



**COUNCIL OF
THE EUROPEAN UNION**

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14362/09

CRS/CRP 37

SUMMARY RECORD

**Subject : 2291st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 13-16 October 2009**

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

doc. 14327/09 OJ/CRP1 35 + ADD 1 + ADD 2

14339/09 OJ/CRP2 35 COMIX 754

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 1, under I)

53. Governing Board of the European Foundation for the Improvement of Living and Working Conditions

- Appointment of Mr Paul CULLEN as Irish member in place of Ms Anne COLEMAN-DUNNE, who has resigned
14107/09 SOC 571

54. Governing Board of the European Foundation for the Improvement of Living and Working Conditions

- Appointment of Mr Ole PRASZ as Danish member in place of Mr Jens WIENE, who has resigned
14119/09 SOC 572

55. Governing Board of the European Foundation for the Improvement of Living and Working Conditions

- Appointment of Ms Marie-Soline CHOMEL as French alternate member in place of Ms Mireille JARRY, who has resigned
14124/09 SOC 573

56. Governing Board of the European Foundation for the Improvement of Living and Working Conditions

- Appointment of Mr Gonzalo GIMÉNEZ COLOMA as Spanish alternate member in place of Mr Joaquin MARTÍNEZ SOLER, who has resigned
14140/09 SOC 574

57. Proposal for a Council Regulation amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation)

- Decision on consultation of the European Parliament
- Request for the European Parliament to apply the urgent procedure
14270/09 AGRI 423 AGRIORG 96 AGRIFIN 86
14432/09 PE 297 AGRI 442 AGRIORG 100 AGRIFIN 89

The following item is **withdrawn** :

(Coreper Part 2, under I)

33. EU-US Energy Council: European Union's internal working methods
14358/09 USA 84 ENER 328

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

2. **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**
(This item will be discussed in restricted session)
- **Preparation of the informal trialogue**
 - **Presidency briefing on the outcome of the informal trialogue**

Le Comité prépare le Trilogue du 13.10.2009.

La Présidence informe le Comité des résultats du trilogue du 13.10.2009.

15. **Proposal for a Council Decision on the establishment of the Community position to be adopted in the Commission for the Conservation of Antarctic Marine Living Resources**
- **Adoption**
 - 13540/09 PECHE 227
 - 13778/09 PECHE 240
 - 13908/09 PECHE 251
 - 13909/09 PECHE 252

The Committee agreed on a revised Presidency compromise proposal set out in 13908/1/09 REV 1 and invited the Council to adopt the decision at one of its forthcoming sessions as an "A" item. FR and PL expected to be able to lift their parliamentary scrutiny reserves by the time of adoption.

16. **Proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings (recast) (First reading)**
- **Presidency briefing on the outcome of the informal trialogue**

The Presidency informed the Committee on the discussions at the second informal trialogue on 14 October, which addressed in particular the articles 6, 9 and 10(1) to 10(4) and the definition of low energy buildings in article 2(1a). At the informal trialogue it was agreed that further technical meetings will take place, and that the next informal trialogue will take place on 3 November.

17. Draft Council Decision on the participation of the European Community in negotiations on an international regime on access to genetic resources and benefit-sharing in the framework of the [...] Convention on Biological Diversity

- Adoption

14078/09 ENV 635 AGRI 414 WTO 205 PI 96 DEVGEN 260 MI 366 SAN 257

The Committee decided to forward the text of the draft Council conclusions contained in 14078/09 to the Council for adoption as an A-item at one of its forthcoming meetings, and inviting the German delegation and the Commission.

Furthermore, the Presidency stated that it would give careful consideration to a request by the United Kingdom and Ireland for a statement to be made by the President of the Council.

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

1. Communication from the Commission on an EU Strategy for better ship dismantling

- Adoption of Council conclusions

16220/08 ENV 879 MAR 222 TRANS 423

14094/09 ENV 638 MAR 137 TRANS 374

The Committee examined the above mentioned draft Council conclusions and forwarded the text resulting from its deliberations for adoption to the Council.

2. Proposal for a Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) (recast)

- Policy debate

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

17367/08 ENV 1022 MI 554 CODEC 1863

14146/09 ENV 647 MI 367 CODEC 1166

The Committee agreed to forward to the Council the Presidency questions to provide a basis for the policy debate of the Council.

3. Proposal for a Directive of the European Parliament and of the Council on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS) (recast)

- Policy debate

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

17333/08 ENV 1019 MI 553 CODEC 1859

14146/09 ENV 647 MI 367 CODEC 1166

The Committee agreed to forward to the Council the Presidency questions to provide a basis for the policy debate of the Council.

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

13834/1/09 ENV 616 ONU 80 DEVGEN 256 ECOFIN 602 ENER 314 FORETS 94
MAR 138 AVIATION 158 REV 1

The Committee discussed the draft Council conclusions, except the three issues mentioned in the cover note.

The revised text resulting from these discussions would be submitted to the Council (Environment) on 21st October 2009.

