



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 June 2010

9373/10

CRS/CRP 20

SUMMARY RECORD

**Subject : 2318th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 5 and 6 May 2010**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 8

Coreper Part 1

I

2. Reply to written questions put to the Council by Members of the European Parliament
 - (a) n° E-1471/10 put by Agustín Díaz de Mera García Consuegra
"TFTP (SWIFT) agreement on banking data transfers"
 - (b) n° E-1541/10 put by Mara Bizzotto
"Violence against Christian communities in India"
 - (c) n° E-1554/10 put by Chrysoula Paliadeli
"New university-business partnership arrangements"
 - (d) n° E-1576/10 put by Philip Claeys
"Abolition by Turkey of the visa requirement for Libya, Syria and other countries"
 - (e) n° E-1692/10 put by Proinsias De Rossa
"MINURSO and human rights monitoring"
 - (f) n° E-1702/10 put by Robert Goebbels
"Use of funds pledged for the reconstruction of Gaza"
 - (g) n° P-1851/10 put by Vincent Peillon
"Visit to Israel and the Palestinian territories by the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission"
 - (h) n° E-1885/10 put by Philip Claeys
"Increase in the number of European summits"
3. Draft Commission Regulation (EU) N° .../.. of ... concerning type-approval requirements for windscreen defrosting and demisting systems of certain motor vehicles and implementing Regulation (EC) N° 661/2009 of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefore
4. Proposal for a Council Decision on the conclusion of the Agreement between the European Community and the Republic of Albania on certain aspects of air services
5. Proposal for a Council Decision on the conclusion of the Agreement between the European Community and Bosnia and Herzegovina on certain aspects of air services

6. Management Board of the European Chemicals Agency
 - Adoption of a Council Decision appointing one member
7. Letter of the President of the Court of Auditors requesting the Council's comments on the document "Preliminary observations (pursuant to Article 287(4), second subparagraph TFUE) *'Impact Assessments in the EU institutions: do they support decision making ?'* "
8. Proposal for a Directive of the European Parliament and of the Council on standards of quality and safety of human organs intended for transplantation (First reading)
9. Proposal for a Council Regulation establishing a catch documentation programme for bluefin tuna *Thunnus thynnus* and amending Regulation (EC) No 1984/2003 (First reading)
11. Proposal for a Council Decision authorising the Commission to open negotiations on behalf of the European Union for the renewal of the Protocol to the Fisheries Partnership Agreement with Comoros
12. Proposal for a Directive of the European Parliament and of the Council laying down the framework for the deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other transport modes (First reading)
 - Adoption of
 - (a) the Council's position
 - (b) the statement of the Council reasons

II

13. Preparation of the Council meeting of the Council meeting "Competitiveness" (Internal market, Industry and Research) on 25 and 26 May 2010
 1. Setting of the provisional agenda9
 2. Services Directive
 - (a) State of play on implementation on the Services Directive9
 - (b) Lending impetus to the Services Directive's mutual evaluation process9
 3. Developments in the governance of the European Research Area (ERA)9
 4. Social Dimension of the European Research Area9

14.	Proposal for a Decision of the European Parliament and of the Council on the participation by the Community in a Joint Baltic Sea Research and Development Programme (BONUS-169) undertaken by several Member States (First reading)	10
15.	Proposal for a Regulation of the European Parliament and of the Council on the European Earth Observation Programme (GMES) and its initial operations (2011-2013) (First reading)	10
16.	Procedure for the conclusion of international agreements in the field of research	
	(a) Agreement on Scientific and Technological Cooperation between the European Union and the Hashemite Kingdom of Jordan	
	(b) Agreement between the European Union and the Government of Japan on cooperation in science and technology	
	(c) Agreement for scientific and technological cooperation between the European Union and Ukraine	
	(d) Agreement between the European Union and the Government of the Faroes on Scientific and Technological Cooperation, associating the Faroe Islands to the European Union's Seventh Framework Programme for Research, Technological Development and Demonstration Activities (2007-2013)	11
17.	Draft Council Decision on the participation of the European Union in the negotiations on a legally binding instrument on mercury further to Decision 25/5 of the Governing Council of the United Nations Environment Programme (UNEP)	11
18.	Office for Harmonization in the Internal Market (Trade Marks and Designs) (This item will be taken in restricted session Deputy Permanent Representatives only)	11

