

Brussels, 4 March 2020
(OR. en, fr)

6518/20
CRS CRP 10

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
19 and 24 February 2020

I. Adoption of the agenda

6073/20 OJ CRP1 7
6090/1/20 REV 1 OJ CRP2 7 + CM 1605/20

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)

Environment

2. Meeting of the Council (Environment) on 5 March 2020: Preparation

1. Evaluation of water legislation 5977/20
Exchange of views

The Committee prepared this item for the Council.

2. Greening the European Semester 5993/20
Exchange of views

The Committee prepared this item for the Council.

Transport

3. Regulation on rail passengers' rights and obligations
Presidency debriefing on the outcome of the trilogue

The Committee took note of the information provided by the Presidency on the outcome of the trilogue of 18 February 2020.

Fisheries

4. Regulation on the European Maritime and Fisheries Fund (EMFF) 5890/20 + ADD 1
Mandate for negotiations with the European Parliament

The Committee agreed on the mandate for further negotiations with the European Parliament.

Competitiveness

5. Meeting of the Council (Competitiveness (Internal Market, Industry, Research and Space)) on 27 and 28 February 2020: Preparation

1. Conclusions on Better Regulation "Ensuring competitiveness and sustainable, inclusive growth" 5765/20
Adoption

The Committee prepared this item for the Council.

Statement by Belgium, France and Luxembourg

"Les délégations belges, françaises et luxembourgeoises :

- rappellent que les objectifs visant à simplifier la législation de l'Union européenne doivent être poursuivis sans préjudice de la réalisation des objectifs stratégiques de l'Union ni de la préservation de l'intégrité du marché intérieur, conformément à l'accord interinstitutionnel du 13 avril 2016 « Mieux légiférer » ;
- insistent sur la nécessité d'élaborer une réglementation européenne effective, cohérente, simple, claire et de haute qualité, qui se concentre sur les domaines où sa valeur ajoutée est la plus importante et qui s'attache à réduire le coût de la Non-Europe résultant de la fragmentation des règles nationales ;
- soulignent à cet égard l'importance de privilégier les instruments réglementaires les plus efficaces, tels que l'harmonisation et la reconnaissance mutuelle, pour éviter la réglementation excessive et les lourdeurs administratives ;
- prennent note de l'intention de la Commission d'introduire une méthode « One in, one out » au niveau européen mais estiment, en tout état de cause, que ce nouvel instrument doit être envisagé avec toute la prudence nécessaire et par étapes, qu'il doit respecter l'intégrité de l'acquis communautaire, qu'il ne peut reposer sur une logique mécanique de réduction quantitative et qu'il doit faire l'objet d'une évaluation continue ;
- estiment, à cet égard, qu'il serait préférable d'attendre l'initiative de la Commission,, prévue pour avril 2020, avant de se prononcer sur un instrument qui ne fait actuellement pas partie des outils du « mieux légiférer »."

2. European Green Deal - a transition to climate neutral and circular EU industry 5767/20
Presentation by the Commission
Policy debate

The Committee prepared this item for the Council.

3. European Semester - Single Market Performance Report 5963/20
Policy debate

The Committee prepared this item for the Council.

4. Annex to the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT) 5987/20
Partial general approach

The Committee prepared this item for the Council.

5. Strategic approach to international cooperation in R&I 5798/20
Policy debate

The Committee prepared this item for the Council.

Agriculture

6. Legally Binding Agreement (LBA) on Forests in Europe 5896/20
Establishment of the EU and its Member States position

The Committee agreed to support the UNECE Non-Paper and will transmit this position, accompanied by a statement, to the UNECE Secretariat.

Statement by the Commission and the Presidency

"The Presidency notes the support for the Non-Paper, and will thus transmit to the UNECE Secretariat, together with the Commission, the support of the EU and its Member States to the Non-Paper. The Presidency notes that this Non-paper does not fully reflect the Bratislava Ministerial Decision that was approved by the Council in 2019.

Noting the EU's and its Member States' positions, both the Commission and the Presidency are submitting this statement to the UNECE Secretariat to underline that, the EU and its Member States believe that it is of utmost importance that negotiations must be swift, must start in 2021, and last for only one year, and call on all negotiating parties to focus the work on the not-agreed parts of the draft negotiating text and not to reopen the paragraphs already agreed, unless necessary in order to reflect the recent policy developments such as the Paris Agreement, the 2030 Agenda and its Sustainable Development Goals, and the United Nations Strategic Plan for Forests.

The EU and its Member States understand the Non-paper as an agreement by all participants to grant the EU the same negotiating rights as all other negotiating partners. The EU and its Member States call on all partners to strive for a Legally Binding Agreement that delivers on expectations in society towards sustainable forest management and would engage and inspire all relevant stakeholders to undertake concrete actions and show high standards and practices on transparency and credibility."

