



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 September 2009

13054/09

CRS/CRP 30

SUMMARY RECORD

**Subject : 2284th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 22 and 23 July 2009**

SUMMARY

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5. Advisory Committee on Social Security for Migrant Workers
 - Appointment of Ms Etela KISSOVA as a Slovak member in place of Ms Lucia PODHRADSKA, who has resigned
6. Advisory Committee on Safety and Health at Work
 - Appointment of Ms Theresa DOYLE as an Irish alternate member in place of Mr Tony BRISCOE, who has resigned
7. Advisory Committee on Safety and Health at Work
 - Appointment of Mr Stefan HULT as a Swedish alternate member in place of Ms Anna-Lena HULTGÅRD SANCINI, who has resigned
11834/09 SOC 435
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9. Advisory Committee on Safety and Health at Work
 - Appointment of Mr Michele LEPORE as an Italian alternate member in place of Mr Lorenzo FANTINI, who has resigned
10. Advisory Committee on Freedom of Movement for Workers
 - Appointment of Ms Wivi-Ann WAGELLO-SJÖLUND a Finnish member in place of Ms Mirkka MYKKÄNEN, who has resigned
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 - Appointment of Ms Mirkka MYKKÄNEN a Finnish alternate member in place of Ms Wivi-Ann WAGELLO-SJÖLUND, who has resigned
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 - Appointment of Mr Hristo SIMEONOV a Bulgarian member in place of Mr Nikolay NIKOLOV, who has resigned

13. Advisory Committee on Freedom of Movement for Workers
 - Appointment of Ms Maria BARTOLO GALEA a Maltese member in place of Ms Josephine FARRUGIA, who has resigned
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 - Appointment of Mr Miguel Ángel AZNAR NIETO a Spanish member in place of Mr Carlos LÓPEZ MONÍS, who has resigned
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17. Governing Board of the European Agency for Safety and Health at Work
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18. Governing Board of the European Agency for Safety and Health at Work
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24. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
 - Appointment of Mr Konstantinos PETINIS as Greek member in place of Mr Grigorios PELORIADIS, who has resigned
25. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
 - Appointment of Ms Triantafyllia TOTOU as a Greek alternate member in place of Mr Konstantinos PETINIS, who has resigned
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 - (c) Draft Commission Regulation of on the authorisation and refusal of authorisation of certain health claims made on food and referring to the reduction of disease risk and to children's development and health (Text with EEA relevance)
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34. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the coordination of social security systems, and determining the content of Annex XI (Second reading)
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- d) 2932nd meeting of the Council (General Affairs and External Relations), held in Brussels on 16 March 2009
- e) 2933rd meeting of the Council (General Affairs and External Relations), held in Brussels on 16 March 2009
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42. Legal acts in the excessive deficit procedure - Adoption of texts in languages not available at the time of adoption of the legal acts by the Council:
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 - Council Recommendation to Latvia with a view to bringing an end to the situation of an excessive deficit in Latvia - Application of Article 104(7) of the Treaty
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47. Draft Council conclusions on the Special Report No 3/2009 by the European Court of Auditors concerning the effectiveness of Structural measures spending on waste water treatment for the 1994-1999 and 2000-2006 programme periods
48. Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of Banka of Slovenije
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54. Adoption of a Council Decision concerning the conclusion of consultations with the Republic of Guinea under Article 96 of the revised Cotonou Agreement

55. Draft Council Decision concerning the signing and provisional application of the Agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Operation Atalanta)
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58. Proposal for a Regulation of the European Parliament and of the Council on Credit Rating Agencies (First reading)
59. Proposal for a Regulation of the European Parliament and of the Council on cross-border payments in the Community (First reading)
60. Proposal for a Directive of the European Parliament and of the Council amending Directives 2006/48/EC and 2006/49/EC as regards banks affiliated to central institutions, certain own funds items, large exposures, supervisory arrangements, and crisis management (First reading)
61. Proposal for a Directive of the European Parliament and of the Council of on the taking up, pursuit and prudential supervision of the business of electronic money institutions, amending Directives 2005/60/EC and 2006/48/EC and repealing Directive 2000/46/EC (First reading)
62. Proposal for a Decision of the European Parliament and of the Council establishing a Community programme to support specific activities in the field of financial services, financial reporting and auditing (First reading)
63. Special Report No 10/2009 concerning "Information provision and promotion measures for agricultural products"
64. Proposal for transfer of appropriations No DEC20/2009 within Section III - Commission - of the general budget for 2009 (NCE)
65. Proposal for transfer of appropriations No DEC21/2009 within Section III - Commission - of the general budget for 2009 (NCE)
66. Proposal for transfer of appropriations No DEC22/2009 within Section III - Commission - of the general budget for 2009 (NCE)
67. Proposal for transfer of appropriations No DEC23/2009 within Section III - Commission - of the general budget for 2009 (NCE)

