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THE EUROPEAN UNION**

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CRS/CRP 18

SUMMARY RECORD

Subject: 2495th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 30 April and 5 May 2014

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66. Proposal for a Decision of the European Parliament and of the Council providing macro-financial assistance to the Republic of Tunisia (First reading)

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76. Proposal for a Regulation of the European Parliament and of the Council concerning the exercise of the Union's rights for the application and enforcement of international trade rules (First reading)
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80. Submission of two new draft designs of commemorative 2 euro coins, to be issued by Greece in 2014
81. Submission of two new draft designs of commemorative 2 euro coins to be issued by Malta
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85. Sixth meeting of the EU-Albania Stabilisation and Association Council (Brussels, 12 May 2014)
86. - Council Decision amending Decision 2010/231/CFSP concerning restrictive measures against Somalia
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 - Council Implementing Regulation amending Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire
88. Draft EU Human Rights Guidelines on Freedom of Expression Online and Offline
89. Proposal for a Council Regulation amending Regulation (EC) No 617/2007 as regards the application of the transition period between the 10th EDF and the 11th EDF until the entry into force of the 11th EDF Internal Agreement
90. Council Decision authorising the opening of negotiations on an agreement between the European Union and the Swiss Confederation on an institutional framework governing bilateral relations
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1. Adoption of the provisional agenda and "I" items

doc. 9207/14 OJ/CRP1 16

9241/1/14 REV 1 OJ/CRP2 16 + CM 2698/14

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

The following item is **added** :

(Coreper Part 2, under I)

**102. Council Decision 2013/255/CFSP concerning restrictive measures against Syria
Council Regulation (EU) No 36/2012 concerning restrictive measures in view of the
situation in Syria**

- **Draft reply**

9307/14 PESC 447 COMEM 79 COARM 67 FIN 330

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

AT made a statement on the following item:

39. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1013/2006 on shipments of waste (First reading) (Legislative deliberation)

– **Adoption of the legislative act**

PE-CONS 69/14 ENV 263 MI 263 RELEX 221 CODEC 757
8793/14 CODEC 1064 ENV 380 MI 362 RELEX 323

"Austria welcomes the harmonisation and the improvement of rules and general principles concerning mechanisms for control. It is, however, an immediate necessity that the Member States commit themselves to the general application of an electronic data exchange and that corresponding legal measures should be taken. This is the only way to achieve the predicted savings in administrative costs."

* * * * *

A joint statement is made by MT and CY on the following item :

65. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2012/2002 establishing the European Union Solidarity Fund (First reading) (LA+S)

– **Adoption of the legislative act**

8820/14 CODEC 1076 REGIO 51 ECOFIN 375
+ ADD 1
PE-CONS 71/14 REGIO 36 ECOFIN 251 CODEC 770

"Several Member States and MEPs have highlighted that certain island and outermost regions have specific characteristics, both geographically and in terms of the economic dependence caused by their distance, remoteness, and small markets, which make them particularly vulnerable to the effects of natural disasters. In these regions, any natural disaster has an aggravated impact and there is a greater need for assistance.

Malta and Cyprus support that special treatment for certain type of regions is well safeguarded and recall that Article 174 of the TFEU, the related Declaration (33) and paragraphs 44 and 51 of the European Council conclusions of 7-8 February 2013 recognise the specific character of Island Member States.

Malta and Cyprus consider that the regional threshold exists to facilitate the ability of smaller regions to access the Fund and our position remains that the situation of Island Member States such as Malta and Cyprus, and the vulnerability of such territories to natural disasters should be reflected in the legislative proposal."

Coreper Part 1

II

52. **Setting of the provisional agenda for the Council meeting (Education, Youth, Culture and Sport) on 20 and 21 May 2014**

The Committee agreed to the provisional agenda for the forthcoming Council meeting (Education, Youth, Culture and Sport) as set out in 9716/14.

53. **Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 19 May 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 19 May 2014 as set out in 9712/14.

54. **Proposal for a Council Decision on the position to be adopted on behalf of the European Union at the International Maritime Organization during the 93rd session of the Maritime Safety Committee on the adoption of amendments to SOLAS Regulations II-2/1, 2/3, 2/9.7, 2/13.4, 2/18, 2/20-1, 2/29, chapter III, the Life Saving Appliances Code and the 2011 Enhanced Survey Programme Code**

- **Preparation for adoption**
 - 8463/14 MAR 67 TRANS 193
 - 9038/14 MAR 78 TRANS 233

The Committee examined and solved the outstanding issues and decided to submit the proposal to the Council for its adoption. Several delegations (CY, DE, EL, UK, NL, RO) indicated that they would issue statements in relation to the above proposal to the Council minutes.