COREPER (PART 2)

WEDNESDAY 19 FEBRUARY 2020

Justice and Home Affairs

17. Meeting of the Council (Justice and Home Affairs) on 13 March 2020: Agenda

The Presidency presented the main items on the agenda.

18. JHA Strategic Guidelines
Exchange of views

6030/20

The Committee held an exchange of views and agreed to revert to this issue at its next session.

Foreign Affairs

19. Meeting of the Council (Foreign Affairs/Trade) on 12 March 2020: Agenda

The Presidency presented the main items on the agenda.

20. 15th EU-India Summit preparation (Brussels, 13 March 2020)
Exchange of views

The Committee held an exchange of views and agreed to revert to this issue at the continuation of its session.

21. EU-G5 Sahel meeting (Brussels, 26 March 2020)
Exchange of views

The Committee held an exchange of views and agreed to revert to this issue at its next session.

22. Meeting of the Council (Foreign Affairs) on 17 February 2020:
Follow-up

The Committee took note of the main outcomes of the Council meeting.

Economic and Financial Affairs

23. Meeting of the Council (Economic and Financial Affairs) on 18 February 2020: Follow-up

The above-mentioned item was withdrawn.

General Affairs

26. Meeting of the Council (General Affairs) on 25 February 2020:
Preparation

- a) EU-UK relations
 - i) Council Decision authorising the opening of the negotiations for a new partnership with the United Kingdom
Adoption
- 6126/20
5870/20 + ADD 1

The Committee held an exchange of views and agreed to revert to this issue at the continuation of its session.

- b) (poss.) Multiannual Financial Framework 2021-2027
Information from the Presidency

The Committee prepared this item for the Council.

- c) Preparation of the European Council on 26-27 March 2020: Annotated Draft Agenda
Exchange of views
- 5807/20

The Committee took note of the annotated draft agenda of the European Council on 26-27 March 2020.

- d) (poss.) Enlargement and Stabilisation and Association Process
Exchange of views

The Committee took note of the change of aim for this item and prepared the item for the Council.

- e) Other items in connection with the Council meeting

The Presidency provided further information regarding the meeting.

MONDAY 24 FEBRUARY 2020

Foreign Affairs

20. 15th EU-India Summit preparation (Brussels, 13 March 2020)
Exchange of views

The Committee agreed on the text of the draft statement to be used as a basis for negotiations.

General Affairs

26. Meeting of the Council (General Affairs) on 25 February 2020:
Preparation
- a) EU-UK relations
- i) Council Decision authorising the opening of the negotiations for a new partnership with the United Kingdom
Adoption

6126/1/20 REV 1
5870/20
+ ADD 1 REV 1

The Committee prepared this item for the Council and agreed to forward the draft Council decision and the negotiating directives, as amended during the meeting, to the Council for adoption as well as several statements to be recorded in the minutes of the Council.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Letter received from the European Parliamentary Research Service

The Committee took note of the information provided by the Council Legal Service.

"I" items approved**COREPER (PART 1)****Institutional Affairs****Written questions**

7. Replies to questions for written answer submitted to the Council by Members of the European Parliament
Adoption by silence procedure 6027/20
PE-QE

Frédérique Ries (Renew) 5455/20
"First death in Belgium attributed to the toxic mixture in an e-cigarette"

Appointments

8. Appointment of chairperson and extending the term of office of chairperson of Boards of Appeal of the European Union Intellectual Property Office (EUIPO)
Adoption 5986/20
5633/20
PI

EU positions for international negotiations

9. Council Decision on the EU position on UNECE (March 2020)
Adoption 5637/20
5804/20
MI

Fisheries

10. Regulation on the allocation of fishing opportunities under the Protocol on the implementation of the Fisheries Partnership Agreement with the Seychelles
Adoption 5381/1/20 REV 1
+ REV 1 ADD 1
5245/20
PECHE

11. Council Decision on the signing and provisional application of the Protocol on the implementation of the Fisheries Partnership Agreement with the Seychelles and its Implementing Protocol
Adoption 5381/1/20 REV 1
+ REV 1 ADD 1
5246/20
5242/20
PECHE

Statement by the Commission

"By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)(a)(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the decisions on the signing and provisional application as well as on the conclusion of the Sustainable Fisheries Partnership Agreement and its Implementing Protocol between the European Union and the Republic of Seychelles, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph), and therefore maintains its initial proposal."

