



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 February 2012

5521/12

CRS/CRP 2

SUMMARY RECORD

**Subject : 2392nd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 19, 20 and 23 January 2012**

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 - (b) n° E-008460/2011 put by Niki Tzavela
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 - (c) n° E-008582/2011 put by Lorenzo Fontana
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(This item will be dealt with in restricted session)14

1. **Adoption of the provisional agenda and items "I"**
doc. 5395/12 OJ CRP1 2
5290/1/12 REV 1 OJ/CRP2 2 + CM 1282/12

The above mentioned agendas are approved with the following changes:

The following items are **added** :

(Coreper Part 2, under I)

36. **Council conclusions on the activation of the Operations Centre for the Horn of Africa**
5474/12 CIVCOM 22 COPS 17 PESC 57 COSDP 47 COAFR 13
37. **Council Decision appointing the European Union Special Representative for the Middle East peace process**
12364/1/11 REV 1 PESC 887 COMEP 16
11993/11 PESC 831 COMEP 14

The following item is **withdrawn** :

(Coreper Part 1, under I)

32. **Proposal for a Council Decision on the signature of the Agreement on certain aspects of air services between the European Union and the Republic of Turkey**
- **Adoption**
18231/11 AVIATION 264 RELEX 1300 NT 20
18268/11 AVIATION 265 RELEX 1309 NT 21
+ COR 1 (hu)
+ COR 2 (fi)
5035/12 AVIATION 1 RELEX 3 NT 1

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

Statements were made by the UK delegation and the Council Legal Service on item 18 (see above) which are to be found in 5521/12 ADD 1 LIMITE.

Coreper Part 2

II

21. Proposal for a Regulation on OTC derivatives, central counterparties and trade repositories (EMIR)

- **Preparation of the trilogue on 23 January 2012**
5263/12 EF 11 ECOFIN 26 CODEC 85

The Committee examined a revised Presidency mandate for the trilogue and noted that the file would be submitted to the Council (ECOFIN) on 24 January 2012 (doc. 5595/12).

22. Preparation of the Council meeting (Economic and Financial Affairs) on 24 January 2012

a) Proposals from the Commission on Economic Governance

- **First exchange of views**
5486/12 ECOFIN 40 UEM 15 SOC 26 CODEC 135

The Committee discussed the Presidency report on the work of the AHWG. The Committee agreed to submit the report with some changes for discussion to the Council (ECOFIN) on 24 January 2012.

b) Revised Code of Conduct of the Stability and Growth Pact

- **Endorsement**

The Slovenian delegation informed the Committee that Slovenia was not in a position to endorse the document unless modifications to the text on page 6 of document DS 1027/12 were made. The Slovenian Minister would present a proposal for these modifications at the Council meeting.

- c) **European Semester (incl. Annual Growth Survey and EuroPlus Pact)**
- **Exchange of views**
5492/12 ECOFIN 42 SOC 28 COMPET 22 EDUC 11 ENV 27 RECH 11
ENER 16 FISC 9

The Committee discussed the Presidency issues note on key questions related to the European Semester. The Committee agreed to submit a revised version of the report for discussion to the Council (ECOFIN) on 24 January 2012.

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

The Committee finalised the provisional agenda for this Council meeting and reviewed the state of readiness of the agenda items listed.

23. **Outcome of the EU-US JHA Senior Officials Meeting, Copenhagen, 12-13 January 2012**
- **Information by the Presidency**
5302/12 JAIEX 2 RELEX 23 ASIM 2 CATS 3 JUSTCIV 8 USA 1 COTER 3

The Presidency raised one specific issue of political interest, namely the new US legislation, entitled National Defense Authorization Act (NDAA). The Committee approved a proposal by the Presidency to be addressed in COTER and in COJUR the EU input with the specific points of concern to be communicated to the US Administration, as soon as possible, in view of the implementing regulations to the counter-terrorism provisions of the NDAA.

24. **Proposal for a Decision of the European Parliament and of the Council amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" and repealing Council Decision 2004/904/EC**
- **Confirmation of Council position in view of informal trilogues**
5304/12 ASILE 8 CODEC 91 CADREFIN 22

The Committee agreed that the Presidency could start informal trilogues with the European Parliament on the basis of the text annexed to document 5304/12 with a view to adopting a pre-negotiated Council position.

25. Preparation of the Council meeting (General Affairs) on 27 January 2012

- Other items in connection with the Council meeting

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

26. Preparation of the Council meeting (Foreign Affairs) on 23 January 2012

a) Syria

- Draft Council conclusions**
5323/12 COMAG 3 PESC 36 COHAFA 3 SY 1

The Committee examined draft Council conclusions on Syria as set out in 5323/12, amended the text and reached agreement and submitted the draft conclusions to the Council for adoption as set out in 5323/1/12 REV 1.

b) Egypt

The Committee took note of EEAS SG, Mr Vimont's, information regarding HR's intention to have a discussion on Egypt during lunch.

c) MEPP

- Draft Council conclusions**
5330/12 COMEP 1 PESC 39

The Committee took note of EEAS SG, Mr Vimont's, information regarding HR's intention to have a discussion on MEPP during lunch.

