



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 28 May 2013

9622/13

CRS/CRP 17

SUMMARY RECORD

**Subject : 2451st meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 7 and 8 May 2013**

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

doc. 9280/13 OJ/CRP1 17 + ADD 1
9270/13 OJ/CRP2 17 COMIX 274

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

The following item is **added**:

(Coreper Part 1, under I)

63. Draft Council Decision authorising the Commission to open negotiations on linking the EU emissions trading scheme with an emissions trading system in Australia

- Approval of the Council statement

8805/13 ENV 323 ENER 138 IND 116 COMPET 236 MI 317 ECOFIN 301
TRANS 180 AUS 5 ADD 2

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

Statements are made on the following item :

14. Proposal for a Directive of the European Parliament and of the Council on credit agreements relating to residential property (Mortgage Credit Directive - MCD) (First reading)

- **Approval of the final compromise text**
8894/2/13 REV 2 EF 83 ECOFIN 310 CONSOM 72 CODEC 917
8895/13 EF 84 ECOFIN 311 CONSOM 73 CODEC 918
 - + COR 1 (en)
 - + COR 2 (en)

Statement by Austria

"Austria still has concerns about the MCD compromise text because the requirements for pre-contractual information, which has to be provided on a mandatory form, and the obligation to assess the creditworthiness of the consumer contained in the MCD differ from those in the CCD. Like other Member States, Austria – when implementing Directive 2008/48/EC on credit agreements for consumers (CCD) – extended the scope of its new law on credit agreements for consumers to also apply to mortgage credit agreements. The MCD compromise text contains deviations from the CCD, which are not justified by the particularities of mortgage credit agreements, but would cause considerable additional costs for creditors and would be counterproductive as to a consistent legal situation (and thus equally for consumer understanding). Moreover, in the area of pre-contractual matters (information and creditworthiness assessment) and with respect to concrete individual cases, it will frequently be unclear (at pre-contractual stage) whether the credit is to be collateralised by a mortgage or not, and therefore whether this case would fall within the scope of the CCD or of the MCD. Different regulations/rules in the two Directives would result in great uncertainty as to which Directive to apply in a concrete case. As regards the APRC-calculation, we have problems with the restrictive interpretation of time intervals which would lead to the exclusion of day intervals from the scope of yearly fractions. This interpretation is currently incompatible with the methodologies used by many lending institutions across Europe. Any changes to the time intervals currently applied by lending institutions would impose a considerable and disproportionate administrative and financial burden with no obvious benefit for consumers."

Statement by Czech Republic

"The Czech Republic, though aware of the importance and the need of the proposed directive, hereby declares its refusal of the current text of the proposal for Directive on Credit Agreements for Consumers Relating to Residential Immovable Property (further referred to as "MCD").

Already in May 2012, the Czech Republic declared its only conditional acceptance of the MCD text provided that during the trialogues the text would be improved as regards the cooperation of the supervisory bodies.

According to our view there was and there still is a remaining issue in involving EBA (and excluding the cooperation of the consumer protection oversight bodies within the frame of the Regulation 2006/2004), namely in disputes where oversight bodies that are not EBA members are engaged. The agreed solution comprising of the duty of all non-EBA supervisory bodies to be subordinate to EBA (including binding mediation by EBA) is not simply acceptable, especially once there is a clear frame for cooperation of such consumer protection oversight bodies in Regulation No 2006/2004.

Moreover, there are other important issues which support our disapproval of the text. These are:

1. the duty to impose caps on sanctions in the case of borrower's default (Arrears and Foreclosure Article 18b para 3); we are of the opinion that regulation of sanctions in case of borrower's default is a matter of private law and as such should be at the full discretion of a Member State;
2. the re-inclusion of the word "residential";
3. the inclusion of a legally binding text on Financial Education in Article 4a; this directive is not a proper place to stipulate for financial education;
4. obligatory provision on Foreign Currency Loans, CZ supports discretionary provision;
5. the obligatory reflection period of 7 days which, regarding the lengthy and stressful process of obtaining a mortgage credit under time pressure from the side of the property seller, does not seem to be reasonable and will not be used by consumers."

