



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 July 2011

12672/11

CRS/CRP 31

SUMMARY RECORD

**Subject : 2371st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
(Part 2) held in Brussels on 5 and 7 July 2011**

SUMMARY

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6. Case T-121/11 (Versus Bank against the Council of the European Union) brought before the General Court
7. Case T-193/11 (Timothée AHOUA-N'GUETTA e.a. against the Council of the European Union) brought before the General Court
8. Case before the Court of Justice of the European Union
 - Case C-221/11: request for a preliminary ruling by the Oberverwaltungsgericht Berlin-Brandenburg in case of Ms Leyla Ecem Demirkan v. Federal Republic of Germany
9. Council conclusions on the Commission report on the equivalence between old and new career structures
10. Council decision determining for the General Secretariat of the Council the appointing authority and the authority empowered to conclude contracts of employment
11. Appointment of an official to a post of Director-General at the General Secretariat of the Council
12. Council Decision appointing a Swedish alternate member of the Committee of the Regions
13. Letter from the President of the European Court of Auditors on the partial renewal of the members of the Court of Auditors
14. Transparency - public access to documents
 - Complaint 1170/2009/KM to the European Ombudsman made by Mr Klaus-Dieter SOHN
15. Transparency - Public access to documents
 - a) Confirmatory application No 15/c/01/11
 - b) Confirmatory application No 16/c/01/11
16. Amended draft amending budget No 2 to the general budget for 2011

17. European Semester:
 - Adoption of Council Recommendations on the National Reform Programme 2011, and delivering a Council Opinion on the updated Stability or Convergence Programme (for each Member State - except Portugal and Greece)
 - Adoption of Council Recommendation on the National Reform Programme 2011 of Portugal
 - Adoption of Council Recommendation on the National Reform Programme 2011 of Greece
 - Adoption of Council recommendations on the implementation of the broad guidelines for the economic policies of the Member States whose currency is the euro
18. Amended Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1073/1999 concerning investigations conducted by the European Anti-fraud Office (OLAF) and repealing Regulation (EURATOM) No 1074/1999
19. Council Decision on the signature and conclusion of the monetary agreement between the European Union and the French Republic on keeping the euro in Saint-Barthélemy following the amendment of its status with regard to the European Union
20. Council Decision addressed to Greece with a view to reinforcing and deepening fiscal surveillance and giving notice to Greece to take measures for the deficit reduction judged necessary to remedy the situation of excessive deficit
21. Council Implementing Decision authorising Germany to apply a reduced rate of electricity tax to electricity directly provided to vessels at berth in a port ("shore-side electricity") in accordance with Article 19 of Directive 2003/96/EC
22. Third meeting of the EU-Albania Stabilisation and Association Council (Brussels, 18 July 2011)
23. Proposal for a Council Decision on the signing of the Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs
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 - Council Decision amending Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire
 - Council Regulation amending Council Regulation (EC) No 174/2005 imposing restrictions on the supply of assistance related to military activities to Côte d'Ivoire
25. China - Common EU Ministerial Speaking Points
26. Council Decision appointing a European Union Special Representative for the Southern Mediterranean
27. Restrictive measures against Egypt - Letter of reply to the lawyers of a person subject to the restrictive measures provided for in Council Decision 2011/172/CFSP and in Council Regulation (EU) No 270/2011

28. Eleventh Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition - (2011/I)
29. Eleventh six-monthly Progress Report on the implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction (2011/I)
30. General Report on Europol's activities 2010
32. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)

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

doc. 12343/2/11 REV 2 OJ/CRP2 25

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under II)

34. Preparation of the Council meeting (Economic and Financial Affairs) on 12 July 2011

- d) Implications of the economic situation for fiscal surveillance and Excessive Deficit Procedures**
 - **Draft Council conclusions**
12359/11 ECOFIN 489 UEM 237
- e) Other items in connection with the Council meeting**

(Coreper Part 2, under I)

38. Recommendation to the Council concerning the use of cryptographic products to protect electronic links in the framework of EU NAVFOR Somali - Operation Atalanta

