



Brussels, 30 July 2018
(OR. en)

11442/18
CRS CRP 27

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
18 July 2018

I. Adoption of the agenda

11164/18 OJ CRP1 27
11173/18 OJ CRP2 27

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)

Employment and Social Policy

2. Agencies

- a) Regulation on Eurofound
- b) Regulation on EU-OSHA
- c) Regulation on CEDEFOP

Preparation for the trilogue

11031/18 + COR 1

The Committee prepared a revised mandate for the forthcoming trilogue.

COREPER (PART 2)

Justice and Home Affairs

9. Migration and asylum¹
State of play

The Committee held an exchange of views on this issue.

10. Asylum Procedure Regulation - List of safe third countries 11068/18
State of play and guidance for further work

The Committee tasked the Commission to provide a contribution on a list of safe third countries.

General Affairs

11. Legislative programming: input ahead of the Commission's Letter of Intent 10908/18
Exchange of views

The Committee held an exchange of views and agreed that the Presidency would summarise the discussion in a letter to the Commission under its own responsibility.

Foreign Affairs

12. Meeting of the Council (Foreign Affairs) on 16 July 2018:
Follow-up

The above-mentioned item was withdrawn.

13. EU-China Summit (Beijing, 16 July 2018)
Debriefing

The EEAS and the Commission debriefed the Committee on the above-mentioned Summit. The Committee discussed how to improve the preparations for summits with third countries.

The Commission requested that its intervention is recorded in the minutes:

"On geographical indications (GIs), it was explicitly added in the EU-China joint statement that negotiations will be concluded in October "if possible". This means not at any price, but only if the substantive conditions are met. The Commission has always insisted that substance comes over speed, and negotiations will only be concluded if the EU obtains a high level of protection for its GIs. At a recent meeting with Member States on 12 June 2018 this point was also underlined.

¹ Exceptionally, in the presence of the Schengen Associated States

The Commission will report back to Member States after the next Round on 25-27 July and in preparation of the Round (or Rounds) that will be scheduled in September and October. In addition to the Trade Policy Committee, another technical meeting like the one on 12 June will be organised with Member States to allow an in depth discussion of the state of play in the negotiations. The conditions for conclusion are not (yet) there, as China has not (yet) agreed to protect some key GI names that have been opposed by the United States and other companies. That will be the subject of the Round on 25-27 July."

14. EU-Japan Summit (Tokyo, 17 July 2018)
Debriefing

The EEAS and the Commission debriefed the Committee on the above-mentioned Summit. The Committee discussed how to improve the preparations for summits with third countries.

15. EU-US trade relations
State of play

The Committee took note of the information provided by the Commission.

General Affairs

16. Legislative transparency 11099/18
Exchange of views

The Committee held an exchange of views and tasked the Antici group to work further on this issue.

17. EBA/EMA relocation
State of play

The Committee held an exchange of views and tasked the Antici group to continue work on the draft statement.

Economic and Financial Affairs

18. Meeting of the Council (Economic and Financial Affairs) on
13 July 2018: Follow-up

The Committee took note of the information provided by the Presidency.

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In the margins of Coreper:

MEETING OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES

Economic and Financial Affairs

Facility for Refugees in Turkey: financing of the second tranche
Endorsement of the Common Understanding and the Terms of Reference

The representatives of the governments of the Member States endorsed a set of Terms of Reference.

The Commission and the representatives of the governments of the Member States also agreed on the Common Understanding establishing a governance and conditionality framework for the Refugee Facility for Turkey, as set out in 11329/18, and on a way to formalise the contributions from Member States.

The UK delegation asked to enter the following unilateral statement into the minutes of the Committee meeting:

"The United Kingdom confirms its understanding that the agreement on the extension of the Facility means that the United Kingdom and entities based therein will have equal standing to other contributing Member States and entities based therein for the duration of the second tranche of the Facility, including regarding participation in the Steering Committee and access to Facility-financed funding. Any discriminatory action taken by other parties to this agreement will immediately cease and new bids by UK-based entities for Facility-financed funding will not be subject to any additional requirements."

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Interoperability

The Committee took note of the information provided.

EU-US Energy Council

The Committee took note of the information provided.

Trilogues

The Committee took note of the information provided.

"I" items approved

COREPER (PART 1)

Institutional Affairs

Judicial Affairs

3. Case T-226/18
(Global Silicones Council and others v European Commission)
Information note for the Permanent Representatives Committee (Part 1) 10924/18
JUR

Fisheries

4. Regulation on a multi-annual plan for fish stocks in the Western Waters
Mandate for negotiations with the European Parliament 10822/18 + COR 1
+ ADD 1 REV 1
PECHE

Joint statement by Belgium, Denmark, France, Latvia and Spain

"Belgium, Denmark, France, Latvia and Spain consider that the mechanism proposed for the updating of ranges of FMSY is a new tool that could represent a real improvement in the managing of the multi-annual plan and its flexibility. Nevertheless, this new tool has also raised some concerns regarding the respect of institutional prerogative of each institution. In this regard, Belgium, Denmark, France, Latvia and Spain ask for an annual interim-evaluation in the Council each first quarter of the year to assess whether this tool attains those objectives and whether intermediary solutions should be looked for."

EU positions for international negotiations

5. IMO - Union submission to be submitted to the 73rd session of the Marine Environment Protection Committee (MEPC 73) of the IMO (London, 22 – 26 October 2018) concerning additional information on environmental concentrations observed worldwide and scientific evidence for the adverse effects of cybutryne to the marine environment and to human health
Endorsement 11028/18
MAR

Statement by the Commission

"The Commission considers that the above mentioned "Union submissions" to be submitted to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation and should be made by the Commission on behalf of the EU to IMO and should therefore be sent to the IMO by the Commission.

