



**COUNCIL OF
THE EUROPEAN UNION**

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18273/11

CRS/CRP 48

SUMMARY RECORD

**Subject : 2388th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
(Part 1) held in Brussels on 7 December 2011**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 6

Coreper Part 1

I

2. Replies to written questions put to the Council by Members of the European Parliament
- (a) n° E-008813/2011 put by Cornelis de Jong
"Human rights violations by Frontex in refugee detention centres in Greece"
 - (b) n° E-009358/2011 put by Eider Gardiazábal Rubial, Damien Abad and Franziska Katharina Brantner
"Support for civil society in neighbouring countries"
3. Draft agenda for the forthcoming part-session of the European Parliament in Strasbourg from 12 to 15 December 2011
4. Case before the General Court
Case T-521/11 (Deutsche Bahn AG a.o. v. European Commission)
Application for annulment of the Commission decision dated 14 March 2011 (K(2011)1774 in case COMP/39.678 and COMP/39.731)
5. Consumption of EAGF appropriations for the period from 16 October 2010 to 15 October 2011
6. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
Appointment of Mr Javier BLASCO DE LUNA, Spanish alternate member, in place of Ms Rosario ESCOLAR POLO, who has resigned
7. Conclusions of the Representatives of the Governments of the Member States meeting within the Council on an Equalisation Mechanism pertaining to the Agreed Principles
8. Commission Decision of XXX on a method for the collection of premiums for excess CO₂ emissions from new passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council
9. Draft Commission Directive ../../EU of XXX amending, for the purpose of adaptation to technical progress, part III of Annex II to Directive 2009/48/EC of the European Parliament and of the Council relating to toy safety
10. Proposal for a Council Decision on access by fishing vessels flying the flag of the Bolivarian Republic of Venezuela to the exclusive economic zone off the coast of the French department of Guiana

11. Draft Commission Regulation (EU) No .../.. of [...] implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC), as regards the 2013 list of target secondary variables on well being
12. Proposal for a Council Decision on the signature and provisional application, on behalf of the European Union, of the Agreement on Scientific and Technological cooperation between the European Union of the one part and the People's Democratic Republic of Algeria of the other part
13. Proposal for a Regulation of the European Parliament and of the Council on statistical returns in respect of the carriage of goods by road (recast) (First reading) (Legislative deliberation)
14. Proposal for a Directive of the European Parliament and of the Council amending Directive 2000/75/EC as regards vaccination against bluetongue (First reading) (Legislative deliberation + Statement)
 - Adoption
 - (a) of the position of the Council in first reading
 - (b) of the statement of the Council reasons
15. Enlargement
Accession negotiations with Iceland
 - Chapter 33: Financial and budgetary provisions
16. Enlargement
Accession negotiations with Iceland
 - Chapter 6: Company Law
17. Enlargement
Accession Negotiations with Iceland
 - Chapter 20: Enterprise and industrial policy
18. Enlargement
Accession Negotiations with Iceland
 - Chapter 21: Trans-European networks
19. Enlargement
Accession Negotiations with Iceland
 - Chapter 23: Judiciary and fundamental rights
20. Accession negotiations with Iceland
 - Outcome of screening on Chapter 12: Food safety, veterinary and phytosanitary policy

II

21. Proposal for a Regulation of the European Parliament and of the Council on entrusting the Office for Harmonisation in the Internal Market (Trade Marks and Designs) with certain tasks related to the protection of intellectual property rights, including the assembling of public and private sector representatives as a European Observatory on Counterfeiting and Piracy (First reading) (Legislative deliberation)7
22. Proposal for a Regulation of the European Parliament and of the Council on the marketing and use of explosives precursors (First reading) (Legislative deliberation)7
23. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 12 and 13 December 2011
 1. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending regulation (EC) No 561/2006 of the European Parliament and the Council (tachograph) (Legislative deliberation)7
 2. Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/106/EC of the European Parliament and of the Council on the minimum level of training of seafarers (Legislative deliberation)8
 3. Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network (Legislative deliberation)8
 4. Proposal for a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme (First reading) (Legislative deliberation + Statement)8
 5. Proposal for a Regulation of the European Parliament and of the Council concerning the European Network and Information Security Agency (ENISA) (Legislative deliberation)9
24. Preparation for the Council meeting (Environment) on 19 December 2011
 1. EU Biodiversity Strategy to 2020: towards implementation (Non-legislative activity)9
 2. Roadmap to a resource-efficient Europe (Non-legislative activity)9
 3. Proposal for a Regulation of the European Parliament and of the Council concerning the export and import of hazardous chemicals (recast) (Legislative deliberation)10

