



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 14 February 2014
(OR. en, fr)**

5761/14

CRS/CRP 4

SUMMARY RECORD

Subject: 2483rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 29 and 31 January 2014

SUMMARY

Page

1. Adoption of the provisional agenda and "I" items 7

Coreper Part 1

I

2. Replies to written questions put to the Council by Members of the European Parliament
- a) E-012290/2013 - Sophia in 't Veld (ALDE)
EU-Russia data sharing, surveillance of Olympic Games in Sochi and SORM
 - b) E-012793/2013 - Willy Meyer (GUE/NGL)
Worker representation in the Agriculture Council elections
 - c) E-012827/2013 - Antigoni Papadopoulou (S&D)
New provocative statements by Turkish Prime Minister Recep Tayyip Erdogan against the Republic of Cyprus
3. Commission Regulation (EU) No .../.. of XXX amending Annex II to Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labeling and the protection of geographical indications of spirit drinks
4. Commission Regulation (EU) No .../.. of XXX laying down technical requirements and administrative procedures related to air operations of third country operators pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council
5. Proposal for a Council Decision on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime
6. Proposal for a Directive of the European Parliament and the Council on the return of cultural objects unlawfully removed from the territory of a Member State (recast) (First reading) (Legislative deliberation)
7. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to trading of goods between Member States as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures, the communication of information by the customs administration, the exchange of confidential data between Member States and the definition of statistical value (Intrastat) (First reading) (Legislative deliberation)
8. Proposal for a Decision of the European Parliament and of the Council establishing a Union action for the European Capitals of Culture for the years 2020 to 2033 (First reading) (Legislative deliberation)
9. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 510/2011 to define the modalities for reaching the 2020 target to reduce CO2 emissions from new light commercial vehicles (First reading) (Legislative deliberation)
10. Proposal for a Regulation of the European Parliament and of the Council on a multiannual consumer programme for the years 2014-2020 and repealing decision No 1926/2006/EC (First reading) (Legislative deliberation)

II

11. Proposal for a Regulation of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a balanced approach and repealing Directive 2002/30/EC of the European Parliament and of the Council (First reading) (Legislative deliberation) 9
12. Proposal for a Decision of the European Parliament and of the Council on enhanced co-operation between Public Employment Services (PES) (First reading) (Legislative deliberation) 9
13. Innovation investment package (First reading) (Legislative deliberation)
 - a) Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a European Metrology Programme for Innovation and Research jointly undertaken by several Member States
 - b) Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a Research and Development Programme jointly undertaken by several Member States aimed at supporting research performing small and medium-sized enterprises
 - c) Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a second European and Developing Countries Clinical Trials Partnership Programme jointly undertaken by several Member States
 - d) Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in the Active and Assisted Living Research and Development Programme jointly undertaken by several Member States
..... 9
14. Proposal for a Decision of the European Parliament and of the Council, establishing a Space Surveillance and Tracking Support Programme (First reading) (Legislative deliberation) 10
15. Proposal for a Regulation of the European Parliament and of the Council on the fees payable to the European Medicines Agency (EMA) for the conduct of pharmacovigilance activities in respect of medicinal products for human use (First reading) (Legislative deliberation) 10
16. Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 20 and 21 February 2014 10
17. Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 17 February 2014 (For the items in the remit of the Permanent Representative Committee) 10
18. Amended proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund [repealing Council Regulation (EC) No 1198/2006 and Council Regulation (EC) No 861/2006 and Council Regulation No xxx/2001 on integrated maritime policy] (First reading) (Legislative deliberation) 10

19.	Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks (First reading) (Legislative deliberation)	11
21.	Proposal for a Directive of the European Parliament and of the Council on the deployment of alternative fuels infrastructure (First reading) (Legislative deliberation)	11
22.	Proposal for a Directive of the European Parliament and of the Council on the return of cultural objects unlawfully removed from the territory of a Member State (recast) (First reading) (Legislative deliberation)	12
23.	Proposal for a Regulation of the European Parliament and of the Council simplifying the transfer of motor vehicles registered in another Member State within the Single Market (First reading) (Legislative deliberation)	12
24.	Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (First reading) (Legislative deliberation)	12
25.	Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (First reading) (Legislative deliberation)	12

