



Council of the
European Union

**Brussels, 10 June 2015
(OR. en)**

9272/15

CRS/CRP 20

SUMMARY RECORD

Subject: 2543rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 27 and 29 May 2015

SUMMARY

Page

1. Adoption of the provisional agenda 9

Coreper Part 2

I

2. Case before the Court of Justice
Case C-193/15 P, appeal by Mr. Tarif Akhras against the judgment of 12 February 2015 by the General Court (Seventh Chamber) in Case T-579/11
3. Case before the Court of Justice (Opinion 1/15)
– Request by the European Parliament for an opinion pursuant to Article 218(11) TFEU on the compatibility with the treaties of the proposed agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data
4. Cases before the General Court of the European Union
Cases T-207/15 and T-207/15 R (Iranian Tanker Company v. Council of the European Union)
5. Case before the General Court of the European Union
Case T-154/15 (Aiman Jaber v. Council of the European Union)
6. Case before the General Court of the European Union
Case T-153/15 (Mohamad Hamcho et Hamcho International v. Council of the European Union)
7. Case before the General Court of the European Union
Case T-155/15 (Khaled KADDOUR v. Council of the European Union)
8. Appointment of an official to a post of Director-General at the General Secretariat of the Council
9. Payment plan 2015-2016
– Outcome of the trilogue on 19 May 2015
10. Draft amending budget No 5 to the general budget for 2015: Responding to migratory pressures
11. Request by EP TAXE Committee for publication of documents
12. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures (First reading)

13. Amending Budget No 1 for SISNET for the year 2015
14. Draft Renewed EU-US Statement - Enhancing transatlantic cooperation in the area of Justice, Freedom and Security
16. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Annex II (Technical regulations, standards, testing and certification) of the EEA Agreement (Novel foods)
17. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Budget line 04.03.01.03)
18. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Copernicus)
19. Council Decision on the position to be adopted, on behalf of the European Union, in the EEA Joint Committee concerning an amendment to Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (EaSI)
20. Council Decision amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo (EULEX KOSOVO)
21.
 - a) Council Implementing Decision implementing Decision 2012/642/CFSP concerning restrictive measures against Belarus
 - b) Council Implementing Regulation implementing Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus

II

22.	Debrief of the Eastern Partnership Summit (Riga, 21-22 May 2015)	10
23.	Preparation of the EU-Mexico Summit (Brussels, 12 June 2015)	10
24.	Follow-up to the Council meeting (Foreign Affairs/Development) on 26 May 2015	10
25.	Investment Plan for Europe	
–	Commission Proposal for a Regulation of the European Parliament and of the Council on the European Fund for Strategic Investments and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 (First reading)	10
26.	Preparation of the Council meeting (Justice and Home Affairs) on 15/16 June 2015	
a)	Proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012 (First reading)	11
b)	Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (First reading)	
–	Article 6 and recital 40 in Chapter II and Chapter III	11
c)	Other items in connection with the Council meeting	11
27.	Draft general budget of the European Union for 2016	12
28.	Proposal for a Regulation of the European Parliament and of the Council on new psychoactive substances	12
29.	European Agenda on Migration	12

