



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 July 2009

11302/09

CRS CRP 26

SUMMARY RECORD

**Subject : 2280th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 24 June 2009**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 6

Coreper Part 2

I

2. Convening of Conference of the Representative of the Governments of the Member States
 - Appointment of a judge to the Court of Justice of the European Community
 - Appointment of a judge to the Court of First instance of the European Community
3. Case t-127/09 before the Court of First Instance (Abdulbasit Abdulrahim v. Council of the European Union and Commission of the European Communities)
4. Case T-45/09 before the Court of First Instance (Al-Barakaat International Foundation v. Commission of the European Communities)
5. Draft Council Regulation amending Regulation (EC) No 423/2007 concerning restrictive measures against Iran
6. Council Regulation (EC) No 423/2007 of 19 April 2007 concerning restrictive measures against Iran
7. EU Migration missions
8. Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards tax evasion linked to import
9. Committee of the regions
 - Appointment of the one alternate member (UK)
10. Draft Council Conclusions on Integrating Environment in Development Cooperation
11. Draft Decision of the EEA Joint Committee amending Protocol 31, on cooperation in specific fields outside the four freedoms, and Protocol 37 to the EEA Agreement
12. CDE - Centre for the Development of Enterprise
 - Revised Budget Proposal for 2009
13. Proposal for a Regulation of the European Parliament and of the Council establishing a Community Code on Visas (First reading)
14. Proposal for a Council Directive (Euratom) setting up a Community framework for nuclear safety
15. Proposal for a Council Regulation on common rules for imports from certain third countries (codified version)

II

16.	Preparation of the Council meeting (Economic and Financial Affairs) on 7 July 2009	
-	Other items in connection with the Council meeting	7
17.	Presentation of the agenda for the Council (Economic and Financial Affairs/Budget) on 10 July 2009	7
18.	Follow-up to the Council meeting (General Affairs and External Relations), on 15/16 June 2009	7
19.	Follow-up to the European Council (18/19 June 2009)	7
20.	Report on the joint review of the implementations by the Canada Border Services Agency of the Commitments set out in the Commission Decision 2006/253/EC	7
21.	Relations with Egypt	
-	Proposal for a Council Decision on the signing and conclusion of the Agreement in the form of an exchange of letters between the European Community and the Arab Republic of Egypt concerning reciprocal liberalisation measures on agricultural processed agricultural products and fish and fishery products and the replacement of Protocol 2 and modifications to the Euro-Mediterranean Agreement establishing and association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part	8
22.	South Africa Summit (Cape Town, 11 September 2009)	8
23.	Holocaust Era Assets Conference (Prague, Terezín, 26-30 June 2009)	8

I

24. Replies to written questions put to the Council by Members of the European Parliament

- (a) n° E-3322/09 put by Dimitrios Papadimoulis
"Parliamentary elections' in Turkish-occupied Cyprus"
- (b) n° E-3607/09 put by Domenico Antonio Basile
"Human rights in Iran"
- (c) n° E-3667/09 and E-3677/09 put by Marco Cappato and E-3679/09 put by Luca Romagnoli
"Maps of contamination in France as a result of Chernobyl"
"Radioactive waste and soil decontamination in the EU"
"Radioactive waste and soil decontamination in the EU"
- (d) n° E-3681/09 put by Catherine Stihler
"Cross-border cooperation on criminal cases"
- (e) n° E-3683/09 put by Werner Langen
"Waste of fish stocks as a result of EU fishing quotas"

25. Monthly list of acts adopted under the written procedure
- May 2009

26. Draft Commission Decision of [...] amending Decision 2006/679/EC as regards the implementation of the technical specification for interoperability relating to the control-command and signalling subsystem of the trans-European conventional rail system

27. Request for an opinion by the European Court of Justice on the compatibility with the EC Treaty of the envisaged Agreement creating a Unified Patent Litigation System

28. Proposal for a Council Regulation amending Council Regulation (EC) No 1386/2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation

