



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 January 2013

17658/12

CRS/CRP 44

SUMMARY RECORD

**Subject : 2433rd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
(Part 1) held in Brussels on 12 and 14 December 2012**

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I

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 - (b) n° E-008222/2012 put by Laurence J.A.J. Stassen
"Creation of an EU army"
 - (c) n° E-009091/2012 put by Martin Ehrenhauser
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"EU surplus of emission allowances"
 - (f) n° E-009480/2012 put by Werner Schulz and Rebecca Harms
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1. Adoption of the provisional agenda and "I" items

doc. 17550/12 OJ/CRP1 43 + ADD 1

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

The following item is **added**:

(Coreper Part 1, under II)

33. Proposal for a Regulation of the European Parliament and of the Council concerning customs enforcement of intellectual property rights (IPR) (First reading) (Legislative deliberation)

- **Preparation for the informal trilogue**
17752/12 UD 327 PI 174 COMER 270 CODEC 3049

The following item is **withdrawn**:

(Coreper Part 1, under II)

22. Proposal for a Directive of the European Parliament and of the Council on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings (Accounting Directive) (First reading) (Legislative deliberation) (continued)

- **(poss.) Preparation for the next informal trilogue**
17521/12 DRS 136 COMPET 765 ECOFIN 1047 CODEC 2988

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

21. **Proposal for a Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources**
- **Setting up of an ad hoc working party on ILUC and working method**
15189/12 ENV 789 ENER 417 ENT 257 TRANS 346 AGRI 686 POLGEN 170
CODEC 2432
17304/12 ENER 515 ENV 918 ENT 307 TRANS 452 AGRI 837 POLGEN 209
CODEC 2922

The Committee decided on the establishment of an Ad-hoc Working Group on ILUC with the mandate to carry out the examination of the proposed Directive.

22. **Proposal for a Directive of the European Parliament and of the Council on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings (Accounting Directive) (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the debriefing delivered orally by the Presidency. Not much progress was achieved at the third informal trilogue because of the hardened stance of the European Parliament. Negotiations were exclusively focused on Chapter IX (transparency obligations in the extractive industries and logging of primary forests sectors). The Committee agreed to come back to the preparation of the next informal trilogue at one of its subsequent meetings.

23. **Preparation of the Council meeting (Environment) on 17 December 2012**
- **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: "A Blueprint to Safeguard Europe's Water Resources"**
 - **Adoption of Council conclusions**
16425/12 ENV 867 AGRI 772 DEVGEN 308 CHIMIE 85 RECH 417 ENER 476
TRANS 403 PROCIV 186 REGIO 132 MARE 11 PECHE 485 IND 195
17250/12 ENV 916 AGRI 833 DEVGEN 329 CHIMIE 96 RECH 453 ENER 513
TRANS 448 PROCIV 209 REGIO 150 MARE 15 PECHE 522 IND 218

The Committee examined the Presidency compromise text (doc. 17250/12) and addressed the outstanding issues, but could not reach an overall agreement. The Presidency concluded that a revised text prepared in light of the discussion would be submitted to the Environment Council (Brussels, 17 December 2012) for examination and adoption.

24. 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

17369/12 ENV 923 ENER 520 TRANS 454 IND 226 ONU 152 AGRIFORET 8
ECOFIN 1032 CODEC 2942
+ COR 1

The Committee agreed to give the Presidency a mandate for the third informal trilogue with the European Parliament on 17 December 2012 on the basis of the Presidency compromise text contained in the Annex to document 17369/12, as modified following the discussion in the Committee (changes relating to recitals 4, 12 and 21, and Articles 6(2), 7(5)(c), 7(6), 7(7), 8(2), 13(3), 13(4), 14(3), 15(4), 16(2), 17(2), 17(4) and 19(3)).

25. Preparation of the provisional agenda of the Council meeting (Agriculture and Fisheries) on 18, 19 and 20 December 2012

1. Proposal for a Council Regulation fixing for 2013 the fishing opportunities available to Union vessels for certain fish stocks and groups of fish stocks which are not subject to international negotiations or agreements (*Non-legislative activity*)

- Political agreement

15254/12 PECHE 413
17166/12 PECHE 518
+ COR 1
+ ADD 1
+ ADD 2
17528/12 PECHE 533

The Committee prepared the item and took note of the positions expressed by the Member States and the Commission. The Council will consider this file at its meeting on 18-20 December 2012.

