



Brussels, 10 February 2017
(OR. en)

5594/17

CRS/CRP 3

SUMMARY RECORD

Subject: 2613th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 25 January 2017

I. Adoption of the agenda

5489/17 OJ CRP1 3 + COR 1
5515/17 OJ CRP2 3

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 1)

2. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 531/2012 as regards rules for wholesale **roaming** markets
(**First reading**) (**Legislative deliberation**)

= Preparation for the trilogue

5435/17 TELECOM 14 COMPET 35 MI 54 CONSOM 21 CODEC 71

The Committee agreed the mandate for the forthcoming trilogue.

COREPER (PART 2)

11. **Preparation** of the Council meeting (**General Affairs**) on 7 February 2017
- Other items in connection with the Council meeting

The Committee took note of the agenda of the **General Affairs Council** on 7 February 2017.

12. Relations with the European Parliament after the European Parliament session on 16-19 January 2017 in Strasbourg

The Presidency informed the Committee on the outcomes of the plenary session.

13. **PIF** : Proposal for a Directive of the European Parliament and of the Council on the fight against fraud to the Union's financial interests by means of criminal law
(First reading)

= Preparation for a political agreement

5434/17 DROIPEN 4 JAI 50 GAF 3 FIN 28 CADREFIN 5
FISC 19 CODEC 70

The Committee confirmed the agreement reached with the European Parliament.

Statement by the Commission

"Although it has no objection regarding the substantive provisions of the Directive, the Commission considers that it should have been based on Article 325 TFEU and reserves its right to initiate legal proceedings about the legal basis before the Court of Justice."

14. **Migration**

– Information from the Presidency

The Presidency debriefed the Committee on the results of the IPCR High Level Roundtables of 20 January on the Eastern Mediterranean and Western Balkans route as well as on the Central Mediterranean Route.

– External dimension

The Committee held an exchange of views on the external aspects of migration.

IV. Any other business

COREPER (PART 1)

The UK delegation informed the Committee that a bill will be presented to the UK parliament with a view to empowering the UK government to trigger Article 50.

COREPER (PART 2)

None.

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

3. Replies to written questions put to the Council by Members of the European Parliament
 - = Adoption by silence procedure
 - a) E-006800/2016 - Konstantinos Papadakis (NI)
Resumption of return of refugees to Greece from other European countries
5352/17 PE-QE 18
 - b) E-007292/2016 - Kazimierz Michał Ujazdowski (ECR)
EU visa liberalisation for Ukrainian citizens
5354/17 PE-QE 19
 - c) E-007781/2016 - Anne-Marie Mineur (GUE/NGL)
Consequences of ruling by German Constitutional Court
5355/17 PE-QE 20
 - d) E-008152/2016 - Frédérique Ries (ALDE)
IWC refusal to establish a whale sanctuary in the South Atlantic
5356/17 PE-QE 21

4. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1059/2003 as regards the territorial typologies (Tercet)
 - = Optional consultation of the European Economic and Social Committee and Committee of the Regions
5279/17 STATIS 1 REGIO 5 CODEC 35

5. Commission Regulation (EU) .../... of XXX laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No 589/2014
 - = Decision not to oppose adoption
5192/17 AGRILEG 6 DENLEG 3 AGRI 14 SAN 19
15465/16 AGRILEG 196 DENLEG 90 AGRI 672 SAN 430
+ ADD 1

Statement by Germany and Austria

"Germany and Austria approve the final adoption of the above-mentioned draft. Nonetheless, we expect that the Commission will include our amendments – sent to the Commission on 15 December 2016 via email – in the final version, namely the deletion of the term “amtlich” (en: official) in the translated articles 3 and 4. The addition of the term “amtlich” is in contradiction to the English and French versions of the draft.

i.e.:

Article 3:

Die Vorbereitung und Analyse der Proben für die ~~amtliche~~ Kontrolle der Gehalte von [...]
EN: Sample preparation and analyses for the control of [...]

Article 4:

Die Analyse für die ~~amtliche~~ Kontrolle der Gehalte [...]
EN: Analyses for the control of [...]"

