



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 15 June 2010**

**10450/10**

**CRS/CRP 23**

**SUMMARY RECORD**

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**Subject : 2321st meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 27 and 28 May 2010**

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## SUMMARY

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## II

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

doc. 10138/10 OJ/CRP1 20  
10133/2/10 REV 2 OJ/CRP2 20 COMIX 392

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

The following items are **withdrawn** :

(Copeper Part 2, under I)

- 11. Accord de coopération avec l'Institut national de police turc**  
9942/10 ENFOPOL 141 JAIEX 47 ELARG 36
- 16. Proposition de règlement du Conseil concernant la coopération administrative et la lutte contre la fraude dans le domaine de la taxe sur la valeur ajoutée (Refonte)**  
- Chapitre X (EUROFISC)
- 22. Décision du Conseil et de la Commission relative à une position de la Communauté concernant une décision du conseil de stabilisation et d'association UE-Monténégro relative à son règlement intérieur, y compris le règlement intérieur du comité de stabilisation et d'association**  
8319/10 COWEB 98  
10122/10 COWEB 148
- 36. Memorandum Of Understanding en Energie UE-Uzbekistan**

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

**2. Projet de Conclusions du Conseil sur la communication de la Commission "Mettre en place un espace de liberté, de sécurité et de justice au service des citoyens européens - Plan d'action mettant en œuvre le programme de Stockholm"**

9935/10 JAI 445

9940/10 JAI 445

The Commission made the following statement on the above-mentioned item :

"The European Commission

- Emphasizes that the Stockholm Action Plan as adopted by the Commission is in line with the objectives and the spirit set out in the Stockholm Programme and with the Resolution of the European Parliament of 25 November 2009,
- Reiterates that the Action Plan aims at delivering the political objectives set out by the European Council in the Stockholm Programme and responding to citizens' expectations and European Parliament priorities,
- Reaffirms its readiness to table proposals as it sees necessary and appropriate, while continuing to take into account the concerns of the European Parliament and the Council."

## Coreper Part 2

### II

#### 30. Préparation de la session du Conseil "Justice et Affaires Intérieures" des 3-4 juin 2010

##### a) Débat sur la sécurité intérieure

The Committee invited the Council to have a debate on the basis of the report as set out in 10203/10 JAI 473 COSI 35.

##### b) **Projet de conclusions du Conseil sur la facilitation du passage des citoyens des États membres de l'Union européenne aux frontières extérieures** 9873/10 FRONT 73 COMIX 367

Le Comité:

- a confirmé son accord sur le projet de conclusions du Conseil sur la facilitation du passage des citoyens des États membres de l'Union européenne aux frontières extérieures;
- a décidé de soumettre le projet de conclusions au Conseil JAI des 3 et 4 Juin 2010 pour approbation comme faux point "B".

##### c) **Projet de Conclusions du Conseil sur le suivi du Pacte européen sur l'immigration et l'asile** 9868/10 ASIM 63

Le Comité a confirmé son accord sur le projet de conclusions en vue de son approbation par le Conseil.

##### d) **Accord de Readmission UE - Turquie**

Le Comité a pris note, en ce qui concerne le projet d'accord de réadmission, de la présentation par la Commission de l'état des négociations avec la Turquie.

- e) **Initiative du Royaume de Belgique, de la République fédérale d'Allemagne, de la République d'Estonie, du Royaume d'Espagne, de la République française, de la République italienne, du Grand-Duché de Luxembourg, de la République de Hongrie, de la République d'Autriche, de la République portugaise, de la Roumanie, de la République de Finlande et du Royaume de Suède pour une directive du Parlement européen et du Conseil relative aux droits à l'interprétation et à la traduction dans le cadre des procédures pénales**
- **Examen des résultats des négociations avec le Parlement européen et la Commission**  
10013/10 DROIPEN 51 COPEN 123 CODEC 459

The results of the discussions on this point are set out in 10420/10 DROIPEN 58 COPEN 128 CODEC 501.

- f) **Recommandation de la Commission au Conseil de décision du Conseil autorisant la Commission à négocier l'accord d'adhésion de l'Union européenne à la Convention européenne de sauvegarde des droits de l'homme et des libertés fondamentales**
- |                                              |              |
|----------------------------------------------|--------------|
| 10206/10 FREMP 21 JAI 474 COHOM 135 COSCE 11 | RESTREINT UE |
| 10207/10 FREMP 22 JAI 475 COHOM 136 COSCE 12 | RESTREINT UE |

The Committee examined the above mentioned file on the basis of document 10207/10 FREMP 22 JAI 475 COHOM 136 COSCE 12 RESTREINT UE, aiming at resolving the still pending issues and agree on the rest of the text, as set out in the above mentioned document. Closing discussions on this file, the Committee concluded that this file should be referred to its next meeting on 2 June 2010.