Statement by Estonia

"Estonia strongly supports the single European market and its further integration. Thus it is necessary to harmonise the differing legislations and rules to ensure a level playing field throughout the EU.

We must underline that several countries including Estonia have already enlarged the scope of consumer credit directive 2008/48/EU (CCD) for mortgage credits.

However Estonia also believes that harmonising the principles of responsible mortgage lending and borrowing can enhance the mortgage credit market by improving reliability and confidence and ensuring a high and uniform standard of consumer protection at the European level. Therefore we agree with the objectives of the proposal of MCD and support the EU Commission initiative.

Estonia also accepted and was satisfied with European Council general approach on 30th May 2012 concerning proposal of credit agreements relating to residential property directive. The later amendments to the original proposal deviate too far from the approach we agreed to at the Council level. The impact assessment of the amendments is lacking and their appropriateness to cover all of these provisions through the mortgage credit directive proposal is questionable. We are especially worried about the changes which are not directly related to mortgage credit and therefore do not fulfil objectives of the original proposal. We have reiterated our positions to the Presidency several times both orally and in writing, however there have been no improvement in the texts.

Proposed compromise solutions should contribute to endorsing responsible lending, but on the other hand it should provide the Member States with the flexibility needed to avoid negative consequences to consumers. Although Estonia is not against the MCD package as a whole, we must stress that we have serious doubts regarding the current compromise text."

Statement by Latvia and Luxembourg

"Latvia and Luxembourg were not able to vote in favour of this Directive because its content was significantly watered down as compared to the Commission's initial proposal. The initial proposal aimed to create an efficient and competitive internal market for mortgage credit for consumers, creditors and credit intermediaries. Proposal sought to ensure both a well-functioning single market and a high level of consumer protection through a high level of harmonisation, which would have substantially reduced differences between national laws that act as barriers in the internal market {Barriers are identified in the White Paper on the integration of EU mortgage markets, COM (2007) 807, 18.12.2007}. Even though the initial proposal did not contain the mutual recognition principle, it formed a good basis for discussion. The text adopted today is a missed opportunity to achieve these two objectives, which were to be mutually reinforcing.

The lack of far-reaching harmonisation and mutual recognition, together with the large room for manoeuvre for Member States, will lead to serious legal uncertainty for the parties concerned. It is also contrary to the declared objectives of creating a fully integrated single market for mortgage credit and of ensuring a high and harmonised level of consumer protection.

Both professionals and consumers stand to lose as a result of this text which has no added value. For businesses and consumers to take full advantage of their opportunities in the European Union, borders and barriers have to be lifted - and not to be reinforced.

Apart from having no clearly defined objective, the text as adopted is highly complex and at odds with the principles of "better regulation". It obliges Member States to change their rules without offering any benefits in return for businesses or consumers.

RO made a statement on the following item :

20. Council conclusions on the European Court of Auditors' Special Report No 22/2012 concerning the European Integration Fund and the European Refugee Fund
9106/13 ASIM 34 FIN 233

"Romania welcomes the assessment exercise materialised in the European Court of Auditors' Special Report No 22/2012 concerning the European Integration Fund and the European Refugee Fund. While acknowledging its recommendations and their practical interest, Romania cannot lend support to recommendation No 9, considering that it encourages an approach going against the legal basis of the two funds examined and of the primary legislation in force of the European Union regulating the integration policy, namely Art. 79 para 4 TFEU."

