



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 February 2012

6224/12

CRS/CRP 5

SUMMARY RECORD

**Subject : 2395th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 8 and 9 February 2012**

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

doc. 6159/12 OJ/CRP1 5 + AMD 1

6148/1/12 REV 1 OJ/CRP2 5 COMIX 78

The above mentioned agendas are approved with the following changes:

The following item is **added** :

(Coreper Part 2, under I)

47. Enlarge ment

- **Accession negotiations with Iceland**
= **Outcome of screening on Chapter 30 : External Relations**
6221/12 ELARG 14

The following item is **withdrawn** :

(Coreper Part 1, under I)

39. Proposal for a Council Decision on the position to be taken by the European Union concerning the adoption of a Decision by the Joint Committee of the Convention of 20 May 1987 on a common transit procedure and a Decision by the Joint Committee of the Convention of 20 May 1987 on the simplification of formalities in trade of goods concerning an invitation to Croatia and Turkey to accede to these Conventions

- **Adoption**
5483/12 UD 12 EEE 4 AELE 4
5484/12 UD 13 EEE 5 AELE 5

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

Coreper Part 2

II

2. EU-India Summit

- State of play of preparations

6120/1/12 REV 1 COASI 11 ASIE 11 PESC 111 RELEX 87 POLGEN 19 WTO 37
ECOFIN 107 ENV 81

The Committee took note of the state of play on the preparations for the EU-India Summit on 10 February 2012 in New Delhi on the basis of information given by the EEAS and the Commission services.

3. EU-China Summit

- State of play of preparations

6121/12 COASI 12 ASIE 12 PESC 112 RELEX 88 POLGEN 20 WTO 38
ECOFIN 109 ENV 82

The Committee took note of the state of play on the preparations for the EU-China Summit on 14 February 2012 in Beijing on the basis of information given by the EEAS and the Commission services.

4. Information on the G-20 Sherpas meeting

The Commission Sherpa representative Antonio Cabral, briefed the Committee on the first official G20 Sherpa meeting, which took place in early February. He also highlighted the shortest period of preparations for the June Summit. The priorities of the Mexican G20 Presidency are : Economic stabilization and structural reforms, strengthening the financial system and fostering financial inclusion to promote economic growth, improving the international financial architecture in an interconnected world, enhancing food security and addressing commodity price volatility, promoting sustainable development, green growth and the fight against climate change.

23. Presentation of the agenda of the Council meeting (Foreign Affairs) on 27 February 2012

The Committee received a presentation of the draft agenda of the FAC on 27 February 2012 by EEAS ESG Pierre Vimont. The items covered were: Serbia and Kosovo (starting at 10h with discussion on the Belgrade-Pristina dialogue and on the political dialogue with Serbia with a view to the GAC discussion on 28 February 2012 on granting the candidate status to Serbia); Syria (comprehensive discussion on the political situation in Syria, including on diplomatic efforts by the UN and LAS and on the security and safety of EU embassies, adoption of additional restrictive measures also planned); Egypt (discussion on unfolding developments in the country and possible adoption of Council conclusions); MEPP (discussion focused in particular on Palestinian reconciliation - Doha Declaration of 7 February 2012); South Caucasus /Georgia (debriefing on the situation in the region, with particular focus on Georgia).

Under AOB: information on the outcome of the International conference on Somalia, to be held in London on 23 February 2012.

Lunch: the Turkish Foreign Minister Davutoglu does not seem to be available for the FAC lunch. In view of the importance of an exchange of views with Davutoglu on the situation in the region, an informal breakfast ahead of GAC on 28 February has been proposed; in alternative: informal dinner on 26 February 2012. The FAC lunch discussion would be on MEPP and Palestinian reconciliation.

ESG Vimont also informed that Council conclusions on Belarus and on the Union for the Mediterranean would be adopted under A items.