- g) **Proposition de directive du Parlement européen et du Conseil concernant la prévention de la traite des êtres humains et la lutte contre ce phénomène, ainsi que la protection des victimes, abrogeant la décision-cadre 2002/629/JAI**
- **Orientation générale**  
10041/10 DROIPEN 52 MIGR 53 CODEC 467

Le Comité a confirmé l'accord sur les articles 9, 10, paragraphe 3 et l'article 11, paragraphes 3 et 4, obtenu à la réunion des conseillers JAI du 25 mai, tel qu'il figure dans le document 10041/10 DROIPEN 52 MIGR 53. Les réserves irlandaises sur le considérant 12 et sur l'article 10, paragraphe (3), et la réserve lettonne sur les articles 10 à 14 ont été levées. La Pologne et la Slovénie ont levé leurs réserves parlementaires. La Présidence a conclu que le texte allait être transmis au Conseil JAI du 4 juin en vue de l'adoption d'une approche générale.

- h) **Initiative du Royaume de Belgique, de la République de Bulgarie, de la République d'Estonie, du Royaume d'Espagne, de la République française, de la République italienne, de la République de Hongrie, de la République de Pologne, de la République portugaise, de la Roumanie, de la République de Finlande et du Royaume de Suède en vue d'une directive du Parlement européen et du Conseil relative à la décision de protection européenne**
- **Orientation générale**  
10102/10 COPEN 124 CODEC 468

The results of the discussions on this point are set out in 10384/10 COPEN 127 CODEC 498.

i) **EU-US 2010 Déclaration sur la lutte contre le terrorisme**

Le Comité a pris note des commentaires des Etats Membres sur la proposition de déclaration.

- j) **Autres points en rapport avec la session du Conseil**
- **Situation actuelle en matière d'e-Justice**
    - i) **Evaluation des travaux réalisés par la structure de maîtrise d'œuvre conformément au plan d'action**
    - ii) **Feuille de route**
    - iii) **Rapport du groupe "Informatique juridique" (e-Justice) au Coreper/Conseil**  
10097/10 EJUSTICE 61  
9714/1/10 REV1 EJUSTICE 59  
9384/10 EJUSTICE 58 JURINFO 14 JUSTCIV 88 JUSTPEN 8

Le résultat des travaux figure dans les documents 10097/10 EJUSTICE 61, 9714/1/10 REV 1 EJUSTICE 59 et 9384/10 EJUSTICE 58 JURINFO 14 JUSTCIV 88 JUSTPEN 8.

- **Discussion paper by the Counter-terrorism Coordinator on the implementation of the EU Strategy and Action Plan to Combat Terrorism**

The Committee took note of the draft Declaration circulated by the Presidency and, although there was general support for the text, certain issues still needed to be clarified with the US. One delegation expressed a reservation.

- **Draft European pact to combat international drug trafficking - Disrupting cocaine and heroin routes**

La Présidence a annoncé que le "Pacte européen pour la lutte contre le trafic international de drogue - Démanteler les routes de la cocaïne et de l'héroïne" serait soumis au Conseil pour approbation."

- **TFTP Agreement with the US**

The negotiations are still ongoing on that issue and a further debate will take place on the JHA Council in June.

- **Information on the EU JHA PPC with the Russian Federation**

A detailed summary of this meeting can be found in the report by the Council Secretariat under reference 9625/10.

- **AOB**
  - **Study commissioned by the Committee for Civil Liberties, Justice and Home Affairs of the European Parliament: "What system of burden-sharing between Member States for the reception of asylum seekers?" (at the request of Malta)**

The Presidency confirmed that this item has been included in the JHA Council agenda.

- **EU-Canada: visas (at the request of Czech Republic)**

The Presidency confirmed that this item has been included in the JHA Council agenda with a view to the Commission presenting the latest information on the issue.

- **Academy for fight against corruption (at the request of Austria)**

The Presidency informed that Austria will present the forthcoming activities of the Academy for fight against corruption.

- 31. Coordination des politiques fiscales - Règles anti-abus**  
- **Projet de résolution du Conseil**  
10236/10 FISC 53

This item was transferred at the beginning of the meeting under "I" items and was adopted.