11991/11 CSCI 12 RESTREINT UE

39. Council Decision approving the conclusion by the Commission of an Agreement between the European Atomic Energy Community (Euratom) and the Government of Australia for cooperation in the peaceful uses of nuclear energy

- **Adoption**
11695/11 ATO 68
+ REV 1 (fr)

40. Proposal for a Decision of the European Parliament and of the Council granting an EU guarantee to the European Investment Bank against losses under loans and guarantees for projects outside the European Union

- **Political agreement**
12414/11 ECOFIN 493 RELEX 742 CODEC 1140

41. The Single Market Act - priorities for re-launching the Single Market

- **Draft Council conclusions**
12464/11 ECOFIN 497 UEM 239

42. Council Decision on the signing and conclusion of the Agreement between the European Union and the Republic of Mauritius on the conditions of transfer of suspected pirates and associated seized property from the EU-led naval force to the Republic of Mauritius and on the conditions of suspected pirates after transfer

9298/2/11 REV 2 COSDP 392 PESC 521 COAFR 128 CONUN 43 SOMALIA 37
9883/1/11 REV 1 COSDP 445 PESC 563 COAFR 134 CONUN 44 SOMALIA 40

The following items are **withdrawn** :

(Coreper Part 2, under I)

15. Transparency - Public access to documents

- c) Confirmatory application No 17/c/01/11**
11940/11 INF 110 API 62 JUR 316

31. Council Common Position 2001/931/CFSP on the application of specific measures to combat terrorism

- Result of the review of the list of persons, groups and entities involved in terrorist acts to be carried out pursuant to Article 1(6) of Common Position 2001/931/CFSP**
12281/11 COTER 59 PESC 870 RELEX 726 FIN 474

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

SK made a unilateral declaration on the following item :

32. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)

12341/11 FRONT 84 CODEC 1135 COMIX 418

+ ADD 1

"The Slovak Republic appreciates the efforts by Presidencies to adopt the proposal as soon as possible and to present a balanced wording of the Regulation. Despite the fact that the Slovak Republic agrees on most of the text of the presented proposal and supports the soonest possible adoption of the Regulation, it continues to disagree with the use of the term "European Border Guard Teams" to designate Rapid Border Intervention Teams (RABIT) and Joint Support Teams being dispatched for Frontex operations (FJST), and suggests the use of the term "Frontex Border Guard Pool".

Coreper Part 2

II

2. Presidency Priorities

- Presentation by the Presidency

Presidency presented its priorities and working methods for the next six months and noted that will focus on the three following subjects :

- European Integration as a Sources of Growth ;
- Secure Europe ;
- Europe benefiting from openness.

3. Multiannual Financial Framework

- Provisional Work Programme = Information by the Presidency 12276/11 CADREFIN 45

La présidence a présenté le programme prévisionnel de travail au sein du Conseil sur le futur cadre financier pluriannuel (doc. 12276/11). Ce programme prévu pour les prochains six mois, prévoit, notamment, des réunions régulières du groupe des Amis de la Présidence, du Comité et du Conseil Affaires générales consacrées aux discussions sur ce dossier.

4. External financial instruments:

- a) **Proposal for a Council Regulation amending Regulation (EC) No 1934/2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories (Second reading)**
10179/11 CODEC 824 COASI 85 ASIE 31 COMEM 152 COLAT 14
COEST 166 DEVGEN 144 RELEX 508 CADREFIN 33
- b) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (Second reading)**
10180/11 CODEC 825 DEVGEN 145 NIS 66 PESC 617 RELEX 509 FIN 327
ACP 116 CADREFIN 34 COHOM 136
- c) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1889/2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (Second reading)**
10182/11 CODEC 826 DEVGEN 146 NIS 67 PESC 619 RELEX 510 FIN 328
ACP 117 CADREFIN 35 COHOM 137

d) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (Second reading)

10183/11 CODEC 827 DEVGEN 147 ACP 118 AGRI 372 WTO 209

- Preparation of next informal trilogue

10502/11 CODEC 865 DEVGEN 159 NIS 72 PESC 654 RELEX 545 FIN 346

ACP 128 CADREFIN 38 COHOM 145 COEST 173 COLAT 16 COMEM 158

ASIE 32 COASI 89 AGRI 389 WTO 218

12307/11 CODEC 1130 DEVGEN 210 NIS 92 PESC 878 RELEX 729 FIN 478

ACP 156 CADREFIN 46 COHOM 185 COEST 241 COLAT 22 COMEM 201

ASIE 42 COASI 108 AGRI 494 WTO 259

Le Comité prépare, sur base des documents 10502/11 et 12307/11, le trilogue du 6 juillet 2011.

