



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 November 2012

15009/12

CRS/CRP 35

SUMMARY RECORD

**Subject : 2425th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
(Part 1) held in Brussels on 17 and 18 October 2012**

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 - (c) n° E-007628/2012 put by Ivailo Kalfin
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1. Adoption of the provisional agenda and "I" items

doc. 14899/12 OJ/CRP1 35 + ADD 1

The above-mentioned agenda is approved with the following changes:

The following items are **added** :

(Coreper Part 1, under I)

23. Follow up to the adoption of a standard setting maximum residue levels (MRLs) on ractopamine by the Codex Alimentarius Commission at its 35th session

- **Adoption of Council conclusions**
14981/12 AGRI 667 CODEX 27

24. Enlarge ment

Accession negotiations with Iceland

- **Outcome of screening on Chapter 3 (Right of Establishment and Freedom to Provide Services)**
15001/12 ELARG 109

25. Enlarge ment

Accession negotiations with Iceland

- **Outcome of screening on Chapter 4 (Free Movement of Capital)**
15006/12 ELARG 110

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

Coreper Part 1

II

15. **Proposal for a Regulation of the European Parliament and of the Council on the establishment of a Programme for the Environment and Climate Action (LIFE) (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee was debriefed by the Presidency on the outcome of the first informal trilogue meeting held on 15 October 2012. The Committee was informed that the meeting was a fruitful one. The key points discussed were: i) Integrated Projects and mainstreaming, ii) Geographical balance, national allocations and capacity building projects, iii) co-financing rates, iv) VAT and staff costs, and v) Inclusion of Overseas Countries and Territories. Finally, the Presidency informed the Committee that a date for the second informal trilogue meeting was confirmed for 12 November 2012. The Committee will discuss the mandate for the second informal trilogue meeting on 7 November 2012.

16. **Preparation of the Council meeting (Environment) on 25 October 2012**

1. **Proposal for a Directive of the European Parliament and of the Council of amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools (First reading) (Legislative deliberation)**
- **General approach**
 - 8245/1/12 ENV 247 ENT 71 CODEC 845 REV 1
 - 14671/1/12 ENV 752 ENT 239 CODEC 2319 REV 1

The Committee agreed to remove this item from the agenda of the Council meeting (Environment) on 25 October 2012.

2. **Rio+20: outcome and follow-up to the UNCSD 2012 (Rio (Brazil), June 2012)**
(Non-legislative activity)
- **Adoption of Council conclusions**
14699/12 ENV 761 DEVGEN 277 RELEX 914 ONU 128 ECOFIN 828

The Committee examined the above document and discussed the outstanding issues. While a number of these issues were settled, the remaining ones were submitted to Council. Some delegations entered scrutiny reserves on some paragraphs. A new document will be prepared with a view to Council (Environment) on 25 October 2012.

17. **Proposal for a Regulation of the European Parliament and of the Council on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
14706/12 ENV 763 ENER 402 TRANS 322 IND 157 ONU 130 AGRIFORET 5
ECOFIN 830 CODEC 2323

The Committee agreed to give the Presidency a mandate for the first informal trilogue with the European Parliament on 24 October 2012 on the basis of the Presidency compromise text contained in the Annex to document 14706/12, as modified following Committee in recital 11 and Articles 2(f), 3(13), 13(1) and 20(6).

18. **Proposal for a Regulation of the European Parliament and of the Council on establishing a Health for Growth Programme, the third multi-annual programme of EU action in the field of health for the period 2014-2020 (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Chair debriefed the Committee on the 2nd trilogue that took place on 15 October 2012. The Presidency used the mandate obtained from the Committee on 19 September 2012 (doc. 13653/12). The discussion focused on:

- Outstanding issues concerning Articles (follow-up to the 1st trilogue on 26 September 2012);
- Discussion on the Annex containing actions to be covered by the programme;
- Explanation of the Council's positions on procedure for adoption of annual work programmes by implementing acts.

