



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 28 October 2009

14097/09

CRS/CRP 36

SUMMARY RECORD

**Subject : 2290th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 7 and 8 October 2009**

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- (b) Extraordinary meeting of the Council (Employment, Social Policy, Health and Consumer Affairs), held in Luxembourg on 30 April 2009
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- (d) 2945th meeting of the Council (Competitiveness), held in Brussels on 28 and 29 May 2009

4. Advisory Committee on Safety and Health at Work

- Appointment of Mr Walter HERMÜLHEIM as a German alternate member in place of Mr Harald KIHLE, who has resigned

5. Advisory Committee on Safety and Health at Work

- Appointment of Mr Xavier LEBICHOT as a Belgian alternate member in place of Mr Jean-Marie LAMOTTE, who has resigned

6. Advisory Committee on Safety and Health at Work

- Appointment of Ms Gerlinde ZINIEL as an Austrian alternate member in place of Mr Robert MURR, who has resigned

7. Advisory Committee on Social Security for Migrant Workers
 - Appointment of Mr Nicolas ARTEMIS as a Cypriot member in place of Ms Dora PETSA, who has resigned
 - Appointment of Mr Nicos VAKANAS as a Cypriot member in place of Mr Andreas KYRIAKIDES, who has resigned
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 - Appointment of Italian members and alternate members
 - Appointment of Luxembourg members and alternate members
 - Appointment of Maltese members and alternate members
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 - Appointment of Mr Erik MACAK as a Slovak member in place of Ms Eva MESTANOVA, who has resigned
11. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
 - Appointment of Spanish alternate member
 - Appointment of Dutch alternate member
12. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
 - Appointment of Mr Emmanuel COUVREUR as French member in place of Ms Laurence THERY, who has resigned
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 - (b) Proposal for a Council Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize MON 89034 (MON-89Ø34-3) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council
 - (c) Proposal for a Council Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize 59122xNK603 (DAS-59122-7xMON-ØØ6Ø3-6) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council12

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29. a) Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund
 - b) Proposal for transfer of appropriations No DEC25/2009 within Section III - Commission - of the general budget for 2009 (NCE)
30. a) Preliminary draft amending budget No 9 to the general budget for 2009 - Statement of expenditure by Section - Section III - Commission
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1. Adoption of the provisional agenda and items "I"

doc. 14049/09 OJ/CRP1 34 + ADD 1
14035/09 OJ/CRP2 34

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 1, under I)

48. Proposal for a Directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of electronic communications networks and services, and 2002/20/EC on the authorisation of electronic communications networks and services (2007/0247 COD) (LA) (Second reading)

- Non approval of the European Parliament's amendments

14067/09 CODEC 1158 TELECOM 198 MI 364 COMPET 408 CONSOM 182
AUDIO 37

(Coreper Part 2, under I)

49. Approval of draft Exercise Specifications (EXSPEC) for MILEX 10

13888/09 COSDP 868
12358/09 COSDP 717

The following items are **withdrawn** :

(Coreper Part 2, under I)

33. Council Joint Action amending Joint Action 2001/555/CFSP on the establishment of a European Union Satellite Centre

13224/09 COSDP 820
13225/09 COSDP 821

41. Application by the Republic of Albania for membership of the European Union

- Draft Council conclusions

13741/09 COWEB 198 ELARG 60

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

Coreper Part 1

II

21. Proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings (recast) (First reading)

- **Preparation of the next informal trialogue**
13774/09 ENER 311 ENV 612 CODEC 1140

The Committee was informed of the adaptation in the negotiating blocks that has been agreed with the European Parliament. The discussion then dealt with block I (subject matter and definition, especially "low energy building" and "cost-optimal"), block II (methodology, performance requirements and cost-optimal levels), block III (existing buildings), art. 9(1) (targets for low energy buildings), 9(4) (financing) and 11(issuing of certificates).

Subject to some adaptations of the text in the light of discussions, the Committee agreed that the Presidency could use the text set out in 13774/09 + COR 1 as a basis for negotiations with the European Parliament on the occasion of the informal trialogue on 14 October.

22. Amended proposal for a Regulation of the European Parliament and of the Council on labelling of tyres with respect to fuel efficiency and other essential parameters (First reading)

- **Analysis of the final compromise texte with a view to agreement**
14000/09 ENER 317 ENV 626 TRANS 367 CONSOM 180 CODEC 1150

The Committee could agree to the text as set out in 14000/09 as well as to its finalisation with a view to the adoption of the Council's common position.