Coreper Part 2

II

94. High Level Group on Own Resources (restricted session)

The Committee took note of the information provided by the President to prepare the exchange of views with the Chairman of the High Level Group on Own Resources, Mr Monti, on 7 May 2014.

95. Preparation of the Council meeting (Economic and Financial Affairs) on 6 May 2014

a) Parent Subsidiaries Directive

- **Proposal for a Council Directive amending Directive 2011/96/EU on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States**

= **Political agreement**

9193/14 FISC 74

The Presidency sought support at the Committee on the compromise package. While there was broad support for the package among Member States, a substantial reservation was maintained by Sweden. This file will therefore be submitted for discussion to the Council (ECOFIN) on 6 May 2014 (doc. 9397/14 FISC 78).

b) Financial Transaction Tax

- **Proposal for a Council Directive implementing enhanced cooperation in the area of Financial Transaction Tax**

= **State of play**

8989/14 FISC 73 ECOFIN 397

The Committee was informed of a Presidency Report on the state of play, circulated in preparation of the May ECOFIN discussion. An updated version of the Presidency Report will serve as a basis for further discussion at the Council (ECOFIN) on 6 May 2014 (doc. 9399/14 FISC 79 ECOFIN 445).

c) **Macroeconomic Imbalances Procedure: In-depth reviews**

- **Council conclusions**

9156/14 ECOFIN 411 UEM 103 SOC 309

The Committee was invited to approve draft Council conclusions on the Macroeconomic Imbalances Procedure, to be submitted to ECOFIN Council for adoption. There were no discussions at the Committee.

d) **Other items in connection with the Council meeting**

The Committee was briefed on the organisation of the agenda and logistics.

96. **Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions**

- **The EU Justice agenda for 2020 - Strengthening Trust, Mobility and Growth within the Union**

7838/14 JAI 170 JAIEX 20 JUSTCIV 68 CATS 44 DROIPEN 43

COPEN 90 COSI 22 ASIM 25 MIGR 34 VISA 77 FRONT 65

ENFOPOL 85 PROCIV 23 DAPIX 47 CRIMORG 30 EUROJUST 61 GENVAL

18 EJUSTICE 28 ENFOCUSTOM 38 FREMP 45

Delegations generally welcomed the Communication and discussed extensively the main elements presented in the document.

97. **EU-Japan Summit (Brussels, 7 May 2014)**

- **State of play of preparations**

9145/14 COASI 52 ASIE 24 PESC 425 CSDP/PSDC 253 RELEX 352

POLGEN 55 DEVGEN 102 CONOP 38 WTO 149 ECOFIN 410

ENER 169 COMPET 247 RECH 166 JAI 251 CYBER 21

The Committee approved the state of play of the preparations for the 22nd EU-Japan summit in Brussels on 7 May 2014 on the basis of a background note (doc. 9145/14 LIMITE).

98. Preparation of the Council meeting (Foreign Affairs/Trade) on 8 May 2014

a) EU-Canada CETA negotiations

- State of play

The Commission confirmed its aim to finalise the negotiations and to initial the text of the draft agreement with Canada by 7 May 2014, thus enabling the Commissioner to present a "consolidated package" to the Council on 8 May 2014; considering that the final full consolidated text would not be made available at the same time, Ministers would not be asked to take any position in that respect. In case the finalisation of the negotiations would not be possible the Commissioner intended only to present to the Council the state of play in the negotiations.

Following the discussion, the Presidency concluded that the Committee had taken note of the Commission's assessment of prospects and timing for the possible initialling of the draft agreement and its expectations for the ministerial discussion on 8 May 2014. The Committee and the Presidency had taken good note of delegations' comments on mixity and the "mirror clause" (reservation on investment screening). The Presidency had expressed its expectation that delegations would be informed well in advance of the initialling and stressed that delegations expected to receive the final full consolidated text as soon as possible so as to be able to scrutinise it before the initialling.

