



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 17 March 2010

6775/10

CRS/CRP 10

SUMMARY RECORD

**Subject : 2309th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 24 and 26 February 2010**

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

doc. 6733/10 OJ/CRP1 8

6723/10 OJ/CRP2 8 COMIX 145

The above mentioned agendas are approved with the following changes :

The following item is **withdrawn** :

(Coreper Part 2, under I)

35. Directive du Conseil modifiant la directive 2006/112/CE en ce qui concerne l'application facultative et temporaire de l'autoliquidation aux prestations de certains services présentant un risque de fraude

6606/10 FISC 16 + ADD 1

5984/10 FISC 10 + COR 1 (lt) + COR 2 (de)

+ REV 1 (et) + REV 2 (ro) + REV 3 (cs)

+ REV 4 (hu) + REV 5 (sv)

The following CRP2 agenda item is **transferred** from Part I to Part II :

37. Proposition de Règlement du Parlement européen et du Conseil modifiant le règlement (CE) N° 1080/2006 sur le Fonds européen de développement régional et portant sur l'éligibilité des interventions dans le domaine du logement en faveur des communautés marginalisées

- **Accord avec le Parlement européen**

6536/10 FSTR 9 REGIO 9 CADREFIN 12 SOC 117 CODEC 124

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

- 30. Projet de règlement du Parlement européen et du Conseil modifiant la Convention d'application de l'Accord de Schengen et le règlement (CE) n°562/2006 en ce qui concerne la circulation des personnes titulaires d'un visa de long séjour**
- **Examen du texte du compromis final en vue d'un accord en première lecture**
6569/10 VISA 53 CODEC 127 COMIX 139 + ADD 1 +ADD 2

The DE and the GR delegations made the following statements on the above-mentioned item :

Statement made by the DE delegation :

"The German delegation endorses the compromise text and agrees to it. However, from Germany's point of view, laying down an obligation to consult central authorities for all nationals for whom such a consultation is required for C-visas would also have been desirable for those for whom a D-visa is to be issued."

Statement made by the GR delegation :

"Greece regards the necessity of finding a practical solution to the present situation concerning national visas as important, in order to cover the legislative void created by the hasty repeal of Council Regulation (EC) No 1091/2001 of 28 May 2001 on freedom of movement with a long-stay visa.

We share, in principle, with the proposed solution, allowing third-country nationals holding valid long-stay visas to travel more freely than presently within the Schengen area, and thus enhancing people-to-people contacts and contributing to economic growth. However, we are of the view that attention should be paid to avoiding the creation of new problems when trying to remedy existing ones.

In this vein, Greece has consistently expressed the opinion that, in certain cases, Member States should have the right to limit the possibility of the holder of a national visa to be allowed to circulate freely and should have the right to issue national visas with limited territorial validity (D-LTV).

We pointed out that there is a high risk of abusing the right of free movement and, thus, the potential of increased illegal migration pressure that certain categories of third-country nationals present. Every year certain Greek consular authorities issue considerable numbers of such national visas, but Greece should not be held accountable if holders of them, by abusing their right to travel freely, have travelled to another Member State [even if they do not fulfil the requirements in terms of means of subsistence (cf. Article 5, paragraph 1, point (c), of the Schengen Borders Code)].

Furthermore, Greece wishes to draw attention to the fact that applicants may encounter delays in the issuance of long-stay visas due to the provisions of Article 1, point (4), of the Regulation. Greece is of the opinion that Member States should have the option to issue national visas valid only for their territory, in the event of a negative or delayed reply in the consultation procedure under Article 25 of the Convention Implementing the Schengen Agreement (CIS).

In the light of the above, Greece is asking the Commission to accelerate the assessment of the newly adopted provisions and submit the report provided for in Article 2b as soon as possible, in order to amend the Regulation so as to enhance its effectiveness and added value by eliminating the possible weaknesses or loopholes described above."

Coreper Part 1

II

19. Preparation of the Council meeting (Environment) on 15 March 2010

1. Setting of the provisional agenda

The Committee approved the provisional agenda as set out in document 7254/10.

