



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 3 June 2013
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9623/13

CRS/CRP 18

SUMMARY RECORD

Subject: 2452nd meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 15 and 21 May 2013

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

doc. 9425/13 OJ/CRP1 18

9424/1/13 REV 1 OJ/CRP2 18 COMIX 279 + CM 2902/13

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

The following item is **added**:

(Coreper Part 2, under II)

51. Syria sanctions

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

UK, supported by FR, made a statement on the following item :

25. Launch of an Ocean Research Initiative with Canada and the United States of America, Galway, 24 May 2013

- Endorsement of the draft statement

9445/13 POLGEN 63 POLMAR 6 OESC 510 COSDP 423 AGRI 292

TRANS 222 JAI 365 ENV 387 PECHE 201

9429/1/13 REV 1 POLGEN 62 POLMAR 5 PESC 504 COSDP 418 AGRI 289

TRANS 220 JAI 361 ENV 383 PECHE 200

"The UK welcomes the presentation of this statement to the Council as it is for the Council to endorse both the content of any such statement and the ability of the Commission to proceed to sign it on behalf of the EU. It is insufficient for both the substance of the statement and the Commission's role in signing it to be endorsed at Working Group level."

Coreper Part 1

II

9. Setting of the provisional agenda for the Council meeting (Transport, Telecommunications and Energy) on 6 and 7 June 2013

The Committee agreed on the provisional agenda.

10. Setting of the provisional agenda for the Council meeting (Transport, Telecommunications and Energy) on 10 June 2013

The Committee agreed on the provisional agenda for the next TTE Council meeting as set out in 10164/13.

11. Proposal for a Regulation of the European Parliament and of the Council establishing the Connecting Europe Facilities (First reading) (Legislative deliberation)

- Preparation for the informal trilogue

9293/13 TRANS 213 FIN 249 CADREFIN 101 POLGEN 60 REGIO 87 ENER 167
TELECOM 102 COMPET 269 MI 367 ECO 79 CODEC 1007

The Committee examined the EP amendments and the related Presidency compromise proposals as set out in 9293/13 and gave the Presidency a mandate for the third informal trilogue on the above proposal with a view to a first reading agreement with the European Parliament.

12. Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network (First reading) (Legislative deliberation)

- Presidency debriefing on the outcome of the informal trilogue

The Committee took note of the information provided by the Presidency on the results of the fourth informal trilogue on the TEN-T Guidelines, which took place on 8 May 2013.

- 13. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and the Council ("Tachograph") (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the results of the fourth informal trilogue on the tachograph Regulation, which took place on 14 May 2013.

- 14. Proposal for a Directive of the European Parliament and of the Council on recreational craft and personal watercraft (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee was informed of the positive outcome of the informal trilogue where the three institutions came to an agreement on the text. The final version of the proposal will be presented at the Committee after the Council and the European Parliament services have finished the working on the consolidated version of the text.

- 15. 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**
- **Preparation for the informal trilogue**
9278/13 MAP 35 MI 361 CODEC 1002
9279/13 MAP 36 MI 362 CODEC 1003

The Committee agreed on the compromise text outlined in the fourth column of the Annex to the document 9278/13, mandated the Presidency to present the agreed text to the European Parliament, and had an initial discussion on the issue outlined in the document 9279/13.

- 16. Proposal for a Regulation of the European Parliament and of the Council establishing "Erasmus for all": the Union Programme for Education, Training, Youth and Sport (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information provided by the Presidency on the outcome of the informal trilogue held on 14 May 2013.

17. Preparation for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 29 and 30 May 2013

1. Smart Regulation (*Non-legislative activity*)

- **Adoption of Council conclusions**
8525/13 COMPET 213 MI 295 POLGEN 46

The Committee examined the draft Council conclusions in the annex of document 8525/13, resolved an outstanding issue and agreed to recommend the adoption of the conclusions at the Council (Competitiveness) on 29 May 2013.

