



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 18 June 2013
(OR. en)**

10199/13

CRS/CRP 20

SUMMARY RECORD

Subject: 2454th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 28, 29, 30 and 31 May 2013

SUMMARY

Page

1. Adoption of the provisional agenda and "I" items 9

Coreper Part 1

I

2. Replies to written questions put to the Council by Members of the European Parliament
- (a) n° E-003676/2013 put by José Manuel Fernandes and Carlos Coelho
"Exemptions and rebates - multiannual financial framework 2014-2020"
 - (b) n° E-003729/2013 put by Dominique Vlasto
"Combating the problem of food wastage - VAT"
 - (c) n° E-003777/2013 put by Franz Obermayr
"ECSB/ECB/Eurosystem - structuring of the reserve ratio"
3. Draft Council Decision on the signing, on behalf of the Union, of the WIPO Treaty on Audiovisual Performances
4. Proposal for a Regulation of the European Parliament and of the Council amending Directives 1999/4/EC, 2000/36/EC, 2001/111/EC, 2001/113/EC and 2001/114/EC as regards the powers to be conferred on the Commission ("Breakfast Directive") (First reading) (Legislative deliberation)
5. Proposal for a Decision of the European Parliament and of the Council on serious cross-border threats to health (First reading) (Legislative deliberation)
6. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1185/2003 on the removal of fins of sharks on board vessels (First reading) (Legislative deliberation)
13. Preparation of the 199th session of the ICAO Council (Montréal, 21 May - 21 June 2013)
- European Union coordination of a common position

II

7.	Setting of the provisional agenda for the Council meeting (Environment) on 18 June 2013	10
8.	Proposal for a Directive of the European Parliament and of the Council of ... amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools (First reading) (<i>Legislative deliberation</i>).....	10
9.	Setting of the provisional agenda for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 20 and 21 June 2013	10
10.	Preparation for the Council meeting (<u>Transport</u> , <u>Telecommunications</u> and <u>Energy</u>) on 6, 7 and 10 June 2013	
1.	Proposal for a Directive of the European Parliament and of the Council concerning measures to ensure a high level of network and information security across the Union (First reading) (<i>Legislative deliberation</i>)	11
2.	Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (First reading) (<i>Legislative deliberation</i>)	11
3.	Digital infrastructure and services	
(a)	Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European telecommunications networks and repealing Decision No 1336/97/EC (First reading) (<i>Legislative deliberation</i>)	12
(b)	Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the costs of deploying high-speed electronic communications networks (First reading) (<i>Legislative deliberation</i>)	12
4.	Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites (First reading) (<i>Legislative deliberation</i>) ..	12
5.	Digital Agenda for Europe – The role of the Telecommunications & ICT Sectors (<i>Non legislative activity</i>)	12
6.	Proposal for a Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources (First reading) (<i>Legislative deliberation</i>)	12
7.	Fourth railway package Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (Recast) (First reading) (<i>Legislative deliberation</i>)	13

8.	Roadworthiness package	
	• Proposal for a Regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (First reading) (<i>Legislative deliberation</i>)	13
9.	Proposal for a Regulation of the European Parliament and of the Council on occurrence reporting in civil aviation amending Regulation (EU) No 996/2010 and repealing Directive No 2003/42/EC, Commission Regulation (EC) No 1321/2007 and Commission Regulation (EC) No 1330/2007 (First reading) (<i>Legislative deliberation</i>) ...	13
11.	Proposal for a Regulation of the European Parliament and of the Council establishing "Erasmus for all": the Union Programme for Education, Training, Youth and Sport (First reading) (<i>Legislative deliberation</i>).....	13
12.	(a) Draft Council Decision authorising the European Commission to participate, on behalf of the EU, in the negotiations for an international convention of the Council of Europe to combat the manipulation of sports results with the exception of matters related to cooperation in criminal matters and police cooperation	14
	(b) Draft Council Decision authorising the European Commission to participate, on behalf of the EU, in the negotiations for an international convention of the Council of Europe to combat the manipulation of sports results as regards matters related to cooperation in criminal matters and police cooperation	14
14.	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO ₂ emissions from new passenger cars (First reading) (<i>Legislative deliberation</i>)	15
15.	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 510/2011 to define the modalities for reaching the 2020 target to reduce CO ₂ emissions from new light commercial vehicles (First reading) (<i>Legislative deliberation</i>) ..	15
16.	Proposal for a Regulation of the European Parliament and of the Council on ship recycling (First reading) (<i>Legislative deliberation</i>)	15
17.	Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 "Living well, within the limits of our planet" (First reading) (<i>Legislative deliberation</i>).....	15