29. Proposal for a Council Decision on a Community position within the Joint Committee established by the Agreement on the European Economic Area on the adaptation of Protocols 10 and 37 on simplification of inspections and formalities in respect of carriage of goods

30. Proposal for a Council Regulation on the Community legal framework for a European Research Infrastructure Consortium (ERIC)

II

- 31. Proposal for a Directive of the European Parliament and of the Council on consumer rights (First reading)11
- 32. Setting of the provisional agenda of the Council meeting (Agriculture and Fisheries) on 13 and 14 July 2009
(For the items within the remit of the Permanent Representatives Committee)11
- Any other business
 - Proposal for a Regulation of the European Parliament and of the Council concerning statistics on plant protection products11

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

doc. 11145/09 OJ/CRP1 24

11136/09 OJ/CRP2 24

The above mentioned agenda is approved with the following changes:

The following items are **added** :

(Coreper Part 2, under II)

33. ENLARGEMENT

- a) **Accession Negotiations with Croatia**
= **Chapter 4: Free movement of capital**
8782/09 ELARG 16
- b) **Accession Negotiations with Croatia**
= **Chapter 6: Company law**
11296/09 ELARG 35
- c) **Accession Negotiations with Croatia**
= **Chapter 16: Taxation**
11298/09 ELARG 36
- d) **Accession Negotiations with Croatia**
= **Chapter 18: Statistics**
8781/09 ELARG 15

(Coreper Part 2, under AOB)

- **Recommendation from the Commission to the Council to authorise opening of negotiations between the European Union and the United States of America for an agreement to make available to the United States Treasury Department financial messaging data to prevent and combat terrorism and terrorist financing**
11006/09 JAI 397 USA 43 RELEX 574 DATAPROTECT 42 RESTREINT UE
- **US visa waiver programme: emergency passports**

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

Coreper Part 2

II

16. Preparation of the Council meeting (Economic and Financial Affairs) on 7 July 2009

- Other items in connection with the Council meeting

The Committee reviewed the state of readiness of the agenda items listed.

17. Presentation of the agenda for the Council (Economic and Financial Affairs/Budget) on 10 July 2009

The Committee notes the draft agenda and the details announced by the incoming Presidency as to the conduct of the proceedings.

18. Follow-up to the Council meeting (General Affairs and External Relations), on 15/16 June 2009

Le Comité est informé du suivi que la présidence entend donner à la session du Conseil.

19. Follow-up to the European Council (18/19 June 2009)

The Committee discussed the follow-up to the European Council, notably as regards climate change, external relations, illegal immigration and the financial architecture.

20. Report on the joint review of the implementations by the Canada Border Services Agency of the Commitments set out in the Commission Decision 2006/253/EC

- Presentation by the Commission

The Commission presented the joint review report. It also brought to the attention of the Committee the problem resulting from the imminent expiry of the Adequacy Decision of the Commission.

Several delegations urged the Commission to come forward very soon with a solution to this.

21. Relations with Egypt

- **Proposal for a Council Decision on the signing and conclusion of the Agreement in the form of an exchange of letters between the European Community and the Arab Republic of Egypt concerning reciprocal liberalisation measures on agricultural processed agricultural products and fish and fishery products and the replacement of Protocol 2 and modifications to the Euro-Mediterranean Agreement establishing and association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part**
11166/09 EG 3 AGRI 273 PECHE 162
11172/09 EG 4 AGRI 274 PECHE 163

Ce point a été reporté à la prochaine réunion du Comité le 2 juillet 2009.

22. South Africa Summit (Cape Town, 11 September 2009)

- **Orientation debate**
10045/09 PESC 663 COAFR 177 ACP 126

The Committee discussed the preparation of the EU-South Africa Summit on the basis of 10045/09.