4.	Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels (Legislative deliberation)	10
5.	Proposal for a Directive of the European Parliament and of the Council on control of major-accident hazards involving dangerous substances (First reading) (Legislative deliberation)	10
6.	Outcome of the 17th session of the Conference of the Parties (COP 17) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th session of the Meeting of the Parties to the Kyoto Protocol (CMP 7) (Durban, 28 November to 9 December 2011) (Non-legislative activity)	11
25.	Preparation for the Council meeting (Agriculture and Fisheries) on 15 and 16 December 2011	
1.	(a) Proposal for a Council Regulation fixing for 2012 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)	
	(b) Proposal for a Council Regulation fixing for 2012 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable to Union waters and, for Union vessels, in certain non-Union waters (Non-legislative activity)	11
2.	Proposal for a Council Regulation fixing for 2012 the fishing opportunities for certain fish stocks applicable in the Black Sea (Non-legislative activity)	11
3.	Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund [repealing Council Regulation (EC) No 1198/2006 and Council Regulation (EC) No 861/2006 and Council Regulation No XXX/2011 on integrated maritime policy (Non-legislative activity)	12

1. Adoption of the provisional agenda and items "I"
doc. 18128/11 OJ CRP1 42

The above mentioned agenda is approved.

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

21. **Proposal for a Regulation of the European Parliament and of the Council on entrusting the Office for Harmonisation in the Internal Market (Trade Marks and Designs) with certain tasks related to the protection of intellectual property rights, including the assembling of public and private sector representatives as a European Observatory on Counterfeiting and Piracy (First reading) (Legislative deliberation)**
- **Presidency briefing on the outcome of the informal trilogue**

The Committee was informed by the Chair on the outcome of the informal trilogue of 5 December 2011.

22. **Proposal for a Regulation of the European Parliament and of the Council on the marketing and use of explosives precursors (First reading) (Legislative deliberation)**
- **Presidency briefing on the outcome of the informal trilogue**

The Committee heard the Presidency briefing on the informal trilogue that was held on 30 November 2011 and an intervention by the Commission representative. The Presidency indicated that informal contacts with the European Parliament would continue.

23. **Preparation for the Council meeting (Transport, Telecommunications and Energy) on 12 and 13 December 2011**

1. **Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending regulation (EC) No 561/2006 of the European Parliament and the Council (tachograph) (Legislative deliberation)**
- **Partial general approach / Progress report**
13195/11 TRANS 222 CODEC 1274
17971/11 TRANS 344 CODEC 2280

The Committee examined the Presidency's compromise proposals included in the above mentioned document with a view to preparing the partial general approach for the (TTE) Council on 12 and 13 December 2011 and agreed to insert in the minutes of the Committee's meeting the following statement on hydrogen vehicles:

"The Commission confirms that the vehicles propelled by means of electricity, as referred to in Article 13(1) f) of Regulation 561/2006, include vehicles powered by hydrogen through fuel cells."

2. Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/106/EC of the European Parliament and of the Council on the minimum level of training of seafarers (Legislative deliberation)

- General approach / Progress report

14256/11 TRANS 239 CODEC 1464 MAR 111 SOC 778

17852/11 TRANS 340 CODEC 2251 MAR 156 SOC 1053

The Committee examined the outstanding issues, approved the so-amended text of the draft general approach and agreed to submit it to the TTE Council on 12 and 13 December 2011 for adoption.

3. Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network (Legislative deliberation)

- Progress report

15629/11 TRANS 276 ECOFIN 688 ENV 778 RECH 336 CODEC 1699

+ REV 1 (mt)

17629/11 TRANS 333 ECOFIN 830 ENV 903 RECH 397 CODEC 2208

The Committee took note of the progress report as well as of the Presidency's compromise proposals attached thereto with a view to preparing the TTE Council on 12 and 13 December 2011.

4. Proposal for a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme (First reading) (Legislative deliberation + Statement)

- Adoption

(a) of the position of the Council in first reading

(b) of the statement of the Council reasons

16226/11 TELECOM 162 AUDIO 60 MI 535 CODEC 1859 OC 24

+ ADD 1

17651/11 CODEC 2212 TELECOM 191 AUDIO 74 MI 610 OC 43

+ ADD 1

The Committee agreed to submit (a) and (b) above to the Council for adoption.

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

- Progress report

14358/10 TELECOM 99 MI 346 DATAPROTECT 70 JAI 794 CAB 16

INST 361 CODEC 943

17948/11 TELECOM 199 MI 633 DATAPROTECT 146 JAI 909 CAB 55

INST 596 CODEC 2275

The Committee agreed to submit to the TTE Council on 12 and 13 December 2011 the progress report and the annexed Presidency compromise proposal as set out in 17948/11.