33. Proposal for a Directive of the European Parliament and of the Council on minimum standards for the qualification and status of third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted (recast)

- Examination of draft compromise text

12337/1/11 REV 1 ASILE 56 CODEC 1133

The Committee endorsed the compromise text on the recast of the Qualification Directive as it appears in the annex of document 12337/1/11 and mandated its Chair to inform the Chair of the European Parliament's LIBE Committee accordingly.

DK indicated its intention to make a statement relating to the legal interpretation of Protocol 22 in connection with the future formal adoption of the Directive in Council.

FR, whilst considering the time limits provided for transposition and for the Commission report on the application of the modified Directive acceptable for the purpose of this Directive, indicated that the Council should determine such time limits in future legislative instruments in the field of asylum on a case-by-case basis.

34. Preparation of the Council meeting (Economic and Financial Affairs) on 12 July 2011

a) Savings taxation Directive: Mandate for negotiations

- Presentation by the Commission

11813/11 FISC 92 CH 17 FL 10 MC 4 AND 7 SM 3 RESTREINT UE

The Presidency informed delegations about how it intends to handle this file in the forthcoming ECOFIN.

b) Follow-up to the European Council on 23-24 June 2011

The Chairman reported on the outcome of the European Council and suggested the way forward in particular with respect to the Euro Plus Pact and the legislative package on economic governance.

c) Bank stress tests and backstop mechanisms

- **Exchange of views**
12299/11 EF 98 ECOFIN 478 + ADD 1

The Committee agreed to submit the foreseen communication template to the Council as set out in document 12299/11 (ADD 1 will not be issued).

d) Implications of the economic situation for fiscal surveillance and Excessive Deficit Procedures

- **Draft Council conclusions**
12359/11 ECOFIN 489 UEM 237

The Committee agreed on the text of the draft Council conclusions and to send them to the Council.

e) Other items in connection with the Council meeting

The Committee finalised the provisional agenda for this Council meeting and reviewed the state of readiness of the agenda items listed.

35. Draft budget of the European Union for the financial year 2012

- **Council position**

12312/11 FIN 479	+ ADD 1	+ ADD 2	+ ADD 3
12313/11 FIN 480	+ ADD 1	+ ADD 2	+ ADD 3

After the intervention of the Commission and an exchange of views, the Committee:

- confirmed, by qualified majority (Austria, Denmark, Finland, the Netherlands, Sweden and the United Kingdom voting against), the outcome of the proceedings of the Budget Committee as set out in documents 12312/11 FIN 479 + ADD 1 + ADD 2 + ADD 3 and 12313/11 FIN 480 + ADD 1 + ADD 2 + ADD 3;

- authorised, by unanimity, the recourse to a written procedure for the adoption of the Council's position on the draft general budget of the European Union for the financial year 2012, ending on 25 July 2011.

The United Kingdom, Dutch, French, Swedish, German, Austrian, Danish and Finnish delegations made the following unilateral statement:

"The 2012 EU Budget is being agreed at a time of considerable austerity in domestic budgets. As such, the budget must rise by no more than inflation."

36. Preparation of the Council meeting (Foreign Affairs) on 18 July 2011

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

The Committee took note of information provided by the EEAS on the running of the different agenda items.

37. Preparation of the Council meeting (General Affairs) on 18 July 2011

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

Le Comité fait le point de l'état de préparation des autres points figurant à l'ordre du jour provisoire de la session du Conseil Affaires générales.

- **Any other business**
 - **Groups of Friends of Presidency**

Presidency informed the Committee of the reactivation of the Group of the Friends of the Presidency on the Baltic Sea Strategy and the continuation of works of the Group of Friends of the Presidency on the EU Integrated Maritime Policy (doc. 12425/11).
