



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 June 2012

10679/12

CRS/CRP 20

SUMMARY RECORD

**Subject : 2410th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 30 and 31 May and 1st June 2012**

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

doc. 10114/12 OJ/CRP1 20

10433/1/12 REV 1 OJ/CRP2 20 COMIX 328 + CM 3253/12

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

The following items are **added** :

(Coreper Part 2, under II)

39. Preparation of the Council meeting (Justice and Home Affairs) on 7-8 June 2012

j) Common European Asylum System (First reading)

= **State of play / orientation debate**

10431/12 ASILE 88 CODEC 1449

k) Implementation of the Common Framework for genuine and practical solidarity towards Member States facing particular pressures due to mixed migration flows

= **Political discussion with a particular focus on the support to Greece in areas of border, asylum and migration management**

10465/12 ASIM 60 FRONT 82

(Coreper Part 2, under I)

47. Appeal against judgment of the EU General Court in Joined Cases T-439/10 (Fulmen v. Council) and T-440/10 (Fereydoun Mahmoudian v. Council)

10454/12 JUR 298 RELEX 478 PESC 650 CONUN 72 COMEM 186

CONOP 96 COARM 124 FIN 368

The following items are **withdrawn** :

(Coreper Part 2, under I)

11. Draft Council Conclusions on further enhancing efficient cross-border exchange of law enforcement information

10333/12 JAI 356 DAPIX 65 CRIMORG 57 ENFOCUSTOM 43 ENFOPOL 147

28. Guidelines on the EU's Foreign and Security Policy in East Asia

10313/12 COASI 85 ASIE 55 RELEX 463 COPS 174 CONOP 92 COHOM 116

COTER 56

(Coreper Part 2, under II)

39. Preparation of the Council meeting (Justice and Home Affairs) on 7-8 June 2012

f) (poss.) Draft Council conclusions on the establishment of a European Cybercrime Centre

10004/12 ENFOPOL 139 TELECOM 102

44. Presentation of the agenda for the Council meeting (Economic and Financial Affairs) on 22 June 2012

(Coreper Part 1, under I)

51. (poss.) Proposal for a Regulation of the European Parliament and of the Council concerning customs enforcement of intellectual property rights (IPR) (First reading) (Legislative deliberation)

- Information on the mandate for the trilogue

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

Statements are made by SE and FI on the following item :

47. Appeal against judgment of the EU General Court in Joined Cases T-439/10 (Fulmen v. Council) and T-440/10 (Fereydoun Mahmoudian v. Council)
10454/12 JUR 298 RELEX 478 PESC 650 CONUN 72 COMEM 186 CONOP 96
COARM 124 FIN 368

Swedish statement

"Sweden wants to make it clear that it has voted against that an appeal should be lodged by the Council in the joined cases T-439/10 (Fulmen v. Council) and T-440/10 (Fereydoun Mahmoudian v. Council), for the following reasons:

- The principle of the right of the accused to know the reasons behind the accusation is crucial in any democratic society and a fundamental Human Right.
- Any Court taking judgment of a case of listing, such as Fulmen and Mr. Fereydoun Mahmoudian, should have the right to take part of the information being the reason for the listing in question. It is inappropriate that a listing exclusively be based on confidential information, that neither the Court, nor the listed entity/person can be informed about.
- Furthermore, it would not serve the interest of the EU as a responsible global actor and defender of the rule of law that the case, following an appeal, again be lost."

Finnish statement

"While recognizing the importance of using confidential information as the basis for decision to designate individuals and entities, it is our view that basing such decisions exclusively on information which cannot be shared neither with those designated nor with the courts cannot be reconciled with fundamental rights as protected by the EU legal order. In addition, it is our view that the chances of an successful appeal in this case are very limited.

For these reasons Finland will vote against an appeal by the Council in the joined cases T-439/10 (Fulmen v. Council) and T-440/10 (Fereydoun Mahmoudian v. Council)."

A statement is also made by the PL delegation on the following item :

- 52. Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels (First reading)**
- **Approval of the final compromise text**
10404/12 ENV 404 MAR 74 MI 373 CODEC 1441

"STATEMENT BY POLAND
ON THE REVIEW THE DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL AMENDING DIRECTIVE 1999/32/EC AS REGARDS THE SULPHUR CONTENT
OF MARINE FUELS

In principle, Poland supports the initiative to review the Directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels with regard to include IMO regulations in the EU law.