DE made a statement on the following item :

23. Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the United Nations Commission on International Trade Law and its Working Group III regarding the negotiation of a legal standard on online dispute resolution for cross-border electronic commerce transactions

- Adoption

8991/13 JUSTCIV 103 CONSOM 78 EJUSTICE 37

8992/13 JUSTCIV 104 CONSOM 79 EJUSTICE 38 RESTREINT UE

"The proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the United Nations Commission on International Trade Law

(UNCITRAL) and its Working Group III regarding the negotiation of a legal standard on online dispute resolution for cross-border electronic commerce transactions gives Article 218(9) of the Treaty on the Functioning of the European Union (TFEU) as the procedural legal basis. The Federal Government has reservations about using it as the legal basis for the Decision.

On one hand, the procedure in Article 218(9) TFEU does not apply to the coordination of the positions of EU Member States within organisations in which only Member States, not the EU itself, are contracting parties. The EU itself is not a member of UNCITRAL. Only some of its Member States are members of UNCITRAL.

On the other hand, the rules that UNCITRAL Working Group III is drawing up should not result in a binding legal act. Instead, they should constitute a model agreement that has effect only when private contracting parties agree on the application of these rules among themselves (party autonomy). The rules are therefore of a contractual nature and do not constitute acts having legal effects within the meaning of Article 218(9) TFEU.

The Federal Government points out that in a similar case the Federal Republic of Germany lodged an appeal with the Court of Justice of the European Union against a Council Decision based on Article 218(9) TFEU (Case C-399/12).

However, the Federal Government supports the negotiating directives laid down in the Annex to the Council Decision, the coordination of the positions of the Member States represented in Working Group III on the basis of these negotiating directives and the participation of the European Union in the Working Group's proceedings as an observer.

As the question of the appropriate legal basis will consequently be clarified by the Court of Justice in the near future, the Federal Government agrees to the Council Decision regardless of its reservation concerning reliance on Article 218(9) TFEU as the legal basis for this Council Decision and Germany's opinion in the abovementioned proceedings before the Court of Justice, in order to express its support for the negotiating directives given in the Annex to the Council Decision."

Coreper Part 2

II

2. **Proposal for a Regulation of the European Parliament and of the Council on European Statistics on Demography (First reading)**

- **Preparation for the 1st informal trilogue**

9055/13 STATIS 36 POLGEN 55 ECOFIN 317 SOC 289 REGIO 77
DATAPROTECT 56 CODEC 953

The Committee discussed the draft text (set out in document 9055/13) with a view to give a mandate for negotiations with the European Parliament. The Chair noted that the technical issues had already been thoroughly examined at the working party and that the well-established principle of professional independence of official statistics should be respected.

Some delegations raised the issues related to the measurement of population for the QMV purpose and the first reference year.

The Chair concluded that there was sufficient support for the mandate to start negotiations with the EP and that the issues could be addressed in that process.

3. **Preparation of the Council meeting (Economic and Financial Affairs) on 14 May 2013**

a) **Mandate for negotiations of amendments to the Savings Taxation agreements with third countries**

- **Recommendation for a Council Decision authorising the Commission to negotiate on behalf of the European Union an amendment to the agreements signed in 2004 with the Swiss Confederation, the Principality of Liechtenstein, the Principality of Monaco, the Principality of Andorra and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments**

= **Adoption**

9218/13 FISC 86 CH 17 FL 5 MC 5 AND 2 SM 2

9219/13 FISC 87 CH 18 FL 6 MC 6 AND 3 SM 3 RESTREINT UE

Following the discussion, the Presidency concluded that they would revise the text of the draft Council decision and submit it to the Council on 14 May 2013, with a view to adoption (doc. 9356/13).

b) Savings taxation

- **Proposal for a Council Directive amending Directive 2003/48/EC on taxation of savings income in the form of interest payments**
 - = **Political agreement**
 - 9213/13 FISC 81
 - 9214/13 FISC 82

Subsequent to the discussion, it was decided to submit this file to the Council on 14 May 2013 (as set out in 9357/13).

