



**COUNCIL OF
THE EUROPEAN UNION**

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15613/09

CRS/CRP 41

SUMMARY RECORD

**Subject : 2295th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 11-13 and 16 November 2009**

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II

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

doc. 15507/09 OJ/CRP1 39 + ADD 1

15601/09 OJ/CRP2 39 COMIX 830 + ADD 1 + CM 4752/09

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 1, under II)

62. Draft Council Decision on the European Year of Voluntary Activities promoting active citizenship (2011)

- **Preparations for contacts with the European Parliament**

(Coreper Part 2, under I)

63. Report on Member States' progress in facilitating the deployment of civilian personnel to ESDP missions

15619/09 COPS 667 CIVCOM 821 PESC 1507 COSDP 1070 RELEX 1034

JAI 812 PROCIV 178

64. Draft Council decision concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities

15533/09 PESC 1490 COHOM 251 CONUN 119 SOC 666

65. Concept on Strengthening EU Mediation and Dialogue Capacities

15779/09 COPS 673 COVCOM 833 PESC 1521 POLMIL 31 CONUN 122

COSDP 1087 COSCE 7 RELEX 1048

67. Draft Council conclusions on Belarus

15593/09 PESC 1503 COEST 399 NIS 121

68. Council statement on Battle Groups

15847/09 PESC 1528 RELEX 1057 FIN 458 COSDP 1091

69. Report by the Head of European Defence Agency to the Council

15650/09 COSDP 1078 POLARM 21 IND 153 RECH 390 ECO 131

70. EDA Draft Council guidelines for the Agency's work in 2010

15868/09 COSDP 1095 POLARM 25 IND 161 RECH 407 ECO 138

15865/09 COSDP 1094 POLARM 24 IND 159 RECH 406 ECO 137

71. ESDP

- **Declaration**

15649/09 COSDP 1077 PESC 1513 CIVCOM 826 COPOL 74 RELEX 1040

72. European Defence Agency

a) Three-year financial framework 2010-2012: postponement

b) Budget -Adoption

15881/09 COSDP 1099 POLARM 26 IND 162 RECH 411 ECO 139

15687/09 COSDP 1083 POLARM 22 IND 156 RECH 396 ECO 135

(Coreper Part 2 , under II)

66. Counter terrorism : Report by the Counter Terrorism Coordinator

15359/09 JAI 773 ECOFIN 695 TRANS 436 RELEX 999 ECO 128 PESC 1460

COTER 123 ENFOPOL 278 COSDP 1040 PROCIV 168 ENER 364

ATO 132 DATAPROTECT 68 TELECOM 231

The following items are **withdrawn** :

(Coreper Part 2, under I)

48. Adoption of a Council Decision on a Community Position concerning the Rules of Procedure for dispute Settlement and the Code of Conduct for Arbitrators and Mediators provided for by the Economic Partnership Agreement between the CARIFORUM States of the one part, and the European Community and its Member States, of the other part

14870/09 ACP 234 WTO 219 COLAT 28 RELEX 941

15026/09 ACP 238 WTO 224 COLAT 31 RELEX 962

50. (poss.)Operational Framework on Aid Effectiveness

- Draft Council conclusions

15563/09 DEVGEN 311 RELEX 1024 ACP 256

(Coreper Part 2, under II)

60. (poss.) Implementation of the Treaty of Lisbon

The following CRP2 agenda item is **tranferred** from Part II to Part I :

61. Preparation of the Council meeting (General Affairs and External Relations) on 16/17 November 2009

B. External Relations

f) (poss.) Draft Council conclusions on Freedom of Religion or Belief

15510/09 COHOM 250 PESC 1488 COPOL 72

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

12. Preparation of the Council meeting (Education, Youth and Culture) on 26 and 27 November 2009

1. Setting of the provisional agenda

The Committee agrees on the provisional agenda for the forthcoming Council meeting (Education, Youth and Culture) as set out in document 16065/1/09 REV 1.