68. Council Decision on the signing, on behalf of the Community, of the Arrangement between the European Community, of the one part, and the Swiss Confederation and the Principality of Liechtenstein, of the other part, on the modalities of the participation by those States in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
69. Special Report No 2/2009 concerning the European Union's Public Health Programme (2003-2007): an effective way to improve health?
70. Council Joint Action extending the mandate of the European Union Special Representative for the crisis in Georgia
71. Council Decision amending and extending Council Decision 2008/901/CFSP concerning the independent international fact-finding mission on the conflict in Georgia
72. Council Common Position amending Common Position 2006/795/CFSP concerning restrictive measures against the Democratic People's Republic of Korea
73. Committee of the Regions: appointment of one member (ES)
74. Case C-200/09 P - Appeal brought by the Commission against the judgment of the Court of First Instance of 10 March 2009 in case T-249/06
75. Adoption of a Council Decision on the signature and provisional application of the Agreement establishing a framework for an Economic Partnership Agreement between the European Community and its Member States, on one part, and the East African Community Partner States, on the other part
76. Resignation of a Deputy Director of Europol
77. Council joint action amending and extending Joint Action 2008/736/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia
78. Nomination of the Director General of the European Union Military Staff
79. Recommendation to the Council concerning the use of cryptographic devices to protect electronic links in the framework of EU NAVFOR Somalia - Operation Atalanta
80. Action Plan on drugs between the EU and the Western Balkan countries (2009-2013)
81. Draft Council Decision adopting the rules on the confidentiality of Europol Information: transmission to the European Parliament
82. Draft Council Decision adopting the implementing rules governing Europol's relations with partners, including the exchange of personal data and classified information: transmission to the European Parliament

83. Draft Council Decision determining the list of third States and organisations with which Europol shall conclude agreements: transmission to the European Parliament
84. Draft Council Decision adopting the implementing rules for Europol analysis work files: transmission to the European Parliament
85. Code of Conduct Group (Business taxation) (29 June 2009) - ECOFIN Council (7 July 2009)
86. Draft Council Conclusions on the Annual Report 2009 on the European Community's Development and External Assistance Policies and their Implementation in 2008
87. Draft Council Conclusions with regard to Special Report from the Court of Auditors No 4/2009 on the Commission's Management of Non-State Actors' involvement in EC Development Cooperation
88. Draft conclusions on Kenya
89. Draft Council Decision on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction
90. Review of the security rules for protecting EU classified information
91. Relations with Russia
 - Negotiations on the association of the Russian Federation to the Seventh Framework Programmes for Research, Technological Development and Demonstration Activities

II

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

doc. 12212/09 OJ/CRP1 28
12253/09 OJ/CRP2 28

The above mentioned agenda is approved with the following changes:

The following items are **added** :

(Coreper Part 2, under I)

98. Report on proceedings in the Council's other configurations

12158/09 POLGEN 115

99. EUMM Georgia

- **Draft Council conclusions**

12243/09 COPS 438 PESC 986 COSDP 704 COEST 279 COHOM 171
CIVCOM 538 RELEX 690 EUMM GEORGIA 103

The following item is **withdrawn** :

(Coreper Part 1, under I)

2. Draft minutes of Council meetings

- **2916th meeting (Employment, Social Policy, Health and Consumer Affairs), held in Brussels on 16 and 17 December 2008**

17377/08 PV/CONS 84 SOC 799 SAN 344 CONSOM 224

+ COR 1 + COR 2 + COR 3 (lv) + COR 4 + ADD 1

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

A statement is made by the CY delegation on the following item :

Item 83:

Draft Council Decision determining the list of third States and organizations with which Europol shall conclude agreements: transmission to the European Parliament

12121/09 EUROPOL 57

"Cyprus is not in a position to give its agreement for the adoption of the Draft Council Decision determining the list of third States and organizations with which Europol shall conclude agreements : transmission to the European Parliament, because of the continuous refusal of Turkey to cooperate with Cyprus in the field of police and judicial matters.

More precisely, Turkey has not shown yet any sign of collaboration in the above fields. INTERPOL Ankara refuses to cooperate directly with INTERPOL Nicosia, does not respond to any requests from INTERPOL Nicosia and refuses to address the Republic of Cyprus on any related matter. This situation prevents any cooperation in the fields of justice, policing, surveillance of illegal activities and exchange of relevant information, which are the cornerstones of INTERPOL and EUROPOL cooperation.

Despite the fact that the need for cooperation with Cyprus has been raised repeatedly by INTERPOL's General Secretariat with the authorities of Turkey, the problem remains due to Turkey's negative stance.

Under the above mentioned circumstances the Republic of Cyprus is not in a position to give its consent for the inclusion of Turkey in the list of third States and organizations with which Europol shall conclude agreements, and for this reason it will vote against the adoption of this item."

