



Council of the
European Union

**Brussels, 17 February 2015
(OR. en)**

5914/15

CRS/CRP 5

SUMMARY RECORD

Subject: 2528th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
(Part 2) held in Brussels on 4, 5 and 9 February 2015

SUMMARY

Page

1. Adoption of the provisional agenda 8

Coreper Part 2

I

2. Draft minutes of Council meetings
- a) 3343th meeting of the Council of the European Union (Economic and Financial Affairs), held in Brussels on 7 November 2014
 - b) 3345th meeting of the Council of the European Union (Economic and Financial Affairs - Budget), held in Brussels on 14 November 2014
 - c) 3346th meeting of the Council of the European Union (Foreign Affairs), held in Brussels on 17 and 18 November 2014
 - d) 3347th meeting of the Council of the European Union (General Affairs), held in Brussels on 18 and 19 November 2014
 - e) 3348th meeting of the Council of the European Union (Foreign Affairs), held in Brussels on 21 November 2014
 - f) 3359th meeting of the Council of the European Union (Foreign Affairs), held in Brussels on 12 December 2014
 - g) 3361st meeting of the Council of the European Union (Foreign Affairs), held in Brussels on 15 December 2014
3. Judgment in **Case T-400/10, Hamas v. Council**
4. Case before the Court of Justice
- **Case C-543/14 (Ordre des barreaux francophones et germanophone and others v. Council of the European Union - Referring Court: Cour constitutionnelle belge)**
5. Case before the General Court
- **Case T-2/15 (Vadzim IPATAU v. Council of the European Union)**
6. Judgment of the General Court of Justice of 16 October 2014 in Joined Cases T-208/11 and 508/11. **Liberation Tigers of Tamil Eelam (LTTE)** against the Council of the European Union
7. Judgment of the Court of Justice in **Case C-81/13 (United Kingdom v. the Council of the European Union)** of 18 December 2014
8. Resolutions, Decisions and Opinions adopted by the European Parliament at its part-sessions in Strasbourg from 15 to 18 December 2014 and from 12 to 15 January 2015
9. Transparency - Public access to documents
- Confirmatory application No 41/c/01/14

10. Commission Delegated Regulation (EU) No .../.. of 18.12.2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services
11. Proposal for a Council Decision on the conclusion of the Cooperation Agreement on a Civil Global Navigation Satellite System (GNSS) between the European Community and its Member States and the Kingdom of Morocco
12. Proposal for a Council Decision endorsing the Shift2Rail Master Plan
13. Draft Council Decision on the approval, on behalf of the European Union, of the Declaration on the granting of fishing opportunities in EU waters to fishing vessels flying the flag of the Bolivian Republic of Venezuela in the exclusive economic zone off the coast of French Guiana
14. Mutual acceptance of approval procedures for cryptographic products between NATO and the EU
15. Submission of a new draft design of Slovak commemorative coin
16. Commission Delegated Regulation (EU) No .../.. of 18.12.2014 on the information to be provided by competent authorities to the European Securities and Markets Authority pursuant to Article 67(3) of Directive 2011/61/EU of the European Parliament and of the Council
17. – Proposal for a Directive of the European Parliament and of the Council on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (AML Directive) (First reading)
– Proposal for a Regulation of the European Parliament and of the Council on information accompanying transfers of funds (AML Regulation) (First reading)
18. Proposal for transfer of appropriations No DEC 01/2015 within Section III - Commission - of the general budget for 2015
19. Special Report No 18/2014 "EuropeAid's evaluation and results-oriented monitoring systems"
– Designation of Working Party
20. Budget guidelines for 2016
21. Discharge to be given to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2013
22. Discharge to be given to the bodies set up under the TFEU and the Euratom Treaty in respect of the implementation of the budget for the financial year 2013
23. Discharge to be given to the executive agencies in respect of the implementation of the budget for the financial year 2013
24. Discharge to be given to the joint undertakings in respect of the implementation of the budget for the financial year 2013