Coreper Part 2

II

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

a) Preparation for the 29-30 October European Council

i) Financing of climate change

= **Adoption of Council conclusions**

14188/1/09 REV 1 ECOFIN 613 ENV 651 POLGEN 136

The Committee discussed the open issues in the draft Council conclusions as prepared by the Economic and Financial Committee (doc. 14188/1/09 REV 1), took note of the positions of delegations and agreed to submit the text as it stood to the Council (ECOFIN) for discussion by Ministers.

ii) Exit strategy

= **Council conclusions**

14169/09 ECOFIN 612 UEM 232

The Committee agreed to submit the draft conclusions to Council for agreement.

b) Strengthening EU financial stability arrangements

= **Council conclusions**

14239/09 EF 137 ECOFIN 617

The Committee agreed to submit the draft conclusions to Council for agreement.

c) Taxation

i) Anti-fraud agreements with third countries:

1. **Liechtenstein (agreement)**
= **Political agreement**

2. **Other third countries (negotiating mandate)**
= **Orientation debate**

14325/09 AND 3 CH 41 MC 3 SM 6 FISC 127 RESTREINT UE

The Committee broadly agreed the text of both the draft anti-fraud agreement with Liechtenstein (EFTA WP MD 107/09) and the negotiating mandate for similar agreements with other third countries (doc. 14325/09), but noted political reserves and suggestions for possible drafting improvements from Austria and Luxembourg.

d) European Systemic Risk Board

14221/09 EF 136 ECOFIN 615 SURE 35 CODEC 1170

i) **Regulation establishing a European Systemic Risk Board and a EU macro-prudential oversight of the financial system**

14038/2/09 REV 2 EF 133 ECOFIN 607 SURE 32 CODEC 1153

ii) **Council Decision entrusting the European Central Bank with specific tasks concerning the functioning of the European Systemic Risk Board**

14055/2/09 REV 2 EF 134 ECOFIN 610 SURE 34

The Committee broadly agreed on the above-mentioned legal texts, but noted that some aspects still needed to be discussed at the Council. The Committee also took note of the parliamentary scrutiny reservations by some delegations.

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.

49. Enlargement package

- Presentation by the Commission

Le Comité prend note de la présentation par la Commission de sa communication 2009 sur l'élargissement et des rapports de progrès ainsi que des interventions des délégations.

Ces documents seront traités en détail dans les Groupes compétents et les résultats de cet examen seront intégrés dans les projets de conclusions du Conseil qui seront examinés par le Comité en vue du CAGRE des 7/8 décembre 2009.

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

- a) Draft Council Framework Decision on Accreditation of forensic service providers carrying out laboratory activities**
12819/5/09 REV 5 JAI 546 ENFOPOL 203

CZ informed the Committee that it could not yet lift its general scrutiny reservation on the draft Framework Decision. UK and FR maintained their parliamentary reservation. The Commission maintained a scrutiny reservation on the legal basis.

The Presidency called on delegations to examine the outstanding issues with a view to submitting the file for general approach to the Council on 23 October 2009.

- b) Proposal for a Council Decision setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA**
14307/09 CRIMORG 148 ENFOPOL 242

The proposal was discussed on the basis of doc. 14307/09 CRIMORG 148 ENFOPOL 242 and a room document from the Presidency containing amendments to Article 6.8 and 6.9. The file will be reexamined again at the Committee on 21 October 2009 and subsequently transmitted to Council on 23 October 2009.

- c) Procedural rights/Protection of the Individual in Criminal Proceedings in the EU**
14289/09 DROIPEN 122 COPEN 193
- i) Draft Resolution of the Council on a roadmap for strengthening procedural rights of suspected or accused persons in criminal proceedings**
 - General approach
 - ii) Draft Council Framework Decision on the right to interpretation and translation in criminal proceedings**
 - General approach
 - iii) 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**
 - General approach

The Committee examined the three draft instruments and solved several outstanding issues.

On Article 2(1) of the Framework Decision, the President noted that a large majority of Member States could accept the text as it stands in 14289/09. The President invited the Member States that still have a scrutiny reservation to lift that reservation in advance of the meeting on Wednesday 21 October.

d) Proposal for a Council Framework Decision on the transfer of proceedings in criminal matters
14308/09 COPEN 194

The Committee decided to transmit the file to Council on 23.10.2009 for endorsement of the compromise text as set out in the Annex to 14308/09 COPEN 194.

e) Proposal for a Council Framework Decision on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA
- **State of play**
14317/09 DROIPEN 123 MIGR 98

The Committee took note of the state of play and examined the outstanding issues of the draft proposal. It noted that the proposal will be submitted to the JHA Council on 23 October to inform about the state of play and solve the remaining issues, allowing the JHA Council of 30 November /1 December to reach a political agreement.

f) Other items in connection with the Council meeting

The Presidency informed that over lunch the Ministers will probably discuss the visa reciprocity as well as the state of play of the negotiations on the European Asylum Support Office.

51. EU-Ukraine Summit (Kiev, 4 December 2009)
- **Orientation debate**
14337/09 COEST 356 PESC 1289 POLGEN 139 RESTREINT UE

The Committee had an exchange of views on preparations for the EU-Ukraine Summit (Kiev, 4 December 2009) on the basis of a note from the Presidency (doc. 14337/09 RESTREINT UE).

52. Preparation of the Council meeting (General Affairs and External Relations) on 26/27 October 2009

A. General Affairs

- 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 Affaires générales.

B. External Relations

- 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 Relations extérieures.

- Any other business

(a) Developments of climate related international negotiations and discussions

- Information from the Presidency

The Chair informed the Committee about recent international meetings.

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

- Information from the Presidency

La Présidence informe le Comité de l'état du dossier.