18.	Horizon 2020	
(a)	Proposal for a Regulation of the European Parliament and the Council establishing Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)	16
(b)	Proposal for a Regulation of the European Parliament and of the Council laying down the rules for participation and dissemination in "Horizon 2020" - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)	16
19.	Horizon 2020	
(a)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 294/2008 establishing the European Institute of Innovation and Technology (First reading) (Legislative deliberation)	16
(b)	Proposal for a Decision of the European Parliament and of the Council on the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT): the contribution of the EIT to a more innovative Europe (First reading) (Legislative deliberation)	16
20.	Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation on administrative cooperation through the Internal Market Information System (First reading) (Legislative deliberation).....	17
21.	Public procurement package (First reading) (Legislative deliberation)	
(a)	Proposal for a Directive of the European Parliament and of the Council on public procurement	
(b)	Proposal for a Directive of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors	
-	Presidency debriefing on the outcome of the informal trilogue.....	17
-	Preparation for the informal trilogue	17
22.	Proposal for a Directive of the European Parliament and of the Council on recreational craft and personal watercraft (First reading) (Legislative deliberation)	17
23.	Proposal for a Directive of the European Parliament and of the Council concerning flag State responsibilities for the enforcement of Council Directive 2009/13/EC implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC (First reading) (Legislative deliberation).....	18
24.	Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network (First reading) (Legislative deliberation).....	18
25.	Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (First reading) (Legislative deliberation).....	18
26.	Proposal for a Regulation of the European Parliament and of the Council on establishing the Creative Europe Programme (First reading) (Legislative deliberation).....	18
27.	Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy (First reading) (Legislative deliberation).....	19

Coreper Part 2

I

28. Adoption of texts in languages not available at the time of adoption : Council Recommendation with a view to bringing an end to the situation of an excessive government deficit in Cyprus
29. Case before the General Court of the EU
 - Case T-144/13 (Hangzhou Zhejiang University Sunny Energy Science and Technology v. European Commission)
30. Case before the General Court of the EU
 - Case T-145/13 (Ningbo Qixin Solar Electrical Appliance v. European Commission)
31. Case before the General Court of the EU
 - Case T-146/13 (Zhejiang Sunflower Light Energy Science & Technology v. European Commission)
32. Case before the General Court of the EU
 - Case T-147/13 (Zhejiang Yuhui Solar Energy Source v. European Commission)
33. Case before the General Court of the EU
 - Case T-153/13 (Et Solar Industry e.a. v. European Commission)
34. Case before the General Court of the EU
 - Case T-154/13 (Jiangsu Jiasheng Photovoltaic Technology v. European Commission)
35. Case before the Court of Justice
 - Case C-209/13 (United Kingdom of Great Britain and Northern Ireland against Council of the European Union)
 - = Action for annulment of Council Decision 201352/EU of 22 January 2013 authorising enhanced cooperation in the area of financial transaction tax
36. Draft amendments to the Rules of Procedure of the Court of Justice of the European Union and to the Rules of Procedure of the General Court
37. Committee of the Regions
 - Council Decision appointing three Maltese members and three Maltese alternate members of the Committee of the Regions
38. CEPOL Annual Report for the year 2012
39. Working Arrangement between the European Police College (CEPOL) and the "Academy of Management of the Ministry of Internal Affairs of the Russian Federation"
40. Fifth Activity Report of the Joint Supervisory Body of Europol
41. Draft Council conclusions following the Commission Communication on the European Information Exchange Model (EIXM)
42. Schengen evaluation of Norway
 - Draft Council conclusions on SIS/SIRENE

43. Schengen evaluation of Iceland
 - Draft Council conclusions on SIS/SIRENE
44. Schengen evaluation of Denmark
 - Draft Council conclusions on SIS/SIRENE
45. Schengen evaluation of Iceland
 - Draft Council conclusions on the follow-up to the Schengen evaluation conducted between 2011 and 2012
46. Schengen evaluation of Norway
 - Draft Council conclusions on the follow-up to the Schengen evaluation conducted between 2011 and 2012
47. Schengen evaluation of Finland
 - Draft Council conclusions on the follow-up to the Schengen evaluation conducted between 2011 and 2012
48. Schengen evaluation of Sweden
 - Draft Council conclusions on the follow-up to the Schengen evaluation conducted between 2011 and 2012
49. Schengen evaluation of Italy
 - Draft Council conclusions on the follow-up to the Schengen evaluation conducted between 2011 and 2012
50. Implementation of Article 102A of the Convention Implementing the Schengen Agreement during the years 2010 and 2011
 - Draft Report to be submitted to the European Parliament in accordance with Article 102A(4) of the Convention Implementing the Schengen Agreement (CISA)
51. e-Justice
 - Work achieved during the first semester 2013
52. Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/109/EC on the harmonisation of transparency requirements in relation to information about issuers whose securities are admitted to trading on a regulated market and Commission Directive 2007/14/EC (First reading)
53. Political and Security Committee Decision EUBAM Libya/1/2013 on the appointment of the Head of Mission of the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)
54. Draft letter to the EU Co-President of the ACP-EU Joint Parliamentary Assembly
55. Proposal for a Decision of the European Parliament and of the Council on a Union Civil Protection Mechanism (First reading)
56. Request by the Central African Republic for the EU to assume the chairmanship of the Central African Republic Configuration of the Peacebuilding Commission

