

Brussels, 26 January 2021
(OR. en)

5580/21
CRS CRP 1

SUMMARY RECORD
PERMANENT REPRESENTATIVES COMMITTEE
8 January 2021

I. Adoption of the agenda

5006/21 OJ CRP1 1
5007/1/21 REV 1 OJ CRP2 1

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)

Other

2. Work programme of the Portuguese Presidency
Information from the Presidency

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

Agriculture and Fisheries

3. Meeting of the Council (Agriculture and Fisheries) on 25 January 2021: Agenda
(For the items in the remit of the Permanent Representatives Committee)

The Presidency presented the main items on the agenda.

Environment

4. Regulation on European Climate Law
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 21 December 2020.

COREPER (PART 2)

General Affairs

10. Presidency priorities
Presentation by the Presidency

The Committee took note of the presentation by the Presidency.

11. Meeting of the Council (General Affairs) on 26 January 2021:
Agenda

The Presidency presented the main items on the agenda.

12. Exceptional measures on the continuation of decision-making in the Council 14248/20
Approval
Decision to use the written procedure

The Committee agreed on the exceptional measures to be taken and agreed to use the written procedure for the adoption of the respective Council Decision.

30. COVID-19 – EU coordination: vaccines
Information from the Commission

The Committee took note of the information provided by the Commission and held an exchange of views.

Foreign Affairs

13. Meeting of the Council (Foreign Affairs) on 25 January 2021:
Agenda

The EEAS presented the main items on the agenda.

14. EU-China Leaders' videoconference on 30 December 2020
Debriefing

The Committee took note of the main outcomes of the videoconference.

Economic and Financial Affairs

15. Informal videoconference of the Ministers of the Economy and Finance on 19 January 2021: Preparation
Other items in connection with the videoconference

The Presidency provided further information regarding the informal videoconference.

IV. Any other business

COREPER (PART 1)

None.

COREPER (PART 2)

Situation in Lipa camp (BiH)

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

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

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| 5. | Replies to questions for written answer submitted to the Council
by Members of the European Parliament
<i>Adoption by silence procedure</i> | 14138/20
PE-QE |
| a) | Inma Rodríguez-Piñero (S&D)
"Frequent criticism of EU trade policy" | 13318/20 |
| b) | Inma Rodríguez-Piñero (S&D)
"EU-China relations after the global Covid-19 crisis" | 13323/20 |
| c) | Patrick Breyer (Verts/ALE)
"Council Decision of 13 July 2018 amending the Act
concerning the election of the members of the European
Parliament by direct universal suffrage" | 13342/20 |

Judicial Affairs

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| 6. | Case C-561/20 (United Airlines)
<i>Information note for the Permanent Representatives Committee
(Part I)</i> | 14107/20
JUR |
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Fisheries

7. Council Decision on the conclusion of the Fisheries Partnership Agreement in the form of an exchange of letters between the European Union and Mauritania
Adoption
- 14046/20 + ADD 1
11260/20
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 Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Islamic Republic of Mauritania on an extension to the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania expiring on 15 November 2020, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph).

While not opposing the adoption of the amendment by the Council by a qualified majority vote, the Commission reserves all its rights in this regard."

8. Council Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Cook Islands on an extension of the Fisheries Protocol
Adoption
- 14095/20 + ADD 1
11262/20
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 Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Union and the Government of the Cook Islands on an extension of the Protocol on the implementation of the Sustainable Fisheries Partnership Agreement between the European Union and the Government of the Cook Islands, the Commission regrets the Council's amendment replacing the substantive legal basis of Article 43(2) TFEU with Article 43 (without mentioning the paragraph).

While not opposing the adoption of the amendment by the Council by a qualified majority vote, the Commission reserves all its rights in this regard."

9. Regulation amending Council Regulation (EU) No 520/2007
laying down management, conservation and control measures
applicable in the Inter-American Tropical Tuna Convention area
*Decision to use the written procedure for the adoption of the
legislative act*

14305/20
PE-CONS 50/20
PECHE

COREPER (PART 2)

Judicial Affairs

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| 16. Case C-534/20 Leistriz (referring Court: Bundesarbeitsgericht, Allemagne)"
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 14118/20
JUR
DATAPROTECT |
| 17. Case T-627/20 (LIBYAN AFRICAN INVESTMENT COMPANY v. Council)
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 14131/20
JUR |
| 18. Case T-647/20 Verelst v Council of the European Union
<i>Information note for the Permanent Representatives Committee (Part 2)</i> | 13997/20
JUR
EPPO |

Transparency

- | | |
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| 19. Public access to documents
Confirmatory application No 23/c/01/20
<i>Decision to use the written procedure for the adoption</i> | 12676/20
12677/20
INF
API |
| 20. Public access to documents
Confirmatory application No 26/c/01/20
<i>Decision to use the written procedure for the adoption</i> | 13399/20
13400/20
INF
API |

Economic and Financial Affairs

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| 21. Regulation establishing the EU Anti-Fraud Programme
<i>Confirmation of the final compromise text with a view to agreement</i> | 14259/20 + ADD 1
GAF |
| 22. Regulation on 'Fiscalis' programme for cooperation in the field of taxation
<i>Mandate for negotiations with the European Parliament</i> | 14197/20
9932/18 + COR 1
+ ADD 1
+ ADD 1 COR 1
+ ADD 2
+ ADD 2 COR 1
+ ADD 3
+ ADD 3 COR 1
FISC |

General Affairs

23. EP Resolutions and decisions (December 2020) 14151/20 + COR 1
PE-RE

Justice and Home Affairs

24. Schengen evaluation Recommendation - Belgium return 14244/20
Decision to use the written procedure for the adoption 14243/20
SCH-EVAL
25. Schengen evaluation Recommendation - Cyprus data protection 14246/20
Decision to use the written procedure for the adoption 14245/20
SCH-EVAL
26. Schengen evaluation Recommendation - Hungary data 14249/20
protection 14247/20
Decision to use the written procedure for the adoption SCH-EVAL
27. Schengen evaluation Recommendation - Slovakia data 14251/20
protection 14250/20
Decision to use the written procedure for the adoption SCH-EVAL

Foreign Affairs

28. Informal meeting of the members of the EU-Cuba Joint Council 14156/1/20 REV 1
(VTC 20 January 2021) 5010/21
Establishment of the EU position COLAC
Decision to use the written procedure
29. PSC Decision EUCAP Sahel Niger/2/2020 - appointment of the 13254/20
Head of Mission 13046/20
Decision to publish in the Official Journal PSC DEC
31. (poss.) CFSP Report - Our Priorities in 2020 5059/21
Approval 5061/21
Decision to use the written procedure CFSP/PESC

The above mentioned item has been withdrawn.