c) VAT fraud: Quick Reaction mechanism – Reverse charge mechanism

- i) **Proposal for a Council Directive amending Directive 2006/112/EC on the common system of value added tax as regards a quick reaction mechanism against VAT fraud**
- ii) **Proposal for a Council Directive amending Directive 2006/112/EC as regards an optional and temporary application of the reverse charge mechanism in relation to supplies of certain goods and services susceptible to fraud**
 - **Political agreement**
 - 9215/13 FISC 83
 - + ADD 1
 - 9216/13 FISC 84
 - 9217/13 FISC 85

Following the presentation by the UK of an alternative proposal to the Quick Reaction Mechanism, it was suggested to withdraw the item from the agenda of the Council in order to allow examination of this alternative proposal at technical level.

d) Fiscalis 2020 (First reading)

- **Amended proposal for a Regulation of the European Parliament and of the Council establishing an action programme for taxation in the European Union for the period 2014-2020 (Fiscalis 2020) and repealing Decision No 1482/2007/EC**
 - = **Analysis of a compromise text with a view to a partial agreement**
 - 8867/13 FISC 75 CODEC 908 ECOFIN 306

The Committee unanimously approved the recommendations contained in document 8867/13. Greece, Cyprus and the Commission informed that they will communicate statements to be included in the minutes of the Council that will formally adopt the Fiscalis 2020 Regulation. The Presidency will inform the European Parliament as set out in the document.

- e) **Draft Council conclusions on tax evasion and fraud**
 - **Adoption**
9149/13 FISC 79 ECOFIN 326

Following the discussion, the Presidency decided that more work was needed and that it would come back with a revised text to be discussed at ECOFIN (cf. doc. 9149/1/13 REV 1).

- f) **Macroeconomic Imbalances Procedure: In-depth reviews**
 - **Exchange of views**
9129/13 ECOFIN 321 UEM 63 SOC 298

Following the discussion, the Presidency concluded that they would submit the draft Council conclusions (doc. 9129/13) to the Council on 14 May 2013, with a view to adoption.

- g) **Towards a deep and genuine Economic and Monetary Union: Commission communications**
 - i) **The introduction of a Convergence and Competitiveness Instrument**
 - ii) **Ex ante coordination of plans for major economic policy reforms**
 - **Presentation by the Commission**
6849/13 ECOFIN 149 UEM 36
7945/13 ECOFIN 224 UEM 44

The Committee agreed that under this agenda item the Commission would make a presentation of the Communication on ex-ante coordination of plans for major economic policy reforms and the Communication on the Convergence and Competitiveness Instrument.

- h) **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.

- **AOB (legislative)**
 - = **Current legislative proposals:**
 - **Revision of the Anti-Money Laundering Directive (AML)**
 - **Revised rules for Markets in Financial Instruments (MiFID/MiFIR)**
 - = **State of play**

The Presidency informed the Committee of its plans with regards to the above-mentioned files in view of the Council on 14 May 2013.

- **AOB (non-legislative)**
 - = **Pilot Initiative on automatic exchange of information**
 - **Presentation**

The Presidency informed that there would be presentation of this initiative at the Council on 14 May 2013.

i) Draft Amending Budget No 2 to the General Budget 2013

- **Political agreement**
 - 8041/13 FIN 165
 - 9194/13 FIN 242

The Committee held an exchange of views on draft amending budget No 2 to the general budget for 2013 on the basis of the Presidency proposal set out in 9194/13.

j) Banking Recovery and Resolution (First reading)

- **Proposal for a Directive of the European Parliament and of the Council establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directives 77/91/EEC and 82/891/EC, Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC and 2011/35/EC and Regulation (EU) No 1093/2010**
 - **Orientation debate**
 - 9229/13 EF 88 ECOFIN 332 DRS 90 CODEC 990

The Committee discussed the issues presented in the Presidency report in reference, with a view to preparing the Ministers' discussion at the Council (ECOFIN) meeting on 14 May 2013.