Additional requests:

- three delegations requested to include Belarus as a discussion point, as agreed during the preparation of the January FAC, with a view to adopting Council conclusions and possibly an additional sanctions package in line with the new criteria;
- two delegations requested a discussion on relations with Brazil and Mexico, in view of the forthcoming summits and G20 talks;
- a number of delegations requested additional information on the preparation of the Gymnich meeting on 9-10 March;
- one delegation requested background papers for each FAC agenda item with a view to better structuring the Ministerial discussions.

24. Presentation of the agenda of the Council meeting (General Affairs) on 28 February 2012

The Committee took note of the presentation of the agenda of the General Affairs Council on 28 February 2012. The Council will focus on two main issues : the preparation of the European Council on 1 and 2 March (draft European Council conclusions and a synthesis report on the European Semester) and Enlargement/Serbia.

25. Preparation of the Council meeting (Economic and Financial Affairs) on 21 February 2012

- Other items in connection with the Council meeting

The Committee reviewed the state of readiness of the agenda items listed.

26. Relations with the European Parliament (February 2012)

5877/12 PE 28 INST 76 POLGEN 15 CODEC 225

Le Comité a eu un échange de vues sur les relations entre le Conseil et le Parlement européen sur base d'une note fournie par le Secrétariat Général du Conseil.

27. Proposal for a Regulation of the European Parliament and of the Council on OTC derivative transactions, central counterparties and trade repositories (EMIR)

- Preparation of the trilogue (restricted session)

6102/12 EF 29 ECOFIN 103 CODEC 280

The Committee agreed an updated negotiation mandate for the Presidency with a view to a trilogue to be held on the same day, and took note of three Commission declarations to be inserted in the Council minutes when adopting the Regulation, as set out in the annex to document 6438/12.

Coreper Part 1

II

44. **Proposal for a Directive of the European Parliament and of the Council on control of major-accident hazards involving dangerous substances (Seveso III) (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Chair on the outcome of the informal trilogue with the European Parliament held on 7 February 2012. The Presidency underscored the importance that Amendment 136 has for the European Parliament. The Presidency will not seek for a revised mandate from the Committee for the next informal trilogue on 6 March 2012 as this trilogue will deal with the remaining political issues from the agenda of 7 February 2012.

45. **Preparation for the Council meeting "Competitiveness" (Internal market, Industry, Research and Space) on 20 and 21 February 2012**

1. **Smart regulation (*Non-legislative activity*)**
 - **Adoption of Council conclusions**
5707/12 COMPET 34

The Committee has examined document 5707/12, has made one further change to the text and has decided to forward the draft Council conclusions to the Council (Competitiveness) on 20 and 21 February 2012 for adoption.

2. **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) (*Legislative deliberation*)**
 - **Orientation debate**
5930/12 DRS 12 COMPET 47 ECOFIN 85 CODEC 234

The Committee took note of the Presidency discussion paper and the questions set out in 5930/12 in view of the orientation debate to be held at the Competitiveness Council on 20 and 21 February 2012.

3. (a) **Proposal for a Regulation of the European Parliament and of the Council on European Venture Capital Funds (*Legislative deliberation*)**
- (b) **Proposal for a Regulation of the European Parliament and of the Council on European Social Entrepreneurship Funds (*Legislative deliberation*)**
 - **Orientation debate**
18499/11 EF 173 ECOFIN 883 COMPET 615 IND 177 CODEC 2401
18491/11 EF 172 ECOFIN 882 COMPET 613 SOC 1107 IND 176 CODEC 2399
5896/1/12 EF 23 ECOFIN 81 COMPET 42 IND 14 SOC 67 CODEC 227 REV 1

The Committee took note of the intentions of the Presidency on how to handle this item in the Council (doc. 5896/1/12 REV 1).

4. **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European Earth monitoring programme (GMES) and its operations (from 2014 onwards) (*Non-legislative activity*)**
 - **Exchange of views**
17072/11 COMPET 525 ESPACE 81 IND 165 RECH 417 TRANS 346
POLARM 23 ECOFIN 856 TELECOM 201 ENER 392 ENV 925

The Committee agreed to hold an exchange of views without conclusions at the Council meeting (Competitiveness) on 20 and 21 February 2012. The background for this decision is set out in document 5968/12.