2. State Aid Modernisation (*Non-legislative activity*)

- (a) **Proposal for a Council Regulation amending Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (Procedural Regulation)**

- (b) **Proposal for a Council Regulation amending Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 of the Treaty establishing the European Community to certain categories of horizontal State aid and Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road (Enabling Regulation)**

- **Political agreement**

(Public debate pursuant to Article 8(2) of the Council's Rule of Procedure [proposed by the Presidency])

9423/13 RC 21 COMPET 283 ECO 85 TRANS 219 MI 387 RECH 151 IND 142
ENV 381 REGIO 94 TELECOM 110 ENER 174 EF 97 AUDIO 57
CULT 53 SPORT 48

9422/13 RC 20 COMPET 282 ECO 84 MI 386 RECH 150 IND 141 ENV 380
REGIO 93 TELECOM 109 ENER 173 EF 96 AUDIO 56 CULT 52
SPORT 47

The Committee approved the Presidency compromise texts on the Enabling and Procedural Regulations as set out in 9422/13 and 9423/13 with a view to the adoption of General approaches (after consultation of the Council Legal Service) by the Competitiveness Council on 29 May 2013.

The Commission agreed to make a declaration to the minutes of the Council meeting adopting the Procedural Regulation that any future revision of the 'complaint form' will be subject to public consultation.

3. Industrial Policy (*Non-legislative activity*)

- **Oral information from the Commission and the Presidency**
(Public debate pursuant to Article 8(2) of the Council's Rule of Procedure
[proposed by the Presidency])

The Committee was briefly informed on the information the Commission and the Presidency intend to give at the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 29 and 30 May 2013.

4. Single Market Act I + II (*Non-legislative activity*)

- **State of play**
9365/13 COMPET 276 POLGEN 61 MI 375 SOC 315 ENT 121 CONSOM 85
FIN 254 ENER 171 TRANS 216 TELECOM 107 IND 139

The Committee prepared the Competitiveness Council item on the state of play of priority files of the Single Market Act I and II and examined the relevant document.

5. Modernisation of EU Copyright Law (*Non-legislative activity*)

- (a) **Communication from the Commission on "Content in the Digital Single Market"**
 - **Information from the Commission on state of play**
17983/12 PI 180 AUDIO 138 TELECOM 265 CONSOM 162 MI 849
POLGEN 218
- (b) **"Recommendations resulting from the Mediation on Private Copying and Reprography Levies", report of Mr António Vitorino to Commissioner Barnier of 31 January 2013 (*Non-legislative activity*)**
 - **Presentation by Mr Vitorino**
 - **Exchange of views**
(Public debate pursuant to Article 8(2) of the Council's Rule of Procedure
[proposed by the Presidency])
9253/13 PI 68 CULT 45 AUDIO 50

The Committee endorsed the Presidency's propositions for the discussion of this item at the Competitiveness Council of 29 May 2013 as set out in 9253/13.

6. Joint Programming (*Non-legislative activity*)

- Policy debate

9258/13 RECH 142

The Committee took note of the questions proposed by the Presidency for the policy debate as set out in 9258/13.

18. Proposal for a Regulation of the European Parliament and of the Council on the Common Organisation of the Markets in Fishery and Aquaculture Products (First reading) (Legislative deliberation)

- Presidency debriefing on the outcome of the informal trilogue

The Presidency debriefed the Committee on the outcome of the third trilogue held on 8 May 2013, which is considered to be the final trilogue.

19. Proposal for a Decision of the European Parliament and of the Council on serious cross-border threats to health (First reading) (Legislative deliberation)

- Analysis of the final compromise text with a view to agreement

9394/13 SAN 156 PHARM 20 PROCIV 56 CODEC 1029

The Committee agreed the text as outlined in 9394/13 and COR 1. The text will be resubmitted to the Committee as an "I" item for confirmation of an agreement before it is sent by a letter of Committee's Chair to the European Parliament with a view to an agreement at first reading.

The LU delegation announced that it would make a statement concerning Article 10.

20. Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 "Living well, within the limits of our planet" (First reading) (Legislative deliberation)

- Preparation for the informal trilogue

9192/13 ENV 358 DEVGEN 108 ECO 76 SAN 151 PECHE 192 AGRI 277
IND 133 CHIMIE 54 ENER 159 RECH 139 TRANS 205 CODEC 980

The Committee examined document 9192/13 with a view to preparing the first trilogue with the European Parliament, scheduled on 22 May 2013 in Strasbourg. In light of the debate and partly for tactical reasons, the Committee slightly weakened the proposed mandate for negotiations on a number of issues. HU/PL/BG could not approve the mandate for climate related reasons, BG also because of landfills. Other delegations left scrutiny or other reserves but without preventing the Chairman to conclude that Presidency has a mandate for the trilogue on 22 May 2013.