I

30. Replies to written questions put to the Council by Members of the European Parliament

- a) E-001919/2015 - Richard Corbett (S&D)
Council use of impact assessments
- b) E-002113/2015 - Fabio De Masi (GUE/NGL)
Council rules on down time
- c) E-002286/2015 - Jonás Fernández (S&D) and Eider Gardiazabal Rubial (S&D)
HSBC helping and abetting tax fraud
- d) E-002473/2015 - Vilija Blinkevičiūtė (S&D)
Action on child poverty: inclusion in the 'Europe 2020' strategy through the mid-term review
- e) E-003210/2015 - Alessia Maria Mosca (S&D)
Discriminatory treatment of the EU's trade protection measures
- f) E-003699/2015, E-003702/2015 and E-003707/2015 - Siôn Simon (S&D)
The Council striving to be representative of the citizens of Europe
Further efforts the Council can make to be more representative of EU citizens
What policies does the Council have in place to help it to strive to be representative of the increasingly diverse European citizenry?
- g) E-003772/2015 - Pablo Iglesias (GUE/NGL)
National minimum wage in Spain
- h) E-003797/2015 - José Blanco López (S&D)
Regulation (EU) No 1303/2013, and Article 23 thereof, on measures linking the effectiveness of the European Structural and Investment Funds to sound economic governance
- i) E-003803/2015 - Beatriz Becerra Basterrechea (ALDE), Sophia in 't Veld (ALDE), Catherine Bearder (ALDE), Angelika Mlinar (ALDE) and Izaskun Bilbao Barandica (ALDE)
Ratification of the Istanbul Convention
- j) E-003889/2015 - Aldo Patriciello (PPE)
Delay on abolishing all roaming charges within the EU
- k) E-003912/2015 - João Ferreira (GUE/NGL) and Miguel Viegas (GUE/NGL)
Extinction of offshore centres
- l) E-003997/2015 - Diane Dodds (NI)
Justification for expenditure on Irish-language translation
- m) E-004249/2015 - Matt Carthy (GUE/NGL)
Roaming charges
- n) E-004578/2015 - István Ujhelyi (S&D)
Who supported the abolition of roaming charges?
- o) E-004721/2015 - Doru-Claudian Frunzuliță (S&D)
The Lima Climate Change Conference
- p) E-005723/2015 - Jean-François Jalkh (NI)
A euro-drachma for Greece

31. Advisory Committee on Freedom of Movement for Workers
Appointment of Ms Rita ŽEMAITYTĖ-TACK, member for Lithuania, in place of Ms Agnė PECIUKEVIČIENĖ, who has resigned
32. International Energy Charter (The Hague, 20-21 May 2015)
Declaration by the Commission on behalf of the European Union on the applicability of the part of the International Energy Charter devoted to dispute settlement mechanisms
33. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 1236/2010 of the European Parliament and of the Council laying down a scheme of control and enforcement applicable in the area covered by the Convention on future multilateral cooperation in the North-East Atlantic fisheries (First reading)

II

34. Setting of the provisional agenda for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 18 and 19 June 2015 13
35. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 8 June 2015
1. Implementation of the Energy Security Strategy - Security of supply (*Non-legislative activity*) 13
 2. Draft Council conclusions on the Implementation of the Energy Union: empowering consumers and attracting investments in the energy sector (*Non-legislative activity*) 13
36. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 11 and 12 June 2015
1. Fourth Railway Package (Market pillar) (First reading) (*Legislative deliberation*)
 - a) Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure
 - b) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail
..... 14
 2. Proposal for a Directive of the European Parliament and of the Council laying down technical requirements for inland waterway vessels and repealing Directive 2006/87/EC of the European Parliament and of the Council (First reading) (*Legislative deliberation*) 14
 3. Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies websites (First reading) (*Legislative deliberation*) .. 14
 4. Digital Single Market Strategy for Europe (*Non-legislative activity*) 15
 5. Draft Council conclusions on the transfer of the stewardship of the Internet Assigned Numbers Authority (IANA) functions to the multi-stakeholder community (*Non-legislative activity*) 15
 6. Proposal for a Decision of the European Parliament and of the Council establishing a programme on interoperability solutions for European public administrations, businesses and citizens (ISA 2) (First reading) (*Legislative deliberation*) 15

37.	Setting of the provisional agenda for the Council meeting (Environment) on 15 June 2015	15
38.	Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants (First reading) (Legislative deliberation)	16
39.	Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 16 June 2015	16
40.	Proposal for a Regulation of the European Parliament and of the Council establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (First reading) (Legislative deliberation)	16
41.	Fourth Railway Package (Technical pillar) (First reading) (Legislative deliberation)	
	a) Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004	
	b) Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (Recast)	
	c) Proposal for a Directive of the European Parliament and of the Council on railway safety (Recast)	
	17
42.	Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 (First reading) (Legislative deliberation)	17
–	Any other business	18