II

57.	Preparation of the Council meeting (Justice and Home Affairs) on 6/7 June 2013	
a)	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)	20
b)	Proposal for a Directive of the European Parliament and the Council on the fight against fraud to the Union's financial interests by means of criminal law (First reading).....	20
c)	Proposal for a Regulation of the European Parliament and of the Council creating a European Account Preservation Order to facilitate cross border debt recovery in civil and commercial matters (First reading).....	20
d)	Council conclusions on fundamental rights and rule of law and on the Commission 2012 Report on the Application of the Charter of Fundamental Rights of the European Union.....	21
e)	Accession of the European Union to the European Convention on Human Rights.....	21
f)	Foreign fighters and returnees from a counter-terrorism perspective, in particular with regard to Syria	21
g)	Other items in connection with the Council meeting.....	21
58.	Presentation of the agenda of the Council meeting (Foreign Affairs/Trade) on 14 June 2013	22
59.	Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 21 June 2013 ..	22
60.	Follow-up to the Council meeting (Foreign Affairs) on 27/28 May 2013	22
61.	New Multiannual Financial Framework	23
62.	Schengen Governance	
a)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances (First reading).....	23
b)	Proposal for a Council Regulation on the establishment of an evaluation mechanism to verify the application of the Schengen acquis.....	23
63.	Negotiations for the conclusion of an Agreement between the European Union and the Russian Federation, amending the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation	24
64.	Cohesion Policy legislative package (First reading)	
-	Validation of preliminary results of the negotiations with the European Parliament	24
65.	European Semester - Country Specific Recommendations (<i>restricted session</i>)	25
-	Any other business	25

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

doc. 9942/13 OJ/CRP1 20 + ADD 1
10046/1/13 REV 1 OJ/CRP2 20 COMIX 331 + REV 1 COR 1

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

The following items are **added**:

(Coreper Part 1, under I)

68. Relation with Algeria

**Memorandum of Understanding on the establishment of a Strategic Partnership
between Algeria and the European Union in the field of energy**

9521/1/13 AL 2 COMAG 40 ENER 181 MED 18 RELEX 398 REV 1

(Coreper Part 1, under II)

69. Preparation of the 199th session of the ICAO Council (Montréal, 21 May - 21 June 2013)

- **European Union coordination of a common position (International Aviation
and Climate Change)**

10041/13 AVIATION 67 RELEX 445 ENV 456

(Coreper Part 2, under II)

66. Draft amending budget n° 1 to the general budget for 2013

The following item is **withdrawn**:

(Coreper Part 2, under I)

67. (poss.) Relations with Russia

- **Key Outstanding Issues for the EU in its relations with Russia**

9619/1/13 REV 1 COEST 110 PESC 537

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

Coreper Part 1

II

7. **Setting of the provisional agenda for the Council meeting (Environment) on 18 June 2013**

The Committee approved the provisional agenda as set out in 10826/13.

8. **Proposal for a Directive of the European Parliament and of the Council of ... amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**
9785/13 ENV 421 ENT 129 CODEC 1140

The Committee agreed on a mandate to the Presidency for the next trilogue meeting to be held on 5 June 2013 with a view to a first reading agreement, subject to a revision to the draft text as proposed by the Presidency in the Annex to document 9785/13. The revision agreed upon includes going back to the original mandate concerning the definitions (that is, no changes), and maintaining the Council's position on Article 6(2) concerning the exhaustion of stocks.

9. **Setting of the provisional agenda for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 20 and 21 June 2013**

On the basis of Article 14 of the Rules of procedure of the Council the Committee agreed unanimously on the exemption from the language rules in force concerning the Country Specific Recommendations (CSRs).

