



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 February 2009

5979/09

CRS/CRP 7

SUMMARY RECORD

**Subject : 2261st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 4 and 6 February 2009**

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

doc. 5975/09 OJ/CRP1 5 + ADD 1

5899/09 OJ/CRP2 5

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 1, under I)

48. Joint Tripartite Declaration establishing a "European 112 Day"

- Adoption

6178/09 TELECOM 16 PROCIV 16

49. Draft Commission Directive ../.../EC of [...] amending Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels

- Decision not to oppose the adoption

5757/09 TRANS 30 MAR 4

5865/09 TRANS 36 MAR 10

The following item is **withdrawn** :

(Coreper Part 2, under I)

17. Council Joint Action extending the mandate of the European Union Special Representative in Kosovo - Adoption

5465/09 COWEB 17 COSDP 44 PESC 82 RELEX 48

5714/09 COWEB 21 COSDP 63 PESC 117 RELEX 74

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

Coreper Part 2

II

30. Presentation of the agenda of the Council meeting (General Affairs and External Relations) on 23/24 February 2009

Le Comité prend acte de la liste des points susceptibles de figurer aux ordres du jour provisoires des sessions du Conseil susvisées.

31. Presentation of the agenda of the Council meeting (Justice and Home Affairs), on 26/27 February 2009

La Présidence a présenté l'ordre du jour du Conseil JAI des 26/27 février 2009.

La délégation allemande a demandé l'insertion sous le point "Divers" d'un sous-point concernant le Tribunal international du Droit de la Mer (Hambourg).

32. Preparation of the Council meeting (Economic and Financial Affairs), on 10 February 2009

1. Preparation of the meeting of the European Council (19-20 March 2009)

a) European economy recovery plan

5883/09 AGRI 36 AGRIORG 11 AGRISTR 2 AGRIFIN 9 POLGEN 11

5972/09 ENER 40 ECOFIN 75 CODEC 115

6001/09 ECOFIN 78 UEM 26 EF 21 COMPET 58 SOC 63 ENER 42 AG 12

The Committee took note of the state of implementation by Member States of the European Economic Recovery Plan and agreed to inscribe this item on the Council agenda, followed by an orientation debate on the financial aspects of the Commission proposals set out in documents 5972/09 and 5883/09.

b) Outline of the contribution to the Spring European Council conclusions : Key Issues Paper
5933/09 ECOFIN 70 UEM 25 EF 19 AG 11

The Committee decided to inscribe the outline of the key issue paper on the Council agenda for discussion.

c) Reduced VAT rates
6000/09 FISC 15

Without prejudice to their well known positions (on subsidiarity, a shift of economic activity into the formal economy, cross-border trade in the internal market, budgetary impact, incidence, economic efficiency of reduced rates as a policy instrument, equal treatment between Member States), Member States expressed a shared willingness to explore possible solutions on locally supplied labour-intensive services, in the light of the request of the European Council as regards reduced VAT rates in the framework of the European Recovery Plan. Whereas some Member States want that solution to be found in the framework of the broader picture on reduced VAT rates, also including for instance the use of reduced VAT rates for other policy objectives (such as environmental objectives), others can accept this solution in the framework of a stand-alone decision on locally supplied labour-intensive services.

2. 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.

33. Anti-fraud agreement with Liechtenstein
5974/09 FL 1 JAI 55 FIN 34 GAF 2 FISC 12 UD 28

The Committee agreed:

- to the draft Council conclusions set out in document 5974/09 FL 1 JAI 55 FIN 34 GAF 2 FISC 12 UD 28;
- to submit the draft Council conclusions to the ECOFIN Council on 10 February 2009 as an "A" item on the agenda.

34. European Economic Recovery Plan (follow up to December European Council)

- **Investing today for tomorrow's Europe**
6006/09 ECOFIN 79 ENER 43 AGRIFIN 11 AGRISTR 3
6080/09 FIN 36 ECOFIN 87 ENER 46 AGRIFIN 12 AGRISTR 4
- = **Proposal for a Regulation establishing a programme for the granting of Community financial assistance to projects in the field of energy to aid economic recovery**
5972/09 ENER 40 ECOFIN 75 CODEC 115
- = **Proposal for a Regulation amending Regulation (EC) 1698/2005 on support for rural development by the EAFRD**
- = **Proposal for a Council Decision amending Decision 2006/493/EC laying down the amount of Community support for rural development (2007-2013), its annual breakdown and the minimum amount to be concentrated in regions eligible under the Convergence Objective**
5883/09 AGRI 36 AGRIORG 11 AGRISTR 2 AGRIFIN 9 POLGEN 11

On the basis of the note from the Presidency on the financial aspects of the abovementioned proposals (doc. 6080/09) and of the opinion of the Legal Service (doc. 6083/09), the Committee held a thorough debate on the list of projects to be selected and on the financial aspects related to these proposals.