2. Proposal for a Regulation of the European Parliament and of the Council: Setting emission performance standards for new light commercial vehicles as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (*Legislative deliberation*)

- Policy debate

15317/09 ENV 752 ENT 196 CODEC 1259

6573/10 ENV 83 ENT 14 CODEC 128

The Committee agreed to forward the Presidency questions set out in document 6573/10 to the Council (Environment) to provide a basis for the policy debate on 15 March 2010.

3. Climate change: Follow-up to the Copenhagen Conference (7-19 December 2009) (*Non-legislative activity*)

- Adoption of Council conclusions

6594/10 ENV 86 ONU 20 DEVGEN 55 ECOFIN 111 ENER 42 FORETS 24

The Committee discussed and amended the draft Council conclusions as set out in document 6594/10 and forwarded them to the Council for its further consideration and adoption.

4. Biodiversity post-2010: EU and global vision and targets and international ABS regime (*Non-legislative activity*)

- Adoption of Council conclusions

6589/10 ENV 85 AGRI 53 DEVGEN 54 PI 20 FORETS 23 ONU 19 PECHE 33
RECH 61

The Committee decided to forward the draft Council conclusions as amended on the basis of the discussion to the Council with a view to their adoption.

20. Preparation of the Council meeting (Competitiveness, Internal Market, Industry and Research) on 1 and 2 March 2010

- 1. Preparation for the European Council on 25 and 26 March 2010: European Strategy for Growth and Jobs (*Non-legislative activity*)**
 - **Information from the Commission on its Communication EUROPE 2020**
 - **Exchange of views (Competitiveness issues)**
6070/10 COMPET 40 ECOFIN 70 SOC 73 ENV 61 EDUC 24 RECH 36
ENER 32

The Committee agreed on the Presidency questionnaire as set out in document 6070/1/10 REV 1 COMPET 40 ECOFIN 70 SOC 73 ENV 61 EDUC 24 RECH 36 ENER 32.

- 2. Preparation for the European Council on 25 and 26 March 2010: European Strategy for Growth and Jobs (*Non-legislative activity*)**
 - **Information from the Commission on its Communication EUROPE 2020**
 - **Exchange of views (Research issues)**
6389/10 RECH 54 COMPET 57 MI 45

The Committee took note of the questions for the exchange of views as set out in document 6389/10 RECH 54 COMPET 57 MI 45 and decided to forward them to the Council.

- 3. Developments in the governance of the European Research Area (ERA): new mandate of the Scientific and Technical Research Committee (CREST) (*Non-legislative activity*)**
 - **Adoption of Council Resolution**
6483/10 RECH 65 COMPET 66

The Committee decided to forward this item to the Competitiveness Council in May.

21. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 11 and 12 March 2010

1. Proposal for a Directive of the European Parliament and of the Council of ... on transportable pressure equipment (*Legislative deliberation*)

- General approach

13566/09 TRANS 350 CODEC 1430 + COR 1

6292/10 TRANS 30 CODEC 101

+ ADD 1 + ADD 1 COR 1

The Committee examined the draft directive and decided to submit it to the TTE Council of 11/12 March 2010 with a view to reaching an agreement on a general approach.

2. Proposal for a Directive of the European Parliament and of the Council on aviation security charges (*Legislative deliberation*)

- Progress report

9864/09 AVIATION 74 CODEC 722

6439/10 AVIATION 15 CODEC 113

The Committee took note of the progress report on the Proposal for a Directive of the European Parliament and of the Council on aviation security charges and decided to invite the TTE Council to examine it, at its meeting on 11/12 March 2010.

3. Proposal for a Council Regulation concerning the notification to the Commission of investment projects in energy infrastructure within the European Community and repealing Regulation (EC) No 736/96 (*Non-legislative activity*)

- Political agreement

6502/10 ENER 38

While the Commission entered a reservation on Article 1(2) the Committee could reach agreement on the rest of the text set out in document 6502/10, as amended regarding point 3.2 of the Annex.

The Commission confirmed that it was prepared to make a declaration on the preparation of the template for the notifications, to be recorded in the minutes of the Council on the occasion of the political agreement.