I

19. Rapport sur les travaux dans les autres formations du Conseil
20. Règlement du Conseil modifiant le règlement (CE) No 194/2008 du Conseil renouvelant et renforçant les mesures restrictives instituées à l'encontre de la Birmanie/du Myanmar
21. Mesures restrictives à l'encontre de l'Iran:
Courrier de réponse aux avocats d'une entité à laquelle s'appliquent les mesures restrictives prévues par la position commune 2007/140/PESC et par le règlement (CE) No 423/2007
22. Affaire T-35/10 (Bank Melli Iran contre Conseil de l'Union européenne)
23. Décision du Conseil afin d'autoriser l'ouverture de négociations en vue d'un accord entre l'Union européenne et les Etats-Unis d'Amérique destiné à mettre à la disposition du département du Trésor des Etats-Unis des données de messagerie financière dans le cadre de la prévention du terrorisme et du financement du terrorisme ainsi que de la lutte contre ces phénomènes
24. Etat prévisionnel des dépenses et des recettes pour l'exercice 2011
(Section II - Conseil européen et Conseil)
25. Fermeture de l'EUCO Haiti
26. Projet de Conclusions du Conseil sur l'assistance alimentaire humanitaire
27. Relations avec la Tunisie
 - Adoption de la position de l'Union européenne en vue de la huitième session du Conseil d'Association (Bruxelles, le 11 mai 2010)
28. Demande de participation du Parlement européen à l'Instance Permanente des Nations Unies sur les Questions Autochtones (New York, 19-30 Avril 2010)
29. Directives de négociation en vue de la conclusion des accords d'association entre l'UE et les trois pays du Caucase du Sud:
 - République d'Arménie
 - République d'Azerbaïdjan
 - Géorgie
30. Projet de conclusions du Conseil sur le renforcement de l'action de l'UE dans le domaine des produits de base

31. Projet de conclusions du Conseil sur un cadre stratégique de l'UE pour aider les pays en développement à relever les défis liés à la sécurité alimentaire
32. Association avec la Turquie
 - Établissement de la position de l'Union européenne en vue de la 48ème réunion du Conseil d'association UE - Turquie (Bruxelles, le 10 mai 2010)
33. Rapport du haut représentant sur le onzième examen semestriel de l'Opération ALTHEA
36. Projet de conclusions du Conseil sur l'adoption des statuts du Secrétariat de l'Union pour la Méditerranée
37. Relations avec la République de Corée
 - Décision du Conseil relative à la signature au nom de l'Union européenne, et à l'application provisoire de l'accord-cadre entre l'Union européenne et ses États membres, d'une part, et la République de Corée, d'autre part

II

38. Préparation de la session du Conseil (Affaires Etrangères) du 10 mai 2010

Ministres Affaires Etrangères

- a) Projet de conclusions du Conseil sur la non-prolifération nucléaire, le désarmement, les usages pacifiques de l'énergie nucléaire et la sécurité nucléaire14
- b) Relations avec la Russie
 - Préparation du sommet UE - Russie (Rostov, 31 mai - 1 juin 2010)14
- c) Autres points en rapport avec la session du Conseil14

Ministres développement

- d) L'égalité entre les hommes et les femmes et l'émancipation des femmes14
- e) Approche de l'UE à la Conférence de Nations Unies sur les objectifs du millénaire pour le développement15
- f) Projet de conclusions du Conseil sur le rôle de l'UE dans la santé mondiale15
- g) Autres points en rapport avec la session du Conseil15
39. Préparation de la session du Conseil (Affaires Générales) du 10 mai 2010
 - Préparation de la réunion du Conseil européen du 17 juin 201016

