



Council of the
European Union

Brussels, 5 April 2017
(OR. en)

7831/17

CRS/CRP 11

SUMMARY RECORD

Subject: 2621st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 22 March 2017

I. Adoption of the agenda

7473/17 OJ CRP1 11
7480/17 OJ CRP2 11 COMIX 205

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 on establishing a multi-annual **plan for demersal stocks** in the **North Sea** and the fisheries exploiting those stocks and repealing Council Regulation (EC) 676/2007 and Council Regulation (EC) 1342/2008 (**First reading**) (**Legislative deliberation**)

= Preparation for a general approach
7338/17 PECHE 105 CODEC 398
7339/17 PECHE 106 CODEC 399

The Committee agreed on the text of the draft general approach and submitted it to Council for adoption as an "A" item.

DK maintained its parliamentary scrutiny reservation.

3. 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)**
= Presidency briefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 21 March 2017.

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 briefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 21 March 2017.

5. Proposal for a Regulation of the European Parliament and of the Council concerning measures to safeguard the **security of gas supply** and repealing Regulation (EU) No 994/2010 **(First reading) (Legislative deliberation)**
= Preparation for the trilogue
7296/17 ENER 112 CODEC 390

The Committee agreed on the mandate for the forthcoming trilogue.

Statement by the Commission

"The Commission welcomes the co-cooperation mechanisms set out in Article 15 of the the proposed Regulation as submitted to Coreper as an important tool for ensuring consistency of preventive action and emergency plans with Energy Community Contracting Parties.

The Commission stresses the importance of effectively ensuring that no measures are put in place by Energy Community Contracting Parties that may negatively affect the security of supply situation in the EU and its Member State and vice versa.

In this respect, the Commission will, without prejudice to its initial Commission proposal of 16 February 2016, consider proposing to the Council in due course a recommendation under Art. 218 TFEU for negotiations on an amendment of the Energy Community Treaty with a view to establishing an appropriate legal framework and mechanisms to allow applicability of selected provisions of the Regulation between the EU and its Member States on the one hand, and Contracting Parties of the Energy Community on the other."

6. **Implementation of the Marrakesh Treaty (First reading) (Legislative deliberation)**
- a) Proposal for a Directive of the European Parliament and of the Council on certain permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society
 - b) Proposal for a Regulation of the European Parliament and of the Council on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled
 - = Preparation for the trilogue
 - 7341/17 PI 31 CODEC 400
 - 7342/17 PI 32 CODEC 401

The Committee agreed on the mandate for the forthcoming trilogue.

7. Draft Council Decision authorising the opening of negotiations on a **UNWTO-Convention** on the protection of **tourists** and the rights and obligations of tourism service providers
- = Preparation for the adoption
 - 7424/1/17 CONSOM 92 MI 242 TOUR 4 JUSTCIV 57 PROCIV 2 REV 1

The Committee agreed on the slightly amended text of the draft Council Decision and submitted it to Council for adoption as an "A" item.

COREPER (PART 2)

27. **Preparation** of the Council meeting (**Justice and Home Affairs**) on 27-28 March 2017

- a) **Information Technology (IT) measures related to border management**
- i) **ETIAS**: Proposal for a Regulation of the European Parliament and of the Council establishing a European Travel and Information Authorisation System (ETIAS) **(First reading)**
- ii) **Entry/Exit System (EES)**
- a) Proposal for a Regulation of the European Parliament and of the Council establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third country nationals crossing the external borders of Member States of the European Union and determining the conditions for access to the EES for law enforcement purposes and amending Regulation (EC) No 767/2008 and Regulation (EU) No 1077/2011 **(First reading)**
- b) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 2016/399 as regards the use of the Entry/Exit System **(First reading)**
- = Progress report
7064/17 FRONT 108 VISA 90 SIRIS 43 DAPIX 74 DATAPROTECT 33
CODEC 332 COMIX 175

The Committee confirmed the outcome of the Mixed Committee and agreed to submit the progress report to the Council.