4. **Communication from the Commission entitled "Investing in the development of low carbon technologies" (*Non-legislative activity*)**
- **Adoption of Council conclusions**
6510/10 ENER 39 ENV 77 RECH 59

The Committee reached agreement on the text set out in document 6510/10, as amended regarding para. 18 and 19. The Committee took note of Austria's wish to recall her declaration on the SET-Plan made at the TTE Council on 28 February 2008.

5. **Preparation of the European Council on 25 and 26 of March 2010: European Strategy for Growth and Jobs (*Non-legislative activity*)**
- **Presentation by the Commission of its Communication EUROPE 2020**
 - **Exchange of views (Energy issues)**
6697/10 ENER 50 POLGEN 20

The Committee agreed that the exchange of views at Council could be based on the questions set out in document 6697/10.

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On the occasion of the preparation of the TTE (Energy) Council the Committee took note of Hungary's request for the addition of an AOB item on the "Visegrad Group Energy Security Summit I Budapest".

22. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movement of pet animals**
- **Briefing on the outcome of the trialogue**
 - **Preparation of the next trialogue**

The Committee took note of the information provided by the Presidency in relation to the last talks conducted by the Presidency with the European Parliament with a view to confirming the possibility of a first reading agreement on this proposal.

The Committee also gave a mandate to the Presidency to continue the negotiations with the European Parliament on the basis of document 6797/10 as modified during the meeting regarding Recital 11a, Article 1(8) (*New Article 19d § 2*) and regarding the statements requested by the ENVI Committee of the European Parliament.

- **Briefing on the outcome of the trialogue**
- **Transmission of the Council's final position to the European Parliament**

The Committee took note of the information provided by the Presidency in relation to the last trialogue held on 25/02/2010 and the possible overall agreement that could be reached with the European Parliament.

The Committee approved the overall agreement as set out in document 6910/10 and authorised the Presidency to confirm through a letter of the Chair of the Committee to the President of the European Parliament ENVI Committee this package as a basis for a first reading agreement.

23. Preparation of the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 8 March 2010

- 1. Preparation of the European Council of 25-26 March 2010: European Strategy for Growth and Jobs (*Non-legislative activity*)**
 - (a) Commission Communication on EU 2020 Strategy**
 - **Presentation by the Commission**
 - (b) Presidency background paper**
 - **Follow-up to the informal meeting of Ministers of Employment and Social Security (Barcelona, 28 and 29 January 2010)**
6422/1/10 SOC 108 REV1
 - (c) Contribution by the**
 - **Employment Committee**
6576/10 SOC 125 ECOFIN 109
 - **Social Protection Committee**
6574/10 SOC 123
 - **Exchange of views based on indents (a), (b) and (c)**
6610/10 SOC 131

The Committee takes note of the information given by the Presidency with regard to the organisation of the Council's exchange of views which will be based on items a), b) and c) as well as on the procedure to be followed to channel the outcome of the exchange of views as the EPSCO's contribution to the preparation of the European Council meeting on 25-26 March 2010.

(d) Draft Joint Employment Report 2009/2010

- Adoption

5037/10 SOC 5 ECOFIN 6 EDUC 3 JEUN 1 + REV 1 (pl)
6575/10 SOC 124 ECOFIN 108 EDUC 33 JEUN 9

The Committee takes note of the UK parliamentary scrutiny reservation on document 6575/10 and agrees to recommend the Council to adopt the Joint Employment Report, with a view to its submission to the Spring European Council.

(e) Draft Joint Report on Social Protection and Social Inclusion 2010

- Adoption

6323/10 SOC 98 ECOFIN 93 FSTR 7 EDUC 27 SAN 29
6500/10 SOC 115 ECOFIN 101 FSTR 8 EDUC 31 SAN 33 +ADD 1

The Committee takes note of the UK parliamentary scrutiny reservation as well as of BG and HU's linguistic scrutiny reservations on document 6500/10.

**(f) Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions
- Equality between women and men, 2010**

- Presentation by the Commission

5056/10 SOC 6

The Committee takes note of the Commission's report on "Equality between women and men, 2010" contained in document 5056/10, and agrees to forward it to the Council.

