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THE EUROPEAN UNION**

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9360/11

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SUMMARY RECORD

**Subject : 2360th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 15 April 2011**

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

doc. 9034/11 OJ/CRP1 14

9060/1/11 REV 1 OJ/CRP2 14 COMIX 242

The above mentioned agendas are approved with the following changes :

The following item is **added** :

(Coreper Part 2, under II)

40. Presentation of the agenda for the Council meeting (General Affairs) on 23 May 2011

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

A declaration is made by the DE delegation on the following item :

26. Enlargement

- **Accession negotiation with Croatia**
 - **Chapter 11 : Agricultural and rural development**
8965/11 ELARG 28

At the time of the adoption of this point, the Committee takes note of the following declaration made by the DE delegation, supported by FR, DK, NL, SE, UK, AT and FI delegations :

"CHAPTER 11: Declaration by the German delegation

With regard to the draft European Union common position on Agriculture and rural development prepared for the next meeting of the Accession Conference with Croatia (doc. 8965/11) from the 13.04.11, direct payments para. 3

"The EU further notes that all amounts for direct payments (including the maximum amounts from the special national de-mining reserve) as well as market measures will be added to the ceiling and sub-ceiling in heading 2 of the multi-annual financial framework."

we wish to recall the Council Conclusions on the Financial Package for the accession negotiations with Croatia, adopted in December 2009:

"The Council stresses that the overall financial package for Croatia has to be firmly inscribed in the general effort for budgetary discipline. The Council recalls that the financial package for Croatia does not prejudice the position of the Council regarding financial options in the context of Article 29 of the current Inter-Institutional Agreement¹, which foresees that if new Member States accede to the European Union during the period covered by the financial framework, the European Parliament and the Council, acting on a proposal from the Commission, will jointly adjust the financial framework to take account of the expenditure requirements resulting from the outcome of the accession negotiations."

In this light we believe that a revision of the ceilings of the current MFF 2007-2013 is neither necessary nor appropriate."

¹ Inter-Institutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management, (2006/C 139/01) 14 June 2006.

Coreper Part 1

II

9. **Proposal for a Directive of the European Parliament and of the Council amending Directive 97/68/EC as regards the provisions for engines placed on the market under the flexibility scheme (First reading) (Legislative deliberation)**
- **Preparation for the informal trialogue**
8695/11 ENT 85 ENV 268 CODEC 590 MI 186

The Committee reached an agreement on the mandate for the Presidency, on the basis of document 8695/1/11 REV1, with the inclusion of a BE amendment with a view to a forthcoming trialogue.

10. **Draft Council Decision on the signing, on behalf of the European Union, of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity**
- **Decision to use the written procedure**
 - **Discussion on the signature process (on EU and MS level)**
8419/11 ENV 260 AGRI 263 WTO 142 PI 25 DEVGEN 94 MI 170 SAN 61

The Committee agreed to the use of the written procedure for the adoption of the abovementioned Council Decision. The Committee endorsed that when adopting the Decision that Council makes a statement confirming that the signature, on behalf of the EU, of the Nagoya Protocol will only take place once the UN correction procedure of the French version of the Protocol has a satisfactory outcome. The Commission announced its intention of joining this statement.

11. **Proposal for a Directive of the European Parliament and of the Council on consumer rights (First reading) (Legislative deliberation)**
- **Presidency briefing on the outcome of the informal trialogue**

The Presidency informed the Committee of the discussions held with the European Parliament during the first trialogue on 12 April 2011.

The Presidency notably specified that the agenda of the next trialogue on 3 May 2011 is the following:

- explanation of grounds for deletion of Chapter V by the Council,

- negotiation on Chapters I and III as well as on the inclusion of digital content into their scope and
- preliminary discussion on strategy concerning Chapters II and IV.

12. Proposal for a Decision of the European Parliament and of the Council establishing a European Union action for the European Heritage Label (First reading) (Legislative deliberation)

- **Presidency briefing on the outcome of the informal trialogue**
- **Approval of the final compromise text**
8828/11 CULT 25 CODEC 615

The Committee takes note of the debriefing of the Presidency, approves the text as contained in the Annex to document 8828/1/11 REV 1 (subject to a reservation from UK), and submits the file to Council for political agreement.

13. Proposal for a Regulation of the European Parliament and of the Council on textile names and related labelling of textile products (Second reading) (Legislative deliberation)

- **Presidency briefing on the outcome of the informal trialogue**
- **Analysis of the final compromise text**
9010/11 TEXT 5 MI 205 ENT 90 CHIMIE 26 ECO 41 CONSOM 56
CODEC 642

The Committee discussed the Presidency compromise as set out in document 9010/11. Following the discussion, the Presidency suggested several modifications to the text and to the joint statement (see doc. 9210/11) and invited delegations to express their position to the modified text via an informal "silence procedure" until 18 April 2011.

14. Proposal for a Directive of the European Parliament and of the Council amending Directive 2000/25/EC as regards the provisions for tractors placed on the market under the flexibility scheme (First reading) (Legislative deliberation)

- **Preparation for the next informal trialogue**
8691/11 AGRI 275 ENT 84 ENV 267 CODEC 589 MI 185

The Committee agreed on a mandate for the Presidency, on the basis of document 8691/11, with the inclusion of the same BE amendment which was used for the "engines" file.