The Committee examined draft Council conclusions on Middle East Peace Process as set out in 5330/12, amended the text by adding a reference to the appointment of EUSR and reached agreement and submitted the draft conclusions to the Council for adoption as set out in 5549/12.

d) Burma / Myanmar

- Draft Council conclusions

5429/12 COASI 5 ASIE 2 PESC 52 COHOM 11 COPOL 5 CONUN 4

5505/12 COASI 6 ASIE 3 PESC 62 COHOM 13 COPOL 6 CONUN 5

Following comments by one delegation on 19 January 2012 and after further discussion in PSC on 20 January 2012, the Committee submitted the draft Council Conclusions to the Council for adoption pending one reservation.

e) Serbia / Kosovo

The Committee briefly considered the handling on this item at the Council.

f) Belarus

The Committee discussed the objectives of the debate on Belarus at the Council on 23 January 2012 on the basis of a presentation by the European External Action Service. Member States called for a broad debate on developments in Belarus and requested adequate media attention to the Council Decision on amending Decision 2010/639/CFSP concerning restrictive measures against Belarus to be adopted by the Council on 23 January 2012.

g) Iran

- Draft Council conclusions

5501/12 COMEM 17 PESC 60 CONOP 5

The Committee examined draft Council conclusions on Iran as set out in 5501/12, amended the text and reached agreement and submitted it to the Council for adoption as set out in 5617/12.

h) Sudan / South Sudan

- Draft Council conclusions

5338/12 PESC 40 COAFR 9 ACP 3 COHOM 9 COJUR 1 COHAFA 4

The Committee agreed the draft Council Conclusions on Sudan and South Sudan (doc. 5338/12) and forwarded them to the Council with a view to their adoption on 23 January 2012.

i) Other items in connection with the Council meeting

Following a request by two delegations, freedom of religion and belief will be raised, in particular notably due to the recent developments in Egypt and Nigeria. EEAS SG Vimont underlined the need for the EU to carefully reflect on its approach toward this issue, in particular in the changing world, hence the High Representative would propose to have an informal discussion on the freedom of religion at the Gymnich meeting in March.

One delegation will inform on the preparations of an international conference on Somalia, to be held in London on 23 February 2012.

27. Iran (restricted session)

- **Draft Council Decision amending Decision 2010/413/CFSP concerning restrictive measures against Iran**
 - **Draft Council implementing Regulation implementing Regulation (EU) No 961/2010 concerning restrictive measures against Iran**
 - **Draft Council Regulation amending Regulation (EU) No 961/2010 on restrictive measures against Iran**
- 5317/12 PESC 33 RELEX 25 COMEM 13 CONOP 4 COARM 11 FIN 17
5558/12 PESC 68 RELEX 36 COMEM 20 CONOP 8 COARM 18 FIN 35
RESTREINT UE

The Committee discussion focused on three open issues in the draft Council Decision imposing additional restrictive measures against Iran. The chair stressed the importance that new measures be adopted by the 23 January Foreign Affairs Council.

Presidency proposed language for a Council Declaration, and additional information was provided on one of the proposed listings. Since no agreement could be reached, the chair concluded that the Committee will revert to those issues on 23 January 2012.

The Committee continued the discussion from its previous session of 19 January. It agreed the above legal texts, as well as a Council and Commission Declaration as set out in the Annex hereto. The Committee invited the Foreign Affairs Council (FAC), meeting on the same day (23 January 2012), to adopt the legal texts imposing additional measures on Iran. It also invited FAC to agree to insert the Declaration into its minutes and to decide to publish it in the "C" Series of the Official Journal.

Coreper Part 1

II

33. Setting of the provisional agenda for the Council meeting Education, Youth, Culture and Sport on 10 February 2012

The Committee agrees on the provisional agenda for the forthcoming Council meeting (Education, Youth, Culture and Sport) on 10 February 2012 as set out in 6026/12.

34. Proposal for a Directive of the European Parliament and of the Council amending Directives 89/666/EEC, 2005/56/EC and 2009/101/EC as regards the interconnection of central, commercial and companies registers (First reading) (Legislative deliberation)

- **Preparation for the next trilogue**
5347/12 DRS 4 EJUSTICE 2 CODEC 98

The Committee reached an agreement on a mandate for the next informal trilogue, scheduled for 24 January 2012, on the basis of the Presidency compromise text set out in 5347/12 with modifications in Recitals 21a and 22 and in Article 4d(2) of the 1st Company Law Directive.

35. Proposal for a Council Regulation adjusting, from 1 July 2011, the rate of contribution to the pension scheme of officials and other servants of the European Union

- **Adoption**
17625/11 STAT 48 FIN 978
17626/11 STAT 49 FIN 979
5336/12 STAT 1 FIN 22

(This item will be dealt with in restricted session)

Following an exchange of views, it was not yet possible to conclude the item, but the Presidency will continue to explore ways of meeting the requested qualified majority. When this will be the case, the item will be placed on the agenda of a forthcoming Committee meeting as an I item.

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