2. Preparation of the Tripartite Social Summit (*Non-legislative activity*)

- Information from the Presidency

The Committee takes note that the Presidency will inform the EPSCO Council of the state of preparation of the Tripartite Social Summit.

3. The Eradication of Violence Against Women in the European Union (*Non-legislative activity*)

- **Adoption of Council conclusions**
- **Exchange of views**
6585/10 SOC 126 JAI 144 COHOM 44

The Committee agrees that the Council should hold a policy debate on the basis of the Presidency questionnaire in document 6712/10.

The Committee agrees to submit the draft Council conclusions contained in document 6585/10 to the EPSCO Council for adoption on 8 March 2010.

4. Conclusions on European researchers' mobility and careers adopted by the COMPETITIVENESS Council (Internal Market, Industry and Research) (*Non-legislative activity*)

- **Presentation by a delegation of Ministers for Research**
- **Exchange of views**
6362/10 RECH 53 EDUC 29 SOC 102 COMPET 55

The Committee agrees that a delegation of Ministers for Research will present the Council Conclusions to the EPSCO Council on 8 March 2010 and that the presentation will be followed by an exchange of views.

24. Whaling

- **Position of the EU and its Member States with a view to the Intersessional meeting of the International Whaling Commission (IWC) (Florida, USA, 4-5 March 2010) (*Non-legislative activity*)**
6679/10 ENV 94 PECHE 35

The Committee exchanged views on the Presidency compromise on the position which the EU and its Member States should take at the IWC inter-sessional meeting in Florida. The Chair concluded that, as agreement on a specific position could not be reached at that stage, the discussion would have to continue on the spot. The Chair also recommended that, in the absence of agreement on the spot, delegations abstain from the vote.

Coreper Part 2

II

37. Proposition de Règlement du Parlement européen et du Conseil modifiant le règlement (CE) N° 1080/2006 sur le Fonds européen de développement régional et portant sur l'éligibilité des interventions dans le domaine du logement en faveur des communautés marginalisées

- **Accord avec le Parlement européen**
6536/10 FSTR 9 REGIO 9 CADREFIN 12 SOC 117 CODEC 124

The Committee agreed to seek an agreement with the European Parliament to modify the recital 7 of the Regulation in order to make it compatible with the interinstitutional declaration on comitology.

43. Préparation de la session du Conseil (Justice et affaires intérieures) des 25/26 février 2010

a) Stratégie de Sécurité Intérieure

The Chair explained that the latest and agreed version of the draft Internal Security Strategy, as set out in document 5842/2/10, would be submitted to the Council for approval and to the European Council following art. 68 TFEU for endorsement.

b) Autres points en rapport avec la session du Conseil

EASO- SEAT

The Chair announced that, in the margins of the JHA Council on 25/26 February 2010, a Conference of Representatives of the Governments of the Member States will be invited to determine the location of the seat of the European Asylum Support Office.

44. Suivi de la session du Conseil (Affaires étrangères) du 22 février 2010

Le Comité est informé du suivi que la présidence entend donner à la session du Conseil Affaires étrangères.

45. Suivi de la session du Conseil (Affaires générales) du 22 février 2010

Le Comité est informé du suivi que la présidence entend donner à la session du Conseil Affaires générales.

46. Islande

- Avis de la Commission sur la demande d'adhésion de l'Islande

Le Comité prend note de la présentation par la Commission de sa communication sur la demande d'adhésion de l'Islande et de sa recommandation d'ouvrir des négociations avec l'Islande en vue de son adhésion à l'Union européenne ainsi que des interventions des délégations.

Ce document sera examiné en détail par le Groupe de travail "Elargissement et pays menant les négociations d'adhésion à l'UE", qui fera ensuite rapport au Comité.

47. Présentation de l'ordre du jour du Conseil (Affaires économiques et financières) du 16 mars 2010

Le Comité marque son accord sur l'ordre du jour provisoire de la session du Conseil susvisée.

48. Traité de Lisbonne : EEAS (session restreinte)

There was a presentation to the Committee by the representative of the High Representative on the HR's vision of the EEAS, in particular the key decisions linked to it and organisation structures/building blocks of the future Service.

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