- 15. Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (Eurovignette) (First reading) (Legislative deliberation)**
- **Preparation for the next informal trialogue**
8681/11 TRANS 110 FISC 31 ENV 266 CODEC 587

The Committee discussed the compromise package proposed by the Presidency, as included in document 8681/11, with a view to preparing the next informal trialogue on 18 April 2011.

Coreper Part 2

II

29. Follow up to the Council meeting (Justice and Home Affairs) on 11/12 April 2011

The Committee debriefed on the Romas issue which was the lunch topic of the Justice Ministers.

30. Presentation of the agenda for the extraordinary Council meeting (Justice and Home Affairs) on 12 May 2011

The Presidency presented the draft agenda for the extraordinary Council meeting. The focus of the meeting is the amendment of the Frontex Regulation, the evaluation of the EU Readmission agreements and the civilian protection aspects of the situation in Japan.

31. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) n° 2007/2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)

8861/11 FRONT 42 CODEC 620 COMIX 221

9095/11 FRONT 47 CODEC 647 COMIX 247

The Committee/Mixed Committee discussed on the basis of document 8861/11 the questions of monitoring in the context of return cooperation, processing of personal data, the involvement of third countries, EU agencies and international organisations in Frontex activities, and certain aspects of financing of technical equipment. The Presidency concluded that there was a high level of convergence as a basis for further work. It was, however, necessary to further develop the text, in particular with regard to Articles 11c and 14(6).

32. Proposal for a Decision of the European Parliament and of the Council granting an EU guarantee to the European Investment Bank against losses under loans and guarantees for projects outside the European Union

- **Preparation of informal trialogue**

8878/1/11 REV 1 ECOFIN 190 RELEX 368 CODEC 622

The Committee exchanged views on the main issues set out by the Presidency in document 8878/1/11 REV 1, namely the ceilings of EIB financing operations, conditionality of operations, as well as the development of an EU platform for co-operation and development with a view to preparing the next informal trialogue with the European Parliament.

33. Presentation of the agenda for the Council meeting (Economic and Financial Affairs) on 17 May 2011

The Committee agreed the provisional agenda for this Council meeting.

34. External financial instruments

- a) **Proposal for a Council Regulation amending Regulation (EC) No 1934/2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories (Second reading)**
- b) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (Second reading)**
- c) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1889/2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (Second reading)**
- d) **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (Second reading)**
 - = **Preparation of the next trialogue**
8763/11 CODEC 604 DEVGEN 104 NIS 39 PESC 460 RELEX 358 FIN 243
ACP 86 CADREFIN 21 COHOM 100 COEST 118 COLAT 7
COMEM 119 ASIE 19 COASI 66 AGRI 281 WTO 159

Le Comité prépare le trilogue du 11.5.2011.

35. Kosovo

- = **Review of references in EU documents**
8519/11 ADD 1 REV 2 UD 83 COWEB 75
9015/11 COPS 195 PESC 498 COWEB 86 COPOL 25

On the basis of a document submitted by the EEAS (doc. 9015/11), the Committee has an exchange of views on a review of references to Kosovo in EU documents.

The Committee agrees to revert to the issue in one of its forthcoming meetings.

36. Resolution on the participation of the European Union in the work of the United Nations General Assembly

8799/11 PESC 464 CONUN 38 POLGEN 65 ONU 61

The Committee took note of the debriefing of the Head of the Task Force for the UN resolution on latest developments in New York, in particular in the light of the meeting of HoMs in New York on 14 April 2011.

It was noted that a substantial compromise offer to CARICOM, in order to meet their concerns on the draft resolution, had not been accepted, and that demarches would continue and concentrate on obtaining support in case procedural motions are raised. In the light of developments, HoMs would meet again on Tuesday 19 April in order to assess the situation and take a final stance.

Against this background, the Committee agreed that, unless HoMs recommend otherwise after their meeting on 19 April, action on the resolution at UNGA should take place on 3 May. It noted that a revised document on the High Representative's recommendations on the way forward should be distributed shortly.

Should delegations raise substantial objections to the revised document, the President of the Committee will reflect on the most appropriate way forward.

37. Follow up to the Council meeting (Foreign Affairs) on 12 April 2011

Le Comité est informé du suivi que la HR a l'intention de donner à la session du Conseil Affaires étrangères.

38. Presentation of the agenda for the Council meeting (Foreign Affairs/Trade) on 13 May 2011

The Committee took note of the presentation of the draft agenda of the Foreign Affairs Council (Trade) on 13 May 2011, in the version circulated in the Antici network.

39. Follow up to the Council meeting (General Affairs) on 13 April 2011

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

40. Presentation of the agenda for the Council meeting (General Affairs) on 23 May 2011

Le Comité prend acte de la liste des points susceptibles de figurer à l'ordre du jour provisoire de la session du Conseil susvisée.

- **Any other business**
 - **Commission proposals regarding the implementing acts of the enhanced cooperation in the area of the creation of unitary patent protection**
 - = **Information from the Presidency on future work programme**

The Committee took note of the announcement by the Presidency of the work programme to deal with the above proposals.

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