However, it is being estimated that both revised MARPOL Annex VI and the revised directive will lead to significant rise in fuel price and distortions in competitiveness between SECA and non SECA regions. The issue of the competitiveness of maritime transport as an environmentally friendly alternative to the road transport and possible modal shift are of great concern to Poland.

Therefore, elaboration of the Staff Working Paper "Pollutant emission reduction from maritime transport and the sustainable waterborne transport toolbox" (*The Toolbox document* - art. 7 para.2a), financial measures as in the art. 4f, as well as future legislative proposals (as in art. 7 para. 2) in favour of operators affected by this directive are of very high importance.

Additionally, Poland is of the opinion that the word "operators" covers both ship operators and port operators as ports will be equally affected by the above mentioned distortions and therefore eligible for financial aid."

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At the same item (52) a statement is made by the DE delegation, as set out in 10404/12 ADD 1.

Coreper Part 2

II

- 35. Proposal for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (First reading)**
- **Information by the Presidency on the ongoing informal trilogues**

The Committee took note of the Presidency's state of play concerning the ongoing informal trilogues on the draft Regulation.

- 36. Amended proposal for a Directive of the European Parliament and of the Council on common procedures for granting and withdrawing international protection status (Recast) (First reading)**
- **Mandate for negotiations with the European Parliament**
10264/12 ASILE 85 CODEC 1404
10329/12 JUR 289 JAI 354 ASILE 86 CODEC 1419

The Committee had an exchange of views and it was concluded that a sufficient majority of delegations endorsed the text contained in document 10264/1/12 REV1 as a Council Position for engaging in trilogues. The remaining comments of delegations are reflected in document 10588/12.

The German delegation submitted the following statement on Article 31 (6) of the above-mentioned proposal:

"In the German delegation's view, the circumstances covered by Article 23(4)(b) of Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status are covered by the provisions in Article 31(6)(a-g) of the Commission proposal for a recasting of that Directive as set out in Council document 10264/12 ASILE 85 of 25 May 2012."

37. Kosovo

- **Draft Visa Liberalisation Roadmap**
10365/12 VISA 99 COWEB 73

The Committee took note of the Commission's draft Visa Liberalisation Roadmap for Kosovo as revised during the meeting in order for the Commission to move forward with its implementation. The Commission, in response to NL, confirmed that the expected security impacts of visa liberalisation to be monitored in the Commission's reports cover the public order in the Member States.

LU, SE, FR, BE, and NL made the following statement :

"Déclaration du Luxembourg, de la Suède, de la France, de la Belgique et des Pays-Bas sur la feuille de route pour la libéralisation des visas avec le Kosovo

Le Luxembourg, la Suède, la France, la Belgique et les Pays-Bas estiment que la réalisation des objectifs de la feuille de route pour la libéralisation des visas avec le Kosovo est tributaire de l'adoption par le Conseil de la clause de sauvegarde sur les visas permettant de suspendre, rapidement et temporairement, en cas de situation d'urgence, l'exemption de visa en faveur d'un pays tiers figurant sur la liste positive du règlement (CE) N° 539/2001 du Conseil du 15 mars 2001 fixant la liste des pays tiers dont les ressortissants sont soumis à l'obligation de visa pour franchir les frontières extérieures des États membres et la liste de ceux dont les ressortissants sont exemptés de cette obligation."

38. 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
10328/12 VISA 98 COEST 168 RESTREINT UE

The Committee had an exchange of views on the basis of document 10328/12 RESTREINT following which it was concluded that the approach proposed had not attracted sufficient support. Delegations and the Commission were invited to continue to reflect on the best way forward for the purpose of finalising the negotiations with Russia.

39. Preparation of the Council meeting (Justice and Home Affairs) on 7-8 June 2012

a) Schengen governance

10319/12 SCHENGEN 39 SCH-EVAL 71 FRONT 81 COMIX 326 CODEC 1415

i) Schengen Borders Code:

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) N° 562/2006 in order to provide for common rules on the temporary reintroduction of border control at internal borders in exceptional circumstances (First reading)

- General approach

6161/3/12 REV 3 SCHENGEN 9 FRONT 15 SCH-EVAL 17 COMIX 83
CODEC 292

ii) Schengen Evaluation Mechanism:

Amended proposal for a regulation of the European Parliament and of the Council on the establishment of an evaluation and monitoring mechanism to verify the application of the Schengen acquis (First reading)