- 4. - **Draft amending budget No 1 to the general budget for 2013**
 - **Proposal for a Decision of the European Parliament and of the Council amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regards the multiannual financial framework, to take account of the expenditure requirements resulting from the accession of Croatia to the EU**
 - **Political agreement**
 - 9195/13 FIN 243

The Committee held an exchange of views on draft amending budget No 1 to the general budget for 2013 and on the revision of the multiannual financial framework 2007-2013 to take account of the expenditure requirements resulting from the accession of Croatia to the EU on the basis of the Presidency proposal set out in 9195/13.

- 36. Migration from SIS 1 + to SIS II - Implications for VISION**
8909/1/13 REV 1 VISA 96 COMIX 261
+ REV 1 ADD 1
+ REV 1 ADD 2
+ REV 1 ADD 3

The Committee agreed to invite the Council to take note of the outcome of proceedings in the Mixed Committee as set out in 9496/13 + ADD 1 + ADD 2 + ADD 3 by way of an A point note.

- 37. Preparation of the Council meeting (General Affairs) on 21 May 2013**
a) Preparation of the European Council on 22 May 2013
- **Draft guidelines for the conclusions**
7624/13 CO EUR-PREP 17

The Committee examined the draft EC conclusions which focus on taxation and energy.

b) New Multiannual Financial Framework

The Committee took note of the state of play on the MFF file after the first trilogue which took place on 13 May 2013.

c) Other items in connection with the Council meeting

Le Comité a fait le point de l'état de préparation des autres points figurant à l'ordre du jour provisoire de la session du Conseil Affaires générales du 21 mai 2013.

- 38. Association Agreement with Georgia**
9252/13 COEST 99 RESTREINT UE

The Committee discussed the outstanding issues in the Preamble of the EU-Georgia Association Agreement on the basis of document 9252/13 RESTREINT UE and decided to revert to the matter at a forthcoming meeting.

39. Proposal for a Regulation of the European Parliament and of the Council amending the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union (*restricted session*)

- a) **Report from the Consultation Committee (CoCo) Chair - Secretary General of the Council about the outcome of the first CoCo meeting on 6 May 2013**
- b) **Recommendations from the Working Party on the Staff Regulations (partial mandate)**

9221/13 STAT 13 FIN 244

- a) The Secretary-General of the Council presented an oral report on the outcome of the first CoCo meeting which took place on 6 May 2013.
- b) The Committee approved the recommendations from the Working Party on Staff Regulations and confirmed Presidency's partial mandate with a view to the forthcoming trilogues as regards two core issues :

(1) Pensions' reform and

(2) The new method in conjunction with salary freeze for 2013 and 2014 and the introduction of the new solidarity levy to salaries and pensions.

All proposed amendments in relation to the new career structure were decided to be approved through a written procedure.

40. Proposal for a Regulation of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (First reading)

- Specific issues

8825/13 DATAPROTECT 49 JAI 312 DAPIX 74 MI 320 FREMP 43
DRS 79 CODEC 895

The Committee discussed questions 4 to 7 set out in the Presidency note.

On question 4 there was a majority in favour of replacing the word "explicit" with "unambiguous" in Article 4 and in favour of deletion of paragraph 4 of Article 7.

On question 5, many delegations indicated further scrutiny was required, especially in view of the links between this article and other parts of the draft Regulation.

On question 6, while many delegations could agree to the text, others needed further scrutiny of the proposed text of Article 80.

On question 7, most delegations could support the alternative proposal for Article 80a by the Swedish delegation, set out in DS 1376/13.

The Chair concluded that the Presidency would further reflect on how to present this file to the JHA Council in June, in preparation of which the Committee would revert to the file.

Coreper Part 1

II

51. Preparation of the Council meeting (Agriculture and Fisheries) on 13 and 14 May 2013

1. Legally binding agreement on forests in Europe (*Non legislative activity*)

- Negotiating mandate

8966/13 AGRIFORET 5 ENV 339 RELEX 331 PROBA 16 RESTREINT UE

The Committee has reached an agreement on a common position of the EU and its Member States and will ask the Council to endorse the agreed mandate.