2. Professional development of teachers and school leaders

- **Adoption of Council conclusions**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15098/09 EDUC 166 SOC 631

The Committee takes note of the full agreement on the text of the draft conclusions and submits the draft to Council for adoption on the basis of document 15098/09.

3. Education of children with a migrant background

- **Adoption of Council conclusions**
- **Policy debate**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
14353/09 EDUC 153 SOC 590 MIGR 99
15489/09 EDUC 177 SOC 663 MIGR 105

The Committee notes that there exists now full agreement on the text of the draft conclusions and submits the draft to Council for adoption on the basis of document 15353/09. The Committee also takes note of the fact that a policy debate will be organised in Council on the basis of a Presidency discussion paper as set out in document 15489/09.

4. Messages from the EYC Council in the field of education as a contribution to the discussion on the post-2010 Lisbon Strategy

- **Adoption**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15465/09 EDUC 175 SOC 659

The Committee takes note of the set of messages on which unanimous agreement has been reached and submits the text to Council for adoption on the basis of document 15465/09 and its subsequent submission to the December 2009 European Council.

- 5. Developing the role of education in a fully-functioning knowledge triangle**
- **Adoption of Council conclusions**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
14344/09 EDUC 152 SOC 589 RECH 320 COMPET 415

The Committee takes note of the full agreement on the text of the draft conclusions and submits the draft to Council for adoption on the basis of document 14344/09.

- 6. Diversity and transparency - drivers for excellence in European higher education**
- **Presentation by the Commission of the report on progress in quality assurance in higher education**
 - **Policy debate**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15466/09 EDUC 176 COMPET 463 RECH 383

The Committee takes note of the Commission intention to make the above presentation at the Council and of the Presidency background paper and questionnaire as set out in document 15466/09. The Committee submits the file to Council where a policy debate will take place.

- 7. Renewed framework for European cooperation in the youth field (2010-2018)**
- **Adoption of Council resolution**
 - **Policy debate**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15131/09 JEUN 50 EDUC 169 SOC 633
15452/09 JEUN 51 EDUC 174 SOC 656

The Committee notes that there exists now full agreement on the text of the draft conclusions and submits the draft to Council for adoption on the basis of a new document 15131/09. The Committee also takes note of the fact that a policy debate will be organised in Council (doc. 15452/09).

- 8. Promoting a creative generation - developing the creativity and innovative capacity of children and young people through cultural expression and access to culture**
- **Adoption of Council conclusions**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
14453/09 CULT 64

The Committee notes that there exists now full agreement on the text of the draft conclusions and submits the draft to Council for adoption on the basis of document 14453/09.

9. Media Literacy in the digital environment

- Adoption of Council conclusions

[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15441/09 AUDIO 47 EDUC 173 COMPET 461 TELECOM 233 RECH 380

The Committee take note of the full agreement on the text of the draft conclusions and submits the draft to Council for adoption on the basis of a new document 15441/09.

10. Digitisation of cultural content in Europe

- Policy debate

[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15447/09 AUDIO 48 CULT 68 RECH 381 PI 114

The Committee takes note of the Presidency background paper and questionnaire as set out in a new document 15447/1/09 REV 1 and submits the file to Council where a policy debate will take place.

13. Preparation of the Council meeting (Agriculture and Fisheries) on 19 and 20 November 2009

1. Proposal for a Council Regulation concerning the conservation of fisheries resources through technical measures

- Political agreement

10476/08 PECHE 137
15528/09 PECHE 323 + ADD 1

The Committee prepared this item on the basis of a Presidency compromise (DS 667/09) and forwarded it to the Council. The item is retained on the Council agenda.