23. Proposal for a Directive of the European Parliament and of the Council on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast) (First reading)

- **Presidency briefing on the outcome of the informal trialogue**

The Presidency informed the Committee on the outcome of the 1st trialogue that took place on 1st October. This trialogue addressed public procurement, advertisement and incentives-related provisions as well as the issue of construction products in relation with the scope of the proposal.

The 2nd trialogue is scheduled for the 3rd of November.

24. Preparation of the Council meeting (Agriculture and Fisheries) on 19 and 20 October 2009

1. Genetically modified organisms

- (a) **Proposal for a Council Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize MON 88017 (MON-88Ø17-3) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council**
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- **Adoption**
 - 12961/09 AGRILEG 146 ENV 552
 - 13387/09 AGRILEG 157 ENV 587
 - 13202/09 AGRILEG 151 ENV 567
 - 13388/90 AGRILEG 158 ENV 588
 - 12962/09 AGRILEG 147 ENV 553
 - 13386/09 AGRILEG 156 ENV 586

The results of the Committee's work are to be found in documents 14200/09, 14201/09 and 14202/09.

2. EU/Norway: annual consultations for 2010

- **Exchange of views**
 - 13859/09 PECHE 245 N 14

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

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

- **Political agreement**
 - 15694/08 PECHE 312
 - 13597/09 PECHE 230 + ADD 1

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

4. Proposal for a Council regulation fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2010

- **Political agreement**
12882/09 PECHE 207
13860/09 PECHE 246 + ADD 1

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

25. Preparation of the Council (Environment) on 21 October 2009

1. Towards an eco-efficient economy

- **Adoption of Council conclusions**
13830/09 ENV 615 ECOFIN 601 ENER 313 DEVGEN 255 MI 358 TRANS 357
RECH 300

The Committee decided to forward an amended text to the Council (Environment) for adoption on 21 October 2009.

**2. EU position for the Copenhagen Climate Conference (7-18 December 2009)
(This item will be discussed in restricted session)**

- **Adoption of Council conclusions**
13834/09 ENV 616 ONU 80 DEVGEN 256 ECOFIN 602 ENER 314 FORETS 94

The Committee considered the text of the draft Council Conclusions prepared by the Presidency and agreed to revisit the outstanding issues at its next meeting on 14 October.

Coreper Part 2

II

44. Preparation of the Council meeting (Economic and Financial Affairs) on 20 October 2009

a) Taxation

- Anti-fraud agreement with Liechtenstein (draft agreement)

The Committee:

- discussed the text of the draft agreement (MD 107/09);
- noted:
 - a reserve from Luxembourg and Austria: these delegations want to see the outcome of Council deliberations on the administrative cooperation and savings tax directives, before agreeing to the anti fraud agreement with Luxembourg;
 - some detailed questions and drafting suggestions from a variety of delegations;
 - detailed replies and explanations from the European Commission;
- agreed to come back to the issue at its meeting on 14 October, with a view to reaching a political agreement at the 20 October ECOFIN.

b) Other items in connection with the Council meeting

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

45. Preparation of the Council meeting (Justice and Home Affairs) on 23 October 2009

- Procedural rights

14086/09 DROIPEN 117 COPEN 190

- a) **Draft Resolution of the Council on a roadmap for strengthening procedural rights of suspected or accused persons in criminal proceedings**
13792/09 DROIPEN 110 COPEN 184
- b) **Draft Council Framework Decision on the right to interpretation and translation in criminal proceedings**
13729/09 DROIPEN 107 COPEN 182
- c) **Draft Proposal for a Resolution of the Council and the Governments of the Member States meeting within the Council fostering the implementation by the Member State of the right to interpretation and to translation in criminal proceedings**
13730/09 DROIPEN 108 COPEN 183

The Committee discussed the remaining outstanding issues on the basis of document 14086/09. The Committee invited the JHA Counsellors to revise the text of the draft Framework Decision in the light of the guidance provided by the Committee, and decided to revisit this file at its meeting on 14 October 2009.

- Other items in connection with the Council meeting

The Presidency gave some information about the organisation of the Council session.

46. Presentation of the agenda of the Council meeting (General Affairs and External Relations) on 26/27 October 2009

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

47. Debriefing from the EU-Brazil Summit (Stockholm, 6 October 2009)

The Presidency informed the Committee on the outcome of the 3rd EU-Brazil Summit, held in Stockholm on 6 October 2009.

- **Any other business**
 - **Galileo Interinstitutional Panel (GIP)**
 - **Information from the Presidency**

The Presidency informed the Committee on the outcome of the first Galileo Interinstitutional Panel which took place on 6 October 2009.

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