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| 12. | Council Decision on the conclusion of the Protocol on the implementation of the Fisheries Partnership Agreement with the Seychelles and its Implementing Protocol
<i>Agreement in principle</i>
<i>Request for the consent of the European Parliament</i> | 5381/1/20 REV 1
+ REV 1 ADD 1
5243/20
5246/20
PECHE |
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Statement by the Commission

"By its judgement in joined cases C-103/12 and C-165/12 (European Parliament and the Commission v. Council) the Court of Justice clearly confirmed that decisions relating to the conclusion of external fisheries agreements fall fully within the scope of Article 43(2) TFEU (in conjunction with the applicable procedure of Article 218 TFEU, i.e. Article 218(6)(a)(v) for the decisions on the conclusion of the agreements) and rejected the position that such decisions could fall within the scope of Article 43(3) TFEU.

In relation to the decisions on the signing and provisional application as well as on the conclusion of the Sustainable Fisheries Partnership Agreement and its Implementing Protocol between the European Union and the Republic of Seychelles, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph), and therefore maintains its initial proposal."

Energy

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| 13. | Regulation on tyre labelling
<i>Adoption of the Council's position at first reading and of the statement of the Council's reasons</i> | 5994/20
14649/19 + ADD 1
ENER |
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Environment

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| 14. | Conclusions on EU greenhouse gas emissions
(CoA SR No 18/2019)
<i>Adoption</i> | 5923/20
CLIMA |
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Research

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| 15. | Council Decision approving the conclusion by the Commission of the Euratom-India Agreement on research and development cooperation in the peaceful uses of nuclear energy
<i>Adoption</i> | 5654/1/20 REV 1
5647/20
RECH |
| 16. | Annex to the Council Decision approving the conclusion by the Commission of the Euratom-India Agreement on research and development cooperation in the peaceful uses of nuclear energy
<i>Adoption</i> | 5654/1/20 REV 1
5648/20
RECH |

COREPER (PART 2)

Judicial Affairs

27. Case T-619/19 (KF v. SatCen) 5888/20
Information note for the Permanent Representatives Committee JUR
(Part 2)

Economic and Financial Affairs

28. ECA SR No 4/2020 on New Technology in Agri-monitoring 5997/20
Designation of a Working Party FIN
29. ECA SR No 5/2020 on Sustainable use of plant protection 6008/20
products
Designation of a Working Party FIN
30. Excise duties 5931/20
a) Directive on general arrangements for excise duty (recast) 14107/19
b) Regulation on administrative cooperation of the content of 14108/19
electronic register FISC
Approval of the Irish language version

General Affairs

31. EP Resolutions and decisions (February 2020) 5974/20
PE-RE

Justice and Home Affairs

32. Launch of EU-Iran Dialogue on Drugs 6010/20
Approval CORDROGUE

Statement by the Commission

"The Commission welcomes the policy lines that the Council has devised in its draft document under Article 16(1) TEU.

The Commission will exercise its powers as the external representative of the Union as enshrined in Articles 13 and 17 TEU as well as in the relevant jurisprudence of the European Court of Justice in the preparation of the first meeting of the EU-Iran Dialogue on Drugs."

33. Schengen Evaluation Recommendation - UK SIS 6004/20
Adoption 6003/20 R-UE
SCH-EVAL

Foreign Affairs

34. Council Decision extending the mandate of the European Union 6056/20
Special Representative for the Sahel 5913/20
Adoption CORLX

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| 35. | Council Decision extending the mandate of the European Union Special Representative in Kosovo*
<i>Adoption</i> | 6057/20
5903/20
CORLX |
| 36. | Council Decision extending the mandate of the European Union Special Representative for the Horn of Africa
<i>Adoption</i> | 6058/20
5908/20
CORLX |
| 37. | Council Decision extending the mandate of the European Union Special Representative for Central Asia
<i>Adoption</i> | 6065/20
5911/20
CORLX |
| 42. | Council Decision extending the mandate of the European Union Special Representative for the Middle East Peace Process
<i>Adoption</i> | 6123/20
5905/20
CORLX |
| 43. | Council Decision extending the mandate of the European Union Special Representative for the South Caucasus and the crisis in Georgia
<i>Adoption</i> | 6140/20
5958/20
CORLX |
| 38. | Council Decision and Implementing Regulation concerning restrictive measures in view of Turkey's unauthorised drilling activities in the Eastern Mediterranean
<i>Adoption</i> | 6094/20 + COR 1
6017/20
6018/20
CORLX |

EU positions for international negotiations

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| 39. | Council Decision on the EU position on Narcotic Drugs
<i>Adoption</i> | 5724/20
5661/20
UD |
| 40. | Council Decision on the EU position in the EU-Morocco Association Committee concerning the exchange of information
<i>Adoption</i> | 5588/20
6037/20
MAMA |

Other items

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| 41. | Electronic transmission of EUCI to the EP
<i>Approval</i> | 5985/20 + COR 1
CSC
CSCI |
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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.