Trilogue was constructive, substantial progress has been made and an agreement is within reach at the 3rd trilogue except for two horizontal issues: (a) financial envelope which depends on the outcome of MFF negotiations; (b) delegated vs. implementing acts for the adoption of annual work-programmes. The 3rd trilogue is planned for 27 November 2012 and issues to be discussed are:

- Title (Article 1 and Am 1);
- Financing of actions for MS with per capita GNI less than 90% of the EU average (Article 7(3)(3));
- Delegated vs. implementing acts for the adoption of annual work programmes;
- Recitals.

The Presidency will submit to the Committee the request for the mandate for the 3rd trilogue on 21 November 2012.

19. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 29 October 2012

1. Proposal for a Regulation of the European Parliament and of the Council on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/10/EC (First reading) (*Legislative deliberation*)

- **Orientation debate**
12786/12 TRANS 249 CODEC 1954
+ REV 1 (cs, da, el, es, et, fi, ga, hu, it, lt, lv, mt,
nl, pl, pt, sk, sl, sv, ro, bg)
14751/12 TRANS 323 CODEC 2339

The Committee examined the above report and took note of the draft questions presented by the Presidency in order to structure the ministerial debate at the TTE Council on 29 October 2012.

2. Proposal for a Regulation of the European Parliament and of the Council on common rules for the allocation of slots at European Union airports (Recast) (First reading) (*Legislative deliberation*)

- **General approach**
18009/11 AVIATION 257 CODEC 2289
+ REV 1 (en)
14753/12 AVIATION 151 CODEC 2341

The Committee was not able to settle all outstanding issues and referred the open issues to the TTE Council on 29 October 2012.

3. Proposal for a Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement providing a general framework for enhanced cooperation between the European Union and the European Organisation for the Safety of Air Navigation (EUROCONTROL) (*Non legislative activity*)

- **Adoption**
 - 13792/12 AVIATION 137 OC 493
 - + REV 1 (pl)
 - 14193/12 AVIATION 140 OC 524
 - + ADD 1

The Committee confirmed the agreement reached at working party level and decided to submit this file to the TTE Council, on 29 October 2012, for adoption of the Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement providing a general framework for enhanced cooperation between the European Union and the European Organisation for the Safety of Air Navigation.

20. Proposal for a Regulation of the European Parliament and of the Council concerning the European Network and Information Security Agency (ENISA) (First reading) (Legislative deliberation)

- **Preparation for the informal trilogue**
 - 14865/12 TELECOM 180 MI 622 DATAPROTECT 117 JAI 693 CAB 25
 - INST 579 CODEC 2370

The Committee agreed a mandate for the 1st informal trilogue to be held on 23 October 2012 on the basis of the position set out in 14865/12.

21. Draft Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 714/2009 and 715/2009 (First reading) (Legislative deliberation)

- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the Presidency debriefing on the first informal trilogue that took place on 15 October 2012. This trilogue addressed chapters 2 to 6 of the proposal and allowed each side to set its position and demands such as for the European Parliament the collaborative scheme, time limits for permit granting, the role of ACER and its funding, criteria and the use of ranking for the selection of projects of common interest, the use of delegated acts for the adoption of the list of projects, the introduction of a transitional cost-benefit analysis, and operational coordination.

This trilogue was followed by technical meetings on 16 and 17 October 2012 with a view to preparing the second informal trilogue scheduled on 7 November 2012.

22. Proposal for a Regulation of the European Parliament and of the Council implementing enhanced cooperation in the area of the creation of unitary patent protection (First reading) (Legislative deliberation)

= **Information from the Presidency on the state of play**
14963/12 PI 73 CODEC 2385

The Committee was debriefed by the Presidency on the latest state of play in this file and took note of the Presidency's compromise proposal, as set out in 14963/12. It was agreed to revert to this proposal at one of the future Committee meetings.

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