Coreper Part 1

II

39. Preparation of the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 5 and 6 March 2009

1. Setting of the provisional agenda

The Committee agreed on the provisional agenda of the Council as set out in document 6737/09 OJ CONS 12 COMPET 100 RECH 54.

2. Follow-up to the Single Market Review

- **Exchange of views**
- **Adoption of Council conclusions**
5831/09 COMPET 42 MI 26 SOC 42 CONSOM 13

The Committee has reached an agreement on the draft conclusions which will be submitted as amended to the "Competitiveness" Council for adoption.

40. Review of the EU regulatory framework for electronic communications networks and services (First reading)

- **Presidency briefing on the outcome of the informal trialogue**
- **Preparation of the next informal trialogue**
6015/09 TELECOM 13 MI 43 COMPET 60 DATAPROTECT 7 CONSOM 19
CODEC 120

The Presidency informed the delegations on the results of the first informal trialogue.

The delegations prepared the next informal trialogue on basis of document 6015/09.

41. Proposal for a Regulation of the European Parliament and of the Council concerning statistics on plant protection products (Second reading)

- **Presidency briefing on the outcome of the informal trialogue**

The Committee took note of an oral presentation from the Chair on the outcome of the first trialogue under Czech Presidency which took place in Strasbourg on 2 February 2009.

- 42. Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system (First reading)**
- **Information from the Presidency**
5890/09 AVIATION 6 CODEC 99

The Committee was informed on the state of play of the informal contacts between the Presidency and the European Parliament.

- 43. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Council Directive 06/23/EEC (First reading)**
- **Information from the Presidency**
 - **Examination of main outstanding issues**
6007/09 AVIATION 10 CODEC 119

The Committee:

- invited the Aviation Working Party to pursue the examination of the scope of the above draft Regulation;
- was informed of the current state of play of this file and of the upcoming informal discussions between the European Parliament and the Presidency.

- 44. Proposal for a Regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles (First reading)**
- **Presidency briefing on the outcome of the informal trialogue**
 - **Preparation of the next informal trialogue**
11726/6/08 ENT 173 ENV 443 CODEC 958 REV 6

The Committee discussed the Presidency's negotiating mandate for the next trialogue.

45. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 19 February 2009

1. Energy Security

(a) Gas crisis : follow-up

- **Information from the Presidency and the Commission**
- **Exchange of views**

The Commission representative confirmed that at the Council the Commissioner will present an oral report. Delegations enquired whether this report would address the implementation and reliability of the gas supply agreement between Russia and Ukraine and the measures concerning affected Member States. In the absence of request from affected Member States so far the Commission did not anticipate the report to address the second topic.

On this occasion the Committee took note of the addition of two AOB items to the Council's provisional agenda:

- Nabucco Summit (Budapest, January 2009)
Information by the Hungarian delegation
- Ostrava Conference on Security of Electricity Supply (January 2009)
Information by the Presidency

(b) Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Second Strategic Energy Review - "An EU Energy Security and Solidarity Action Plan"

- **Adoption of Council conclusions**
15944/08 ENER 400 ENV 851 RELEX 930 ATO 110 POLGEN 122
+ REV 1 (bg, es, cs, da, de, et, el, fr, it, lv, lt, hu, mt, nl, pl, pt, ro, sk, sl, fi, sv)
5808/09 ENER 33 ENV 43 RELEX 82 ATO 12 POLGEN 10

The Committee proceeded to a detailed examination of the draft conclusions set out in document 5058/09. On that basis the Presidency undertook to revise the draft with a view to facilitating an agreement at Council.

2. Oil and Gas

- (a) **Proposal for a Council Directive imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products**
15910/08 ENER 393
- (b) **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Directive 2004/67/EC of 26 April 2004 concerning measures to safeguard security of natural gas supply**
15905/08 ENER 389
- **Policy debate**
5532/1/09 ENER 22 REV 1

The Committee could agree to the Council holding a policy debate on the basis of the questions set out in document 5532/1/09.

46. **Internal Energy Market legislative package**
Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/54/EC concerning common rules for the internal market in electricity (Second reading)
- **Presidency briefing on the outcome of the informal trialogue**

The Presidency informed the Committee on the proceedings of the 2nd informal trialogue held on 3 February and devoted to blocks 1 (unbundling) and 2 (regulatory authorities). While emphasizing the firmness of the European Parliament demand on unbundling the Presidency noted some possibilities of convergence on regulatory authorities. The next trialogue will take place on 18 February and will address the blocks 1 and 3 (consumer issues).

47. **Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/88/EC concerning certain aspects of the organisation of working time (Second reading)**
- **Preparation of the next informal trialogue**

Le Comité prépare le Trilogue du 10.2.2009.

- **Any other business**

= **Proposals for energy projects (requested by the Presidency)**

The Presidency informs the Committee on its intentions on how to deal with the Commission proposal for energy projects.

= **Road fees for lorries by the Russian Authorities (requested by the Presidency)**

The Presidency informed the Committee about possible future contacts between the Commission and/or the Presidency and the Russian authorities to discuss the road user charges applied to European lorries.

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