- 21. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 443/2009 to define the modalities for reaching the 2020 target to reduce CO2 emissions from new passenger cars (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
9193/13 ENV 359 ENT 116 CODEC 981

The Committee considered the Presidency compromise suggestions set out in document 9193/13 and gave the Presidency a mandate for negotiating with the European Parliament at the informal trilogue foreseen on 22 May 2013 in Strasbourg, with a view to a first reading agreement on the file.

Coreper Part 2

II

41. Draft Regulation of the European Parliament and of the Council establishing the European Border Surveillance System (EUROSUR) (First reading)

- Preparation of the sixth trilogue

9175/13 FRONT 42 CODEC 977 COMIX 270

The Presidency would proceed in its contacts with the European Parliament on the file on the basis of the conclusions drawn at the Mixed Committee (doc. 9880/13).

42. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 6/7 June 2013

The Presidency presented the agenda for the Council meeting (Justice and Home Affairs) on 6/7 June 2013. The Commission suggested that some presentations by the Commission, that are foreseen as AOB could be treated as full items.

The Presidency informed that the agenda was very full and would try to reduce it.

43. Draft Council Decision on the position to be adopted by the European Union within the ACP-EU Council of Ministers concerning the multiannual financial framework for the period 2014 to 2020 of the ACP-EU Partnership Agreement

- Adoption

9287/13 ACP 63 FIN 248 RELEX 368 DEVGEN 112 OC 283

9164/13 ACP 61 FIN 237 RELEX 360 DEVGEN 106 OC 278

The Committee agreed without discussion on the draft Council Decision (doc. 9164/13) and submitted it to Council for adoption.

44. Preparation of the Council meeting (General Affairs) on 21 May 2013

a) Preparation of the European Council on 22 May 2013

i) Draft conclusions

7625/13 CO EUR-PREP 18

The Committee examined the draft conclusions of the EC on 22 May 2013, which focus on energy and taxation.

ii) Draft European Council Decision establishing the composition of the European Parliament

- **Political agreement**
- **Consent of the European Parliament**
9482/13 CO EUR-PREP 26 INST 235 POLGEN 70
110/13 INST 234 POLGEN 69

The Committee discussed the EP proposal for a European Council Decision establishing the composition of the EP (doc. 8649/13).

In order to address the concerns raised by several delegations regarding in particular the revision clause and the link between EP composition and Member States' voting rights in the Council, the Presidency proposed to make changes to Recital 4, Articles 3 and 4 and to insert a new Recital 5. The Presidency indicated that these changes would be submitted to delegations via silence procedure.

b) Multiannual Financial Framework
9486/13 CADREFIN 107 POLGEN 71

Presidency debriefed on the outcome of the trilogue which took place on 13 May 2013 and outline what is expected from the GAC discussion.

c) Preparation of the European Council on 27/28 June 2013
- **Annotated draft agenda**
9165/13 CO EUR-PREP 20

The Committee took note of the annotated draft agenda for the June European Council, which sets out the main issues the EC is expected to address, notably issues related to the economic policy and economic and monetary Union.

d) European Council follow-up
- **Presidency Report on the implementation of EC conclusions**
9190/13 CO EUR-PREP 25 POLGEN 57

The Committee took note of the Presidency report on the implementation of EC conclusions and submitted it to the Council. Factual updates were made to the report to take into account last minute developments.

e) Other items in connection with the Council meeting

Le Comité a mis au point l'ordre du jour provisoire de la session du Conseil Affaires générales du 21 mai 2013.

45. Composition of the Court of Justice: number of Advocates-General

5737/13 JUR 38 COUR 5 INST 38

+ ADD 1

7013/13 JUR 110 COUR 27

+ ADD 1

Having heard the presentation of the Registrar of the Court, the Committee noted that, subject to a parliamentary scrutiny reserve by the UK, there is agreement in principle on the draft Council Decision increasing the number of Advocates-General of the Court of Justice of the European Union set out in document 7013/13 and on the draft Joint Statement by the Council and the representatives of the Member States meeting within the Council on the number of Advocates-General set out in document 7013/13 ADD 1.

46. Relations with the European Parliament (May 2013)

9243/13 PE 211 INST 224 POLGEN 58 CODEC 994

The Committee held a discussion on relations with the European Parliament on the basis of the document 9243/13.