The common position of the EU and its Member States for the next LBA negotiating session is as follows:

- a preference for FAO to adopt and host the LBA on forests in Europe;
- a preference for a joint secretariat composed, at least, of representatives from FAO and UNECE to service the agreement; and
- flexibility is afforded to the Commission and the Presidency, as co-negotiators, so as to achieve the optimum balance at the INC4 negotiations.

2. Reform of the Common Fisheries Policy (First reading) (*Legislative deliberation*)

(a) Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy

- State of play

12514/11 PECHE 187 CODEC 1166

9003/1/13 PECHE 184 CODEC 945 REV 1

8987/13 PECHE 181 CODEC 940

The Committee prepared the item and forwarded it to Council. The Council agenda will be adjusted to read "Revised mandate".

(b) Proposal for a Regulation of the European Parliament and of the Council on the Common Organisation of the Markets in Fishery and Aquaculture Products (*Legislative deliberation*)

- State of play

12516/11 PECHE 188 CODEC 1167

8988/13 PECHE 182 CODEC 941

The Committee prepared the item and forwarded it to Council.

52. Proposal for a Directive of the European Parliament and of the Council amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation on administrative cooperation through the Internal Market Information System (First reading) (Legislative deliberation)

- Guidance for future work

18899/11 ETS 22 MI 679 COMPET 629 EDUC 297 CODEC 2507

9130/13 ETS 14 MI 350 COMPET 259 EDUC 131 CODEC 967

9163/13 ETS 15 MI 352 COMPET 261 EDUC 132 CODEC 974

The Committee:

- noted the current position in the negotiations with the European Parliament and the Commission and approved the new text arising from these negotiations, as indicated in bold/italics in document 9130/13, and
- provided guidance to the Presidency on the issue of the delegated vs implementing acts in relation to Common Training Frameworks/ Tests and the sectoral professions as set out in Section IV of document 9163/13.

53. Horizon 2020

- **Proposal for a Regulation of the European Parliament and of the Council laying down the rules for participation and dissemination in "Horizon 2020" - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)**

- **Presidency debriefing on the outcome of the informal trilogue**

The Committee has been informed of the outcome of the informal trilogue with the European Parliament on the Horizon 2020 proposal for the rules for participation.

54. Horizon 2020

- (a) **Proposal for a Regulation of the European Parliament and the Council establishing Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)**
- (b) **Proposal for a Regulation of the European Parliament and of the Council laying down the rules for participation and dissemination in "Horizon 2020" - The Framework Programme for Research and Innovation (2014-2020) (First reading) (Legislative deliberation)**

- **Guidance for future work**

9189/13 RECH 138 COMPET 263 ATO 47 IND 132 MI 356 EDUC 133

TELECOM 98 ENER 158 ENV 357 REGIO 83 AGRI 276 TRANS 204 SAN 150
CODEC 979

The Committee took note of the information provided by the Presidency as set out in 9189/13.

55. Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 29 and 30 May 2013

The Committee agreed the provisional agenda for the forthcoming meeting of the Competitiveness Council.

56. Public procurement package (First reading) (Legislative deliberation)

- (a) **Proposal for a Directive of the European Parliament and of the Council on public procurement**
- (b) **Proposal for a Directive of the European Parliament and of the Council on procurement by entities operating in the water, energy, transport and postal services sectors**
- (c) **Proposal for a Directive of the European Parliament and of the Council on the award of concession contracts**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the debriefing by the Presidency on the outcome of the Joint informal trilogue on the above file held on 6 May 2013.