Coreper Part 2

I

27. Case before the Court of Justice of the European Union
 - Case C-585/13 P (Europäisch-Iranische Handelsbank AG v. Council of the European Union)
28. Case before the General Court of the European Union
 - Case T-572/11 (Samir Hassan v. Council of the European Union)
 - = Production of a Council document before the General Court of the European Union
29. Draft agreement on the European election recess period in 2014 for the transmission of delegated acts and RPS measures
30. Committee of the Regions
 - Council Decision appointing three Danish members and five Danish alternate members of the Committee of the Regions
31. Committee of the Regions
 - Council Decision appointing a Spanish alternate member of the Committee of the Regions
32. Proposal for a Regulation of the European Parliament and of the Council establishing a programme to promote activities in the field of the protection of the financial interests of the European Union (Hercule III programme) and repealing Decision No 804/2004/EC (First reading)
33. Special Report No 13/2013: EU Development assistance to Central Asia
34. Special Report No 17/2013: EU climate finance in the context of external aid
35. Signature of the Association Agreements, including Deep and Comprehensive Free Trade Areas, with Georgia and the Republic of Moldova
37. Council Decision authorising the Commission to negotiate a convention on the application of the rules on transparency for investor-state arbitration under the auspices of UNCITRAL in respect of the provisions falling within the Union's exclusive competence on foreign direct investment and investor-state arbitration against the Union
38. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 428/2009 setting up a Community Regime for the control of exports, transfer, brokering and transit of dual use items (First reading)
39. Enlargement
 - Accession negotiations with Montenegro
 - = Outcome of screening on Chapter 31: Foreign, security and defence policy
40. Council Decision on the signing, on behalf of the European Union and its Member States, of a Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, to take account of the accession of the Republic of Croatia to the European Union

II

41.	Preparation of the Council meeting (General Affairs) on 11 February 2014	
–	Other items in connection with the Council meeting	13
42.	Follow-up to the Council meeting (Economic and Financial Affairs) on 28 January 2014	13
43.	Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 18 February 2014	14
44.	Reform of the General Court of the European Union	14
45.	Relations with the European Parliament (February I 2014)	14
46.	Debrief of the 32nd EU-Russia Summit (Brussels, 28 January 2014)	14
–	Any other business	14

1. **Adoption of the provisional agenda and "I" items**

doc. 5714/14 OJ/CRP1 4 + COR 1
5759/14 OJ/CRP2 4

The above-mentioned agendas are approved with the following changes :

The following items are **withdrawn** :

(Coreper Part 1, under II)

20. Remunerations (First reading) (Legislative deliberation)
(This item will be taken in restricted session)

- a) **Proposal for a Regulation of the European Parliament and of the Council adjusting with effect from 1 July 2011 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto**
- b) **Proposal for a Regulation of the European Parliament and of the Council adjusting with effect from 1 July 2012 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto**
- **Preparation for the informal trilogue**
17622/13 STAT 55 FIN 936 CODEC 2919
17625/13 STAT 56 FIN 937 CODEC 2920

26. Proposal for a Regulation of the European Parliament and of the Council on consumer product safety and repealing Council Directive 87/357/EEC and Directive 2001/95/EC (First reading) (Legislative deliberation)

and

Proposal for a Regulation of the European Parliament and of the Council on market surveillance of products and amending Council Directives 89/686/EEC and 93/15/EEC, and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 1999/5/EC, 2000/9/EC, 2000/14/EC, 2001/95/EC, 2004/108/EC, 2006/42/EC, 2006/95/EC, 2007/23/EC, 2008/57/EC, 2009/48/EC, 2009/105/EC, 2009/142/EC, 2011/65/EU, Regulation (EU) No 305/2011, Regulation (EU) No 764/2008 and Regulation (EC) No 765/2008 of the European Parliament and of the Council (First reading) (Legislative deliberation)

- **Preparation for the informal trilogue**
5621/14 ENT 20 MI 66 CONSOM 20 CODEC 165 COMPET 39 UD21
CHIMIE 5 COMER 18

(Coreper Part 2, under I)

36. Anti-dumping

- **Proposal for a Council Implementing Regulation of xx/2014 repealing the anti dumping duty on imports of dicyandiamide originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009**
5273/14 ANTIDUMPING 3 COMER 10
5274/14 ANTIDUMPING 4 COMER 11

The Committee approved the "I" items as set out in the summary. Details are contained in the document quoted under item 1.

The Commission made a statement on the following item :

37. Council Decision authorising the Commission to negotiate a convention on the application of the rules on transparency for investor-state arbitration under the auspices of UNCITRAL in respect of the provisions falling within the Union's exclusive competence on foreign direct investment and investor-state arbitration against the Union

- **Decision to use the written procedure**
5678/14 WTO 25 SERVICES 5 FDI 2
5446/14 WTO 21 SERVICES 3 FDI 1
+ ADD 1

"The Commission considers that the decision of the Council to introduce language limiting the scope of the decision to Union's competence on foreign direct investment and investor-state arbitration against the Union is unwarranted. The Commission regrets this decision and reaffirms its position that the Union also has competence to conduct these negotiations for portfolio investment through the operation of Article 63 of the Treaty on the Functioning of the European Union, acting in combination with Article 3(2). Thus the Commission could and should have been authorised to conduct the negotiations on all matters of the draft UNCITRAL convention, including, portfolio investment."