- 32. Présentation de l'ordre du jour de la session du Conseil "Affaires Générales" du 14 juin 2010**

Le Comité prend acte de la liste des points susceptibles de figurer à l'ordre du jour provisoire de la session du Conseil susvisée.

- 33. Présentation de l'ordre du jour de la session du Conseil "Affaires Etrangères" du 14 juin 2010**

Le Comité prend acte de la liste des points susceptibles de figurer à l'ordre du jour provisoire de la session du Conseil susvisée.

- 34. Proposition de règlement du Parlement européen et du Conseil établissant les règles et principes généraux relatifs aux modalités de contrôle par les États membres de l'exercice des compétences d'exécution par la Commission**  
- **Approche générale**  
7386/10 INST 79 CODEC 191  
10063/10 INST 170 CODEC 466

Le Comité a eu un premier débat sur la proposition de non-paper de la présidence (doc. 10063/10), en vue de dégager une orientation générale pour les futures discussions avec le Parlement européen.

Les points principaux ouverts étaient les suivants :

- Possibilité pour le comité, à la majorité simple, d'empêcher à la Commission d'adopter les mesures d'exécution;
- Champ d'application de la procédure d'examen (extension en faveur de la fiscalité et de la politique commerciale commune);
- Présidence du Comité d'appel, qui sera saisi pour les cas les plus difficiles;
- Alignement des procédures existantes dans les actes déjà en vigueur aux nouvelles procédures ; par une disposition unique (alignement automatique) ou cas par cas ?

Le Comité a décidé que le groupe "amis de la présidence (comitologie)" continue son travail pour résoudre les points en suspens (à l'exception de la question de la majorité simple, qui pourrait être examinée par le Conseil), avec la possibilité de revenir au Comité le 23 et le 30 juin.

**35. SEAE (session restreinte)**

Ce point a été retiré de l'ordre du jour du Comité.

# Coreper Part 1

## II

49. **Proposal for a Regulation of the European Parliament and of the Council concerning measures to safeguard security of gas supply and repealing Directive 2004/67/EC (First reading)**
- **Preparation for the informal trialogue**  
8304/5/10 ENER 96 CODEC 288 REV 5

Subject to minor amendments the Committee agreed that the Presidency could use the text set out in document 8304/5/10 as basis for the informal trialogue to be held on 2 June. It was noted that the balance achieved regarding protected customers and the role of the Commission should be maintained and that, should a shortening of some time periods be considered, this should be detrimental to the implementation of the Regulation.

On that occasion the Commission representative declared that:

"The Commission declares that the new recital 22a may not mean an extension of the scope of the definition of protected customers that is clearly established and delineated in Article 2(1) of the Presidency's compromise proposal in its version of 27 May 2010."

50. **Preparation of the Council meeting (Environment) on 11 June 2010**
1. **Proposal for a Directive of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS) (recast)**
    - **Progress report**  
17333/08 ENV 1019 MI 553 CODEC 1859  
9886/10 ENV 302 MI 155 CODEC 441

The Committee agreed to forward the Presidency's progress report to Council.

2. **Proposal for a Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (recast)**
  - **Progress report**  
17367/08 ENV 1022 MI 554 CODEC 1863  
9887/10 ENV 303 MI 156 CODEC 442 + COR 1 (es)

The Committee agreed to forward the Presidency's progress report to Council.

- 3. Proposal for a Regulation of the European Parliament and of the Council:  
Setting emission performance standards for new light commercial vehicles as part  
of the Community's integrated approach to reduce CO2 emissions from light-duty  
vehicles**
- **Progress report**  
15317/09 ENV 752 ENT 196 CODEC 1259  
9803/10 ENV 292 ENT 52 CODEC 435

The Committee agreed to forward the Presidency's progress report to Council.

- 4. Preparing forests for climate change: Forest protection and information in the EU  
(Non-legislative activities)**
- **Adoption of Council conclusions**  
9854/10 ENV 297 FORETS 64 AGRI 174 PROCIV 69 + COR 1

The Committee examined the draft Council conclusions as set out in the annex to document 9854/10 and agreed to forward them as amended on the basis of the discussion to Council for adoption.

- 5. Proposal for a Regulation of the European Parliament and of the Council  
concerning the placing on the market and use of biocidal products**
- **Progress report**  
11063/09 ENV 440 MI 246 AGRI 267 CHIMIE 50 CODEC 849  
9970/10 ENV 312 MI 167 AGRI 179 CHIMIE 14 CODEC 454

The Committee agreed to forward the progress report set out in document 9970/10 to the Council.