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

doc. 9198/15 OJ/CRP1 20 + COR 1
9162/1/15 REV 1 OJ/CRP2 20

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

The following item is **withdrawn** :

(Coreper Part 2, under I)

15. (poss.) Enlargement

- **Adjustment of Council working procedures in relation to Iceland**
9123/15 ELARG 25

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

Coreper Part 2

II

22. Debrief of the Eastern Partnership Summit (Riga, 21-22 May 2015)

The European External Action Service and the Commission gave to the Committee a debrief of the Eastern Partnership Summit held in Riga on 21-22 May 2015 and a brief overview of the way forward.

23. Preparation of the EU-Mexico Summit (Brussels, 12 June 2015)

– **Orientation debate and state of preparations**

8838/15 COLAC 50 CFSP/PESC 142 RESTREINT UE
9154/15 COLAC 56 WTO 113 JAIEX 26 ASIM 28 AVIATION 56

The Committee had a preliminary discussion in relation to the preparations for the EU-Mexico Summit on the basis of an orientation note (doc. 8838/15 EU RESTRICTED) and a presentation by the EEAS and the Commission.

Delegations welcomed the presentation and gave their support to the orientation note, while highlighting the priorities and deliverables, and defending an ambitious Summit.

The Committee took note of the comments and tasked the relevant preparatory bodies of the Council to further prepare the event.

24. Follow-up to the Council meeting (Foreign Affairs/Development) on 26 May 2015

The Committee took note of the oral summary by the European External Action Service on the main outcomes of the Council meeting (Foreign Affairs/Development) on 26 May 2015.

25. Investment Plan for Europe

– **Commission Proposal for a Regulation of the European Parliament and of the Council on the European Fund for Strategic Investments and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 (First reading)**

= **Preparation for the next informal trilogue**

9059/15 ECOFIN 371 CODEC 754 POLGEN 78 COMPET 239
RECH 147 ENER 184 TRANS 173 ENV 322 EDUC 154 SOC 334
EMPL 209 EF 91 AGRI 269 TELECOM 124 UEM 168 JAI 345

The Committee gave guidance to the Presidency for the ongoing negotiations with the European Parliament.

26. Preparation of the Council meeting (Justice and Home Affairs) on 15/16 June 2015

a) Proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012 (First reading)

– **General approach¹**

9037/15 JUSTCIV 122 FREMP 115 CODEC 748

+ ADD 1

+ ADD 2

+ ADD 3

Subject to some minor changes, the Committee agreed to submit the Presidency's compromise proposals to the Council. The outcome of the discussion is set out in 9332/15 + ADD 1 to 3.

b) Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (First reading)

– **Article 6 and recital 40 in Chapter II and Chapter III**

= **Preparation for a general approach¹**

9082/15 DATAPROTECT 85 JAI 343 MI 334 DIGIT 40 DAPIX 82

FREMP 116 COMIX 237 CODEC 757

On the basis of the Presidency compromise text annexed to document 9082/15, the Committee identified the main issues that will need further work with a view to reaching a General approach in the Council on 15/16 June 2015.

c) Other items in connection with the Council meeting

The Presidency briefly mentioned that the JHA Council on 15/16 June 2015 will be informed by:

- Slovenia, regarding the Justice and Home Affairs Ministerial Conference of the Brdo Process and South East European Cooperation Process held in Budva (Montenegro) on 16/17 April 2015.

¹ When adopting a General approach after the European Parliament has adopted its position at first reading, the Council is not acting within the meaning of Article 294(4) and (5) TFEU.

- Austria, about the outcomes of the Salzburg Forum Ministerial Conference held in St. Pölten (Austria) on 4/5 May 2015 and of the International Ministerial Conference on Foreign and Interior Ministers on "Tackling Jihadism Together" held in Vienna on 20 March 2015.
- Luxembourg, who will present its working programme and priorities during its Presidency.

27. Draft general budget of the European Union for 2016
 – **Presentation by the Commission**

The Committee took note of the main elements of the draft budget for the financial year 2016 presented by the Commission.