In the view of the Commission, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing as there is no evidence to suggest that the IMO, as a specialized agency of the United Nations, would be in a position to reject such a submission.

The Commission thus maintains its position that the Treaty provisions on external representation of the Union should be applied and, consequently, that the only legally correct way forward is to present the submission in question to the IMO by the European Commission on behalf of the European Union. The Commission reserves all its rights in this regard."

6. IMO - Union submission to be submitted to the 100th session of the Committee on Maritime Safety (MSC 100) of the IMO (London, 3 – 7 December 2018) concerning a proposal for a new output for a revision of resolution A.949 (23) on Guidelines on places of refuge for ships in need of assistance
Endorsement

11029/18
MAR

Statement by the Commission

"The Commission considers that the above mentioned "Union submissions" to be submitted to the IMO are covered by EU exclusive competence. Submission of proposals to the IMO on issues of EU competence is an act of external representation and should be made by the Commission on behalf of the EU to IMO and should therefore be sent to the IMO by the Commission.

In the view of the Commission, the procedural arguments against presenting submissions to the IMO by the Commission on behalf of the EU are not convincing as there is no evidence to suggest that the IMO, as a specialized agency of the United Nations, would be in a position to reject such a submission.

The Commission thus maintains its position that the Treaty provisions on external representation of the Union should be applied and, consequently, that the only legally correct way forward is to present the submission in question to the IMO by the European Commission on behalf of the European Union. The Commission reserves all its rights in this regard."

7. ICAO - Coordination for the 13th Air Navigation Conference (Montréal, 9 - 19 October 2018)
Endorsement

11040/1/18 REV 1
AVIATION

8. Council Decision on Swiss ETS linking - EU position in the Joint Committee
Adoption

11089/18 + ADD 1
10971/18 + ADD 1
CLIMA

COREPER (PART 2)

Judicial Affairs

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| 19. | Case T-245/18 (sanctions - Venezuela regime)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11052/18
JUR |
| 20. | Case T-246/18 (sanctions - Venezuela regime)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11063/18
JUR |
| 21. | Case T-247/18 (sanctions - Venezuela regime)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11065/18
JUR |
| 22. | Case T-248/18 (sanctions - Venezuela regime)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11066/18
JUR |
| 23. | Case T-249/18 (sanctions - Venezuela regime)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11067/18
JUR |
| 24. | Case T- 308/18 (Hamis v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11006/18
JUR |
| 25. | Case T-338/18 (Suzanne Saleh Thabet v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 11021/18
JUR
CORLX |

Institutional Affairs

Appointments

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| 26. | A member (SE) of the Committee of the Regions
<i>Adoption</i> | 10821/18
10820/18
CDR |
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General Affairs

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| 27. | Regulation on the Instrument for Pre-accession Assistance (IPA III)
<i>Decision to consult an institution or body</i> | 11069/18
ELARG |
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Economic and Financial Affairs

28. Regulation adapting the financial envelope of the Structural Reform Support Programme (SRSP 2.0)
Confirmation of the final compromise text with a view to agreement
- 11080/18
11079/18
ECOFIN

Justice and Home Affairs

29. Regulation establishing a European Travel Information and Authorisation System (ETIAS)
Decision to use the written procedure for the adoption of the legislative act
- 11033/18
FRONT
30. Regulation establishing a European Travel Information and Authorisation System (ETIAS): Europol tasks
Decision to use the written procedure for the adoption of the legislative act
- 11034/18
FRONT
31. MFF 2021-2027 Justice programme
Decision to consult an institution or body
- 10649/18
JAI

Foreign Affairs

32. Neighbourhood, Development and International Cooperation Instrument
Decision to consult an institution or body
- 10762/18
CADREFIN
33. CTA - Discharge procedure
Adoption
- 11038/18
ACP
34. Council Decision on EU position in the EU-Georgia Association Committee in Trade configuration regarding the update of Annexes III and XVI of the Association Agreement
Adoption
- 11102/18
10108/18
COEST
35. Council Decision on the extension of the EU-Morocco Action Plan 2013-2017
Adoption
- 11090/18
10832/18
MAMA
36. Council Decision on the conclusion of a Partnership and Cooperation Agreement between the EU and the Republic of Iraq
Decision to use the written procedure for the adoption
- 10859/1/18 REV 1
10209/1/12 REV 1
+ REV 1 COR 1
+ REV 1 COR 2
MOG

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|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 37. | Operation Atalanta - change of operation headquarters and extension - Decision
<i>Adoption</i> | 10842/18
10568/18
CORLX |
| 38. | EUTM RCA Mission - extension - Decision
<i>Adoption</i> | 11104/18
10462/18
CORLX |
| 39. | Restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine - new listings - Decision and Implementing Regulation
<i>Adoption</i> | 11107/18
10761/18
10764/18
CORLX |
| 40. | Libya restrictive measures - review - Implementing Decision and Implementing Regulation
<i>Adoption</i> | 11120/18
10922/18
10919/18
CORLX |
| 41. | Guinea-Bissau restrictive measures - review
<i>Adoption</i> | 11133/18
CORLX |
| <u>Other items</u> | | |
| 42. | Regulation on Ignalina power plant decommissioning
<i>Decision to consult an institution or body</i> | 10972/18
ATO |
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