25. Relations with the ACP States and the OCT
 - Discharge to be given to the Commission in respect of the financial management of the 8th, 9th and 10th European Development Funds (financial year 2013)
26. Enlargement
 - Accession negotiations with Montenegro
 - = Chapter 16: Taxation
27. UK accession to SIS II: Council implementing Decision on the putting into effect of the provisions of the Schengen acquis on data protection and on the provisional putting into effect of parts of the provisions of the Schengen acquis on the Schengen Information System for the United Kingdom of Great Britain and Northern Ireland
28. Europol Work Programme 2015
29. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 4 of the EEA Agreement on rules of origin (Croatia Enlargement)
30. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee established by the Agreement on the European Economic Area, as regards the replacement of Protocol 4 to that Agreement, on rules of origin, by a new Protocol which is aligned to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin
31. Proposal for a Council Decision on the conclusion of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part
32. Proposal for a Council Decision on the conclusion of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part
33. Proposal for a Regulation of the European Parliament and of the Council on common rules for imports from certain third countries (recast) (First reading)
34. Draft Exercise Programme of the European Union under the CFSP, 2015–2019
35. Supplement to the Force Catalogue 2014
36. Relations with Lebanon: Adoption of the European Union's position for the Association Council's 7th meeting (Brussels, 9 February 2015)
37. 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 Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
38. Updated Common Military List of the European Union

39. Sixteenth annual report according to Article 8(2) of Council Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment
47. Draft Council conclusions on Cyber Diplomacy
48. Rules of Engagement Authorisation for EUMAM RCA
49. Draft Council conclusions on EU priorities at the UN Human Rights Fora in 2015

II

40.	Follow-up to the extraordinary Council meeting (Foreign Affairs) on 29 January 2015	10
41.	Preparation of the Council meeting (Foreign Affairs) on 9 February 2015	
	a) Iraq and Syria	10
	b) Other items in connection with the Council meeting	10
	c) Africa	
	– (poss.) Draft Council conclusions on Nigeria elections	11
	– (poss.) Draft Council conclusions on Boko Haram	11
	– (poss.) Draft Council conclusions on the Central African Republic	11
	d) Libya	
	– Draft Council conclusions	11
	e) Yemen	
	– Draft Council conclusions	11
42.	Relations with Ukraine (restricted session)	
	– Restrictive measures, cases relating to misappropriation of state funds	12
	– Proposal for decision on additional listings	12
43.	Informal meeting of the Heads of State or Government: Draft Statement on Terrorism	12
44.	Preparation of the Council meeting (Economic and Financial Affairs) on 17 February 2015	
	– Other items in connection with the Council meeting	12
45.	Preparation of the Council meeting (General Affairs) on 10 February 2015	
	a) (poss.) Proposal for a Council Regulation amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020	13
	b) Strategic Agenda - Union of freedom, security and justice	13
	c) Preparation of the European Council on 19-20 March 2015	13
	d) Other items in connection with the Council meeting	14

46.	Relations with the European Parliament (February 2015)	14
50.	VIS - time frame concerning the roll-out in the last regions	14
51.	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 604/2013 as regards determining the Member State responsible for examining the application for international protection of unaccompanied minors with no family member, sibling or relative legally present in a Member State (First reading)	14
52.	Commission's Annual Work Programme 2015	14
–	Any other business	15

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

doc. 5823/2/15 REV 2 OJ/CRP2 5 COMIX 59 + REV 2 ADD 1 + CM 1463/1/15 REV1

The above-mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under I)

- 53. (poss.) – Council Decision amending Council Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine**
- **Council Implementing Regulation implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine**

5918/15 PESC 128 RELEX 92 COEST 49 FIN 99

5826/15 PESC 112 COEST 40 FIN 90

5829/15 PESC 114 RELEX 80 COEST 42 FIN 92

(Coreper Part 2, under II)

41. Preparation of the Council meeting (Foreign Affairs) on 9 February 2015

c) Africa

- **Draft Council conclusions on Mali**

5901/1/15 REV 1 COAFR 43 ACP 19 PESC 124 DEVGEN 10 COTER 24
COMAG 17 COHAFA 9 RELEX 89

f) Counter-terrorism

- **Draft Council conclusions**

5897/15 COTER 23 COMEM 18 COMAG 16 COAFR 44 COPS 28
POLMIL 10 IRAQ 2 CONUN 23 COHOM 16 COSI 17
ENFOPOL 30

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

UK made a statement on the following item:

28. Europol Work Programme 2015

5575/15 ENFOPOL 22

5250/15 ENFOPOL 13

"The UK, while agreeing the 2015 Europol Work Programme, wishes to make clear that it does not intend to participate in the proposal for a European Public Prosecutor's Office."