- General approach

5754/5/12 REV 5 SCHENGEN 7 SCH-EVAL 15 FRONT 8 COMIX 50
CODEC 202

The Committee took note of the outcome of the discussion as set out in 10982/12 and agreed to submit the matter to Council.

b) Proposal for a Regulation of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Recast) (Brussels I) (First reading)

- General approach

10321/12 JUSTCIV 199 CODEC 1416
+ ADD 1

The result of the discussions is set out in 10609/12 + ADD 1.

c) Proposal for a Regulation of the European Parliament and of the Council on a Common European Sales Law (First reading)

- Orientation debate

9688/12 JUSTCIV 169 CONSOM 67 CODEC 1241

The result of the discussions is set out in 10611/12.

- d) **Draft Council conclusions on a Global Alliance against Child Sexual Abuse Online**
9663/2/12 REV 2 GENVAL 30 ENFOPOL 126 DROIPEN 53 AUDIO 49 JEUN 41
9662/2/12 REV 2 CATS 36 GENVAL 29 ENFOPOL 125 DROIPEN 52
AUDIO 48 JEUN 40

Following one punctual change to the text of the Council conclusions, a consensus was reached on the text of the draft Council conclusions.

- e) **Draft Council conclusions on the increased and more effective use of the Europol Information System (EIS) in the fight against cross-border crime**
10003/12 ENFOPOL 138

The Committee agreed to the text of the draft Council conclusions as set out in 10003/12 with a view of submitting them to the Council for adoption.

- g) **Proposal for a Council Decision establishing a Multiannual Framework for the European Union Agency for Fundamental Rights for 2013-2017**
- **Requesting the consent of the European Parliament**
10164/2/12 REV 2 FREMP 77 JAI 343 COSCE 15 COHOM 106

The Committee examined the text and agreed that it should be submitted to the JHA Council for endorsing the text and transmitting it to the European Parliament for its consent.

The pending reservations on the substance were lifted. There are three parliamentary reservations but these are not of the nature as to prevent the text from being transmitted to the European Parliament for its consent, once legal linguistic review of the text has been finalized.

The Commission made the following declaration :

"The Commission regrets the lack of agreement in the Council as regards the inclusion of the proposed new thematic areas of police cooperation and judicial cooperation in criminal matters in the new Multiannual Framework of the Fundamental Rights Agency (2013-2017).

The Commission recalls that following the entry into force of the Treaty of Lisbon, police cooperation and judicial cooperation in criminal matters have become part of the law of the Union and are therefore covered by the scope of the tasks of the Agency, as all areas falling within the competences of the Union, in accordance with Article 3(1) of Council Regulation (EC) N° 168/2007.

However, in the absence of the inclusion of these thematic areas in the new Multiannual Framework, the Agency will be able to carry out its tasks in these areas only upon request of the European Parliament, the Council or the Commission, in accordance with Article 5(3) of Council Regulation (EC) N° 168/2007."

h) Proposal for a Directive of the European Parliament and of the Council on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest (First reading)

- **Compromise package in view of general approach**
10324/12 DROIPEN 66 COPEN 123 CODEC 1417

The Committee discussed the compromise package submitted by the Presidency. Further to suggestions by delegations, the Committee agreed to make a refinement to recital 35 by adding a sentence, and to slightly adapt the draft declaration on legal aid, set out in footnote 22, by adding a reference to Article 6(3)(c) ECHR. As regards two requests by one delegation, partially supported by another delegation, for additional changes in Articles 6 and 14, the Council Legal Service and the Commission took a critical stand. The Commission confirmed, however, its intention of submitting a proposal on legal aid in the year 2013. The Chair invited the Commission to put this intention in the form of a declaration, so as to help addressing the concerns of the said delegation. The Chair concluded that the text, with the agreed changes and possibly the Commission declaration, would be submitted to the Council so as to allow it to reach a general approach.

i) Other items in connection with the Council meeting

The Presidency informed the Committee on the handling at the Council of the following items:

- Information on current legislative proposals;
- Readmission agreements;
- EU Counter Terrorism Strategy.

- . -

The outcome of the discussions in the Mixed Committee on SIS II can be found in 10982/12.

- j) **Common European Asylum System (First reading)**
= **State of play / orientation debate**
10431/12 ASILE 88 CODEC 1449

The Committee took note of the Presidency's intention to report to Council concerning the state of play on the different proposals involved, including the new amended proposal of the Eurodac Regulation on which Ministers will have a first exchange of views.