2. EC/Norway: annual consultations for 2010

- Information from the Commission and exchange of views

15539/09 PECHE 324 N 19

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 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2010

- **Political agreement**
14074/09 PECHE 262
14889/09 PECHE 289

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

14. Proposal for a Regulation of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC, with regard to the regulatory procedure with scrutiny Adaptation to the regulatory procedure with scrutiny Part Five (First reading)

- **Preparation for the next informal trialogue**
15040/09 AGRILEG 199 CODEC 1234 + ADD 1

The Committee takes note of the information provided by the Presidency on the cancellation by the European Parliament of the informal trialogue planned for 12 November 2009 due to the European Parliament's intention to reject the Commission proposal.

15. Proposal for a Council Decision authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize MIR604 (SYN-IR604-5) pursuant to Regulation (EC) No 1829/2003 of the European Parliament and of the Council

- **Adoption**
15375/09 AGRILEG 203 ENV 760
15426/09 AGRILEG 205 ENV 764

The results of the Committee's work are to be found in document 15886/09.

16. 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)

- **Preparation of the next informal trialogue**
15370/09 ENER 368 ENV 759 CONSOM 207 CODEC 1265

Following a discussion that focused on advertisement, the label layout, public procurement and incentives, and subject to some adaptations, notably on the label layout, the Committee agreed that the Presidency could use the text set out in 15370/09 + COR 1 as a basis for negotiations with the European Parliament on the occasion of the informal trialogue on 17 November. The Committee also agreed on the approach to handle the consequences of the entry into force of the TFEU.

17. Preparation of the Council meeting (Employment, Social Policy, Health and Consumers) on 30 November and 1 December 2009

1. Setting of the provisional agenda

The Committee agrees on the provisional agenda of the forthcoming meeting of the Council (EPSCO) as set out in 16585/09 OJ CONS 66 SOC 736 SAN 337 CONSOM 228.

2. Healthy and dignified ageing

- **Adoption of Council conclusions**
14996/09 SOC 623 SAN 281

The Committee agrees to submit the draft Conclusions to the Council (EPSCO) for adoption.

3. Gender equality: strengthening growth and employment

- **Adoption of Council conclusions**
- **Policy debate**
[Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency)]
15488/09 SOC 662

The Committee agrees that the Council should hold a policy debate on the basis of the introductory note from the Presidency set out in document 15782/09 SOC 679.

The Committee also agrees to submit the draft Conclusions "Gender equality: strengthening growth and employment - input to the post-2010 Lisbon Strategy", as set out in document 15488/09 SOC 662, to the Council, with a view to their adoption.

4. Follow-up of the implementation by the Member States and the EU institutions of the Beijing Platform of Action - "Beijing 15+": A Review of Progress

- **Adoption of Council conclusions**
15487/09 SOC 661 CONUN 118 ONU 97 COHOM 249 JAI 794

The results of the Committee's work are to be found in document 15992/09 SOC 698 CONUN 123 ONU 102 COHOM 259 JAI 832.

5. **Proposal for a Council Directive implementing the revised framework agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (text with EEA relevance)**
- **Political agreement**
15302/09 SOC 642

The results of the Committee's work are to be found in document 15994/09 SOC 699.

6. **Proposal for a Council Decision authorising Member States to ratify, in the interests of the European Community, the Work in Fishing Convention, 2007, of the International Labour Organisation (Convention 188)**
- **Political agreement**
14051/09 SOC 570 PECHE 259 + ADD 1

The results of the Committee's work are to be found in document 15960/09 SOC 693
PECHE 335 +ADD 1 +ADD 2.

18. **Proposal for a Decision of the European Parliament and of the Council establishing a European Microfinance Facility for Employment and Social Inclusion (Progress Microfinance Facility) (First reading)**
and
Proposal for a Decision of the European Parliament and of the Council amending Decision No 1672/2006/EC of the European Parliament and of the Council establishing a Community Programme for Employment and Social Solidarity (First reading)
- **Preparation of the informal dialogue**
15554/09 SOC 668 ECOFIN 711 CADREFIN 63 COMPET 466 CODEC 1276

DE maintains general reservations on both Commission's proposals. This delegation is not in a position to agree on a mandate for the Presidency to negotiate with the European Parliament for the following reasons:

- 1) According to the Commission proposal establishing the Microfinance Facility, the Member States' authorities would not be involved in the implementation of the instruments;
- 2) The implementation of the Facility would depend on the micro-finance structures already established in the Member States; a European wide instrument therefore has no added value (subsidiarity principle);
- 3) The re-allocation of funds from the Progress Programme would jeopardize the activities implemented by the Programme;
- 4) The establishment of the Facility might lead to the creation of additional institutional structures.