The incoming Luxembourg Presidency informed about the envisaged calendar for the detailed examination of the Commission's proposal and the adoption of the Council's position on the draft budget for 2016.

The Committee instructed the Budget Committee to further examine the draft budget and to prepare a global compromise on the Council's position. It agreed to come back to this issue at the beginning of July 2015.

28. Proposal for a Regulation of the European Parliament and of the Council on new psychoactive substances
 8963/15 CORDROGUE 34 DROIPEN 49 MI 318

On the basis of the discussion held, the Committee decided that the discussion on the proposal should be pursued on the criminal law legal basis (Article 83(1) TFEU) and mandated the Horizontal Working Party on Drugs to resume its work on that basis, including the examination of the possibility to include the temporary bans.

29. European Agenda on Migration
 – **Information from the Commission on the Implementation package**

The Committee took good note of the presentation by the Commission of its proposals related to the migration policy concerning relocation, resettlement, smuggling and fingerprinting. The competent Council preparatory bodies were invited to pursue their examination.

Coreper Part 1

II

34. Setting of the provisional agenda for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 18 and 19 June 2015

The Committee agreed on the provisional agenda of the forthcoming meeting of the Council (EPSCO) as set out in 9748/15.

35. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 8 June 2015

1. Implementation of the Energy Security Strategy - Security of supply (*Non-legislative activity*)

– Policy debate

8982/15 ENER 177 ENV 313 CLIMA 54 POLGEN 75

Delegations took note of the above document including the questions to steer the policy debate to be held at the Council meeting.

2. Draft Council conclusions on the Implementation of the Energy Union: empowering consumers and attracting investments in the energy sector (*Non-legislative activity*)

– Adoption

8910/15 ENER 161 CLIMA 53

Delegations examined the Presidency compromise text as set out in the above document. Following some remaining concerns raised by delegations, the Presidency will develop a further revised compromise text (doc. 8910/1/15 REV 1) in view of the Council meeting.

36. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 11 and 12 June 2015

1. Fourth Railway Package (Market pillar) (First reading) (*Legislative deliberation*)

- a) **Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure**
- b) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail**
 - **Progress report**
8959/15 TRANS 165 CODEC 729
5985/13 TRANS 36 CODEC 216
5960/13 TRANS 35 CODEC 209

The Committee took note of the progress report, as set out in 8959/15, and decided to submit it to the forthcoming TTE Council on 11 June 2015.

2. Proposal for a Directive of the European Parliament and of the Council laying down technical requirements for inland waterway vessels and repealing Directive 2006/87/EC of the European Parliament and of the Council (First reading) (*Legislative deliberation*)

- **General approach**¹
9008/15 TRANS 167 MAR 65 CODEC 738
13717/13 TRANS 475 MAR 133 CODEC 2035

The Committee took note of the draft general approach, as set out in 9008/15, and decided to submit it to the forthcoming TTE Council on 11 June 2015 for adoption.

3. Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies websites (First reading) (*Legislative deliberation*)

- **Progress report**
8977/15 TELECOM 121 CONSOM 83 MI 321 CODEC 733
17344/12 TELECOM 250 CONSOM 155 MI 811 CODEC 2936

The Committee agreed to the submission of the progress report set out in 8977/15 to the Council.

4. Digital Single Market Strategy for Europe (*Non-legislative activity*)

– **Presentation by the Commission**

– **Exchange of views**

9163/15 TELECOM 126 COMPET 246 AUDIO 14 DIGIT 42 MI 340 PI 36
DATAPROTECT 88 CYBER 41 EDUC 157

8672/15 COMPET 185 TELECOM 109 AUDIO 11 DIGIT 32 RECH 107 MI 291
PI 32 IND 72 ECOFIN 308 ENER 139 DATAPROTECT 70
CYBER 31 JUSTCIV 101 EJUSTICE 56 CULT 29 EDUC 122
+ ADD 1

The Committee took note of the above document (doc. 9163/15) including the questions to steer the exchange of views to be held at the Council meeting.