40. Projet de budget rectificatif n° 1 au budget général 2010 - Etat des recettes et des dépenses par
Section - Section I - Parlement européen16
41. (évt.) Traité de Lisbonne - SEAE (session restreinte)16
- Any other business
- Procedure concerning the Decision to appoint 7 members of the Management Board of
the European Food Safety Authority16

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

doc. 9269/10 OJ/CRP1 17

9275/1/10 REV 1 OJ/CRP2 17

The above-mentioned agendas are approved with the following changes :

The following item is **added** :

(Copeper Part 2, under I)

42. Soutien financier à la stabilité de la Grèce:

- **Projet de Décision du Conseil sous les Articles 126(9) et 136 du Traité sur le Fonctionnement de l'Union européenne, adressée à la Grèce en vue de renforcer et d'approfondir la surveillance budgétaire et mettant la Grèce en demeure de prendre des mesures visant à la réduction du déficit jugée nécessaire pour remédier à la situation de déficit excessif**
- **Conclusions des représentants des vingt-sept Etats membres de l'Union européenne réunis au sein du Comité économique et financier, chargeant la Commission des tâches liées à la coordination et à la gestion du soutien à la stabilité de la Grèce**

9417/10 ECOFIN 246 UEM 168

9418/10 ECOFIN 247 UEM 169

The following item is **withdrawn** :

(Coreper Part 1, under I)

10. Proposal for a Council Decision on the signing of a Voluntary Partnership Agreement between the European Union and the Republic of the Congo on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)

- **Adoption**

7256/10 AGRI 75 FORETS 35 DEVGEN 72 ENV 145 RELEX 192

JUR 125 UD 80 PROBA 20

7636/10 FORETS 42 DEVGEN 90 ENV 181 RELEX 223 JUR 143 UD 89

PROBA 23 AGRI 123

7811/10 AGRI 104 FORETS 45 DEVGEN 97 ENV 190 RELEX 247 JUR 150

UD 90 PROBA 25

The following CRP2 agenda items are **transferred** from Part I to Part II :

34. VI^{ème} Sommet UE-ALC et Sommets connexes (Madrid, 16 au 19 mai 2010)

9174 AMLAT 59 ACP 128

35. Modification des directives de négociation en vue de la conclusion d'un accord d'association avec les républiques centraméricaines du Costa Rica, d'El Salvador, du Guatemala, du Honduras et du Nicaragua

9229/10 AMLAT 61 PESC 567 WTO 150

RESTREINT UE

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

Coreper Part 1

II

13. Preparation of the Council meeting of the Council meeting "Competitiveness" (Internal market, Industry and Research) on 25 and 26 May 2010

1. Setting of the provisional agenda

The Committee set the provisional agenda for the meeting of the Competitiveness Council.

2. Services Directive

- (a) State of play on implementation on the Services Directive**
 - **Information from the Commission**
- (b) Lending impetus to the Services Directive's mutual evaluation process**
 - **Presidency report on the state of play**

The Committee took note of the intention of the Presidency to present at the Competitiveness Council a report on the mutual evaluation process of the Services Directive (doc. 9327/10) and to invite the Commission to inform about the state of play on the implementation of the Directive.

3. Developments in the governance of the European Research Area (ERA)

- **Adoption of Council Resolution**
9067/10 RECH 146 COMPET 120

The outcome of the proceedings of the Committee is set out in 9447/10 RECH 169 COMPET 142.

4. Social Dimension of the European Research Area

- **Adoption of Council conclusions**
9108/10 RECH 148 SOC 296

The outcome of the proceedings of the Committee is set out in 9450/10 RECH 172 SOC 320.