- k) **Implementation of the Common Framework for genuine and practical solidarity towards Member States facing particular pressures due to mixed migration flows**
= **Political discussion with a particular focus on the support to Greece in areas of border, asylum and migration management**
10465/12 ASIM 60 FRONT 82

The Committee took note of the information submitted by the Presidency on the item with a view to preparing the relevant Council debate.

40. **Proposal for a Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (First reading)**
- **Mandate for negotiations with the European Parliament**
10253/12 MIGR 54 SOC 402 DRS 84 CODEC 1400 WTO 200 SERVICES 52

The Committee had an exchange of views and it was concluded that a sufficient majority of delegations endorsed the text contained in 10618/12 as a Council Position for engaging in trilogues.

41. **Judgement of the General Court in Case T-529/09 (Sophie in t Veld v. Council of the European Union)**
10068/12 JUR 279 API 60
10455/12 JUR 299 API 67

The Committee supported appealing the Judgment of the General Court in Case T-529/09 (Sophie In't Veld v. Council of the European Union). A formal decision would be taken in due time.

42. Preparation of the Council meeting (Foreign Affairs/Trade) on 31 May 2012

- Other items in connection with the Council meeting

The Committee continued the preparation of the above-mentioned Council meeting. The Presidency informed the Committee about its intentions concerning item 2 of the Council agenda (Legislative deliberations - AOB and the three notes, concerning EU/Japan, the Contribution of Trade to the Growth Agenda and Argentina's trade restrictive measures) which have been made available after the previous Committee discussion on this matter held on 21 May 2012. In view of a long agenda, the Presidency invited delegations to show restraint in their interventions at the Council.

43. Follow-up to the meeting of the Council meeting (General Affairs) on 29 May 2012

The Committee took note of the proceedings of the General Affairs Council on 29 May 2012. The discussion at the Council focused on the MFF, where for the first time, the full Negotiating Box was presented.

The Council also started the preparations for the June European Council by examining the draft annotated agenda and was informed of the preparations of the next G20 Summit .

45. Impact Assessments in the Council

10309/12 ECOFIN 432 COMPET 313 POLGEN 94

The Committee endorsed the arrangements on the use of Impact Assessments in the Council as set out in 10309/12. These arrangements respond to the tasks set by ECOFIN Council meeting on 30 November 2011 and aim at enhancing the implementation of the 2006 indicative guidance on handling Impact Assessments in the Council.

46. Proposal for a Regulation of the European Parliament and of the Council on the financial rules applicable to the annual budget of the Union (First reading)

10256/12 FIN 355 CODEC 1402

+ ADD 1

+ ADD 1 COR 1 REV 1

The Committee agreed to mandate the Presidency to continue negotiations with the European Parliament on the basis of the text as recorded in 10675/12.

The Polish delegation, supported by Bulgarian, Maltese, Romanian, Slovenian and Slovak delegations, made the following unilateral statement on the provisions of Article 117a(3)(c) of the Financial Regulation concerning the eligibility of non recoverable VAT:

"Considering the importance of reaching the general political agreement on the main provisions of the Financial Regulation, in the spirit of compromise we do not object to the proposal of Article 117a(3)(c) of the Financial Regulation which provides for the limited eligibility of VAT under direct and indirect management within the meaning of Article 55(1)(a) and (c) and Article 57.

This is without prejudice to our position on the VAT eligibility to be decided in sectoral regulations, related i.a. to the shared management programs."

The Polish delegation, supported by Estonian and Greek delegations, made the following unilateral statement on the provisions of Article 77 of the Financial Regulation concerning the net corrections:

"The Polish delegation considers that, as regards the financial corrections by the Commission, the approved text, in particular Article 77 thereof, is without prejudice to the possibility in the sector-specific rules to establish the rules and criteria for the reuse of the Union funds concerned, including in situations when the irregularities were not detected by the Member State on their own account, and corrected by the Member State before finalization of a contradictory procedure."

Furthermore, concerning Article 77(3), the Presidency confirms that the question of irregularities detected by the Commission or the European Court of Auditors will be dealt with in the Structural Actions Working Party.