- 51. Proposal for a Directive of the European Parliament and of the Council on industrial  
emissions (integrated pollution prevention and control) (recast) (Second reading)**
- **Preparation for the informal trialogue**  
10109/10 ENV 321 CODEC 469

The Committee mandated the Presidency to continue negotiations with the European Parliament with a view to a second-reading agreement. It confirmed the mandate set out in the fourth column of the table annexed to document 10109/10, with some modifications agreed during the course of the meeting.

**52. Proposal for a Regulation of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market (Second reading)**

**- Preparation for the informal trialogue**

9994/10 AGRI 181 ENV 313 FORETS 65 CODEC 456 DEVGEN 162 RELEX 439  
JUR 234 UD 141 WTO 171 PROBA 42

The Committee agreed the mandate for the second informal trialogue with the European Parliament on the basis of the Presidency note (doc. 9994/10), subject to the following changes:

- page 13 (AM 51) - the first sentence in Article 7(3) should read: "The Commission, after consulting the Member State(s) concerned, shall ..." the first sentence in the second paragraph shall start with: "The decision to grant a recognition to ..."
- page 20 (AM 39) - a sentence was added into recital 14 to indicate that operators should exercise due diligence "based on a systematic approach";
- page 21 (AM 40) - the last sentence in the EP AM has been added to the Council text in Article 4(2);
- page 21 (AM 42) - second but last bullet point -rearrangement of the sentence so that "where applicable" applies to both sub-national region and concession of harvest;
- page 25 (AM 70) - the first sentence was modified as follows: "Member States, assisted by the Commission where appropriate, may provide ...";
- pages 27 -29 (AM 85, 87, 88, 89 92) - These amendments on the products scope were not accepted.

**53. Preparation of the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 7 and 8 June 2010**

**1. Proposal for a Regulation on the provision of food information to consumers**

**- Policy debate**

9993/10 DENLEG 52 AGRI 180 CODEC 455

The Committee agreed to transmit the Presidency note, including the questions to structure the policy debate, to the Council.

2. **Contribution to the European Council (17 June 2010): Europe 2020 - A new Strategy for Jobs and Growth: Policy debate on (*Non-legislative activities*)**
- (a) **EU target on social inclusion, in particular through the reduction of poverty**
- **Agreement on appropriate indicators**  
10025/10 SOC 368

The outcome of the Committee's discussions is to be found in 10025/1/10 REV 1.

- (b) **Proposal for a Council Decision on Guidelines for the Employment Policies of the Member States: Part II of the Europe 2020 Integrated Guidelines**
- **General approach**  
10030/10 SOC 370 CO EUR-PREP 25 POLGEN 77 AG 16 ECOFIN 292  
UEM 190 COMPET 167 RECH 196 ENER 163 TRANS 137 MI 171  
IND 71 EDUC 92 ENV 322 AGRI 187  
+ ADD 1

The results of the Committee's deliberations can be found in 10380/10 SOC 391 CO EUR-PREP 30 POLGEN 83 AG 19 ECOFIN 327 UEM 199 COMPET 187 RECH 216 ENER 178 TRANS 145 MI 185 IND 79 EDUC 103 ENV 359 AGRI 204 + COR 1.

- (c) **Contribution of the Employment Committee on the Europe 2020 Strategy**
- **Presentation by the President of the Employment Committee**  
10031/10 SOC 371 ECOFIN 293 EDUC 95

The Committee agrees to submit the contribution of the Employment Committee, in 10031/10, to the Council as a contribution to the policy debate to be held on 7 June 2010.

- (d) **Contribution of the Social Protection Committee on the Europe 2020 Strategy**
- **Presentation by the President of the Social Protection Committee**  
9964/10 SOC 358 + ADD 1

The Committee agrees to submit the contribution of the Social Protection Committee, in 9964/10, to the Council as a contribution to the policy debate to be held on 7 June 2010.

- (e) **Dialogue of the Commission with Member States on the national targets for Employment and Social Inclusion / Poverty reduction**
- **Information by the Commission**

The Committee takes note that the Commission will inform the Council on the outcome of the bilateral dialogue.

- 3. Sustainable social security systems achieving adequate pensions and social inclusion objectives (*Non-legislative activities*)**
- **Adoption of Council conclusions**  
9413/10 SOC 319 SAN 100 ECOFIN 245

The Committee agrees to recommend the Council to adopt the conclusions.