The Council Legal Service clarified certain aspects regarding the possible initialling.

b) EU-Japan FTA negotiations

- State of play

The Presidency explained the aims of the Council discussion. The Commission confirmed that its report on fulfilment of Japan's commitments on elimination of non-tariff barriers and opening up of government procurement would be adopted only in mid-May; therefore, the Council discussion would be based on the Commissioner's oral presentation and some elements of the Commission's assessment that had already been shared with delegations.

c) DDA : Post-Bali agenda and the green goods initiative

9221/14 WTO 153 RESTREINT UE

9223/14 WTO 154

9224/14 WTO 155

The Presidency explained the aims of the Council discussion on the post-Bali agenda (on the basis of the Commission's background note made available in document 9224/14) and the green goods initiative.

While welcoming the delegations' strong support for the green goods initiative and the adoption of the Council conclusions, the Commission voiced its disagreement with the parallel adoption of the negotiating directives and announced its intention to enter on this matter a statement to the Council minutes.

The Presidency concluded that the Committee had reached an agreement on the texts of the draft Council conclusions (doc. 9223/14) and the draft negotiating directives (doc. 9221/14 EU RESTRICTED), which would be submitted for formal adoption as a false "B" item to the Foreign Affairs Council (Trade) on 8 May 2014.

d) Other items in connection with the Council meeting

The Commission explained the Commissioner's intentions regarding two items under "Any other business" (state of play of EPA negotiations; state of play in implementation of trade preferences by third countries having FTAs with the EU to Croatia) and the lunch item (EU-US TTIP negotiations). The Croatian delegation thanked for accommodating its request for an AOB item, noting that its explanatory note (doc. 9373/14) had been made available before the Committee meeting.

99. Presentation of the agenda for the Council meeting (Foreign Affairs/Development) on 19 May 2014

The EEAS updated the Committee on the preparation of the meeting of the Council (Foreign Affairs/Development) on 19 May 2014 and made a presentation of the provisional agenda:

"A" Items:

- EU common position for the Third International Conference on Small Island Developing States (SIDS) (Apia, Samoa, 1-4 September 2014)
- Draft Council conclusions on the 2013 Report on the Implementation of the EU Plan of Action on Gender Equality and Women's Empowerment in Development 2010-2015
- Draft Council conclusions on the Annual Report 2014 to the European Council on EU Development Aid Targets
- Draft Council conclusions on an EU Development and Cooperation Results Framework

"B" Items:

- Rights-based approach to development cooperation, encompassing all human rights (Draft Council conclusions)
- Private Sector in Development
- Implementation of the Agenda for Change and programming: update
- Post-2015

100. Preparation of the Council meeting (General Affairs) on 13 May 2014

- **Other items in connection with the Council meeting**

The Committee took note of the information provided by the Presidency on the handling of this meeting and the event scheduled at the end of the Council, on the 10th anniversary of the 2004 Enlargement.

101. Preparation of the Council meeting (Foreign Affairs) on 12 May 2014

- **Ukraine (restricted session)**

The Committee discussed the situation regarding the crisis in Ukraine, and considered a number of options for further restrictive measures on the basis of options presented by the European External Action Service and proposals put forward by two delegations. In the light of the debate, it was agreed that the Committee would hold an extraordinary meeting on 5 May 2014 to discuss a compromise proposal, to be circulated on 2 May 2014, for amending the existing legal criteria for the listing of persons and/or entities subject to restrictive measures.

Furthermore, the Committee took note of a revised Commission reflection paper on the "Legal Consequences of the Illegal Annexation of Crimea by the Russian Federation and Proposals for Economic, Trade and Financial Restrictions", which had been revised following comments received from Member States. The Commission also distributed to delegations revised country fiches on the impact of stage 3 restrictive measures, following comments submitted to the Commission by the respective Member States.

At its meeting on 5 May 2014, the Committee discussed the revised proposal presented by the European External Action Service regarding amending the existing legal criteria for the listing of persons and/or entities subject to restrictive measures. It was agreed that the Committee would continue the discussion at its meeting on 7 May 2014, on the basis of a further revised proposal to be prepared by the European External Action Service.

– **Any other business**

- **Roadmap on Climate Change/Energy**
= **Information from the Presidency**

The Committee took note of the information provided by the Presidency on the roadmap towards agreement on the 2030 framework for climate and energy. The Chair took note of comments by the Commission and several delegations, and concluded that the Presidency would keep delegations updated on developments and return to the issue as needed.

- **Case of Italian marines on trial in India**

Italy updated the Committee on recent developments in the case of two Italian marines detained in India since 2012, informing that the case had entered a new phase: an official note had been sent to Indian authorities with a view to finding a solution, including by using mechanisms available under the international law.