24. Preparation for the Council meeting (Environment) on 19 December 2011

1. EU Biodiversity Strategy to 2020: towards implementation (Non-legislative activity)

- Adoption of Council conclusions

9658/11 ENV 327 AGRI 337 DEVGEN 131 PI 39 FORETS 39 PECHE 112

RECH 94 ONU 71

+ REV 1 (fr, de)

17848/11 ENV 912 AGRI 823 DEVGEN 327 PI 171 FORETS 85 PECHE 366

RECH 404 ONU 146 CADREFIN 160

Based on a compromise text submitted by the Presidency (doc. 17848/11), the Committee examined the outstanding issues concerning a set of draft Council conclusions. While the text was largely agreeable to delegations, few of them maintained reservations. The Chair concluded that an informal silence procedure will be launched on an amended version of the draft conclusions before forwarding the text to the Council (Environment) on 19 December 2011 with a view to their adoption.

2. Roadmap to a resource-efficient Europe (Non-legislative activity)

- Adoption of Council conclusions

- Exchange of views

14632/11 ENV 710 POLGEN 140 ENER 300 TRANS 245 MAR 116

RECH 314 COMPET 413 ECOFIN 620 AGRI 624 PECHE 249

17847/11 ENV 911 POLGEN 218 ENER 387 TRANS 339 MAR 155 RECH 403

COMPET 568 ECOFIN 838 AGRI 822 PECHE 365

The Committee examined the draft Council conclusions and agreed to a modified version of those conclusions that would be submitted to the Council for adoption.

3. Proposal for a Regulation of the European Parliament and of the Council concerning the export and import of hazardous chemicals (recast) (Legislative deliberation)

- Progress report

9896/11 ENV 344 WTO 202 MI 246 CODEC 777

17914/11 ENV 918 WTO 459 MI 628 CODEC 2264

The Committee took note of the progress report that the Presidency intended to submit to the Council. The Commission intervened to point out that the Presidency's progress report gave the impression that the Council and the Commission had reached an agreement on the issue related to the participation of the Union in the Convention, which was not the case from the Commission side. It informed the Committee that they intended to make a statement at Council should the report be unchanged.

4. Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels (Legislative deliberation)

- Progress report

12806/11 ENV 612 MAR 100 MI 360 CODEC 1197

17912/11 ENV 916 MAR 157 MI 626 CODEC 2262

The Committee took note of the progress report on the proposed Directive and the intention of the Presidency to submit it to the Council (Environment) on 19 December 2011.

5. Proposal for a Directive of the European Parliament and of the Council on control of major-accident hazards involving dangerous substances (First reading) (Legislative deliberation)

- Progress report

18257/10 ENV 892 IND 190 PROCIV 190 CODEC 1586

18092/11 ENV 926 IND 166 PROCIV 165 CODEC 2307

The Committee took note of the progress report contained in 18092/11. The report would be submitted to the Council (Environment) on 19 December 2011. The Commission maintained its reservations on a number of issues listed in Section V of the report, in particular on the exclusion of Annex I from the scope of the Commission's power to adopt delegated acts to adapt this Annex to technical progress and on the deletion of the obligation of Member States to present correlation tables to the Commission when communicating the text of the national provisions transposing the directive.

6. **Outcome of the 17th session of the Conference of the Parties (COP 17) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th session of the Meeting of the Parties to the Kyoto Protocol (CMP 7) (Durban, 28 November to 9 December 2011) (Non-legislative activity)**
 - **Exchange of views**

The Committee took note of the Presidency's intentions to hold a first exchange of views on the experience and the results of the Durban Conference.

25. Preparation for the Council meeting (Agriculture and Fisheries) on 15 and 16 December 2011

1. (a) **Proposal for a Council Regulation fixing for 2012 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)**
- (b) **Proposal for a Council Regulation fixing for 2012 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable to Union waters and, for Union vessels, in certain non-Union waters (Non-legislative activity)**
 - **Political agreement**
 - 14751/11 PECHE 253
 - 16650/11 PECHE 334
 - 17897/11 PECHE 369
 - + ADD 1
 - + ADD 2
 - 18113/11 PECHE 378

The Committee prepared this item and took note of the positions expressed by the Member States and the Commission. In addition, it endorsed an approach proposed by the Presidency in order to address the issues of "data-poor" stocks and MSY definition. The Council will consider this file at its meeting on 15-16 December 2011.

2. **Proposal for a Council Regulation fixing for 2012 the fishing opportunities for certain fish stocks applicable in the Black Sea (Non-legislative activity)**
 - **Political agreement**
 - 17396/11 PECHE 348
 - 17838/1/11 PECHE 364 REV 1

The Committee prepared the item, taking note of the broad support that the two Member States concerned received from other Member States with regard to the turbot catch limits.

3. Proposal for a Regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund [repealing Council Regulation (EC) No 1198/2006 and Council Regulation(EC) No 861/2006 and Council Regulation No XXX/2011 on integrated maritime policy (Non-legislative activity)]

- Presentation and exchange of views

17870/11 PECHE 368 CADREFIN 162 CODEC 2255

17867/11 PECHE 367 CADREFIN 161 CODEC 2254

The Committee prepared the exchange of views and forwarded it to the Council.

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