Coreper Part 1

II

56. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards pharmacovigilance (First reading) (Legislative deliberation)**
and
Proposal for a Directive of the European Parliament and of the Council amending Directive 2001/83/EC as regards pharmacovigilance (First reading) (Legislative deliberation)
- **Preparation for the informal trilogue**
9096/1/12 REV 1 PHARM 25 MI 259 SAN 85 ECO 54 ENT 99 CODEC 1062

The Committee mandated the Presidency to enter into negotiations with the aim of reaching an agreement at first reading on the basis of the Presidency proposals set out in 11213/12.

57. **Preparation for the Council meeting (Environment) on 11 June 2012**
1. **Proposal for a Regulation of the European Parliament and of the Council amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory (First reading) (Legislative deliberation)**
- **Political agreement**

The Committee considered the possibility to reach a political agreement on this file, as the debate held at the (Environment) Council in March 2012 showed that a blocking minority of delegations opposed to a compromise text (doc. 7153/12) presented by the Presidency.

Delegations reiterated the positions already expressed at the March Council. Consequently, the Presidency undertook to further consider the likelihood of reaching a political agreement at the next (Environment) Council in June 2012.

2. Proposal for a Decision of the European Parliament and of the Council on accounting rules and action plans on greenhouse gas emissions and removals resulting from activities related to land use, land use change and forestry (LULUCF) (First reading) (*Legislative deliberation*)

- Orientation debate

7639/12 ENV 204 ONU 34 FORETS 23 AGRI 144 CODEC 655

10244/12 ENV 389 ONU 65 FORETS 38 AGRI 339 CODEC 1397

The Committee agreed to forward the questions set out in 10244/12 to the Council as a basis for the orientation debate on 11 June 2012.

3. Roadmap for transition to a competitive low-carbon economy up to 2050 (*Non-legislative activity*)

- Report from the Presidency on the state of play

- (poss.) Adoption of Council conclusions

DE informed the Committee about its intention to have further bilateral contacts with PL.

The Chair concluded that the Presidency would take into account any new information and reflect further on this agenda item of the Council.

4. International Management of Chemicals

Preparation of the International Conference on Chemicals Management (SAICM ICCM3) (Nairobi, Kenya, 17-21 September 2012) and the Intergovernmental Negotiating Committee on Mercury (INC 4) (Punta del Este, Uruguay, 27 June - 2 July 2012) (*Non-legislative activity*)

- Adoption of Council conclusions

10271/12 ENV 393 COMER 106 SAN 122 CHIMIE 44 ONU 66

The Committee approved the draft Council conclusions in a slightly amended version as set out in the Annex to document 10765/12 and agreed to submit them to the Council (Environment) on 11 June 2012 for adoption under "A" items.

5. 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*)

- General approach

10282/12 ENV 395 ENT 133 CODEC 1409

8245/12 ENV 247 ENT 71 CODEC 845

The Committee agreed to delete this item from the agenda of the Environment Council on 11 June 2012.

6. Setting the framework for a 7th EU Environment Action Programme (*Non-legislative activity*)

- Adoption of Council conclusions

10270/12 ENV 392 DEVGEN 146 ECO 70

The Committee examined the draft Council conclusions prepared by the Presidency, with a particular focus on the outstanding issues and scrutiny reserves. In light of the discussion, the Presidency tabled a number of compromise proposals at the meeting, on which it noted a general scrutiny reserve.

Following to subsequent interventions by some delegations, the Presidency indicated that an overall compromise proposal based on the discussion and on further bilateral contacts would be presented to the Council. Upon request by one delegation, the Committee agreed that the discussion on this agenda item at the Council on 11 June 2012 would become a public debate.

The NL delegation informed the Committee of a draft letter it had submitted to signature by the other Member States requesting the Commission to present a proposal on nano-materials.

**58. Proposal for a Directive of the European Parliament and of the Council on energy efficiency and repealing Directives 2004/8/EC and 2006/32/EC (First reading)
(Legislative deliberation)**

(This item will be dealt with in restricted session)

- **Presidency debriefing on the outcome of the informal trilogue**
- **Preparation for the informal trilogue**

10215/12 ENER 185 ENV 382 TRANS 172 ECOFIN 430 RECH 159 CODEC 1389
+ ADD 1

The Chairman first briefed the Committee on the 4th trilogue which took place on 29 May 2012 and addressed notably Art. 6, 10, where the European Parliament would like less exemptions and more follow-up to the cost-benefit analysis, and 8a and 9, which could be provisionally closed. Other ideas were also tested, such as the possibility to count early actions achieving more than the Energy Service Directive.