Coreper Part 1

II

11. **Proposal for a Regulation of the European Parliament and of the Council on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Union airports within a balanced approach and repealing Directive 2002/30/EC of the European Parliament and of the Council (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**
 - **(poss.) Analysis of the final compromise text with a view to agreement**

The Committee examined and approved the final compromise text in view of an early second reading agreement with the European Parliament.

12. **Proposal for a Decision of the European Parliament and of the Council on enhanced co-operation between Public Employment Services (PES) (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
 - **Presidency debriefing on the outcome of the informal trilogue**

Delegations gave their views on the way forward regarding the main points of the negotiations for the third informal trilogue.

The Committee was informed on the outcome of the third informal trilogue held on 29 January 2014.

13. **Innovation investment package (First reading) (Legislative deliberation)**
- a) **Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a European Metrology Programme for Innovation and Research jointly undertaken by several Member States**
 - b) **Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a Research and Development Programme jointly undertaken by several Member States aimed at supporting research performing small and medium-sized enterprises**
 - c) **Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in a second European and Developing Countries Clinical Trials Partnership Programme jointly undertaken by several Member States**
 - d) **Proposal for a Decision of the European Parliament and of the Council on the participation of the Union in the Active and Assisted Living Research and Development Programme jointly undertaken by several Member States**
 - **Presidency debriefing on the outcome of the informal trilogue**

The Committee was informed on the outcome of the first informal trilogue with the European Parliament on the Innovation investment package.

14. Proposal for a Decision of the European Parliament and of the Council, establishing a Space Surveillance and Tracking Support Programme (First reading) (Legislative deliberation)

– **Preparation for the informal trilogue**

5568/14 ESPACE 11 COMPET 36 IND 21 RECH 25 TRANS 27 CSDP/PSDC 33
CSC 10 CIVCOM 17 CPDEC 155

The Committee gave the Presidency the mandate for the second trilogue on the basis of the document 5568/14.

15. Proposal for a Regulation of the European Parliament and of the Council on the fees payable to the European Medicines Agency (EMA) for the conduct of pharmacovigilance activities in respect of medicinal products for human use (First reading) (Legislative deliberation)

– **Presidency debriefing on the outcome of the informal trilogue**

The Presidency debriefed the Committee on the outcome of the trilogue that took place on 23 January 2014.

16. Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 20 and 21 February 2014

The Committee set the provisional agenda for the meeting of the Competitiveness Council.

17. Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 17 February 2014 (For the items in the remit of the Permanent Representative Committee)

The Committee agreed on the provisional agenda for the forthcoming Council meeting (Agriculture and Fisheries) on 17 February 2014 as set out in 6286/14.

18. Amended proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund [repealing Council Regulation (EC) No 1198/2006 and Council Regulation (EC) No 861/2006 and Council Regulation No xxx/2001 on integrated maritime policy] (First reading) (Legislative deliberation)

– **Presidency debriefing on the outcome of the informal trilogue**

The Presidency informed the Committee that a political agreement on remaining political points had been reached on the EMFF the previous day and summarised the results.

The French and Spanish delegations congratulated the Presidency on the very satisfactory result.

The Polish delegation recalled its redline in relation to engine power reduction and hoped that the entire package would enable it to review this position.

The Romanian delegation expressed its support now that the consumption criterion in Article 17 would be deleted.

The Netherlands delegation highlighted that its support would be dependent on the inclusion of Article 129a of the Council's general approach and insisted that this be brought up with the European Parliament. The French delegation, supported by the Spanish delegation, expressed opposition to including Article 129a.

The Presidency stated that it would do its best in the interest of all Member States. He thanked the Committee for its support for the political agreement.

19. Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks (First reading) (Legislative deliberation)

– **Preparation for the informal trilogue**

5617/14 TELECOM 19 COMPET 38 CODEC 163

Following indication by the Presidency that the 1st trilogue on 30 January 2014 would be on an exploratory nature with the Council text clearly signalled as under development delegations could endorse the orientations set out under point 5 of document 5617/14. A few delegations flagged however a number of concerns notably in relation with Art. 6, 7 and 8 and property rights-related issues and permit granting, as well as the need to ensure a sufficiently long transposition period (36 months). The Commission stressed the importance of preserving the substance of the act irrespective of its legal form and of keeping a sufficiently short transposition period.

21. Proposal for a Directive of the European Parliament and of the Council on the deployment of alternative fuels infrastructure (First reading) (Legislative deliberation)

– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the outcome of the informal trilogue of 29 January 2014.

