting of the Council of the European Union (Agriculture and Fisheries),  
held in Brussels on 17 May 2016  
9002/16 PV/CONS 24 AGRI 265 PECHE 164  
+ COR 1 (lv)  
+ ADD 1
7. IMO – Draft Union submission to be submitted to the 97th session of the Committee on  
Maritime Safety (MSC 97) of the IMO in London from 21–25 November 2016 concerning a  
new work programme item in relation to fire safety of ro-ro passenger ships  
= Approval  
11295/16 MAR 197 OMI 51

### **Statement by the Commission**

"The Commission considers that the above mentioned "Union submission" to be submitted to the IMO is covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation and should be made by the Commission on behalf of the EU to IMO and should therefore be sent to the IMO by the Commission.

In the view of the Commission, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing as there is no evidence to suggest that the IMO, as a specialized agency of the United Nations, would be in a position to reject such a submission.

The Commission thus maintains its position that the Treaty provisions on external representation of the Union should be applied and, consequently, to present the submission in question to the IMO by the European Commission on behalf of the European Union is the only legally correct way forward. In case of non-respect of the above rules, the Commission reserves all its rights in this regard."

8. Preparation of the 39th ICAO Assembly (Montreal, 27 September –7 October 2016)  
Third batch of European working papers  
= Approval  
11323/16 AVIATION 156

9. Fourth Railway Package (market pillar) **(First reading) (Legislative deliberation)**
- a) 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.
  - b) 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
  - 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
- = Political agreement
- 11202/16 TRANS 299 CODEC 1059
  - 10731/16 TRANS 268 CODEC 979
  - + COR 1
  - 10733/16 TRANS 269 CODEC 980
  - + COR 1
  - 10853/16 TRANS 277 CODEC 1012
  - + COR 1

### **Statement by Germany**

"The Federal Republic of Germany supports the compromises on the political pillar of the Fourth Railway Package, which continue to make it possible for integrated systems to exist while at the same time providing for strong and effective regulation and transparency of the financial flows.

The Federal Republic of Germany considers it important to put on record that in Article 7d, the conditions for a control of the financial transfers for, for instance, dividend payments and loans are stipulated and that recital 48 does not open up any additional rules here.

Furthermore, the Federal Republic of Germany interprets Article 7d and recital 52 as meaning that it is possible for infrastructure managers to pay revenue and dividends directly or via another legal entity within in the undertaking to the owner. The term "owner of the company" to whom the revenue referred to in Article 7d is to be forwarded is to be understood as meaning that not only the state as direct owner of the infrastructure company but also the state as ultimate owner is included."

10. Proposal for a Council Decision on a proposal to establish the Energy Community list of energy infrastructure projects
- = Decision to use the written procedure for the establishment of the European Union position (°)
- 11181/16 ENER 283 RELEX 629 COWEB 69 COEST 190
  - 11228/16 ENER 285 RELEX 634 COWEB 71 COEST 194
  - 11120/16 ENER 281 RELEX 619 COWEB 68 COEST 188
  - + ADD 1
  - + ADD 2
  - 11248/16 ENER 286 RELEX 639 COWEB 72 COEST 196

11. Proposal for a Council Regulation amending Regulations (EU) 2016/72 and (EU) 2015/2072 as regards certain fishing opportunities  
= Decision to use the written procedure for the adoption (°)  
11274/16 PECHE 276  
11341/16 PECHE 281  
+ ADD 1
12. Draft Regulation of the European Parliament and of the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (**First reading**)  
= Decision to use the written procedure for the adoption of the legislative act (°)  
11292/16 CODEC 1069 FRONT 297 MAR 196 COMIX 530
13. Draft Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 768/2005 establishing a Community Fisheries Control Agency (**First reading**)  
= Decision to use the written procedure for the adoption of the legislative act (°)  
11293/1/16 CODEC 1070 FRONT 298 PECHE 278 COMIX 531 **REV 1**