The Committee supports, by qualified majority, the mandate suggested by the Presidency, as set out in document 15554/09 ADD 1.

19. Preparation of the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 3 and 4 December 2009

1. Setting of the provisional agenda

The Committee sets the provisional agenda for the meeting of the Competitiveness Council.

2. Better Regulation

- **Adoption of Council conclusions**
15353/09 COMPET 456

The Committee examines the draft conclusions and agrees to forward the text to the Council for further consideration with a view to their adoption.

3. Proposal for a Council Regulation on a European private company (SPE)

- **Political agreement**
15355/09 DRS 66 SOC 646 + ADD 1

The Committee examined the Presidency compromise text on the main outstanding issues as reflected in document 15355/09, took note of delegations' positions and comments and decided to revert to this matter at one of its forthcoming meetings.

20. 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**
15366/09 ENER 367 ENV 758 CODEC 1264

Following a discussion focusing on benchmarking of energy performance requirements, financial instruments, threshold for certificates and the definition of low-energy buildings, and the review clause, subject to some adaptations the Committee agreed that the Presidency could use the text set out in 15366/09 as a basis for negotiations with the European Parliament on the occasion of the informal trialogue on 17 November.

In reply to DK's request it was in principle accepted to reflect in the text that this Directive would allow Member States to set stricter requirements than those foreseen by the Directive.

The Committee also agreed on the approach to handle the consequences of the entry into force of the TFEU.

21. Proposal for a Directive of the European Parliament and of the Council on the application of patients' rights in cross-border healthcare (First reading)

- **Analysis of the Presidency compromise text**
15560/09 SAN 302 SOC 669 MI 412 CODEC 1277

The Presidency presented a new compromise text aimed at solving the outstanding issues in relation to the aim and scope of the directive (Article 1 and 2), the definitions (Article 4), the responsibilities of the Member State of treatment (Article 5) and the general principles for reimbursement of costs (Article 8).

In addition to this, AT proposed changes to Recital 23, BE to Article 2 and 5, FI to Article 4, DK to Article 4, ES to Article 2, 4, 6 (Responsibilities of the Member State of affiliation) and 8, FR to Article 8 and 12 (Recognition of prescriptions), IT to Article 14 (eHealth) and RO to Article 4.

Other delegations (CZ, DE, FI, LU, MT, PL and PT) reminded other outstanding issues of concern for them. LT and EL entered a general scrutiny reservation on the new Presidency's compromise.

The Commission expressed its support to the text although issues as prior authorisation and the scope of the directive still present difficulties.

The Presidency concluded that following the guidance given by the Committee, the text of the draft directive will be revised and a new compromise presented to the Committee at its meeting the following week.

62. Draft Council Decision on the European Year of Voluntary Activities promoting active citizenship (2011)
- Preparations for contacts with the European Parliament

The Committee takes note of the Presidency information on the state of play on this dossier. The Committee agrees for the Presidency to continue its informal contacts with the European Parliament with a view to facilitating the adoption process of the draft decision. The Committee also notes that Presidency will report back to Committee at its meeting on 18 November 2009 in the framework of the preparation of the EYC Council.

Coreper Part 2

II

53. Preparation of the Council meeting (Justice and Home Affairs) on 30 November/1 December 2009

- a) **Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Programme ("SWIFT" Agreement) (Restricted Session)**

15671/09 JAI 813 USA 99 RELEX 1043 DATAPROTECT 71

ECOFIN 719 RESTREINT UE

+ ADD 1 RESTREINT UE

+ COR 1 RESTREINT UE

The Committee discussed the draft Agreement and the draft Council declaration. Further to the request by some delegations for changes to the draft Agreement, the Presidency indicated it would have further contacts with the US side.