6. 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 sulfoxaflor in or on certain products
 = Decision not to oppose adoption
 5267/17 AGRILEG 7
 15744/16 AGRILEG 200
 + ADD 1–2
7. Commission Regulation (EU) .../... of XXX amending Annex VII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards skin sensitisation and repealing Commission Regulation (EU) 2016/1688
 = Decision not to oppose adoption
 5459/17 COMPET 36 ENV 37 CHIMIE 8 MI 55 ENT 17 SAN 32 CONSUM 22
 15193/16 COMPET 647 ENV 768 CHIMIE 76 MI 779 ENT 225 SAN 421
 CONSUM 305
 + ADD 1
8. Commission Regulation (EU) .../... establishing a network code on harmonised transmission tariff structures for gas
 = Decision not to oppose adoption
 15293/16 ENER 431
 14003/16 ENER 370
9. Draft Council Decision (EU) 2016/... of ... determining, for the General Secretariat of the Council, the appointing authority and the authority empowered to conclude contracts of employment and repealing Decision 2013/811/EU
 = Adoption
 5106/17 STAT 2
 15606/16 STAT 19
 + COR 1 (da)
10. Draft Council Decision authorising the Commission to open negotiations for an agreement on cooperation in the area of competition policy between the European Union and the Government of Japan
 = Adoption
 5104 /17 RC 1
 15797/16 RC 12
 + ADD 1 **EU RESTRICTED**

The above-mentioned item was withdrawn.

COREPER (PART 2)

15. Case before the Court of Justice of the European Union
Case C-598/16 P (Viktor Fedorovych Yanukovych v. Council of the European Union, European Commission and Republic of Poland)
5339/17 JUR 20 CORLX 13 CFSP/PESC 25 COEST 9
16. Case before the Court of Justice of the European Union
Case C-599/16 P (Oleksandr Viktorovych Yanukovych v. Council of the European Union and European Commission)
5340/17 JUR 21 CORLX 14 CFSP/PESC 26 COEST 10
17. Resolutions, decisions and opinions adopted by the European Parliament at its part-session in Strasbourg from 16 January to 19 January 2017
5051/17 PE-RE 1
18. European Court of Auditors' Special Report No 31/2016 "Spending at least one euro in every five from the EU budget on climate action: ambitious work underway, but at serious risk of falling short"
= Designation of Working Party
5411/17 FIN 23 ECOFIN 22 ENV 33 CLIMA 4
19. European Court of Auditors' Special Report No 32/2016 "EU assistance to Ukraine"
= Designation of Working Party
5415/17 FIN 25 COEST 16
20. Proposal for a Council Decision on the conclusion on behalf of the Union of the Partnership Agreement on Relations and Cooperation between the European Union and its Member States, of the one part, and New Zealand, of the other part
= Request for the consent of the European Parliament
5080/17 COASI 2 ASIE 1 NZ 1 POLGEN 2
15470/16 COASI 231 ASIE 94 NZ 6 POLGEN 165
21. Draft Council Implementing Decision implementing Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo
and
Draft Council Implementing Regulation implementing Article 9(5) of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo
= Adoption
5425/1/17 REV 1 CORLX 20 CFSP/PESC 37 RELEX 39 COAFR 13 COARM 9
CONUN 8 FIN 26
5287/17 CORLX 10 CFSP/PESC 20 RELEX 27 COAFR 11 COARM 6
CONUN 5 FIN 16
5286/17 CORLX 9 CFSP/PESC 19 COAFR 10 COARM 5 CONUN 4 FIN 15

22. Draft Council Decision amending Decision (CFSP) 2015/2005 extending the mandate of the European Union Special Representative in Afghanistan
= Adoption
5245/17 CORLX 5 CFSP/PESC 14 COASI 4 CSC 8
15587/16 CORLX 493 CFSP/PESC 1022 COASI 239 CSC 376
23. European Year for Development 2015 Legacy: "Our World, Our Dignity, Our Future"
= Draft Council conclusions
5535/17 DEVGEM 7 ACP 7 RELEX 44
24. (poss.) EU-Peru Dialogue on Human Rights – Terms of Reference
5463/17 COHOM 5 COLAC 4
5451/17 COHOM 4 COPS 17 COLAC 3
25. Draft Council Decision on conclusion, on behalf of the European Union, of the Agreement between the European Union and the Republic of Kiribati on the short-stay visa waiver
= Adoption
5513/17 VISA 21 COASI 10
12092/15 VISA 302 COASI 129
26. Draft Council Decision on conclusion, on behalf of the Union, of the Agreement between the European Union and Federated States of Micronesia on the short-stay visa waiver
= Adoption
5421/17 VISA 16 COASI 6
9780/16 VISA 186 COASI 114
27. Draft Council Decision on conclusion, on behalf of the Union, of the Agreement between the European Union and Solomon Islands on the short-stay visa waiver
= Adoption
5422/17 VISA 17 COASI 7
9785/16 VISA 189 COASI 117
28. Draft Council Decision on conclusion, on behalf of the Union, of the Agreement between the European Union and Tuvalu on the short-stay visa waiver
= Adoption
5423/17 VISA 18 COASI 8
9764/16 VISA 180 COASI 103
29. Draft Council Decision on conclusion, on behalf of the Union, of the Agreement between the European Union and the Republic of the Marshall Islands on the short-stay visa waiver
= Adoption
5424/17 VISA 19 COASI 9
9775/16 VISA 183 COASI 109