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THE EUROPEAN UNION**

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16980/09

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SUMMARY RECORD

**Subject : 2298th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 2-4 and 7 December 2009**

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1. **Adoption of the provisional agenda and items "I"**
doc. 16837/09 OJ/CRP1 42
16854/09 OJ/CRP2 42 + CM 5206/01/09 REV 1

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under I)

72. **Military Strategic Options for ESDP mission to contribute to the training of Somali Security Forces**
17041/09 COSDP 1174 PESC 1662 COAFR 388 CIVCOM 896 RESTREINT UE
+ COR 1 RESTREINT UE
17099/09 COSDP 1180 PESC 1675 COAFR 390 CIVCOM 903 RESTREINT UE
73. **Council Regulation amending Council Regulation (EC) No 423/2007 concerning restrictive measures against Iran**
16712/09 PESC 1626 RELEX 1140 COMEM 228 CONOP 98 COARM 63
16605/09 PESC 1607 RELEX 1125 COMEM 221 CONOP 96 COARM 61
74. **Amendment of the Treaties**
- **Transitional measures concerning the composition of the European Parliament**
17196/09 POLGEN 232
17197/09 POLGEN 233 CO EUR-PREP 5
EUCO 2/09 CO EUR 2 POLGEN 234

The following item is **withdrawn** :

(Coreper Part 2, under I)

46. **Adoption of the Council Decision amending the Schengen Consultation Network (Technical Specifications)**
16648/1/09 REV 1 VISA 412 COMIX 892
15702/09 VISA 386 COMIX 833

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

53. **Draft Council Conclusions on Bosnia and Herzegovina: Operation ALTHEA**
16853/09 COSDP 1164 PESC 1641 COWEB 39 BIH 286

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

A declaration is made by the DE delegation on the following item :

74. Amendment of the Treaties

- **Transitional measures concerning the composition of the European Parliament**
17196/09 POLGEN 232
1719709 POLGEN 233 CO EUR-PREP 5
EUCO 2/09 CO EUR 2 POLGEN 234

"According to German national law, further scrutiny is required for the Federal Republic of Germany to give its consent to a decision of the European Council to convene a conference of representatives of the governments of the Member States in accordance with Article 48 (3) and (4) of the Treaty on European Union."

Coreper Part 1

II

9. **Amended proposal for a Council (EC, EURATOM) Regulation adjusting with effect from 1 July 2009 the remuneration and pensions of officials and other servants of the European Communities and the correction coefficients applied thereto**
(This item will be discussed in restricted session)
- **Examination of the outstanding issues**
16172/09 STAT 31 FIN 474
16672/09 STAT 41 FIN 533

Following an exchange of views on the above mentioned proposal, the Committee agreed to pursue its discussions at its next meeting.

10. **Preparation of the Council meeting (Agriculture and Fisheries) on 14 , 15 and 16 December 2009**
1. **Proposal for a Regulation of the European Parliament and of the Council laying down the obligations of operators who place timber and timber products on the market (Legislative deliberation)**
- **Political agreement**
16529/09 AGRI 523 ENV 831 FORETS 121 CODEC 1359 DEVGEN 340
RELEX 1119 JUR 496 UD 256 WTO 250 PROBA 47 + ADD 1

The Committee examined the outstanding issues concerning the draft Regulation set out in 16529/09 + ADD 1, except the issue of the articles affected by entry into force of the Lisbon Treaty. The Committee asked the Working Party of Agricultural Counsellors / Attachés on 4 December 2009 to examine that issue.

At the request of the NL delegation the Legal Service of the Council undertook to provide a written opinion on the question of the Regulation's compatibility with WTO requirements.

The Chair informed that the proposal for a Regulation would be again on the agenda of the Committee on 9 December 2009.

- 11. Proposal for a Directive of the European Parliament and of the Council on the protection of animals used for scientific purposes (First reading)**
- **Preparation for the next informal trialogue**
16652/09 AGRILEG 226 VETER 62 ENV 843 RECH 438 CODEC 1371 + ADD 1

The Committee confirmed the text set out in Addendum 1 to document 16652/09, as modified at the meeting, as Presidency mandate for negotiations with the European Parliament with a view to reaching a pre-negotiated Common Position.

12. Preparation of the Council meeting (Environment) on 22 December 2009

1. Setting of the provisional agenda

The Committee approved the provisional agenda as set out in document 17620/09.