- b) **Return Policy: enhancing effectiveness¹**
- i) Commission Recommendation on making returns more effective when implementing the Directive 2008/115/EC of the European Parliament and of the Council
- ii) Commission Communication on a more effective return policy in the European Union - A renewed Action Plan
- = Policy debate
7112/17 MIGR 33 COMIX 180
6949/17 MIGR 29 COMIX 170
6943/17 MIGR 28 COMIX 166
+ ADD 1

The Committee took note of the information given by the Presidency on the handling of the policy debate at the Council.

¹ Exceptionally, in the presence of the Schengen Associated States.

- c) **Reform of the Common European Asylum System and Resettlement**
- i) **Dublin:** Proposal for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast) **(First reading)**
 - ii) **Reception conditions:** Proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of applicants for international protection (recast) **(First reading)**
 - iii) **Qualification:** Proposal for a Regulation of the European Parliament and of the Council on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection and for the content of the protection granted and amending Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents **(First reading)**
 - iv) **Procedure:** Proposal for a Regulation of the European Parliament and of the Council establishing a common procedure for international protection in the Union and repealing Directive 2013/32/EU **(First reading)**
 - v) **Eurodac:** Proposal for a Regulation of the European Parliament and of the Council on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of [Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person], for identifying an illegally staying third-country national or stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes (recast) **(First reading)**
 - vi) **EASO:** Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 **(First reading)**
 - vii) **Resettlement Framework:** Proposal for a Regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council **(First reading)**
- = Progress report
6851/17 ASILE 9 ASIM 19 CSC 55 EURODAC 7 ENFOPOL 95
RELEX 194 CODEC 298

The Committee took note of the Presidency's report on the state of play of the reform of the Common European Asylum System and Resettlement.

d) Other items in connection with the Council meeting

The Presidency provided further information with regards to the upcoming Justice and Home Affairs Council. It also debriefed the Committee on the results of the IPCR High level roundtable of 21 March 2017 on the Central Mediterranean route.

28. **Follow-up** to the Council meeting (**Economic and Financial Affairs**) on 21 March 2017

The Committee took note of the proceedings of this Council meeting.

29. Relations with the European Parliament after the European Parliament session on 13 - 16 March 2017 in Strasbourg

The Committee took note of the major outcomes of the Plenary.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

- The Presidency outlined tentative timetable leading to the special meeting of the European Council (Art. 50) on 29 April 2017.
- Germany raised the issue of the coordination of activities related to economic diplomacy.

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

8. Replies to written questions put to the Council by Members of the European Parliament
= Adoption by silence procedure
- a) P-009340/2016 - Agnieszka Kozłowska-Rajewicz (PPE)
Accession of the EU to the Council of Europe Convention on preventing and combating violence against women and domestic violence
7211/17 PE-QE 70
- b) E-000254/2017 - Vilija Blinkevičiūtė (S&D)
Child Guarantee initiative
6742/17 PE-QE 60
9. Governing Board of the European Centre for the Development of Vocational Training (CEDEFOP)
Appointment of Mr Fernando CATARINO JOSÉ (PT), member in the category of Government representatives
= Adoption
7151/17 EDUC 114 SOC 178
10. Advisory Committee on Safety and Health at Work
Appointment of Ms Katell DANIAULT, alternate member for France, in place of Mr Arnaud PUJAL, who has resigned
= Adoption
7264/17 SOC 186 EMPL 139
11. Governing Board of the European Agency for Safety and Health at Work
Appointment of Ms Katell DANIAULT, alternate member for France, in place of Mr Arnaud PUJAL, who has resigned
= Adoption
7265/17 SOC 187 EMPL 140
12. Governing Board of the European Foundation for the Improvement of Living and Working
Appointment of Ms Linda Niki VOLOSINOVSKY, alternate member for Hungary, in place of Ms Ágnes CSICSELY, who has resigned
= Adoption
7300/1/17 SOC 189 EMPL 142 REV 1
13. Advisory Committee on Freedom of Movement for Workers
Draft Council Decision appointing an alternate member for Portugal
= Adoption
5678/17 SOC 47 EMPL 34
5677/17 SOC 46 EMPL 33

14. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of phosphoric acid–phosphates–di–tri and polyphosphates (E 338-452) in certain meat preparations
 = Decision not to oppose adoption
 6988/17 DENLEG 14 AGRI 120 SAN 84
 6955/17 DENLEG 11 AGRI 116 SAN 81
 + ADD 1
15. Commission Regulation (EU) .../... of XXX amending Regulation (EC) No 1881/2006 as regards maximum level of hydrocyanic acid in unprocessed whole, ground, milled, cracked, chopped apricot kernels placed on the market for the final consumer
 = Decision not to oppose adoption
 6989/17 DENLEG 15 AGRI 121 SAN 85
 6957/17 DENLEG 12 AGRI 117 SAN 82
 + ADD 1
16. Commission Regulation (EU) .../... of XXX amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of nitrites (E 249 – 250) in golonka peklowana
 = Decision not to oppose adoption
 6990/17 DENLEG 16 AGRI 122 SAN 86
 6972/17 DENLEG 13 AGRI 118 SAN 83
 + ADD 1
17. 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 perfluorooctanoic acid (PFOA), its salts and PFOA-related substances
 = Decision not to oppose adoption
 7280/17 COMPET 182 ENV 257 CHIMIE 24 MI 225 ENT 65 SAN 104
 CONSOM 81
 5353/17 COMPET 31 ENV 27 CHIMIE 7 MI 44 ENT 12 SAN 29 CONSOM 18
 + ADD 1
18. Commission Regulation (EU) No .../.. of XXX amending Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH)
 = Decision not to oppose adoption
 7278/17 COMPET 181 ENV 256 CHIMIE 23 MI 224 ENT 64 SAN 102
 CONSOM 80
 5351/17 COMPET 30 ENV 26 CHIMIE 6 MI 43 ENT 11 SAN 28 CONSOM 17
 + ADD 1
19. Commission Directive (EU) .../... of XXX amending Directive 2008/56/EC of the European Parliament and of the Council as regards the indicative lists of elements to be taken into account for the preparation of the marine strategies
 = Decision not to oppose adoption
 7358/17 ENV 264 MAR 57
 5583/17 ENV 52 MAR 23
 + ADD 1
 + ADD 1 REV 1 (cs, da, de, es, fr, hr, lv, nl, pl, pt, sv)

20. Commission delegated Regulation (EU) .../... of xxx amending delegated Regulation (EU) 2017/117 establishing fisheries conservation measures for the protection of the marine environment in the Baltic Sea and repealing Regulation (EU) 2015/1778
 = Intention not to raise objections to a delegated act
 7270/17 PECHE 101
 6932/17 PECHE 87 DELACT 42
 + ADD 1
21. Commission delegated Regulation (EU) .../... of xxx of 24.2.2017 amending delegated Regulation (EU) 2017/118 establishing fisheries conservation measures for the protection of the marine environment in the North Sea
 = Intention not to raise objections to a delegated act
 7268/17 PECHE 100
 6724/17 PECHE 78 DELACT 34
 + ADD 1
22. Malta MedFish4Ever Ministerial Declaration on Mediterranean Fisheries Mediterranean Ministerial Conference (Valletta, 30 March 2017)
 = Endorsement
 7061/17 PECHE 93
23. Support by the EU and its Member States for a joint response by Australia, New Zealand and others to the statement by the Government of Japan on Resolution 2016-02 on Improving the Review Process for whaling under special permit
 = Approval
 7487/17 ENV 275 PECHE 115
24. Draft Council conclusions on Special Report No 28/2016 entitled "Dealing with serious cross-border threats to health in the EU: Important steps taken but more needs to be done"
 = Adoption
 6904/17 SAN 79 FIN 166 PHARM 9 PROCIV 15
25. Draft Council Directive amending, for the purpose of adapting to technical progress, Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards lead
 = Adoption
 7322/17 MI 231 ENT 67 CONSOM 84 SAN 107 ECO 14
 12153/16 MI 568 ENT 167 CONSOM 211 SAN 321 ECO 53
 + ADD 1-3
26. Draft Council Regulation amending Regulation (EU) 2017/127 as regards certain fishing opportunities
 = Adoption
 7285/17 PECHE 102
 7286/17 PECHE 103

COREPER (PART 2)