The Presidency informed the Committee about its decision to include the issue of Youth Unemployment on the agenda of the Council as a full "B" point with a policy debate taking into account the agenda of the June European Council.

The Commission asked for the inclusion of two AOB points: on Public Employment Services and on the transposition of the Patient Rights in the Cross-border Health Care directive.

Some Member States considered that the Social Dimension of the EMU could possibly be discussed by the Employment/Social Ministers.

The Commission informed that the Communication on the Social Dimension of EMU will be adopted by Commission before the June European Council but the date of adoption had not yet been set.

The President concluded that the Committee set the provisional agenda of the EPSCO Council of 20-21 June 2013, subject to possible changes.

10. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 6, 7 and 10 June 2013

1. Proposal for a Directive of the European Parliament and of the Council concerning measures to ensure a high level of network and information security across the Union (First reading) (*Legislative deliberation*)

- **Progress report**

- **Orientation debate**

6342/13 TELECOM 24 DATAPROTECT 14 CYBER 2 MI 104 CODEC 313

9745/13 TELECOM 125 DATAPROTECT 64 CYBER 10 MI 419 CODEC 1130

The Committee agreed to submit the progress report to the Council.

2. Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (First reading) (*Legislative deliberation*)

- **Progress report**

- **Exchange of views**

10977/12 TELECOM 122 MI 411 DATAPROTECT 73 CODEC 1576

9772/13 TELECOM 128 MI 422 DATAPROTECT 66 EJUSTICE 47

CODEC 1135

The Committee agreed to submit the progress report to the Council.

3. Digital infrastructure and services

- (a) **Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European telecommunications networks and repealing Decision No 1336/97/EC (First reading) (*Legislative deliberation*)**
- (b) **Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the costs of deploying high-speed electronic communications networks (First reading) (*Legislative deliberation*)**
 - **Progress report**
7999/13 TELECOM 60 COMPET 177 CODEC 686
9722/13 TELECOM 124 COMPET 313 CODEC 1125

The Committee agreed to submit the progress report to the Council.

On this occasion the Commission informed the Committee of the adoption of an amended proposal on the Proposal under (a) above.

- ### 4. 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**
17344/12 TELECOM 250 CONSOM 155 MI 811 CODEC 2936
9762/13 TELECOM 127 CONSOM 89 MI 421 CODEC 1133

The Committee agreed to submit the progress report to the Council.

- ### 5. Digital Agenda for Europe – The role of the Telecommunications & ICT Sectors (*Non legislative activity*)
- **Policy debate**
9756/13 TELECOM 126 POLGEN 79

The Committee agreed that a Policy debate could take place at the TTE Council on 6 June 2013 on the basis of the questions set out to document 9756/13.

- ### 6. Proposal for a Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources (First reading) (*Legislative deliberation*)
- **Progress report**
15189/12 ENV 789 ENER 417 ENT 257 TRANS 346 AGRI 686 POLEN 170
CODEC 2432
+ REV 1 (fi,sv,cs,sk)
8920/13 ENER 143 ENV 333 ENT 112 TRANS 186 AGRI 259 POLGEN 53
CODEC 924

The Committee took note that Council will be informed on the state of play by means of the progress report set out in document 8920/13.

7. **Fourth railway package**
Proposal for a Directive of the European Parliament and of the Council on the interoperability of the rail system within the European Union (Recast)
(First reading) (*Legislative deliberation*)
- **General approach / Progress report**
6013/13 TRANS 39 CODEC 226
9837/13 TRANS 252 CODEC 1155

The Committee examined the Presidency's compromise proposals included in the above mentioned document with a view to preparing the general approach for the (TTE) Council on 10 June 2013.

8. **Roadworthiness package**
• **Proposal for a Regulation of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC (First reading) (*Legislative deliberation*)**
- **General approach**
12809/12 TRANS 251 CODEC 1961
+ ADD 1
9839/13 TRANS 253 CODEC 1157

The Committee examined the Presidency's compromise proposals with a view to preparing the general approach for the (TTE) Council on 10 June 2013.

9. **Proposal for a Regulation of the European Parliament and of the Council on occurrence reporting in civil aviation amending Regulation (EU) No 996/2010 and repealing Directive No 2003/42/EC, Commission Regulation (EC) No 1321/2007 and Commission Regulation (EC) No 1330/2007 (First reading) (*Legislative deliberation*)**
- **General approach**
18118/12 AVIATION 203 CODEC 3132
7449/13 AVIATION 39 CODEC 568

The Committee resolved some of the major outstanding issues and agreed to forward the text to the Council inviting it to reach a general approach.