## **COREPER (PART 2)**

20. COJUR-ICC - International Criminal Court, sub-area of the Public International Law Working Group  
= Note verbale on modalities of application of the EU-ICC Agreement in relation to the EEAS  
11237/16 JUR 355 CORLX 301 CFSP/PESC 617 COJUR 14
21. Draft Regulation of the European Parliament and of the Council on the European Border and Coast Guard and repealing Regulation (EC) No 2007/2004, Regulation (EC) No 863/2007 and Council Decision 2005/267/EC (**First reading**)  
= Decision to use the written procedure  
11286/16 CODEC 1068 FRONT 296 COMIX 529
22. Draft Council Decision appointing an alternate member, proposed by the Federal Republic of Germany, of the Committee of the Regions  
= Adoption by silence procedure  
11058/16 CDR 65  
11057/16 CDR 64  
+ COR 1 (de)
23. Draft Council Decision appointing three members and four alternate members, proposed by Ireland, of the Committee of the Regions  
= Adoption by silence procedure  
11130/16 CDR 68  
11129/16 CDR 67
24. Draft Council Decision appointing a member, proposed by the Kingdom of Belgium, of the Committee of the Regions  
= Adoption by silence procedure  
11185/16 CDR 71  
11184/16 CDR 70
25. Draft Council Decision appointing a member and an alternate member, proposed by the Republic of Cyprus, of the Committee of the Regions  
= Adoption by silence procedure  
11233/16 CDR 74  
11232/16 CDR 73
26. Draft Council Decision appointing two alternate members, proposed by the Italian Republic, of the Committee of the Regions  
= Adoption by silence procedure  
11256/16 CDR 77  
+ COR 1  
11255/16 CDR 76



27. Draft Council Decision appointing a member, proposed by the Kingdom of the Netherlands, of the Committee of the Regions  
 = Adoption by silence procedure  
 11272/16 CDR 80  
 11271/16 CDR 79
28. Proposal for a Council Regulation on jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast)  
 = Optional consultation of the European Economic and Social Committee  
 11165/16 JUSTCIV 191
29. Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of highly skilled employment **(First reading)**  
 = Optional consultation of the European Economic and Social Committee and of the Committee of the Regions  
 11222/16 MIGR 136 SOC 463 CODEC 1061
30. Draft Council Decision amending and extending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)  
 = Adoption  
 11100/16 CORLX 290 CSDP/PSDC 436 CFSP/PESC 597 COAFR 214  
 CSC 219 EUBAM LIBYA 20  
 10334/16 CORLX 256 CSDP/PSDC 356 CFSP/PESC 501 COAFR 185  
 CSC 188 EUBAM LIBYA 19
31. Draft Council Implementing Decision implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya  
 and  
 Draft Council Implementing Regulation implementing Article 21(2) of Regulation (EU) No 2016/44 concerning restrictive measures in view of the situation in Libya  
 = Adoption  
 11353/16 CORLX 304 CFSP/PESC 632 RELEX 654 MAMA 156  
 COARM 129 CONUN 145 FIN 486  
 11161/16 CORLX 294 CFSP/PESC 602 MAMA 151 COARM 121  
 CONUN 137 FIN 469  
 11163/16 CORLX 296 CFSP/PESC 604 RELEX 625 MAMA 153  
 COARM 123 CONUN 139 FIN 471
32. No objection decision on publication of ESRB/2016/4 Recommendation  
 11380/16 EF 246 ECOFIN 723

33. Draft minutes of the following Council meetings  
= Approval
- a) 3465th meeting of the Council of the European Union (Justice and Home Affairs), held in Brussels on 20 May 2016  
9275/16 PV CONS 25 JAI 466 COMIX 388  
+ COR 1 (fi)  
+ ADD 1
  - b) 3466th meeting of the Council of the European Union (Foreign Affairs), held in Brussels on 23 May 2016  
9334/16 PV CONS 26 RELEX 424  
+ COR 1
  - c) 3467th meeting of the Council of the European Union (General Affairs), held in Brussels on 24 May 2016  
9393/16 PV CONS 27
  - d) Conference of the Representatives of the Governments of the Member States, held in Brussels on 24 May 2016  
9837/16 PV RGEM 2
  - e) 3468th meeting of the Council of the European Union (Economic and Financial Affairs), held in Brussels on 25 May 2016  
9518/16 PV CONS 28 ECOFIN 511  
+ COR 1 (de)  
+ ADD 1
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