- b) **Multi annual strategic work programme for 2010-2014 in the area of Freedom, Security and Justice (The Stockholm Programme)**

14449/09 JAI 679

The Committee continued its discussion on Chapters 5 and 6.4 concerning migration, asylum and border controls on the basis of the questions and text set out in Room Document (DS 684/09). The Presidency concluded that it would prepare a revised version of the text in light of the discussion.

- c) **Council Decision authorizing the signature of an agreement between EU and Japan on mutual legal assistance in criminal matters**

7288/4/09 REV 4 COPEN 47 COASI 31 RESTREINT UE

15273/09 COPEN 218 COASI 192

Several delegations indicated they needed further time for scrutiny of the draft Agreement. The Chairman concluded that the draft Council Decision on signing and Agreement would be subjected to lawyer-linguist scrutiny in order to be ready for adoption at the JHA Council meeting of 30 November.

- d)
 - i) **Proposal for a regulation of the European Parliament and the Council establishing a European Asylum Support Office**
 - ii) **Proposal for a Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008/2013 by removing funding for certain Community actions and altering the limit for funding such actions**
 - = **Analysis of draft compromise text with a view to agreement**
15074/09 ASILE 83 CODEC 1241

The Committee examined the Presidency's compromise package on abovementioned proposals for a Regulation and a Decision as reflected in document 15074/09.

The Presidency concluded that the two legislative proposals have the necessary majorities in Council for adopting political agreements subject to two additional changes to the proposal for a Regulation to which it would seek the agreement of Parliament. These were the insertion of the word "only" in the last sentence of Article 5 ("Intra-community relocation shall be carried out only on an agreed basis, between Member States and with consent of the individual concerned and, where appropriate, in consultation with UNHCR") and the addition of a new sentence at the end of the second subparagraph to Article 28(1) ("The opinion shall be treated as personal and confidential until the appointment of the candidate").

Furthermore, the Presidency noted the wish expressed by several delegations to insert in the minutes of a forthcoming meeting of the Committee a statement recalling the voluntary nature of engagements on relocation and resettlement of beneficiaries of international protection.

e) Other items in connection with the Council meeting

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

54. Negotiations for the conclusion of an agreement between the European Community and Georgia on the facilitation of issuance of short-stay visas
15711/09 VISA 387 COEST 405

The Committee discussed the ongoing negotiations with Georgia on a visa facilitation agreement on the basis of 15711/09 VISA 387 COEST 405. The majority of delegations supported the draft text for an agreement as a basis for further proceedings. A number of other delegations (ES/AT/NL/BE) maintained reservations on the draft agreement. The Chairman concluded that there was a sufficient majority in support of the current draft as a basis for the Commission to proceed further with Georgia on the matter.

55. Debriefing from the EU-US Summit (Washington, 3 November 2009)

The Committee was debriefed on the results of the EU-US Summit that took place in Washington DC, on 3 November 2009.

56. Debriefing from the EU-India Summit (New Delhi, 6 November 2009)

15573/09 PESC 1498 COASI 200 RELEX 1028 POLGEN 184
ECOFIN 712 COMER 172 ENER 375 ENV 775 COTER 126
CONOP 92 TRANS 446 JAI 803

The Committee took note of the outcome of the EU-India Summit. The Chair recalled that the report of the Summit was circulated as SEC/2228/09. The Chair noted that the Summit was dominated by an exchange on climate change and energy which left little time for regional issues but assured the Committee that Sri Lanka, Pakistan, Burma-Myanmar and Afghanistan were subsequently raised bilaterally by the Presidency. France requested the Presidency to inform the Committee about the outcome of these discussions, in particular on Sri Lanka.