47. Follow-up to the Council meeting (Economic and Financial Affairs) on 14 May 2013

- The day before the Council, at the informal trilogue of representatives of the Council (ECOFIN) and of the European Parliament, there were two main items:
 - the Bank Recovery and Resolution Directive (BRRD) and the proposals on the Markets in Financial Instruments Directive and Regulation (MiFID/MiFIR)
 - economic governance (European Semester and the Commission communications on ex-ante Coordination and Competitiveness Instruments).
- At the ECOFIN breakfast, President van Rompuy shared his remarks on issues related to tax evasion and fraud, in advance of the European Council meeting of 22 May 2013.

- This was followed by a debrief of the Eurogroup the day before and an exchange of views on the Commission Spring Forecasts and the economic situation.
- At the Council (ECOFIN) meeting itself, Ministers first had an exchange of views on the state of play of the Banking Recovery and Resolution Directive based on the Presidency Report. The Presidency will press ahead and try to come back with a compromise for the June ECOFIN.
- Under any other legislative business, Ministers were updated on progress in important files, followed by a first preliminary exchange of views among ministers on the anti-money laundering proposals.
- The Council reached a political agreement on the draft amending budget (DAB) No 2/2013.
- The Council agreed on the mandate for negotiations with third countries concerning the revision of Agreements on Savings income. The Council also discussed the revised EU Savings directive, and decided to postpone its decision to later. The Directive will be submitted to ECOFIN for adoption at a later stage.
- The Council adopted conclusions on tax evasion and fraud.
- Under any other non-legislative business, there was a presentation on the G5 pilot initiative on the automatic exchange of information in the area of taxation.
- The Council adopted conclusions on the Macroeconomic Imbalances Procedure.
- The Commission presented its two Communications on the future of EMU.
- And finally the Council was debriefed on the main outcomes of the G20 Ministerial meeting and IMF meetings that took place in Washington DC on 18-21 April 2013.

48. Macro-financial assistance:

- a) **Proposal for a Regulation of the European Parliament and of the Council laying down general provisions for Macro-Financial Assistance to third countries (First reading)**
- b) **Proposal for a Decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia (Second reading)**
 - **State of play**
9427/13 ECOFIN 347 RELEX 385 COEST 103 NIS 17 CODEC 1040
9428/13 ECOFIN 348 RELEX 386 COEST 104 NIS 18 CODEC 1041

- a) The Committee discussed the possible steps following the decision by the Commission on 8 May 2013 to withdraw its proposal for a Regulation laying down provisions for Macro-Financial Assistance to third countries. There was broad support for the content of the draft text tentatively agreed with the European Parliament on 8 May 2013 as set out in document 9428/13 and for exploring possible ways of furthering the main elements of this agreement.
- b) The Committee was informed on the next steps in relation to the conciliation on macro-financial assistance to Georgia.

- 49. - 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**
 - = **Information from the Presidency**
9195/13 FIN 243

The Committee took note of the state of play concerning informal contacts with the European Parliament on draft amending budget No 1/2013 and the revision of the multiannual financial framework 2007-2013 to take account of the expenditure requirements resulting from the accession of Croatia to the European Union.

50. Multiannual Financial Framework 2014-2020 (Home Affairs)

i) Proposal for a Regulation of the European Parliament and of the Council establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (First reading)

- **Change of negotiating mandate (Recital 14 on allocation criteria)**
9312/13 JAI 347 ENFOPOL 132 PROCIV 52 CADREFIN 102 CODEC 1011

After a comprehensive discussion, the Presidency concluded that there was a qualified majority in favour of the proposal for an amended Recital 14 to be added to the partial general approach obtained in the Committee in December 2012, as set out in document 9312/13.

ii) Proposal for a Regulation of the European Parliament and of the Council establishing the Asylum and Migration Fund (First reading)

- **Change of negotiating mandate (Recital 15a and Article 9(3))**
9315/13 JAI 348 ASIM 35 MIGR 45 ASILE 18 CADREFIN 103 CODEC 1012

After a comprehensive discussion, the Presidency concluded that there was a qualified majority in favour of the proposal for an amended Article 9(3) and Recital 15a to be added to the partial general approach obtained in the Committee in December 2012, as set out in 9315/13.

51. Syria sanctions

The Committee had an exchange of views on the issue of the EU's restrictive measures against the Syrian regime with a view to preparing the Foreign Affairs Council of 27 May 2013.

- Any other business

- **ETS/Aviation**
= **Information from the Commission on state of play**

The Committee took note of the information provided by the Commission regarding the results of the third meeting of the ICAO High Level Group on International Aviation and Climate Change and regarding the preparation of the June ICAO Council.