



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 26 June 2009

10885/09

CRS/CRP 24

SUMMARY RECORD

**Subject : 2278th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 10, 11 and 15 June 2009**

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

doc. 10741/09 OJ/CRP1 22

10750/09 OJ/CRP2 22 + CM 2647/09

The above mentioned agenda is approved with the following changes:

The following items are **added** :

(Coreper Part 2, under I)

55. Operation Atalanta

- **Draft Council conclusions**

10739/09 COSDP 540 PESC 755 COAFR 207 CONUN 57 SOMALIA 27

10738/09 COSDP 539 PESC 754 COAFR 206 CONUN 56 SOMALIA 26

56. Draft Submission to the Detention Policy Task Force

10035/1/09 REV 1 JAI 307 COMIX 413 COTER 51 ENFOPOL 138 USA 33 ASIM 49

COHOM 114 COJUR 10 POLGEN 90 PESC 660 POLMIL 5

57. EU priorities for the 64th United Nations General Assembly

10809/09 PESC 775 CONUN 59 ONU 42 COHOM 136 DEVGEN 171 ENV 419

COJUR 16 CODUN 15 CONOP 34 COTER 65 CODRO 1 COSDP 551

CRIMORG 94

58. Draft Comprehensive Annual Report on ESDP-related Training (CART) 2009

9280/09 COSDP 382 CIVCOM 284 COADM 3

10882/09 COSDP 561 CIVCOM 425 COADM 5

59. Enlargement

- **Accession negotiations with Turkey**

- **Fulfilment of an opening benchmark for Chapter 16: Taxation**

8785/09 ELARG 17

The following item is **withdrawn** :

(Coreper Part 2, under I)

37. (poss.) EUMM Georgia

- **Draft Council conclusions**

The following CRP2 agenda item is **transferred** from Part I to Part II :

54. Draft Presidency report on ESDP

10674/09 COSDP 529 PESC 740 CIVCOM 396

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

A declaration is made by the Commission on the following item :

39. EU communication priority for 2009 - "20th anniversary of the democratic change in the Central and Eastern European countries"

- Draft Council conclusions

10710/09 INF 155

"La Commission confirme qu'elle présentera avant la fin 2010 le rapport, prévu à la déclaration du Conseil du 28 novembre 2008. Ce rapport permettra un débat sur la nécessité de nouvelles initiatives de l'Union.

La Commission confirme également que cette question figure parmi les orientations prioritaires de sa Communication du 10 juin 2009 sur le "Programme de Stockholm" pour "Une espace de liberté, de sécurité et de justice au service des citoyens" (COM (2009)262)."

Coreper Part 1

II

10. Preparation of the Council meeting (Environment) on 25 June 2009

1. Proposal for a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (recast)

- Political agreement

(Public deliberation, pursuant to Article 8(1)(b) CRP)

5381/6/09 ENV 22 CODEC 40 REV 6

10535/09 ENV 405 CODEC 797

The Committee discussed the outstanding issues and agreed to forward the file to the Council (Environment) with a view to reaching political agreement on 25 June.

2. Proposal for a Directive of the European Parliament and of the Council establishing a framework for the protection of soil

- Political agreement

(Public deliberation, pursuant to Article 8(1)(b) CRP)

10387/09 ENV 392 AGRI 239 DEVGEN 158 FORETS 58 FSTR 54 RECH 181

REGIO 24 TRANS 220 CODEC 782

The Committee holds an exchange of views on the proposed Directive. The Presidency concludes that the item will be addressed at the meeting of the Council (Environment) through a progress report from the Presidency.

11. Draft Commission Directive ../.../EC of [...] amending Directive 2001/83/EC of the European Parliament and of the Council on the Community code relating to medicinal products for human use as regards advanced therapy medicinal products

- Decision to oppose the adoption

8607/09 MI 147 ECO 46 SAN 73

10648/09 MI 239 ECO 92 SAN 163

10675/09 MI 241 ECO 93 SAN 165

Following a count of votes, the Chair concluded that there was no qualified majority in the Committee for opposing the adoption of the draft Commission Directive set out in 8607/09.