14. Proposal for a Decision of the European Parliament and of the Council on the participation by the Community in a Joint Baltic Sea Research and Development Programme (BONUS-169) undertaken by several Member States (First reading)

- **Presidency briefing on the outcome of the informal trialogue**
- **Analysis of the final compromise text with a view to agreement**
- **Mandate for Council letter to European Parliament confirming agreement**

8615/10 RECH 129 COMPET 110 ENV 216 CODEC 317

The Committee approved the compromise package as set out in 8615/10 and mandated the Chair to send a letter to the Chair of ITRE Committee to confirm that, should the European Parliament adopt its position at first reading, in accordance with Article 294 paragraph 3 of the Treaty, in the exact form as set out in the compromise package contained in the Annex to this letter, the Council would, in accordance with Article 294, paragraph 4 of the Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position subject, if necessary, to revision by the legal linguists of both institutions.

15. Proposal for a Regulation of the European Parliament and of the Council on the European Earth Observation Programme (GMES) and its initial operations (2011-2013) (First reading)

- **Presidency briefing on the outcome of the informal trialogue**
- **Analysis of the final compromise text with a view to agreement**
- **Mandate for Council letter to European Parliament confirming agreement**

9191/10 RECH 151 COMPET 125 IND 56 TRANS 113 POLARM 14

ECOFIN 232 TELECOM 41 ENER 128 CODEC 372

The Committee approved the compromise package as set out in 9191/10 and mandated the Chair to send a letter to the Chair of ITRE Committee to confirm that, should the European Parliament adopt its position at first reading, in accordance with Article 294 paragraph 3 of the Treaty, in the exact form as set out in the compromise package contained in the Annex to this letter, the Council would, in accordance with Article 294, paragraph 4 of the Treaty, approve the European Parliament's position and the act shall be adopted in the wording which corresponds to the European Parliament's position subject, if necessary, to revision by the legal linguists of both institutions.

- 16. Procedure for the conclusion of international agreements in the field of research**
- (a) Agreement on Scientific and Technological Cooperation between the European Union and the Hashemite Kingdom of Jordan**
 - (b) Agreement between the European Union and the Government of Japan on cooperation in science and technology**
 - (c) Agreement for scientific and technological cooperation between the European Union and Ukraine**
 - (d) Agreement between the European Union and the Government of the Faroes on Scientific and Technological Cooperation, associating the Faroe Islands to the European Union's Seventh Framework Programme for Research, Technological Development and Demonstration Activities (2007-2013)**
- **Decision on intervention of the European Parliament**
9127/10 RECH 150 RHJ 3 ASIE 23 COEST 128 FEROE 6

The Committee agreed to invite the Council to agree that the legal basis for the international agreements referred to should be Article 186 TFEU in conjunction with point (a) of Article 218(6), and to invite the Council to decide to ask the European Parliament's consent for the conclusion of the agreements concerned.

- 17. Draft Council Decision on the participation of the European Union in the negotiations on a legally binding instrument on mercury further to Decision 25/5 of the Governing Council of the United Nations Environment Programme (UNEP)**
- **Adoption**
9230/10 ENV 250 COMER 71 MI 123 ONU 75

The Committee considered the two options included in document 9230/10 and decided to revert to the file at its next meeting.

- 18. Office for Harmonization in the Internal Market (Trade Marks and Designs)**
- **Examination of the candidatures for the posts of the President, the Vice-President, the President of the Boards of Appeal and three chairmen of a Board of Appeal**
(This item will be taken in restricted session Deputy Permanent Representatives only)
8983/10 PI 46
8985/10 PI 47

The outcome of the Committee's deliberations on this item is set out in 9452/10 PI 53.