57. Proposal for a Regulation of the European Parliament and of the Council on the European Globalisation Adjustment Fund (2014-2020) (First reading) (Legislative deliberation)

- **Guidance for future work / Preparation for the informal trilogue**
8586/13 SOC 257 ECOFIN 275 FSTR 32 COMPET 216 AGRI 246 CODEC 849

The Committee held a further discussion on the file on the basis of a Presidency compromise proposal. The essential elements of this compromise are the limitation of the scope to globalisation, the deletion of the definition of "workers" and the use of the concept "beneficiaries" instead, as well as three differentiated co-financing rates (besides the standard rate of 50 % a rate of 60 % for applications relating to redundancies in Member States in programmes of support, Cohesion or Convergence regions and 80 % in Member States with a regional unemployment rate exceeding 25 % at a given time).

No agreement having been reached that could serve as basis for entering into trilogue negotiations, the Presidency announced its intention to submit a further compromise to the Committee.

- 58. Proposal for a Regulation of the European Parliament and of the Council establishing a Programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises (COSME) (2014-2020) (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
9132/13 COMPET 260 IND 130 MI 351 CODEC 968

The Committee gave the Presidency the mandate for the second trilogue on the basis of the document 9132/13.

- 59. Preparation of the Council meeting (Education, Youth, Culture and Sport) on 16 and 17 May 2013**
- 1. Recommendation for a Council Decision designating the European Capital of Culture for the year 2017 in Denmark and Cyprus and for the year 2018 in Malta (*Non legislative activity*)**
 - **Adoption of Council Decision**
8930/13 CULT 40
8931/13 CULT 41

The Committee agreed to forward the draft Decision as contained in document 8931/13 to the Council for adoption.

- 2. Anti-Doping (*Non legislative activity*)**
EU representation at the WADA Foundation board 2013-2015
 - **Designation of an expert minister**

The Committee agreed to use the written procedure for the designation of an expert minister to represent the EU Member States at the WADA Foundation board for the period 2013-2015.

- 3. Cultural diversity in the context of the Transatlantic Trade and Investment Partnership (*Non legislative activity*)**
 - **Exchange of views**
9054/13/ AUDIO 46 CULT 43 RELEX 345 COMER 106 USA 11

The Committee agreed to forward the discussion paper (doc. 9054/13) to the Council as a basis for the exchange of views to be held on this subject.

- 60. Proposal for a Regulation of the European Parliament and of the Council on ship recycling (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Presidency informed the Committee about the results of the first informal trilogue with the European Parliament on the proposal.

- 61. (a) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1760/2000 as regards electronic identification of bovine animals and deleting the provisions on voluntary beef labelling (First reading) (Legislative deliberation)**
(b) Proposal for a Directive of the European Parliament and of the Council amending Council Directive 64/432/EEC as regards computer databases which are part of the surveillance networks in the Member States (First reading) (Legislative deliberation)
- **Preparation for the informal trilogue**
9122/13 AGRILEG 57 VETER 34 CODEC 965
+ ADD 1

The Presidency compromise text set out in the third column of document 9122/13 ADD1 received the support of a qualified majority of delegations. This mandate for the trilogue on 15 May 2013 was completed by additional flexibility on points a), c) and d) listed under heading II of document 9122/13, and a modified version of new Recital 20b. The Commission representative confirmed the readiness of her Institution to make a statement regarding alternative means of identification in the context of Article 4(5). The Committee will be kept informed on the outcome of the negotiations.

- 62. Proposal for a Decision of the European Parliament and of the Council on serious cross-border threats to health (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Presidency debriefed the Committee on the results of the last trilogue, which took place on 6 May 2013 and agreed on changes that will be submitted to Committee's approval at its next meeting on 15 May 2013.

- **Any other business**
 - **European Semester**
 - = **Information from the Presidency**

The Committee took note of the information given by the Presidency, at the request of MT and HU delegations, regarding country-specific recommendations, division of work between EPSCO/ECOFIN committees and voting modalities at committees. An exchange of views took place. Presidency concluded that it will keep the Committee updated on progress made at committee level in June.