12. Preparation of the Council meeting (Agriculture and Fisheries) on 22 and 23 June 2009

1. Communication from the Commission to the Council and the European Parliament on Sustainable Development of Community Aquaculture

- **Adoption of the Council conclusions and exchange of views**
8677/09 PECHE 93
10625/09 PECHE 148
10632/09 PECHE 151

The Committee prepared this item and agreed on a new wording for paragraph 5 of the draft Council conclusions in 10632/09 PECHE 151. DE maintained a reserve on this paragraph and DK maintained its parliamentary scrutiny reserve.

The item is retained on the Council agenda.

2. Proposal for a Council Regulation establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy

- **Policy debate**
15694/08 PECHE 312
10626/09 PECHE 149

The Committee prepared this item and forwarded it to the Council. The item is retained on the Council agenda.

3. Communication from the Commission on Consultation on Fishing Opportunities for 2010

- **Presentation and exchange of views**
9838/09 PECHE 123
10627/09 PECHE 150

The Committee prepared this item and forwarded it to the Council. The item is retained on the Council agenda.

4. Proposal for a Regulation of the European Parliament and of the Council on novel foods and amending Regulation (EC) No XXX/XXXX (common procedure) (First reading)

- **Political agreement**
(Public deliberation, pursuant to Article 8(1)(b) CRP)
10384/1/09 DENLEG 37 CODEC 781 REV 1

The Committee took note of the draft Presidency statement in Annex II of the above document and support of majority of delegations for that statement to be entered in the minutes of the Council meeting once political agreement has been reached.

All delegations, except EL and Commission that kept their reservations, were able to agree to the text in the above document. The Committee would come back to this subject at its next meeting on 16 June 2009.

5. Proposal for a Council Regulation on the protection of animals at the time of killing

- Political agreement

10427/09 AGRILEG 86 + ADD 1

The Committee had an exchange of views on the text of the draft Regulation as set out in 10427/09 ADD 1 together with additional Presidency suggestions as set out in 10427/09 ADD 2. The Presidency concluded the discussion indicating that only limited changes would be made to the text of recital 50a), Article 22a) and Article 25. Some delegations (BE, DK, EE, FR, IT, NL, RO, UK) maintained a reservation at that stage.

Coreper Part 2

II

46. Follow-up to the Council meeting (Economic and Financial Affairs) on 9 June 2009

The Committee took note of the proceedings of the ECOFIN Council of 9 June 2009.

47. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 7 July 2009

The Committee agreed the provisional agenda for this Council meeting.

48. Guantanamo - Joint Statement of the European Union and its Member States and the United States of America on the Closure of the Guantanamo Bay Detention Facility and Future Counterterrorism Cooperation: Proposed EU reaction to the US draft 10037/2/09 REV 2 JAI 309 COMIX 415 COTER 53 ENFOPOL 140 USA 35 ASIM 51 COHOM 116 COJUR 12 POLGEN 92 PESC 662 POLMIL 7

On 10 June the Committee discussed the draft EU-US Joint Statement on Guantanamo, which had almost been finalized with the US. Support for the approach taken by Presidency. Discussion focused on the language relating to the US having to accept detainees cleared for release on its territory, and compromise language was proposed. Several delegations suggested to strengthen the language on information sharing.

On 11 June the Committee endorsed the finalized joint statement. The suggested changes had been accepted by the US. The Committee also endorsed the letter to the Detention Policy Task Force. The joint statement and the letter were submitted to the GAERC as A-items.

49. Follow-up to the Council meeting (Justice and Home Affairs) on 4/5 June 2009

The Committee took note of the debriefing from the Presidency on this meeting.

50. Implementation of ECRIS - procedural aspects

10725/09 JURINFO 86 COPEN 108 CATS 65 CRIMORG 92 ENFOPOL 164

The Committee decides that, as regards the implementation of the ECRIS Decision:

- (a) the Working Party on Cooperation in Criminal Matters (COPEN) should deal with the implementing measures referred to in Article 6(2) of the ECRIS Decision in a composition which involves criminal law as well as IT experts;
- (b) the Working Party on e-Justice should be kept regularly informed of the technical developments in order to ensure a consistent approach to IT in the sphere of justice.