11. **Proposal for a Regulation of the European Parliament and of the Council establishing "Erasmus for all": the Union Programme for Education, Training, Youth and Sport (First reading) (*Legislative deliberation*)**
- **Presidency debriefing on the outcome of the informal trilogue**

This item was removed from the Committee agenda as the informal trilogue has been postponed.

12. (a) **Draft Council Decision authorising the European Commission to participate, on behalf of the EU, in the negotiations for an international convention of the Council of Europe to combat the manipulation of sports results with the exception of matters related to cooperation in criminal matters and police cooperation**
- (b) **Draft Council Decision authorising the European Commission to participate, on behalf of the EU, in the negotiations for an international convention of the Council of Europe to combat the manipulation of sports results as regards matters related to cooperation in criminal matters and police cooperation**
- **Finalisation of the text**
9845/13 SPORT 56 MI 431 COMPET 326 JUR 259 DROIPEN 59 ENFOPOL 149
COPEN 81
+ ADD 1
+ ADD 2

The Committee

- noted the agreement on the above draft Decisions as set out in documents 10178/13 and 10180/13;
- took note that the BE, ES, LU delegations opposed the draft Decision as set out in 10180/13;
- took note of the following unilateral statement by MT :

"The Republic of Malta has always supported the fight against match fixing and will continue to do so. In this regard, the Republic of Malta welcomes the Commission's participation in the creation of an international legal framework for the prevention of and fight against the manipulation of sports results, notably match-fixing.

Nevertheless it has to be pointed out that the Republic of Malta is still concerned that the mandate includes an unharmonised area of the internal market, gaming, within its scope. This is an area in which there is a certain amount of legal uncertainty. The Republic of Malta also regrets that the parameters of the mandate for the Commission to negotiate are in certain aspects still unclear.

The Republic of Malta stresses the need to ensure that while discussions on this draft Convention should not address sensitive political issues related to the legislation or regulation of gaming issues where there are no adopted rules at EU level, it believes in the added value of the Commission negotiating in order to ensure compliance with the internal market freedoms and in order to ensure that matters that do not directly relate to match-fixing are not covered by this Convention."

- 14. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new passenger cars (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
9709/13 ENV 417 ENT 128 CODEC 1119

The Committee considered the Presidency compromise suggestions set out in document 9709/13 and gave the Presidency a revised mandate for negotiating with the European Parliament at the second informal trilogue on 3 June 2013, with a view to a first reading agreement on the file.

- 15. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 510/2011 to define the modalities for reaching the 2020 target to reduce CO₂ emissions from new light commercial vehicles (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
9786/13 ENV 422 ENT 130 CODEC 1141

The Committee considered the Presidency compromise suggestions set out in document 9786/13 and gave the Presidency a mandate for negotiating with the European Parliament at the first informal trilogue on 4 June 2013, with a view to a first reading agreement on the file.

- 16. Proposal for a Regulation of the European Parliament and of the Council on ship recycling (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Presidency debriefed the Committee on the outcome of the second informal trilogue, that took place in Brussels on 27 May 2013 in a constructive atmosphere despite a conservative mandate from the Council side, and indicated that the Committee would revert on this issue on 12 June 2013 in order to prepare the third trilogue to be held on 17 June 2013.

- 17. Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 "Living well, within the limits of our planet" (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
9708/13 ENV 416 DEVGEN 124 ECO 93 SAN 172 PECHE 219 AGRI 317
IND 156 CHIMIE 56 ENER 193 RECH 173 TRANS 246 CODEC 1118

The Committee examined the compromise package presented by the Presidency in document 9708/13 with a view to the second informal trilogue (Brussels, 6 June 2013) and approved it with some adjustments.

NL reiterated the statement it already made on 15 May 2013 and requested that it be entered to the minutes:

"The Netherlands remains opposed to a Soil Directive, as proposed by the Commission. The Netherlands is of the opinion that this is not a proportionate measure; other instruments are better suited to obtain the objectives of the thematic soil strategy. The Netherlands would like to see that Member States break the present impasse and start a dialogue on other ways to cooperate at EU level on this issue. In a spirit of compromise the Netherlands can however agree to the proposed mandate. This does however not change the position the Netherlands will take in case the proposal for a Directive establishing a Framework for the Protection of Soil would be brought to the table again."

18. Horizon 2020

- (a) Proposal for a Regulation of the European Parliament and the Council establishing Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)**
- (b) Proposal for a Regulation of the European Parliament and of the Council laying down the rules for participation and dissemination in "Horizon 2020" - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee has been informed on the outcome of the informal trilogue with the European Parliament on the Horizon 2020 proposals.