23. Holocaust Era Assets Conference (Prague, Terezín, 26-30 June 2009)

- **Information by the Presidency**

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

33. ENLARGEMENT

- a) **Accession Negotiations with Croatia**
= **Chapter 4: Free movement of capital**
8782/09 ELARG 16
- b) **Accession Negotiations with Croatia**
= **Chapter 6: Company law**
11296/09 ELARG 35
- c) **Accession Negotiations with Croatia**
= **Chapter 16: Taxation**
11298/09 ELARG 36
- d) **Accession Negotiations with Croatia**
= **Chapter 18: Statistics**
8781/09 ELARG 15

The Committee holds an exchange of views on the stalemate of the accession negotiations with Croatia, following the decision of the Presidency to postpone the Intergovernmental Conference with Croatia planned for 26 June. The Committee takes note of progress made during the semester, notably on the four negotiating chapters above, and of the interventions made by delegations, including the Commission, to continue efforts to unblock the negotiations.

Coreper Part 1

II

31. **Proposal for a Directive of the European Parliament and of the Council on consumer rights (First reading)**

- **Information from the Presidency**
- **Exchange of views**

11158/09 CONSOM 137 JUSTCIV 154 CODEC 872

The Committee took note of the intention of Greece and of the United Kingdom to abstain when the abovementioned draft Regulation will be submitted to Council. Unanimity being therefore achieved among the Member States, the conditions are met for a political agreement to be reached by the Council, notwithstanding the reservation kept by the Commission.

Furthermore, the Committee took note that Greece and the United Kingdom announced their intention to submit statements explaining their vote.

This item will be sent to a forthcoming session of the Council, to be dealt with in its part "A".

32. **Setting of the provisional agenda of the Council meeting (Agriculture and Fisheries) on 13 and 14 July 2009** **(For the items within the remit of the Permanent Representatives Committee)**

The Committee agrees the provisional agenda for the forthcoming Council meeting (Agriculture and Fisheries) on 13 and 14 July 2009 as set out in 11804/09.

- **Any other business**

- **Recommendation from the Commission to the Council to authorise opening of negotiations between the European Union and the United States of America for an agreement to make available to the United States Treasury Department financial messaging data to prevent and combat terrorism and terrorist financing**

11006/09 JAI 397 USA 43 RELEX 574 DATAPROTECT 42 RESTREINT UE

The Commission presented its recommendation and the background thereto, emphasizing the need to move quickly. Several delegations provided a first reaction to the Commission's recommendation. The incoming Presidency indicated it would convene a JHA Counsellors' meeting at the beginning of July in order to discuss the draft mandate.

- **US visa waiver programme: emergency passports**

The US authorities have announced that as from 1st July 2009 the holder of an emergency and temporary passport issued by a visa waiver country can only benefit from the Visa Waiver Programme if the passport is an e-passport. On request by the FR delegation the Committee had an exchange of views on the difficulties this may cause for persons needing urgently to travel to the US and persons needing to transit through the US to travel to their final destination. Due to centralised procedures for producing electronic passports, it was for FR and certain other Member States at present very difficult to meet the US requirement. This could imply that the person concerned would need to apply for a visa. It was agreed that a coordinated European approach on the issue would be appropriate. The Commission would within a short delay draft a letter on the issue with a view to submitting it to the US authorities.

RO referred to certain difficulties encountered in the process towards the inclusion of RO in the Visa Waiver Programme.

The Commission indicated that this and other issues would be addressed in the forthcoming 5th report on reciprocity concerning visa requirements. The Commission also expressed concerns regarding discussions in the US Congress on the possible introduction of a fee in the ESTA (Electronic System for Travel Authorisation).

- **Proposal for a Regulation of the European Parliament and of the Council concerning statistics on plant protection products**
= **Information from the Presidency**

The Committee took note of an oral information from the Presidency on the state of play on this file.

- **Active substances (paraffine oils)**
= **Information from the Presidency**

The Committee takes note of the intention of the Presidency on how to handle these proposals.

- **Proposal for a Council Decision concerning the non-inclusion of metam in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant protection products containing that substance**
 - **Information from the Presidency**

The Committee agreed on the content of the Annex to the above Council Decision as set out in SN 3134/09 ADD 1 REV 3.

=====