* * * * *

MT made a statement on the following item:

49. Draft Council conclusions on EU priorities at the UN Human Rights Fora in 2015

5841/15 COHOM 15 CONUN 20 COASI 10 COMAG 15 COEST 44 CSDP/PSDC 56

COPS 23 PESC 116

+ ADD 1

5840/15 COHOM 14 CONUN 19 COASI 9 COMAG 14 COEST 43 CSDP/PSDC 55

COPS 22 PESC 115

"Malta will continue to uphold the fundamental values enshrined in the universal declaration of human rights, and its subsequent covenants. Furthermore, Malta will do its utmost to further its implementation of human rights instruments and widen their reach, with a view to ensuring universal respect for and protection of human rights.

Notwithstanding, Malta would like to recall its principled position on the issue of sexual and reproductive health and rights; any recommendation or commitments made by the European Union should in no way create an obligation on any party to consider abortion as a legitimate form of reproductive health or rights or commodities."

Coreper Part 2

II

40. Follow-up to the extraordinary Council meeting (Foreign Affairs) on 29 January 2015

There were no comments by delegations on this item.

41. Preparation of the Council meeting (Foreign Affairs) on 9 February 2015

a) Iraq and Syria

The Committee took note of information provided by the European External Action Service on the handling of this item in the Council. It was noted that no Council conclusions were foreseen at this stage.

b) Other items in connection with the Council meeting

The European External Action Service indicated that the High Representative will chair the EU-Lebanon Association Council in the margins of the Council. During the morning session, the High Representative will refer to the state of play in Bosnia and Herzegovina and to an update on the Middle East Peace Process. The morning session will also include a discussion on Libya, to take stock of the progress of the Geneva talks and the Council will adopt conclusions, as well as a discussion on the situation in Yemen, and the Council will adopt conclusions. The lunch discussion will focus on Counter-Terrorism and the Council will adopt conclusions. The Council will hold a strategic debate on Africa. The Council will also adopt conclusions on the elections in Nigeria, Mali, Boko Haram and the Central African Republic. The External Action Service noted that further adjustments to the agenda were still possible.

c) **Africa**

- **Draft Council conclusions on Nigeria elections**
5741/2/15 REV 2 COAFR 37 COHOM 11 COTER 16
- **Draft Council conclusions on Boko Haram**
5742/1/15 REV 1 COAFR 38 COHOM 12 COTER 17
- **Draft Council conclusions on the Central African Republic**
5734/1/15 REV 1 COAFR 36 CSDP/PSDC 48 POLMIL 8 PESC 99 COHAFA 7
COHOM 10 ACP 18
- **Draft Council conclusions on Mali**
5901/1/15 REV 1 COAFR 43 ACP 19 PESC 124 DEVGEN 10 COTER 24
COMAG 17 COHAFA 9 RELEX 89

The Committee agreed on the texts of the draft Council conclusions and sent them to the Council for adoption.

d) **Libya**

- **Draft Council conclusions**
5782/15 LIBYE 1 COMAG 13 PESC 106

The Committee examined the draft Council conclusions on Libya on the basis of document 5782/15 and agreed to forward them to the Council for adoption, as set out in 5984/15.

e) **Yemen**

- **Draft Council conclusions**
5786/15 YEMEN 1 COMEM 16 PESC 107

The Committee examined the draft Council conclusions on Yemen on the basis of document 5786/15 and agreed to forward them to the Council for adoption, as set out in 5978/15.

f) **Counter-terrorism**

- **Draft Council conclusions**
5897/15 COTER 23 COMEM 18 COMAG 16 COAFR 44 COPS 28
POLMIL 10 IRAQ 2 CONUN 23 COHOM 16 COSI 17 ENFOPOL 30

Following a presentation by the Chair of PSC, the Committee approved the draft Council conclusions on Counter-Terrorism as set out in 5897/15 and invited the Council to adopt them.