57. Follow-up to the Council meeting (Economic and Financial Affairs) on 10 November 2009

The Committee took note of the proceedings of this Council meeting. It also agreed that the Friends of the Presidency Working Party would deal with the issues of financing of climate change.

58. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 2 December 2009

The Committee agreed the provisional agenda for this Council meeting.

59. Preparation of the Council meeting (Economic and Financial Affairs/Budget) on 19 November 2009

- a) **Establishment by the Council of the 2010 draft budget as amended and accompanied by proposals for modifications by the European Parliament**
15350/09 FIN 424 + ADD 1 + ADD 2
- b) **Letter of amendment No 2 to the preliminary draft budget for 2010**
15349/09 FIN 423
- c) **Preliminary draft amending budget No 10 to the general budget for the 2009 - Statement of revenue and expenditure by section - Section III - Commission**
15348/09 FIN 422
- d) **Proposal for a Decision of the European Parliament and the Council amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regards the multiannual financial framework**
15387/09 FIN 429 ECOFIN 696 UEM 246 EF 162 COMPET 458 SOC 650
ENER 369 AG 53
- e) **Preparation of the conciliation meeting with the European Parliament**
- f) **Other items in connection with the Council meeting**

The Committee confirmed by qualified majority the proceedings of the Budget Committee as recorded under points a) to d) above.

The Committee took note of the information given by the Presidency on the preparation of the Conciliation meeting with the European Parliament.

Following the presentation of a letter of amendment to the 2010 budget concerning Section II - Council in view of the entry into force of Lisbon Treaty, the Committee agreed unanimously to add this item on the agenda of the Ecofin/Budget Council of 18 November 2009 and to instruct the Budget Committee to report to the Council.

61. Preparation of the Council meeting (General Affairs and External Relations) on 16/17 November 2009

A. General Affairs

a) EU Sustainable Development Strategy

= Orientation debate

15271/09 ENV 746 AGRI 478 ECO 125 ECOFIN 688 ENER 358
DEVGEN 301 MI 403 PECHE 314 RELEX 987 SAN 290 SOC 641
TRANS 431 RECH 371 POLGEN 174 EDUC 172
12453/09 ENV 513 AGRI 338 ECO 105 ECOFIN 530 ENER 260
DEVGEN 218 MI 288 PECHE 196 RELEX 712 SAN 204 SOC 461
TRANS 295 RECH 238 POLGEN 118 EDUC 121

The Committee takes note of the two questions prepared by the Presidency for the orientation debate to be held in Council, as set out in document 15271/09.

b) Preparation of the European Council (10/11 December 2009)

= Draft Annotated Agenda

15525/09 POLGEN 182

The Committee took note of the Annotated Draft Agenda to be submitted to the General Affairs and External Relations Council on 16/17 November. The Chair took note of delegations' comments.

c) 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

a) Russia

15516/09 COEST 396 PESC 1489 POLGEN 181

The Committee discussed the preparations for the EU-Russia Summit in Stockholm on 18 November 2009 on the basis of a Presidency/Secretariat/Commission information note (doc. 15516/09).

- b) Ukraine**
15535/09 COEST 397 PESC 1492 POLGEN 183
15827/09 COEST 407 NIS 125

The Committee discussed preparations for the EU-Ukraine Summit (Kiev, 4 December 2009) on the basis of an information note by the Presidency/Secretariat/Commission (doc. 15535/09) and a discussion paper in view of GAERC on 17 November by the Presidency (doc. 15827/09).

- c) Option paper on a possible EU-ESDP mission to contribute to the training of Somali security forces**
15853/09 COSDP 1093 PESC 1530 COAFR 358
CIVCOM 838 RESTREINT UE
15194/09 COSDP 1017 PESC 1434 COAFR 346
CIVCOM 738 RESTREINT UE

On 12 Novembre 2009, the Committee agreed to recommend that the Council :

- approve, as an "A" item, the text of the Option Paper as set out at Annex of the document 15988/09,
- agree that the Option Paper will constitute the Crisis Management Concept on the possible ESDP mission to contribute to the training of Somali Security Forces, without prejudging subsequent decisions on a possible ESDP action.