19. Horizon 2020

- (a) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 294/2008 establishing the European Institute of Innovation and Technology (First reading) (Legislative deliberation)**
- (b) Proposal for a Decision of the European Parliament and of the Council on the Strategic Innovation Agenda of the European Institute of Innovation and Technology (EIT): the contribution of the EIT to a more innovative Europe (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
9736/13 RECH 174 COMPET 314 EDUC 150 CODEC 1127
9737/13 RECH 175 COMPET 315 EDUC 151 CODEC 1128

The Committee took note of the documents 9736/13 and 9737/13 and gave the Presidency the mandate for the informal trilogue.

- 20. Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation on administrative cooperation through the Internal Market Information System (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee:

- noted the current position in the negotiations with the European Parliament and the Commission;
- gave mandate to the Presidency to finalise negotiations with the European Parliament with a view to a first reading agreement.

- 21. Public procurement package (First reading) (Legislative deliberation)**
- (a) **Proposal for a Directive of the European Parliament and of the Council on public procurement**
 - (b) **Proposal for a Directive of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors**
 - **Presidency debriefing on the outcome of the informal trilogue**
 - **Preparation for the informal trilogue**
9838/13 MAP 43 MI 430 CODEC 1156

The Committee received a short debriefing by the Presidency on the outcome of the informal trilogue on the "utilities" Directive and endorsed new compromise text on the public procurement Directive to be forwarded to the European Parliament in view of forthcoming trilogues.

- 22. Proposal for a Directive of the European Parliament and of the Council on recreational craft and personal watercraft (First reading) (Legislative deliberation)**
- **Analysis of the final compromise text with a view to agreement**
9501/1/13 ENT 124 ENV 396 CODEC 1055 REV 1

The Presidency has debriefed the Committee on the trilogue that took place on 8 May 2013. The Committee approved the text of the Proposal as set out in 9501/1/13 REV1, with the following modification to Article 51: Commission's wording suggestion for paragraphs 1 and 2 for Article 51 (circulated before the Committee meeting by e-mail and also as a room document) was included, and paragraph 2a of Article 51 as suggested by the Commission was deleted. The Committee agreed (with one vote against (BG)) that a letter is sent to the European Parliament with a view to reaching an agreement at first reading (Procedural decision according to Art. 19 (7) (k) of the Council's Rules of Procedure).

- 23. Proposal for a Directive of the European Parliament and of the Council concerning flag State responsibilities for the enforcement of Council Directive 2009/13/EC implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the results of the third and last informal trilogue on this file, which took place on 28-29 May 2013.

- 24. Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the results of the fifth and last informal trilogue on this file, which took place on 29 May 2013.

- 25. Proposal for a Directive of the European Parliament and of the Council on the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (First reading) (Legislative deliberation)**
- **Guidance for future work**
9866/13 SOC 339 MI 432 COMPET 327 CODEC 1164
+ ADD 1

The Committee discussed the compromise proposal put forward by the Presidency.

Despite some clarification on central issues, further work needs to be done. Therefore, the Presidency will submit a Progress Report to Council (EPSCO).

- 26. Proposal for a Regulation of the European Parliament and of the Council on establishing the Creative Europe Programme (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the outcome of the informal trilogue held on 30 May 2013.

- 27. Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Presidency debriefed the Committee on the outcome of the 6th and 7th trilogues held on 28 and 29 May 2013. These trilogues concluded the political negotiation on the proposal.

- 69. Preparation of the 199th session of the ICAO Council (Montréal, 21 May - 21 June 2013)**
- **European Union coordination of a common position (International Aviation and Climate Change)**
10041/13 AVIATION 67 RELEX 445 ENV 456

The Committee endorsed the revised non-paper drafted by the Commission, with some changes taking into account the delegations' suggestions, with a view to facilitating the coordination between the EU Member States and the Commission in preparation of the 199th session of the ICAO Council on issues related to international aviation and climate change.

Coreper Part 2

II

57. Preparation of the Council meeting (Justice and Home Affairs) on 6/7 June 2013

- a) **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)**

- **Key issues**

9398/1/13 REV 1 DATAPROTECT 61 JAI 355 MI 383 DRS 96 DAPIX 80
FREMP 53COMIX 276 CODEC 1033
+ REV 1 ADD 1

The Committee engaged in a discussion on the Presidency note, which was focused on the type of support Member States were willing to lend to key principles underlying the revised text of Chapters I-IV of the draft General Data Protection Regulation. A few other issues were raised as well. The Chair acknowledged that there were still a number of outstanding issues and indicated that the Presidency would further reflect as to the exact wording of the Presidency note that would be submitted to the Council.