51. Preparation of the Council meeting (General Affairs and External Relations) on 15/16 June 2009

A. General Affairs

- a) **Preparation of the European Council (Brussels, 18/19 June 2009)**
= **Draft conclusions**
10712/09 POLGEN 101

The Committee had a discussion on the draft European Council conclusions as set out in 10712/09.

The Presidency will present a revised version of the draft conclusions prior to the meeting of the Council on 15 June 2009.

- = **Afghanistan/Pakistan European Council Declaration**
10731/09 COASI 103 COPOL 45 RELEX 539 CIVCOM 403
COHOM 132 COTER 62

The Committee approved the European Council Declaration on Afghanistan and Pakistan without discussion.

b) (poss.) Enlargement

This item was withdrawn from the agenda of the Committee.

c) Other items in connection with the Council meeting

Le Comité met au point l'ordre du jour provisoire de la session Affaires générales.

B. External Relations

a) Middle East (including peace process, Lebanon and Syria)

10880/09 COMEP 20 PESC 786

10917/09 COMAG 15 COMEP 21 PESC 794

10968/09 COMEP 22 PESC 810

The Committee took note of the state of preparation of the draft Council Conclusion on the Middle East Peace Process and agreed to forward the draft text as set out in 11017/09 to the Council for finalisation and adoption.

The Committee approved the draft Council Conclusions on Lebanon as set out in 10917/09 and transmitted them to the Council for adoption.

b) Cuba

- Draft Council conclusions

10920/09 AMLAT 58 PESC 795 RELEX 564

The Committee agreed to the conclusions as set out in 10920/09, and agreed to submit to the Council for adoption.

c) Western Balkans

- Draft Council conclusions

10707/09 COWEB 106 COSDP 535 PESC 747

10736/09 COWEB 109 COSDP 583 PESC 753 + REV 1

On 10 and 11 June the Committee confirmed the draft Council conclusions as set out in the annex of 10736/1/09 REV 1. These conclusions were updated by the PSC on 15 June and ultimately confirmed by the Committee as set out in the annex of 10736/2/09 REV 2.

d) Burma/Myanmar

In view of the European Council, the Committee discussed the state of play regarding the trial of Daw Aung San Suu Kyi and the possible reaction to the verdict from the EU.

The deadline for comments by delegations on the Options paper presented by the GSC and the Commission was extended to 12 June.

e) Other items in connection with the Council meeting

Le Comité met au point l'ordre du jour provisoire de la session Relations extérieures.

52. Relations with Israel

- = **Adoption of the position by the European Union for the ninth Association Council meeting (Luxembourg, 15 June 2009)**
10709/09 ISR 5

The Committee discussed the draft EU Statement in preparation for the ninth meeting of the EU-Israel Association Council. With respect to the draft EU Statement the Committee did not find agreement on paragraph 1 of this text. The pertaining unresolved question touched upon the relation between the development of the EU-Israel partnership and the issue of the resolution of the Israeli-Palestinian conflict. The Committee invited the Council of 15 June 2009 to revert to paragraph 1 and agree on the draft EU statement and the draft agenda for the ninth meeting of the EU-Israel Association Council.

53. EU-Pakistan summit (Brussels, 17 June 2009)

- **State of play of final preparations**

The Committee discussed the draft Joint Statement of the EU-Pakistan Summit. The Presidency and the Commission called upon delegations to appreciate that the presented text was the absolute bottom-line for both sides. After a short exchange of views delegations approved the text without changes (and under study reservations that were lifted later).

54. Draft Presidency report on ESDP

10674/09 COSDP 529 PESC 740 CIVCOM 396

The Committee :

- confirmed the agreement on the draft Presidency Report on ESDP, as set out in 10674/09, on the understanding that the text between brackets in paragraphs 11 and 12 be deleted and that the brackets in paragraph 13 be dropped;
- agreed to submit the text to the Council for approval;
- agreed to insert the following declaration in its minutes :

"Coreper reiterates that the Joint Action 2008/124/CFSP of 4 February 2008 on the EU Rule of Law Mission in Kosovo (EULEX Kosovo) was adopted in accordance with the United Nations Security Council Resolution 1244 (1999)."