30. Case before the General Court of the European Union
Case T-86/17 (Le Pen v. Parlement)
 - Intervention of the Council before the General Court of the European Union in support of the European Parliament
7111/17 JUR123 INST98 FIN181
31. Case before the General Court of the European Union
Case T-868/16 (Maria Amira and Others v. European Commission and European Central Bank)
 - Request for intervention of the European Council and Council of the European Union before the General Court in support of the European Commission and the European Central Bank
 - = Information note for Permanent Representatives Committee (Part 2)
7224/17 JUR 128 ECOFIN 195 UEM 66
32. Humanitarian visas - Reference for a preliminary ruling on the interpretation of Article 25(1)(a) of the Visa Code (Case C-638/16 PPU, X and X v. Belgium)
7271/17 JUR 130 JAI 236 ASILE 15 MIGR 34 VISA 99
33. Transparency - Public access to documents
Confirmatory application No 02/c/01/17
6226/17 INF 19 API 15
34. Draft Council Decision appointing an alternate member, proposed by the Kingdom of Spain, of the Committee of the Regions
 - = Adoption
 - 7207/17 CDR 41
 - 7206/17 CDR 40
35. Draft Council Decision appointing a member, proposed by the Kingdom of Spain, of the Committee of the Regions
 - = Adoption
 - 7210/17 CDR 44
 - 7209/17 CDR 43
36. Resolutions and Decisions adopted by the European Parliament at its part-sessions in Brussels from 1 to 2 March 2017 and in Strasbourg from 13 to 16 March 2017
6515/17 PE-RE 3

37. Estimates of expenditure and revenue for the financial year 2018 (Section II - European Council and Council)
- 7293/17 FIN 185
 - 6621/17 FIN 133
 - + REV 1 (ro)
 - + REV 2 (lv, pl, bg)

Statement by the Council

"The establishment of the estimates of the European Council and the Council for the financial year 2018, to be included in the draft budget presented by the Commission in accordance with the provisions of Article 314(1) TFEU, is without prejudice to the Council's position on the draft budget of the European Council and the Council to be adopted in accordance with Article 314(3) TFEU. The Council will adopt its position by reviewing the estimates, including by taking into account possible new elements after the establishment of these estimates and the horizontal approach regarding the institutions' administrative expenditure."

38. Commission Delegated Regulation (EU) .../... of 7.2.2017 on classes of arrangements to be protected in a partial property transfer under Article 76 of Directive 2014/59/EU of the European Parliament and of the Council
- = Intention not to raise objections to a delegated act
 - 7298/17 EF 48 ECOFIN 201 DELACT 49
 - 6079/17 EF 20 ECOFIN 78 DELACT 24
39. Draft Council Decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Principality of Liechtenstein on supplementary rules in relation to the instrument for financial support for external borders and visa, as part of the Internal Security Fund for the period 2014 to 2020
- = Adoption
 - 7259/17 JAI 235 FRONT 121 VISA 98 CADREFIN 30
 - 12852/16 JAI 796 FRONT 370 VISA 305 CADREFIN 79
 - + COR 1
40. Draft Council Implementing Decision on the launch of automated data exchange with regard to DNA data in Greece
- = Adoption
 - 7184/17 DAPIX 82 CRIMORG 54 ENFOPOL 108
 - ENFOCUSTOM 62 JAI 220
 - 12211/1/16 REV 1 JAI 749 DAPIX 147 CRIMORG 103 ENFOPOL 284
 - ENFOCUSTOM 130
 - 10627/14 JAI 439 DAPIX 84 CRIMORG 54 ENFOPOL 170 ENFOCUSTOM 77
 - + COR 1