- 22. Proposal for a Directive of the European Parliament and of the Council on the return of cultural objects unlawfully removed from the territory of a Member State (recast) (First reading) (Legislative deliberation)**
– **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the outcome of the informal trilogue held on 29 January 2014.

- 23. Proposal for a Regulation of the European Parliament and of the Council simplifying the transfer of motor vehicles registered in another Member State within the Single Market (First reading) (Legislative deliberation)**
– **Preparation for the informal trilogue**
5763/14 ENT 21 MI 75 CODEC 190

The Presidency submitted a new drafting on Article 3 which has been a major stumbling block during discussions at Working Party level due to concerns on possible loss of revenue from vehicle taxation. Delegations considered that this drafting could not address their concerns and pointed out that any further examination of this proposal should be based on a thorough impact assessment of its fiscal implications. As this request was supported by the majority of delegations, the Presidency concluded by asking the Commission to produce such an impact assessment. In addition it was decided that Working Party meetings should have to be provisionally postponed.

- 24. Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (First reading) (Legislative deliberation)**
– **Presidency debriefing on the outcome of the informal trilogue**

The Presidency debriefed the Committee on the 3rd trilogue held on 28 January 2014. The main issues raised by the EP concern the simplification of liability provisions (Art. 7b), the access of the private sector to authentication services (Art. 6(1)), keeping provisions on website authentication (Art. 37), and the date of application of the Regulation (Art. 42), which should be 2017 for EP, supported by the Commission, which the Presidency invited to show more flexibility if agreement is to be reached under the current legislature.

The last trilogue is scheduled on 25 February 2014.

- 25. Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (First reading) (Legislative deliberation)**
– **Presidency debriefing on the outcome of the informal trilogue**

The Committee was informed on the outcome of the fourth informal trilogue held on 30 January 2014.

Coreper Part 2

II

41. Preparation of the Council meeting (General Affairs) on 11 February 2014

– Other items in connection with the Council meeting

Le Comité a fait le point de l'état de préparation des autres points figurant à l'ordre du jour provisoire de la session du Conseil Affaires générales.

42. Follow-up to the Council meeting (Economic and Financial Affairs) on 28 January 2014

There were three items during the breakfast.

- Firstly, the Eurogroup President gave a debrief from the Eurogroup meeting the day before and the Commission gave a brief update on the economic situation.
- Secondly, Cyprus informed Ministers about its request to temporarily become a country of the EBRD operations, which will require a decision in the EBRD in the coming months.
- And finally, the chairman of the Intergovernmental Conference on the functioning of the Single Resolution Fund, Thomas Weiser, gave a debrief on progress made so far. The Ministers will have a special meeting on this issue on 17 February 2014 chaired by the Eurogroup President.

At the formal Council meeting:

- Ministers were first updated on progress on important legislative files. Work is on-going at the level of working parties, Committee and trilogues.
- This was followed by an updated by the ECB on the implementation of the Single Supervisory Mechanism. The ECB will provide a first quarterly report next month.
- The Hellenic Presidency then presented their ECOFIN work programme in public session.
- Ministers had an exchange of views on the follow-up of the European Council on 19-20 December 2013 as regards the implementation of the Compact for Growth and Jobs. The ECOFIN will continue to review this regularly.

- And finally, in a restricted session, under the implementation of the Stability and Growth Pact, the Council launched an excessive deficit procedure for Croatia.

43. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 18 February 2014

After agreeing to remove the savings taxation from the draft version of the agenda, the Committee agreed the provisional agenda for this Council meeting.

44. Reform of the General Court of the European Union

5355/14 JUR 21 INST 39 COUR 4

+ COR 1

18107/13 JUR 660 INST 704 COUR 98

The Committee agreed on a mandate to the Presidency for trilogues with the European Parliament on the basis of the Presidency note set out in 5355/14 + COR 1.

45. Relations with the European Parliament (February I 2014)

5533/14 PE 21 INST 49 POLGEN 12 CODEC 144

The Committee held a discussion on relations with the European Parliament on the basis of the document 5533/14.

46. Debrief of the 32nd EU-Russia Summit (Brussels, 28 January 2014)

The Committee took note of the debriefing by the EEAS and the Commission on the outcome of the EU-Russia Summit in Brussels on 28 January 2014, and had a brief exchange of views.

– **Any other business**

Under AOB Presidency debriefed shortly on the main issues discussed on the Informal JHA Ministerial (data protection, cross border operation in small claims, proposal on procedural rights, terrorism and border security and the future development /guidelines of the JHA area).

Presidency also informed the Committee of the work achieved to date in the trilateral exercise with the EP and the Commission on delegated and implementing acts.