- 4. Proposals for Council decisions on the position to be taken by the Community within the Association Council (*Non-legislative activities*)**
- (a) **created by the Euro-Mediterranean Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Tunisia, of the other part, with regard to the adoption of provisions on the co-ordination of the social security systems**
- **Political agreement**  
9996/10 SOC 362 TU 38

The outcome of the Committee's discussions is to be found in 10216/10.

- (b) **created by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, with regard to the adoption of provisions on the co-ordination of the social security systems**
- **Political agreement**  
9991/10 SOC 360 MA 38

The outcome of the Committee's discussions is to be found in 10215/10.

- (c) **created by the Euro-Mediterranean Agreement establishing an association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, with regard to the adoption of provisions on the co-ordination of the social security systems**
- **Political agreement**  
10008/10 SOC 363 AL 37

The outcome of the Committee's discussions is to be found in 10217/10.

- (d) **created by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, with regard to the adoption of provisions on the co-ordination of the social security systems**
- **Political agreement**  
10009/10 SOC 364 ISR 42

The outcome of the Committee's discussions is to be found in 10219/10.

- (e) **established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Former Yugoslav Republic of Macedonia, of the other part, with regard to the adoption of provisions on the co-ordination of social security systems**
- **Political agreement**  
10010/10 SOC 365 COWEB 146

The outcome of the Committee's discussions is to be found in 10223/10.

- (f) **the position to be taken by the Community within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, with regard to the adoption of provisions on the coordination of social security systems**
- **Political agreement**  
10011/10 SOC 366 HR 42

The outcome of the Committee's discussions is to be found in 10225/10.

5. **A new European Disability framework - Draft Resolution of the Council of the European Union and the Representatives of the Governments of the Member States, meeting within the Council (*Non-legislative activities*)**
- **Adoption of the resolution**  
9867/10 SOC 354 COHOM 125

The Committee takes note of the UK and MT's general scrutiny reservations as well as of HU, AT and PL's linguistic scrutiny reservations on document 9867/10 SOC 354 COHOM 125 and agrees to submit the Resolution as set out in document 10173/10 SOC 375 COHOM 134 to the Council, with a view to its adoption.

6. (a) **Opinion of the Social Protection Committee on "Solidarity in Health: reducing health inequalities in the EU" (*Non-legislative activities*)**  
- **Endorsement**  
9960/10 SOC 357 SAN 122

The Committee agrees to recommend the Council (EPSCO) to endorse the Opinion of the SPC.

- (b) **Interim EPC/SPC joint interim report on Pensions (*Non-legislative activities*)**  
- **Presentation by the President of SPC**  
9989/10 SOC 359 ECOFIN 289

The Committee takes note:

- that the joint interim report will be presented to Council in its EPSCO and ECOFIN configurations;
- of the following statement by the Polish delegation:

"We welcome the work in the pensions report carried out by the EPC and SPC Committees. We agree that the pensions systems' adequacy, accessibility and sustainability remain a high priority for the EU and that in that respect we can only be satisfied that this issue will come on the agenda of the European Council in December 2010.

At this point, we would like to stress our special interest to continue the analysis of the operation/functioning of the open pension funds and of their impact on the levels of the budgetary deficit and the public debt level. This year, we presented a legislative initiative regarding some changes in the open pension funds operations and, especially, the reduction of the part of the mandatory contribution to be transferred to those funds (from 7.3% to 3%). The project is now in the consultation process."

- **Any other business**
  - **Council meeting "Competitiveness" on 25 and 26 May 2010**
    - (a) **Information from the Presidency on the exchange of views held on the "Relaunch of the Internal Market"**

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

- (b) **Information from the Presidency on the exchange of views held on the "Balance and challenges of the construction of the ERA: priorities in the context of an economic crisis"**

This point was not addressed by the Committee.

- **Georgia Readmission Agreement (requested by the EE)**

EE raised the issue of the signature of this agreement initially scheduled to be adopted as an A item during the upcoming JHA Council and to be signed the 10 May.

- **Union for the Mediterranean (requested by the PL)**

PL raised the question of the Co-Presidency of the UfM. PL would like clarification on how the EU Co-Presidency would be tackled in the coming months, especially in the light of its own preparations to take over the rotating Presidency of the EU.

- **EU-RU Summit preparations (requested by the DE)**

DE asked the Presidency for an additional 'AOB' on the preparations of the EU-Russia Summit as DE had problems with the text of the Draft Declaration, tabled in COEST. Moreover, DE had difficulties with the procedure/methodology of preparing the Summits and noted that if there was no agreement on the Declaration at the level of the WP, then the Committee had to address MS' red lines before the Summit. PL and AT supported DE.

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