41. Draft Council Implementing Decision on the launch of automated data exchange with regard to Vehicle Registration Data (VRD) in Denmark
= Adoption
7188/17 DAPIX 83 CRIMORG 56 ENFOPOL 110
ENFOCUSTOM 64 JAI 222
12212/1/16 REV 1 JAI 750 DAPIX 148 CRIMORG 104 ENFOPOL 285
ENFOCUSTOM 131
11789/16 JAI 707 DAPIX 129 CRIMORG 90 ENFOPOL 256
ENFOCUSTOM 117
42. Draft Council Implementing Decision (EU) 2017/... approving the conclusion by the European Police Office (Europol) of the Agreement on Operational and Strategic Cooperation between the Kingdom of Denmark and Europol
= Consultation of the Management Board of Europol
7283/17 ENFOPOL 122 JAI 240
7281/17 ENFOPOL 121 JAI 239
43. Draft Council conclusions on the continuation of the EU Policy Cycle for organised and serious international crime for the period 2018-2021
= Adoption
7299/17 COSI 53 ENFOPOL 123 CRIMORG 60 ENFOCUSTOM 70
GENVAL 26 FRONT 127 JAI 243
7093/17 COSI 47 ENFOPOL 105 CRIMORG 51 ENFOCUSTOM 60
GENVAL 25 FRONT 126 JAI 206
44. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Luxembourg on the application of the Schengen acquis in the field of police cooperation
= Adoption
7193/17 SCH-EVAL 80 ENFOPOL 112 COMIX 188
7191/17 SCH-EVAL 79 ENFOPOL 111 COMIX 187
45. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2016 evaluation of Italy on the application of the Schengen acquis in the field of police cooperation
= Adoption
7195/17 SCH-EVAL 82 ENFOPOL 114 COMIX 190
7194/17 SCH-EVAL 81 ENFOPOL 113 COMIX 189
46. Draft Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the evaluation of Croatia in view of fulfilling the conditions necessary for the application of the Schengen acquis in the field of management of the external border
= Adoption
7199/17 SCH-EVAL 84 FRONT 119 COMIX 192
7198/17 SCH-EVAL 83 FRONT 118 COMIX 191

47. Travel document fraud
Draft Council conclusions on the Action Plan to strengthen the European response
= Adoption
7323/17 FRONT 122 FAUXDOC 15
48. Draft Council Decision authorising the opening of negotiations with the People's Republic of China for an agreement between the European Union and the People's Republic of China on the facilitation of the issuance of short-stay visas
= Adoption
7371/17 VISA 105 CHINE 11
6375/17 VISA 61 CHINE 7
7363/17 VISA 103 CHINE 10
49. Draft Council Decision in support of the United Nations Programme of Actions to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
= Adoption
7307/17 CORLX 153 CFSP/PESC 247 RELEX 231 COARM 87
CODUN 16 CONUN 72
7227/17 CORLX 152 CFSP/PESC 242 RELEX 226 COARM 86
CODUN 15 CONUN 71
50. Draft Council Decision amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya
= Decision to use the written procedure for adoption
7394/17 CORLX 166 CFSP/PESC 264 MAMA 59 COARM 96
FIN 202
7354/17 CORLX 164 CFSP/PESC 260 MAMA 57 COARM 94
FIN 197
51. Draft Council Decision on the conclusion, on behalf of the European Union and its Member States, of a Protocol to the Euro Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Republic of Croatia to the European Union
= Adoption
7260/17 RL 3 MAMA 49
5748/16 MAMA 21 MED 6 RL 2
+ COR 1
52. Exercise Specifications (EXSPEC) for the EU Crisis Management Military Exercise in 2017 (MILEX 17)
7292/17 CSDP/PSDC 136 COPS 96 EUMC 34 CSC 63
7291/17 CSDP/PSDC 135 COPS 95 EUMC 33 CSC 62

53. Framework Agreement on Partnership and Cooperation between the European Union and the Government of Malaysia
= Legal nature and provisional application
7384/17 COASI 36 ASIE 6 CFSP/PESC 262 RELEX 244 COHOM 37
CONOP 19 COTER 19 WTO 75 JAI 251 DEVGEN 43 AGRI 147
TRANS 116 ENV 266 ENER 116 ECOFIN 210 EDUC 120 CULT 26
CLIMA 66 MIGR 35 ASEM 1
54. Relations with the Republic of Moldova
Establishment of the position of the European Union for the 3rd meeting of the EU-Republic of Moldova Association Council (Brussels, 31 March 2017)
7405/17 COEST 67
55. Draft Council Decision on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement (Paediatric Regulation)
= Adoption
5348/17 AELE 6 EEE 3 N 4 ISL 3 FL 3 MI 42 ECO 7 SAN 27
5347/17 AELE 5 EEE 2 N 3 ISL 2 FL 2 MI 41 ECO 6 SAN 26
+ COR 1
+ COR 2 (da)
-