In the light of the above and without prejudging subsequent decisions on a possible ESDP action, the Committee invited the Council to approve the Option Paper as set in document 15988/09, as a Crisis Management Concept on the possible ESDP mission to contribute to the training of Somali Security Forces.

- d) Climate Change and Development**
= **Draft Council conclusions**
15141/09 DEVGEN 299 ACP 250 ENV 744 RELEX 985 ONU 95 FIN 414

The Committee examined the draft Council Conclusions as set out in the Annex to document 15141/09, focusing on the sole outstanding issue concerning the request from NL (supported by UK) to add the following sentence to paragraph 16:

"Public international financial support for climate action should be as much as possible new and additional to these commitments, so as not to jeopardize the progress on the Millennium Development Goals."

The Committee noted the opposition of all other delegations to the above sentence, and decided to submit the question to the Council for discussion under the B items of its Agenda.

e) **ESDP**

= **Council conclusions**

15648/09 COSDP 1076 PESC 1512 CIVCOM 825 COPOL 73
RELEX 1039 + ADD 1

The Committee agreed on the draft Council conclusions on ESDP and agreed to transmit them to the Council for approval, on the understanding that text for paragraph 10 will be the subject of an addendum to these draft conclusions and that the texts between brackets in paragraphs 59, 63, 64, 65, 67, 69 and 70 are subject to the outcome of the Council on 17 November.

g) **Other items in connection with the Council meeting**

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

- **MEPP**

Le Comité prend acte que le Conseil va procéder à un échange de vues sur la situation au Proche-Orient.

66. Counter terrorism : Report by the Counter Terrorism Coordinator

15359/09 JAI 773 ECOFIN 695 TRANS 436 RELEX 999 ECO 128 PESC 1460
COTER 123 ENFOPOL 278 COSDP 1040 PROCIV 168 ENER 364
ATO 132 DATAPROTECT 68 TELECOM 231

The Counter-Terrorism Coordinator briefed the meeting on his latest draft report and discussion paper, in advance of his appearance at the JHA Council. Coming at the same time as consideration of a new working structures under the Lisbon Treaty, a new Commission and new five year programme for Justice and Home Affairs, the paper was intended to be a strategic contribution to debate. It set out the continuing but changing nature of the terrorist threat, pointed out that this had been foreseen in the EU CT strategy, which was designed to be implemented steadily and in a balanced way, and set out ten key challenges for counter terrorism work going forward.

Delegations who intervened were very supportive, and agreed that the fact that there had not recently been a successful mass casualty attack should not lead the EU to relax its efforts. UK agreed with the priorities and mentioned in particular Pakistan. BE and FR were both very supportive. IE was supportive especially on the need to improve law enforcement input to security related research, but cautioned that support for victims, although essential, could be politically complicated in delivery. HU was generally positive but needed more time, DE also needed time and mentioned the sensitivity of issues related to the information management strategy.

The Presidency concluded that there was broad support for the CTC's approach.

The CTC intervened briefly afterwards in support of the Presidency's approach on SWIFT, referring to his recent appearance at the LIBE Committee with the DG of Justice, Liberty and Security (JLS) in the Commission.

- **Any other business**

(a) Developments of climate related international negotiations and discussions

- **Information from the Presidency**

The Presidency informed the Committee on the latest state of play and gave a report from the last UNFCCC preparatory meeting before the Copenhagen Conference held in Barcelona from 2 to 6 November 2009.

(b) Proposal for a Regulation of the European Parliament and of the Council concerning a European rail network for competitive freight

- **Information from the Presidency on the informal contacts with rapporteurs**

The Committee took note of the Presidency's information on the results of the informal contacts with the European Parliament on the above proposal held on 5 and 12 November 2009.

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