Coreper Part 1

II

- 38. Setting of the provisional agenda of the Council meeting (Agriculture and Fisheries) on 7 September 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 7 September 2009 as set out in 12852/09.

- 39. Climate change - Preparation of the Copenhagen Conference**
- **Next steps**
 - **Information from the Presidency**

The Presidency outlined the updated work programme with a view to the Copenhagen Conference, taking into account also the recent bilateral discussions with all delegations.

Coreper Part 2

II

92. Preparation of the Council meeting (General Affairs and External Relations) on 27-28 July 2009

A. General Affairs

- Enlargement (restricted session)

Following the examination of the application by Iceland for membership of the European Union, the Committee reaches agreement on the draft Council conclusions as set out in Annex I to the document 12311/09.

- 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

- Iran

The discussions about Iran will focus on the developments after the Iranian Presidential elections, both as regards the overall political situation and the EU-Iran relations, including the state of play on the negotiation efforts of the EU 3+3. No conclusions are foreseen.

- Somalia

12231/09 PESC 981 COAFR 252 ACP 177

The work of the Committee is contained in 12231/09.

- Georgia

Following the agreement reached on 22 July 2009 in the Political and Security Committee, the Committee recommended to the Council to adopt the draft Council Conclusions on the EU Monitoring Mission (EUMM) Georgia (doc. 12243/09).

The Committee took note of the information by the Presidency regarding the handling of this item at the GAERC on 27 July 2009.

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

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

CZ informed the Committee about the present situation. While many delegations expressed their solidarity with the Czech Republic, the Commission informed that the Commission would meet with the Canadian Ambassador on 24 and on 30 July. The Chair concluded that the issue would be discussed under AOB at the Council meeting on 27-28 July 2009.

93. Presentation of the agenda of the Council meeting (General Affairs and External Relations) on 14-15 September 2009

Le Comité prend acte de la liste des points susceptibles de figurer aux ordres du jour provisoires des sessions du Conseil susvisées.

94. Iraq

- **Partnership and Cooperation Agreement**
12210/09 COMEM 141 JAI 495

The Committee agreed a compromise text for the draft article on Migration and Asylum for the negotiations with Iraq on a Partnership and Cooperation Agreement.

"The Member States of the European Union and Iraq will provide their nationals with appropriate documents confirming identity in order to permit travel for such purposes. Where the person to be readmitted does not possess any documents or other proofs of his or her nationality, the competent diplomatic and consular representations of the Member State concerned or Iraq shall, upon request of Iraq or the Member State concerned, make arrangements to interview the person in order to establish his or her nationality."

95. Western Balkans
- Visa liberalisation

The Commission presented its proposal for a Council Regulation amending Regulation (EC) 539/2001 which was welcomed by delegations. The Presidency indicated that it would seek to take forward the discussions on the proposal in accordance with the timetable foreseen in the Council Conclusions of June 2009.

96. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 21-22 September 2009

Le Comité a pris note du projet d'ordre du jour du prochain Conseil (Justice et Affaires intérieures).

La Présidence a annoncé que cette session ne durera qu'un jour (le 22 septembre 2009).

La délégation allemande, soutenue par la délégation autrichienne, a demandé l'ajout - dans la partie COMIX - du point SIS II (information sur l'état des travaux).

La délégation allemande a également souhaité l'ajout concernant le système européen commun d'asile.

La délégation française, quant à elle, a demandé que soit mentionné dans l'ordre du jour un point relatif à FRONTEX.

La Présidence a pris note de ces demandes.

97. SWIFT (restricted session)
11897/09 JUR 320 JAI 465 USA 57 RELEX 652 DATAPROTECT 48
ECOFIN 513 RESTREINT UE
11715/2/09 REV 2 JAI 449 USA 54 RELEX 638 DATAPROTECT 46
ECOFIN 443 RESTREINT UE

The Committee discussed the draft negotiating guidelines. It agreed that the agreement should be a very short term agreement and in no case longer than 12 months.

FR indicated that it had a parliamentary reservation on this issue.

The Chair concluded that there was unanimity among delegations to proceed with the adoption of the negotiating guidelines.

- **Any other business**

(a) **Proposal for a Regulation of the European Parliament and of the Council concerning statistics on plant protection products**

- **Information from the Presidency on the state of play**

The Committee took note of the information provided by the Presidency, who requested delegations to inform, before the summer break, whether the approach recommended could pose a problem.

(b) **Review of the EU regulatory framework for electronic communications networks and services**

- **Information from the Presidency on the state of play**

The Presidency informed the Committee on the state of play concerning the review of the Regulatory framework for electronic communications networks and services.

The Commission informed the Committee that it would adopt its opinion on the European Parliaments' second reading amendments on 28 July 2009.

(c) **Common Consular Instructions**

DE provided information concerning proposals it had tabled for amendments to Annex 5 of the Common Consular Instructions in accordance with Article 2 of the Council Regulation (EC) 789/2001.