46. **Preparation for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 17 February 2012**

1. **Women on Company Boards (*Non-legislative activity*)**
 - **Policy debate**
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])
5956/12 SOC 73 ECOFIN 89 COMPET 52
+ COR 1

The Committee recommended that the Council hold a policy debate on the basis of the Presidency Note as set out in 5956/12 + COR 1.

2. **Legislative initiatives for Posting of Workers (*Legislative deliberation*)**
 - (a) **Proposal for a Directive of the European Parliament and of the Council on the enforcement and implementation of the posting of workers Directive**
 - (b) **Proposal for a Council Regulation on the use of the right to collective action (Monti II)**
 - **Presentation by the Commission**
 - **First exchange of views**

The Committee took note of the Commission's statement regarding the submission of the legislative initiatives and agreed to remove this item from the Council agenda.

3. **Europe 2020 Strategy (*Non-legislative activity*)**
 - **Policy debate**
(Public debate in accordance with Article 8(2) of the Council's Rules of Procedure [proposed by the Presidency])
5895/12 SOC 66 ECOFIN 80 EDUC 23
 - (a) **Annual Growth Survey and the Joint Employment Report in the context of the European Semester**
17229/11 ECOFIN 804 SOC 1017 COMPET 534 EDUC 274 ENV 891
RECH 380 ENER 376 FISC 151
+ ADD 3
+ ADD 3 REV 1 (bg)
 - (i) **Priorities for action in the areas of employment and social policies: political guidance in 2012**
 - **Adoption of Council conclusions**
5967/12 SOC 76 ECOFIN 91 EDUC 27
 - **Adoption of the Joint Employment Report**
5899/1/12 SOC 68 ECOFIN 82 EDUC 24 REV 1
 - **Endorsement of the SPC Opinion on the 2012 Annual Growth Survey**
5851/12 SOC 63 ECOFIN 75
 - (ii) **Proposal for Council Decision on Guidelines for the Employment Policies of the Member States**
 - **General approach**
17736/11 SOC 1045 ECOFIN 835 EDUC 278
5730/12 SOC 52 ECOFIN 59 EDUC 20
6068/12 SOC 87 ECOFIN 97 EDUC 32

- (b) **The social impact of the economic crisis and ongoing fiscal consolidation: Third Report of the Social Protection Committee (2011)**
 - **Endorsement of main messages**
5858/12 SOC 64 ECOFIN 76
+ ADD 1
- (c) **Macro Economic Imbalances - Alert Mechanism Report**
 - **Presentation by the Commission**

The Committee recommended to the Council

- to have a policy debate on the basis of the submitted documents and the Presidency background note 5895/12;
- to adopt the draft conclusions set out in document 5967/12;
- to adopt the Joint Employment Report set out in document 5899/1/12 REV 1;
- to endorse the SPC Opinion on the 2012 Annual Growth Survey set out in document 5851/12;
- to reach a general approach on the Decision on Guidelines for the Employment Policies of Member States contained in document 6068/12;
- to endorse the main messages of the Third Report of the Social Protection Committee set out in document 5858/12 + ADD1.

In addition, it took note that the Commission will present the Alert Mechanism Report to the Council EPSCO (if released before 17/02).

- **Any other business**
 - **MFF: The legal form - regulation or decision**
= **Information from the Presidency and the Commission**

The Presidency informed that the opinion of the Council Legal Service (doc. 6166/12) clarifies the issue of legal form of MFF proposals which has been raised in several working parties. The Commission emphasized that there are other horizontal issues related to the MFF on which consistency should be ensured, including delegated acts, simplification and conditionality.

- **Mandate for trilogues (requested by FR delegation)**

A la demande de la délégation française, le Comité a eu un tour de table sur la question des mandats conférés à la Présidence par le Comité pour les trilogues avec le Parlement européen, et notamment pour des "trilogues informels techniques".