- b) **Proposal for a Directive of the European Parliament and the Council on the fight against fraud to the Union's financial interests by means of criminal law (First reading)**

9836/13 DROIPEN 58 JAI 404 GAF 22 FIN 286 CADREFIN 117 CODEC 1154

The Committee discussed the proposed final compromise as set out in 9836/13 + COR 1. The Chair noted a large support for the text, and concluded that the text - possibly with the addition of a new recital 10 - would be presented to the Council for agreement.

- c) **Proposal for a Regulation of the European Parliament and of the Council creating a European Account Preservation Order to facilitate cross border debt recovery in civil and commercial matters (First reading)**

- **Orientation debate on specific principles relating to the balance between the creditor's and the debtor's interests**

10047/13 JUSTCIV 133 CODEC 1200

The outcome of discussions is set out in 10047/13.

- d) **Council conclusions on fundamental rights and rule of law and on the Commission 2012 Report on the Application of the Charter of Fundamental Rights of the European Union**
- **Adoption**
9944/13 FREMP 67 JAI 413 COHOM 97 JUSTCIV 128 EJUSTICE 50 SOC 348
CULT 64 DROIPEN 61

The Committee examined the conclusions. Most delegations welcomed this initiative of the Presidency and expressed their strong support for it.

Two adjustments were made to the text. Firstly, paragraph 4 would include a reference to "equality of treatment of Member States". Secondly, upon suggestion from the Legal Service the words "or otherwise fulfil their relevant functions" would be inserted at the end of paragraph 9(i).

Subject to these changes the Committee agreed that the conclusions would be submitted to the Council for adoption.

- e) **Accession of the European Union to the European Convention on Human Rights**
- **Information from the Presidency**

The Committee took note that there was agreement at negotiators' level and agreed to submit this item for state of play to the Council.

- f) **Foreign fighters and returnees from a counter-terrorism perspective, in particular with regard to Syria**
9946/13 JAI 415 PESC 585 COSI 65 COPS 201 ENFOPOL 156 COTER 48
9036/13 JAI 330 PESC 473 COSI 44 COPS 175 ENFOPOL 125 COTER 42

The CTC briefly introduced the paper on foreign fighters and returnees from a counter-terrorism perspective, in particular with regard to Syria (doc. 9946/13) in order to prepare the discussion at the Council on 6/7 June 2013.

- g) **Other items in connection with the Council meeting**

The Chair informed the Committee about the handling at the Council of the following issues :

- Drugs:
 - = European Drug Report 2013
 - = EU Action Plan on Drugs (2013-2016)

- Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Law Enforcement Cooperation and Training (Europol) and repealing Decisions 2009/371/JHA and 2005/681/JHA
- Common European Asylum System

Slovenia requested the addition of an information point on the informal meeting of the Interior Ministers of the BRDO Process on 21-22 May 2013 under AOB.

58. Presentation of the agenda of the Council meeting (Foreign Affairs/Trade) on 14 June 2013

The Presidency informed the Committee about the provisional agenda of the Foreign Affairs Council (Trade) of 14 June 2013 (Legislative deliberations: Trade Omnibus Acts I and II as AOB; Non-legislative deliberations: Preparations for the IX World Trade Organization Ministerial Conference, EU-Canada and EU-US; lunch item: EU-China strategic trade and investment relations).

The NL and FR delegations requested an AOB item on the Labour conditions in Bangladesh. The Presidency took note of delegations' comments and indicated that it would reflect on how to give more visibility to the discussions under this AOB item.

59. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 21 June 2013

The Committee agreed the provisional agenda for this Council meeting.

60. Follow-up to the Council meeting (Foreign Affairs) on 27/28 May 2013

The Committee took note of the information given by the EEAS representative on the main issues of the FAC on 27/28 May 2013, notably: CSDP, Syria, Mali.

61. New Multiannual Financial Framework

Presidency informed the Committee on the state of play of the MFF file following meetings with the European Parliament and the Commission.