- 2. Combination effects of chemicals (Non legislative activity)**
- **Adoption of Council conclusions**
16604/09 ENV 838 CHIMIE 96 COMPET 498 SAN 338

The draft conclusions were transmitted to the Council for adoption.

- 13. 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 - Progress (First reading)
- **Preparation for the next informal trialogue**
16419/09 SOC 729 ECOFIN 826 CADREFIN 68 COMPET 492 CODEC 1348

A number of delegations support the Presidency's compromise proposal, set out in document 16419/09 that the Council should continue to support the Commission's proposal to take Euro 100 million from the PROGRESS Programme, but should indicate to the European Parliament its willingness to make available some further funding from the margin. BG, DK, DE, FR, AT and UK are not in a position to support the Presidency suggestion, being opposed to any increase in the budget originally proposed. FR suggests, however, that the total budget could be reviewed, if appropriate, in 2011 on the basis of a Commission's proposal.

The President concludes that the Presidency will continue to explore the possibility of reaching a compromise with the European Parliament.

14. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 17 and 18 December 2009

1. "Post i-2010 Strategy" towards an open, green and competitive knowledge society (Non legislative activity)

- Adoption of Council conclusions

- Policy debate

12600/09 TELECOM 169 COMPET 354 RECH 244 AUDIO 29 SOC 473
CONSOM 160 SAN 209

16636/09 TELECOM 253 COMPET 499 RECH 436 AUDIO 54 SOC 739
CONSOM 230 SAN 339

16644/09 TELECOM 255

The Committee examined the draft Council conclusions, as set out in document 16636/09, and agreed to submit them to the Council for adoption.

The Committee took note of the questions proposed by the Presidency (doc. 16644/09) for the policy debate on the "Post i-2010 Strategy" and agreed to submit them to the Council on 17-18 December 2009.

2. Communication from the Commission - Transforming the digital dividend into social benefits and economic growth (Non legislative activity)

- Adoption of Council conclusions

15289/09 TELECOM 228 AUDIO 46 MI 405 COMPET 452

16642/09 TELECOM 254 AUDIO 55 MI 499 COMPET 500

The Committee examined the draft Council conclusions, as set out in document 16642/09, and agreed to submit them to the Council for adoption.

3. GALILEO

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio-navigation programmes (Legislative deliberation)

- General approach

6257/1/09 TRANS 56 MAR 17 AVIATION 18 CAB 3 RECH 86

CODEC 426 REV 1

16680/09 TRANS 474 MAR 169 AVIATION 194 CAB 60 RECH 439

CODEC 1374

The Committee examined the above report and solved several of the outstanding issues with a view to preparing the adoption of a general approach by the TTE Council on 17 December.

15. Proposal for a Directive of the European Parliament and of the Council laying down the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other transport modes (First reading)

- Presidency briefing on the outcome of the informal trialogue**
- (poss.) Preparation for the next informal trialogue**

The Committee was informed about the outcome of the informal trialogue and gave the Presidency a negotiation mandate for the next informal trialogue.

Coreper Part 2

II

53. Draft Council Conclusions on Bosnia and Herzegovina: Operation ALTHEA
16853/09 COSDP 1164 PESC 1641 COWEB 39 BIH 286

There was a short discussion of the draft Council Conclusions on Bosnia and Herzegovina: Operation ALTHEA (doc. 16853/09). There was no agreement on the text. The Presidency concluded that it would be forwarded, with the reservations expressed, to the Foreign Affairs Council for discussion on 8 December.

65. Preparation of the Council meeting (General Affairs) on 7 December 2009

a) Preparation of the European Council on 10/11 December 2009

- **Draft Conclusions**
16917/09 CO EUR-PREP 1 POLGEN 228

The Committee had a discussion on the draft European Council conclusions as set out in document 16917/09 + ADD 1.

The Presidency will present a revised version of the draft conclusions prior to the meeting of the Council on 7 December 2009.

b) Enlargement

- **Draft Council conclusions**
17001/2/09 REV 2 ELARG 108 COWEB 288

Les résultats des travaux du Comité sont repris dans la note au Conseil portant la cote 17169/09.

c) Other items in connection with the Council meeting

Le Comité met au point l'ordre du jour provisoire de la session Affaires générales.