5. Draft Council conclusions on the transfer of the stewardship of the Internet Assigned Numbers Authority (IANA) functions to the multi-stakeholder community (*Non-legislative activity*)

– **Adoption**

9075/15 TELECOM 125 DEVGEN 70 CYBER 39

The Committee approved the Council conclusions including two amendments proposed by the UK.

6. Proposal for a Decision of the European Parliament and of the Council establishing a programme on interoperability solutions for European public administrations, businesses and citizens (ISA 2) (First reading) (*Legislative deliberation*)

– **General approach**

9027/15 TELECOM 123 COMPET 236 CODEC 744

11580/14 TELECOM 139 COMPET 437 CODEC 1567

The Committee endorsed the Presidency compromise text as set out in 9027/15 and invited the TTE Council to adopt the General approach.

37. Setting of the provisional agenda for the Council meeting (Environment) on 15 June 2015

The Committee approved the provisional agenda as set out in 9581/15, taking into account comments made during the meeting.

38. Proposal for a Directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants (First reading) (Legislative deliberation)

– **Preparation for the informal trilogue**

9057/15 ENV 321 ENER 183 IND 85 TRANS 172 ENT 89 SAN 148
PARLNAT 46 CODEC 753

The Committee examined the Presidency's compromise suggestions set out in 9057/15 and the full four column table in document 9273/15, which reflected the outcome of the tripartite meeting at technical level held on 26 May 2015. The Committee agreed on a modified mandate for the Presidency (set out in the Annex to document 9328/15) for the second informal trilogue with a view to a first reading agreement with the European Parliament. The trilogue will be held on 2 June 2015 in the Council premises.

39. Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 16 June 2015

The Committee agreed on the provisional agenda for the forthcoming Council meeting (Agriculture and Fisheries) on 16 June 2015 as set out in 9610/15.

40. Proposal for a Regulation of the European Parliament and of the Council establishing a multiannual plan for the stocks of cod, herring and sprat in the Baltic Sea and the fisheries exploiting those stocks, amending Council Regulation (EC) No 2187/2005 and repealing Council Regulation (EC) No 1098/2007 (First reading) (Legislative deliberation)

– **Preparation for the informal trilogue**

8847/1/15 PECHE 164 CODEC 715 REV 1
9081/15 PECHE 174 CODEC 756

The Committee endorsed the negotiating mandate as set out in 8847/1/15 REV1 in view of the first informal trilogue on 1 June 2015.

- 41. Fourth Railway Package (Technical pillar) (First reading) (Legislative deliberation)**
- a) **Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004**
 - b) **Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (Recast)**
 - c) **Proposal for a Directive of the European Parliament and of the Council on railway safety (Recast)**
- **Preparation for the informal trilogue**
- 8543/15 TRANS 152 CODEC 645
 - 6012/13 TRANS 38 CODEC 225
 - + ADD 1
 - + ADD 2
 - 6013/13 TRANS 39 CODEC 226
 - + ADD 1
 - + ADD 2
 - 6014/13 TRANS 40 CODEC 227
 - + ADD 1
 - + ADD 2

The Committee confirmed the mandate for the eight trilogue as set out in 8543/15 and addenda 1 to 4, as modified during the debate.

- 42. Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
- 9167/15 TELECOM 128 COMPET 248 MI 342 CONSOM 91 CODEC 768
 - 13555/13 TELECOM 232 COMPET 646 MI 753 CONSOM 161 CODEC 2000
 - + REV 1 (sv)
 - + ADD 2

The Committee granted the Presidency a mandate, as set out in 9167/15 with the drafting changes proposed by the Latvian Presidency.

– **Any other business**

- **Uptake of Galileo by civil aviation sector (requested by the FR delegation)**

The Committee took note of the information provided by the Commission on the uptake of Galileo by civil aviation sector.

- **Impact of the EU sanctions on Russia**

The Commission gave an overview of the impact of the EU sanctions on Russia to the Russian and EU economies, followed by a presentation by the EEAS on the implementation of the Minsk Agreement.