2. Proposal for a Council Regulation fixing for 2013 the fishing opportunities available in EU waters and, to EU vessels, in certain non-EU waters for certain fish stocks and groups of fish stocks which are subject to international negotiations or agreements (*Non-legislative activity*)

- **Political agreement**
16291/12 PECHE 474
17166/12 PECHE 518
+ COR 1
+ ADD 1
+ ADD 2
17528/12 PECHE 533

The Committee prepared the item and took note of the positions expressed by the Member States and the Commission. The Council will consider this file at its meeting on 18-20 December 2012.

3. Proposal for a Council Regulation fixing for 2013 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Black Sea (*Non-legislative activity*)

- **Political agreement**
16889/12 PECHE 505
17291/12 PECHE 527

The Committee prepared the item and forwarded it to the Council. The Council will consider this file at its meeting on 18-20 December 2012.

4. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1342/2008 of 18 December 2008 establishing a long-term plan for cod stocks and the fisheries exploiting those stocks (*Non-legislative activity*)

- **Political agreement on the Presidency's proposal**
13745/12 PECHE 343 CODEC 2130
17340/12 PECHE 528 CODEC 2934
+ ADD 1

The Committee prepared this item and took note of the positions expressed by the Member States and the Commission. The item is maintained on the Council's agenda.

26. **Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/98/EC on re-use of public sector information (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
17310/12 TELECOM 247 PI 162 COMPET 756 AUDIO 129 CULT 160 CODEC 2925

The Committee agreed a mandate for the 1st informal trilogue to be held on 17 December 2012 on the basis of the position set out in document 17310/12.

27. **Preparation of the Council meeting (Transport, Telecommunications and Energy) on 20 December 2012**

1. **Proposal for a Regulation of the European Parliament and of the Council on guidelines for Trans-European Telecommunications Networks and repealing Decision No 1336/97/EC (First reading) (Legislative deliberation)**
 - **Progress report**
16006/11 TELECOM 152 CODEC 1801
17257/12 TELECOM 241 AUDIO 126 CODEC 2914

The Committee agreed to submit the progress report (doc. 17257/12) to the TTE Council on 20 December 2012.

2. **Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market (First reading) (Legislative deliberation)**
 - **Progress report and orientation debate**
10977/12 TELECOM 122 MI 411 DATAPROTECT 73 CODEC 1576
17269/12 TELECOM 242 MI 804 DATAPROTECT 140 EJUSTICE 86
CODEC 2915

The Committee agreed to submit the progress report and questions for debate (doc. 17269/12) to the TTE Council on 20 December 2012.

3. **Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/98/EC on the re-use of public sector information (PSI) (First reading) (Legislative deliberation)**
 - **Progress report**
18555/11 TELECOM 212 PI 188 COMPET 619 CODEC 2426 AUDIO 83
CULT 120
17272/12 TELECOM 243 PI 160 COMPET 752 AUDIO 127 CULT 158
CODEC 2916

The Committee agreed to submit the progress report (doc. 17272/12) to the TTE Council on 20 December 2012.

4. **Europe 2020 Strategy (*Non-legislative activity*)**
 - (a) **Mid-term review of Digital Agenda for Europe - Next steps**
 - (b) **Annual Growth Survey**
 - **Policy debate**
17339/12 TELECOM 249 MI 810 COMPET 761 CONSOM 154
DATAPROTECT 145 RECH 457 AUDIO 130 POLGEN 211

The Committee agreed that a Policy debate could take place at the TTE Council on 20 December 2012 on the basis of the questions set out to document 17339/12.

5. **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 2009/40/EC (First reading) (*Legislative deliberation*)**
 - **General approach**
12786/12 TRANS 249 CODEC 1954
+ REV 1 (bg,cs,da,el,es,et,fi,ga,hu,it,lt,lv,mt,nl,pl,pt,ro,sk,sl,sv)
+ ADD 1
+ REV 1 (bg,cs,da,el,es,et,fi,ga,hu,it,lt,lv,mt,nl,pl,pt,ro,sk,sl,sv)
17242/12 TRANS 447 CODEC 2912
+ ADD 1

The Committee examined the Presidency's compromise proposals included in the above mentioned documents with a view to preparing the general approach for the TTE Council on 20 December 2012.