66. Preparation of the Council meeting (Foreign Affairs) on 8 December 2009

a) Western Balkans (BiH)

The Committee discussed the draft Council conclusions concerning enlargement / SAP and agreed to invite the Council to examine the issue further on the basis of document 17169/1/09 REV 1.

b) MEPP

- **Draft Council conclusions**
16996/09 COMEP 35 PESC 1659
17094/09 COMEP 36 PESC 1671

The Committee took note of the state of preparation of the draft Council Conclusions on the Middle East Peace Process and agreed to forward the draft text as set out in document 17094/09 to Council for finalisation and adoption.

c) Iran

The Committee agreed the European Council Declaration as set out in document 17230/09.

d) Draft Council conclusions on EU as a Global Actor

17124/09 PESC 1678 COPOL 80 COSDP 1183 RELEX 1159

The Committee decided not to recommend to the Council the adoption of the draft Council conclusions on EU as a Global Actor.

e) Burma/Myanmar

The Presidency informed the Committee that this item will be withdrawn from the Council's agenda, but at the request of the FR delegation this item will be taken under AOB.

f) Other items in connection with the Council meeting

Le Comité met au point l'ordre du jour provisoire de la session Affaires étrangères.

67. Debriefing from the EU-China Summit (Nanjing, 30 November 2009)

The Committee took note of the outcome of the EU-China Summit. The Chair announced that the report of the Summit discussions would be circulated shortly.

68. Proposal for a Council Decision on the allocation of financial intermediation services indirectly measured (FISIM) for the establishment of the gross national income (GNI) used for the purposes of the European Unions' budget and its own resources
16730/09 FIN 536 RESPR 2

The Committee decided to postpone this point to the agenda of a forthcoming meeting.

69. Follow-up to the Council meeting (Justice and Home Affairs) on 30 November and 1 December 2009

The Presidency underlined the importance of the 2-day JHA Council in which a significant number of important decisions were adopted on the 30.11.09, last day of the legal framework under the Nice Treaty.

The Council reached a broad consensus on the Stockholm Programme which has been forwarded to the European Council for adoption, according to the established procedures.

The debate on the Asylum Package will continue in the working groups of the Council.

The Commission was invited to present proposals, under the new legal basis, on the instruments which are under discussion or have been subject to a broad consensus in the working structures of the Council. The Presidency announced an initiative by Member States to present a legislative initiative under the new legal basis on Procedural rights (translation and interpretation) which has reached consensus in the Council.

One delegation asked the Legal Service on the follow-up of the "Council Decision authorising the signing of an Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data for purposes of the Terrorist Finance Tracking Programme" and the MLA Agreement with Japan. The Legal Service informed that Article 281 of the TFUE will be applied.

70. Follow-up to the Council meeting (Economic and Financial Affairs) on 2 December 2009

The Committee took note of the proceedings of this Council meeting.

71. Implementation of the Treaty of Lisbon

a) Delegated acts

16998/09 JUR 518 INST 209

Le Comité a pris note du rapport de la Présidence.

b) Progress Report from the Presidency to the European Council on the implementation of the Treaty of Lisbon

17033/09 POLGEN 230 CO EUR-PREP 4

The Committee had a brief discussion on the draft report. The Presidency will present a revised version of the draft report prior to the meeting of the Council on 7 December 2009 (A-item).

- Any other business

- **Conference of the Representatives of the Governments of the Member States on the location of the seat of the Agency for the Cooperation of Energy Regulators**
 - **Information from the Presidency**

The Chairman informed the Committee that a Conference of the Representatives of the Governments of the Member States will take place on 7 December 2009, in the margins of the TTE Council, in order to decide on the location of the seat of Agency for the Cooperation of Energy Regulators.

- **FI statement on Åland islands (requested by the FI delegation)**

"The demilitarised and neutralised status of the Åland islands was established by the Convention on the non-fortification and neutralisation of the Åland Islands signed on 20 October 1921.

- The preamble of the protocol on the Åland Islands, attached to the accession agreement of Finland, refers to the special status that the Åland islands enjoy under international law.

- The Lisbon treaty amends certain provisions regarding the common security and defence policy.
- The entry into force of the Lisbon Treaty will not affect the applicability of the Convention on the non-fortification and neutralisation of the Åland Islands. Also the protocol on the Åland Island will remain in force.
- The Parliament of Åland has approved the entry into force of the national act implementing the Lisbon Treaty in the Province of Åland to the extent that the Treaty falls under the competence of the province."

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