42. Relations with Ukraine (restricted session)

– Restrictive measures, cases relating to misappropriation of state funds

Further to the discussion on 28 January 2015, the Committee agreed that the restrictive measures laid down in Council Decision 2014/119/CFSP should be renewed. It agreed that the measures should be extended until 6 March 2016 with regard to 14 persons on the list, and until 6 June 2015 with regard to four other persons. The Committee also agreed that four persons should be delisted.

– Proposal for decision on additional listings

The Committee agreed on additional persons and entities to be added to the list subject to the restrictive measures laid down in Council Decision 2014/145/CFSP and Council Regulation (EU) No 269/2014. The Committee agreed to the draft Council Decision and Council Implementing Regulation as "I" item no. 53. Pursuant to paragraph 3 of the Council conclusions on Ukraine of 29 January 2015, the texts will be forwarded to the Foreign Affairs Council on 9 February 2015 for adoption.

43. Informal meeting of the Heads of State or Government: Draft Statement on Terrorism 5853/15 CO EUR-PREP 6

The Committee discussed the draft statement on Terrorism, in view of the informal meeting of the Heads of State or Government next week.

44. Preparation of the Council meeting (Economic and Financial Affairs) on 17 February 2015

– Other items in connection with the Council meeting

The Committee reviewed the state of readiness of the agenda items listed.

45. Preparation of the Council meeting (General Affairs) on 10 February 2015

- a) **Proposal for a Council Regulation amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020**
 - **Agreement in principle**

The Committee held an exchange of views on the progress reached so far in the negotiations on the Commission's proposal for a Council Regulation amending the multiannual financial framework (MFF). It took note of additional information provided by the Commission with the aim of helping to overcome the issues still pending.

The Presidency recalled the tight timetable for obtaining the European Parliament's consent and adopting the revision of the MFF before the deadline of 1 May 2015 foreseen in the MFF Regulation. The Presidency informed that it will continue its bilateral contacts with delegations and the Commission during the coming days in order to prepare a consensus among all Member States, and that it intends to keep this item on the agenda of the General Affairs Council on 10 February 2015 for reaching an agreement in principle on the Commission's proposal.

- b) **Strategic Agenda - Union of freedom, security and justice**
 - **Fight against terrorism**
 - = **Stock taking of actions and way forward**
5860/15 POLGEN 9 JAI 60 PESC 120 COSI 13 COPS 26 ENFOPOL 29
COTER 22 SIRIS 11 FRONT 35 COPEN 26 DROIPEN 11 ECOFIN 64

Presidency circulated an information note taking stock of actions undertaken since the Paris attacks and further work planned in the immediate future.

- c) **Preparation of the European Council on 19-20 March 2015**
 - **Annotated draft agenda**
5495/15 CO EUR-PREP 1

The Committee took note of the annotated draft agenda for the upcoming EC meeting on 19-20 March 2015 which will focus on energy/energy security and external relations.

d) Other items in connection with the Council meeting

Presidency confirmed the GAC lunch with VP Timmermans. The topic of the discussion will be "Main Political Challenges for 2015".

A revised version of the GAC agenda will be issued.

46. Relations with the European Parliament (February 2015)

5594/15 PE 7 INST 12 POLGEN 7 CODEC 92

The Committee has taken note of document 5594/15.

50. VIS - time frame concerning the roll-out in the last regions

– **Approval of the final compromise**

5731/15 VISA 29 COMIX 56

The outcome of proceedings in relation to this item is set out in 5939/15.

51. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 604/2013 as regards determining the Member State responsible for examining the application for international protection of unaccompanied minors with no family member, sibling or relative legally present in a Member State (First reading)

– **Preparation for the first informal trilogue**

5587/1/15 REV 1 ASILE 2 CODEC 91 IA 2

The Committee endorsed the text as it appears in annex to document 5587/1/15 REV1 as a mandate for the Presidency to engage in the first informal trilogue.

52. Commission's Annual Work Programme 2015

– **Draft Council conclusions**

5830/15 INST 25 POLGEN 8 AG 2

The Committee exchanged views on the draft Council conclusions presented by the Presidency. A revised text will be issued and will be put under silence procedure until 6 February 2015 with a view to adoption at the General Affairs Council on 10 February 2015 as a 'A' item.

– **Any other business**

The CZ delegation raised its concerns regarding the handling by the Commission and the EEAS of the initialling of the Partnership and Cooperation Agreement (PCA) with Kazakhstan.