Coreper Part 2

I

- 23. Décision du Conseil afin d'autoriser l'ouverture de négociations en vue d'un accord entre l'Union européenne et les Etats-Unis d'Amérique destiné à mettre à la disposition du département du Trésor des Etats-Unis des données de messagerie financière dans le cadre de la prévention du terrorisme et du financement du terrorisme ainsi que de la lutte contre ces phénomènes**

8973/10 JAI 352 USA 62 RELEX 348 DATAPROTECT 36

8353/3/10 REV 3 JAI 278 USA 54 RELEX 274 DATAPROTECT 31 RESTREINT UE

La décision du Conseil afin d'autoriser l'ouverture de négociations en vue d'un accord entre l'Union européenne et les Etats-Unis d'Amérique destiné à mettre à la disposition du département du Trésor des Etats-Unis des données de messagerie financière dans le cadre de la prévention du terrorisme et du financement du terrorisme ainsi que de la lutte contre ces phénomènes prévoit que le Comité devra désigner le comité compétent pour suivre les négociations avec les Etats-Unis. Ce comité devra être débriefé par la Commission. Le Comité se déclare d'accord avec la proposition de la présidence que les conseillers JAI, qui ont toujours suivi cette matière, seront le comité compétent.

Coreper Part 2

II

34. VI^{ème} Sommet UE-ALC et Sommets connexes (Madrid, 16 au 19 mai 2010)
9174 AMLAT 59 ACP 128

The Committee discussed the situation as regards Mercosur. A number of delegations (FR, IE, EL, PL, RO, AT and LT) criticized the relaunch of negotiations, as announced by the Commission on 4 May 2010: as to the method, Member States had not been sufficiently consulted - while the Commission had given a presentation to the European Parliament on 5 May 2010 -, and as to the substance, this risked to put in jeopardy a whole sector of the European agriculture. Another group of delegations (PT, DE, SE, DK and ES) welcomed the decision of the Commission, while two delegations (IT and HU) stated that an adequate balance was key to success for these negotiations. The Commission reported on the discussions at the College and on the new elements which had emerged, in particular concerning the stance of Argentina and Brazil. The Trade Policy Committee had been consistently informed on this file which should lead to a bi-regional Association Agreement.

35. Modification des directives de négociation en vue de la conclusion d'un accord d'association avec les républiques centraméricaines du Costa Rica, d'El Salvador, du Guatemala, du Honduras et du Nicaragua
9229/10 AMLAT 61 PESC 567 WTO 150 RESTREINT UE

The Committee discussed the amendment to the mandate (doc. 9229/10) and agreed on a new version of this text which is contained in 9229/1/10 REV 1 and which refers to Intellectual Property Rights.

The following statement is made by the DE delegation :

"Unilateral Statement by the Federal Republic of Germany to the amendment of the negotiating directives for an Association Agreement of the EU on the one part, and the Central American Republics of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua on an Association Agreement

Germany agrees to the amendment of the negotiating directives in order to make it possible to continue negotiations on the Association Agreement EU/Central American Republics of Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.

At the same time, however, Germany states that neither the amendment of the negotiating directives nor this agreement does set a precedent for the inclusion of criminal law provisions or criminal procedure law provisions in free trade agreements.

The text now being approved is not, after all, a model for the inclusion of criminal law provisions in future free trade agreements. Germany will continue to make efforts to elaborate a model text for the inclusion of criminal law provisions in future free trade agreements."

38. Préparation de la session du Conseil (Affaires Etrangères) du 10 mai 2010

Ministres Affaires Etrangères

- a) **Projet de conclusions du Conseil sur la non-prolifération nucléaire, le désarmement, les usages pacifiques de l'énergie nucléaire et la sécurité nucléaire**
9370/10 PESC 583 CONOP 25 COPOL 22

This item was not discussed as PSC did not agree on the Draft Council conclusions.

- b) **Relations avec la Russie**
 - **Préparation du sommet UE-Russie (Rostov, 31 mai - 1 juin 2010)**
9207/10 COEST 127 PESC 562 POLGEN 64

The Committee had an exchange of views on the basis of an information note concerning the progress of the preparations for the EU-Russia Summit to be held in Rostov on Don on 31 May - 1 June 2010.

- c) **Autres points en rapport avec la session du Conseil**

Le Comité met au point l'ordre du jour provisoire de la session du Conseil Affaires étrangères.