The Committee then discussed and agreed a mandate for the 5th trilogue on 5 June 2012. Regarding Art. 6 doubts were expressed as to a possible trade-off between the exclusion of ETS and more efforts on transports as well as, for a few delegations, maintaining a cap on early actions. There was no support to reference to "major renovation" as an alternative to "deep renovation". This mandate also introduced a clearer structure for Art. 8, while maintaining its level of ambition.

59. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 15 June 2012

1. Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure and repealing Decision 1364/2006 (First reading) (*Legislative deliberation*)

- **Progress report**
9879/12 ENER 167 CADREFIN 251 CODEC 1290

The Committee agreed to the transmission of this report to the Council.

2. Proposal for a Regulation of the European Parliament and of the Council on safety of offshore oil and gas prospection, exploration and production activities (First reading) (*Legislative deliberation*)

- **Progress report**
10205/12 ENER 182 ENV 379 MARE 3 COMAR 4 PROCIV 75 CODEC 1387

The Committee agreed to the transmission of this report to the Council.

3. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions- Energy Roadmap 2050 (*Non- legislative activity*)

- **Adoption of Council conclusions**
10206/12 ENER 183 ENV 380 POLGEN 92

Following detailed discussions on Working Party level the Committee reviewed the main pending issues (reference to decarbonisation, global impact of the EU energy choices, setting a 2030 policy framework, technology neutrality). From the discussion it appeared that the text set out in 10206/12 is acceptable to most delegations. The Committee agreed to submit these conclusions to the TTE (Energy) Council in order to have the remaining issues resolved and the conclusions adopted.

4. Communication from the Commission on a Strategy for Renewable Energy (*Non- legislative activity*)

- **Presentation by the Commission**

The Committee was informed that the Commission will present its Communication (to be adopted on 6 June 2012) at the Council.

60. Proposal for a Directive of the European Parliament and of the Council on certain permitted uses of orphan works (First reading) (Legislative deliberation)

- Preparation for the informal trilogue

10199/12 PI 59 AUDIO 58 CULT 84 CODEC 1385

On the basis of the Presidency Note contained in 10199/12 + COR 1 and of delegations' proposals presented at the meeting, the Committee agreed on the Council's position in view of the next informal trilogue, scheduled for 6 June 2012.

61. Proposal for a Directive of the European Parliament and of the Council establishing a single European railway area (Recast) (Second reading) (Legislative deliberation)

- Presidency debriefing on the outcome of the informal trilogue

The Presidency informed the Committee on the results of the third informal trilogue on the railway recast, held in Brussels on 31 May 2012.

62. Preparation for the Council meeting (Agriculture and Fisheries) on 18 and 19 June 2012

1. Setting of the provisional agenda

(For the items in the remit of the Permanent representatives Committee)

The Committee agreed the provisional agenda for the forthcoming Council meeting (Agriculture and Fisheries) on 18 and 19 June 2012 as set out in 11201/12.

2. (a) Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the European Union Strategy for the Protection and Welfare of Animals 2012-2015 (*Non-legislative activity*)

(b) Report from the Commission to the European Parliament and the Council on the impact of Council Regulation (EC) No 1/2005 on the protection of animals during transport (*Non-legislative activity*)

- Adoption of Council conclusions

10478/12 AGRILEG 75 VETER 42

+ ADD 1

The Committee took note of the agreement on the draft conclusions on the protection and welfare of animals, as set out in the addendum to document 10478/12, [and the persisting reservations of delegations [NL]/[ES]].

Council will be invited to adopt the draft conclusions at the meeting of the Agriculture/Fisheries Council on 18 June 2012. In case that the remaining reservation[s] is/[are] withdrawn before that date, this will be in the form of an 'A' item.

63. Preparation for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 21 and 22 June 2012

1. Setting of the provisional agenda

The Committee agreed on the provisional agenda of the forthcoming meeting of the Council (EPSCO) as set out in 11203/12.

2. The impact of antimicrobial resistance in the human health sector and in the veterinary sector – a "One Health" perspective (*Non-legislative activity*)

- **Adoption of Council conclusions**
10347/12 SAN 124 AGRI 344 VETER 40

The Committee confirmed the draft Council conclusions as set out in the Annex to document 10347/12 without discussion and submitted it to the Council for adoption.

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