6. **Proposal for a Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility (First reading) (*Legislative deliberation*)**
 - **Progress report**
16176/11 CADREFIN 117 POLGEN 177 REGIO 111 ENER 345 TRANS 292
TELECOM 161 COMPET 472 MI 533 ECO 129
+ REV 3 (bg,el,es,et,hu,it,lt,pl,pt,ro,sk,sl,sv)
+ REV 4 (cs,da,de,en,fi,fr,ga,lv,mt)
+ REV 5 (nl)
17107/12 TRANS 437 FIN 986 CADREFIN 496 POLGEN 206 REGIO 148
ENER 508 TELECOM 237 COMPET 747 MI 798 ECO 147 CODEC 2884

The Committee took note of the above mentioned progress report, as set out in document 17107/12, and agreed to forward it to the TTE Council of 20 December 2012.

7. **Communication from the Commission: "EU's External Aviation Policy - Addressing Future Challenges" (*Non-legislative activity*)**
- **Adoption of Council conclusions**
14333/12 AVIATION 143 RELEX 876
17246/12 AVIATION 188 RELEX 1112

The Committee resolved the outstanding issues and agreed to submit the draft Council conclusions to the TTE Council on 20 December 2012 for adoption.

8. **Proposal for a Council Decision on the signature, on behalf of the European Union, and provisional application of the Euro-Mediterranean Aviation Agreement between the European Union and its Member States, of the one part, and the State of Israel, of the other part (*Non-legislative activity*)**
- **Adoption**
16826/12 AVIATION 182 RELEX 1077 ISR 21 OC 684
16828/12 AVIATION 183 RELEX 1078 ISR 22 OC 685
17247/12 AVIATION 189 RELEX 1113 ISR 23 OC 712

The Committee approved the changes introduced by the Working Party and agreed to forward to the TTE Council on 20 December 2012, for adoption, the draft Decision and the draft Agreement as they appear in documents 16826/12 and 16828/12.

31. **Proposal for a Council Regulation adjusting with the effect from 1 July 2012 the remuneration and pension of the officials and other servants of the European Union and the correction coefficients applied thereto (This item will be discussed in restricted session)**
- **Analysis of the Commission proposal**
17428/12 STAT 48 FIN 1023

On 14 December 2012, the Committee proceeded to the examination of the Commission proposal (doc. 17322/12). Two delegations (BE, LU) expressed themselves in favour, eight delegations opposed to its adoption (DK, ES, SE, CZ, AT, BG, UK, NL), whilst all other delegations abstained. Consequently, the Committee was not in a position to reach a qualified majority in favour of the Commission proposal.

AT and DK made a statement for the Council minutes.

32. Appointment of four members of the Management Board of the European Medicines Agency (EMA) (This item will be discussed in restricted session)

- Recommendation to the Council

11966/12 PHARM 55 SAN 166 MI 460 AGRILEG 135

15798/12 PHARM 79 SAN 267 MI 692 AGRILEG 163

+ COR 1

15799/12 PHARM 80 SAN 268 MI 693 AGRILEG 164

The Committee in a secret vote established which of the candidates listed by the Commission had the strongest support for being appointed as representatives for patients, doctors and veterinarians in the EMA management board. Based on this vote, the Committee agreed to recommend to the Council to decide

- to appoint Mr Nikolaos DEDES, Mr Christophe HUGNET, Mr Wolf-Dieter LUDWIG and Mr Wim WIENTJES as members of the EMA management board for a period of three years;
- that the date on which the three-year period would commence should be determined by the EMA management board; and
- to have the appointing Decision published in the Official Journal of the European Union.

33. Proposal for a Regulation of the European Parliament and of the Council concerning customs enforcement of intellectual property rights (IPR) (First reading) (Legislative deliberation)

- Preparation for the informal trilogue

17752/12 UD 327 PI 174 COMER 270 CODEC 3049

The Committee approved the mandate for the informal trilogue on the basis of the Presidency compromise set out in 17752/1/12 REV 1.

- Any other business

The Commission informed the Committee on the 2nd round of bilaterals with Member States for the European Semester 2013.

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