62. Schengen Governance

- a) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances (First reading)**
- b) **Proposal for a Council Regulation on the establishment of an evaluation mechanism to verify the application of the Schengen acquis**
9604/13 SCHENGEN 13 FRONT 47 SCH-EVAL 52 COMIX 290 CODEC 1092
+ COR 1
9606/13 SCHENGEN 14 SCH-EVAL 53 FRONT 48 COMIX 291
+ COR 1
9607/13 SCHENGEN 15 SCH-EVAL 54 FRONT 49 COMIX 292

The Committee took note of the outcome of discussions in the Mixed Committee as set out in document 10848/13 and confirmed agreement on the overall package {consolidated final versions of the texts were set out in 10271/13, 10273/13 and 9607/1/13 REV 1} as set out in the abovementioned documents with the modifications mentioned in DS 1463/13.

The Committee also took note of the Presidency's intention to write to the European Parliament confirming the agreement in first reading of the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances and requesting the opinion of European Parliament regarding the Proposal for a Council Regulation on the establishment of an evaluation mechanism to verify the application of the Schengen acquis, in the framework of the voluntary consultation as decided by the Council on 7 June 2012.

63. Negotiations for the conclusion of an Agreement between the European Union and the Russian Federation, amending the Agreement between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation
- Information by the Commission

The Commission updated delegations on the outcome of the sixth round of negotiations with Russian Federation, which took place on 28 May 2013 at technical level between the Commission and the Department of Consular Affairs from RF, and which focused on the safeguards to be included in the draft Agreement in the context of a visa waiver for the holders of biometric service passports.

A number of delegations and the EEAS referred to the broader framework of relations with RF and the upcoming EU-RF Summit on 3-4 June 2013, at which other issues related to the question of mobility such as PNR would be addressed.

The Chair concluded by indicating that it was open to inviting the Commission to share the text of the technical modalities with delegations and to debrief delegations on 6 June 2013 at the JHA Council on the outcome of the Summit as regards the negotiations of the draft Agreement with RF and PNR related issues.

64. Cohesion Policy legislative package (First reading)
- Validation of preliminary results of the negotiations with the European Parliament
9962/13 FSTR 50 FC 23 REGIO 111 SOC 352 AGRISTR 56 PECHE 226
CADREFIN 120 CODEC 1174
+ ADD 1 to 3

The Committee:

- took note of the progress achieved with regard to the thematic blocks of the Cohesion Policy legislative package and indicated support for the compromise texts as set out in the fourth column of ADD 1 to 3 to document 9962/13 as part of an overall agreement between the European Parliament and the Council;
- mandated the Presidency to inform the European Parliament that the text outlined in the fourth column of ADD 1 to 3 could constitute a basis for a compromise between the two institutions subject to the principle that "nothing is agreed until everything is agreed" and that it is subject to legal scrutiny and finalisation by the jurist-linguists.

65. European Semester - Country Specific Recommendations (*restricted session*)
- Presentation by the Commission

The Committee took note of the presentation of the Commission and held an initial exchange of views, broadly welcoming the improvements in the European semester process and the overall balance of the 2013 CSR package.

66. Draft amending budget n° 1 to the general budget for 2013

The Committee held an exchange of views on draft amending budget No 1/2013 and the Commission proposal for a revision of the multiannual financial framework 2007-2013 to take account of the expenditure requirements resulting from the accession of Croatia to the EU.

- Any other business

= EP Composition

The Committee confirmed agreement on the compromise text presented by the Presidency last week.

On that occasion the Council Legal Service made the following intervention :

"The Legal Advisor confirmed the compatibility with the Treaties of the new recital (5) as suggested by the Presidency. Such a recital does not have the effect of adding new criteria or conditions for the exercise by the European Council of the competences laid down in Article 14(2) TEU".

= Relations with Russia

- Preparations for the 31st EU-Russia Summit (Yekaterinburg, 3-4 June 2013)

The UK delegation referred to the Summit objectives note for the EU-Russia Summit in Yekaterinburg on 3-4 June 2013 (doc. 8650/13) and expressed its regret that the objectives note had not been submitted to the Council (Foreign Affairs) ahead of the Summit, given that the Committee at its meeting on 24 May had not reached agreement on it. In this light, the UK made the following statement to the minutes:

"The United Kingdom understands that the draft EU-Russia Summit objectives note (doc. 8650/13) will not go to the Council and does not have any formal status. The United Kingdom is clear that the basis for the EU position at the 3-4 June EU-Russia Summit will be policy position of the Union which have already been agreed by the Council (in both previous Summit objectives notes and preparatory documents for other high-level EU-Russia meetings). The United Kingdom underlines that this exception sets no precedent, and that the Council should revert to the standard procedure for handling objectives notes for future Summits."

This statement was supported by the SE, LT, LV, EE, DE, DK, PL, FIN, NL, MT, HU, FR, BG, PT, CY and RO delegations.