Ministres développement

- d) **L'égalité entre les hommes et les femmes et l'émancipation des femmes**
 - **Débat d'orientation**
7261/10 DEVGEN 74 SOC 182 ACP 52 ONU 45

The Committee was informed that the High Representative intended a policy debate over dinner on this issue, focussing on concrete ways of maximising the use of financial resources; promoting the gender action plan and progress towards the Millennium Development Goals, on the basis of the Commission communication on these subjects.

- e) **Approche de l'UE à la Conférence de Nations Unies sur les objectifs du millénaire pour le développement**
- **Débat d'orientation**
8854/10 DEVG 127 ACP 107 RELEX 335 FIN 154 ECOFIN 214
WTO 120 ONU 65 COHAF 33 FAO 4 ENV 234 SAN 82 FISC 36

Le Comité a confirmé que le débat d'orientation au sujet des Objectifs du Millénaire pour le Développement (OMD), qui aura lieu lors du Conseil Affaires étrangères du 10 mai 2010, serait structuré autour de trois questions, distribuées en séance.

Le Comité a également souligné que ce débat d'orientation devrait permettre de dégager les éléments essentiels des Conclusions du Conseil pour le mois de juin, ainsi que les messages clefs de l'UE pour la Conférence sur les OMD de New York, en septembre.

- f) **Projet de Conclusions du Conseil sur le rôle de l'UE dans la santé mondiale**
- **Adoption**
9061/10 DEVG 136 ACP 119 PTOM 17 FIN 159 RELEX 357 SAN 87

The Committee examined the draft Council Conclusions on the EU Role in Global Health which appear in the Annex to document 9061/10.

All delegations except Sweden confirmed that they could accept the text, including the Presidency compromise proposal on paragraph 7. Sweden set out its position in full, particularly on paragraph 7, and requested for more time.

The Chairman concluded that the text would be submitted to the Council with a view to its adoption and noted the following statement by Denmark, for inclusion in the summary record of the meeting:

"Denmark has accepted the text of paragraph 7 of the draft Council conclusions, in the understanding that its use will be limited to these conclusions."

- g) **Autres points en rapport avec la session du Conseil**

Le Comité a pris note des autres points qui seront traités au Conseil; le point sur l'Haiti sera traité comme point d'information.

39. Préparation de la session du Conseil (Affaires Générales) du 10 mai 2010

- **Préparation de la réunion du Conseil européen du 17 juin 2010**
 - **Projet de l'ordre du jour annoté**
9282/10 CO EUR-PREP 20

Le Comité a pris note du projet de l'ordre du jour annoté et suite à l'échange de vues l'ordre du jour a été légèrement modifié.

40. Projet de budget rectificatif n° 1 au budget général 2010 - Etat des recettes et des dépenses par Section - Section I - Parlement européen

Le Comité, après avoir entendu la Présidence faire rapport sur ses contacts avec le Parlement européen, convient de revenir sur ce dossier lors d'une prochaine réunion.

41. Traité de Lisbonne - SEAE (session restreinte)

Le Comité a eu une première discussion sur la question de coordination locale des positions de l'UE sur le terrain et sur la division de la Délégation de l'UE à Genève.

- **Any other business**

- **Procedure concerning the Decision to appoint 7 members of the Management Board of the European Food Safety Authority**
 - **Information from the Presidency**
9116/10 AGRILEG 47 MI 119 DENLEG 44 SAN 89 CONSOM 37 RECH 149

The Committee endorsed the procedure to be used in the Council in order to select the 7 members of the EFSA Management Board, in accordance with the agreed selection rules as laid down in document 10501/02. Delegations are therefore invited to indicate their preferences to the General Secretariat of the Council one week after the circulation of the European Parliament opinion.

The Chair informed that, based on the preferences indicated by the delegations, the Presidency will draw up, in all impartiality, a list with 7 candidates to be submitted to the Committee for endorsement and to the Council for the final approval.