



**COUNCIL OF
THE EUROPEAN UNION**

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9748/09

CRS/CRP 20

SUMMARY RECORD

**Subject : 2274th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 13-15 and 18 May 2009**

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

doc. 9697/09 OJ/CRP1 18 + AMD 1

9723/09 OJ/CRP2 18 + CM 2195/09

The above mentioned agenda is approved with the following changes:

The following items are **added** :

(Coreper Part 2, under I)

54. Draft Council conclusions on Somalia

9733/09 PESC 627 COAFR 162 ACP 115

55. Report by the Head of the European Defence Agency to the Council

9578/09 COSDP 410 POLARM 4 IND 50 RECH 137 ECO 66

56. Presidency Report on Progress in Military Capabilities Development

9810/09 COSDP 451 PESC 639 CIVCOM 334 COPOL 36 RELEX 452

9756/09 COSDP 446 PESC 633 CIVCOM 330 COPOL 35 RELEX 447

58. Operation ALTHEA: Revised Concept for the Evolution of the European Union (EU) Military Operation in Bosnia and Herzegovina

9850/09 COSDP 455 PESC 643

COWEB 90 BIH 11 RESTREINT UE

6743/2/09 REV 2 COSDP 153 PESC 244

COWEB 38 BIH 3 RESTREINT UE

The following item is **withdrawn** :

(Coreper Part 2, under I)

44. (poss.) Draft Joint ACP-EU Declaration on Climate Change and Development

9326/09 ACP 105 DEVGEN 129 ENV 350 RELEX 406 ONU 27

The following CRP2 agenda item was **transferred** from Part I, item 57 to Part II, item 52, under "Preparation of the GAERC":

52. Preparation of the Council meeting (General Affairs and External Relations) on 18/19 May 2009

B. External Relations

j) Sri Lanka

- Draft Council conclusions

9857/09 ASIE 32 COASI 85 COHOM 107 COPOL 37 COHAFA 26
PESC 644

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

23. Preparation of the Council meeting "Agriculture and Fisheries" on 25 May 2009

- **Green Paper: Reform of the Common Fisheries Policy**
 - **Exchange of views**
8977/09 PECHE 102
9488/09 PECHE 111

The Committee prepared this item and forwarded it to Council. The item is retained on the Council agenda.

24. Preparation of the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 28 and 29 May 2009

1. **An integrated approach to a competitive and sustainable industrial policy in the European Union**
 - **Policy debate**
 - **Adoption of Council conclusions**
9605/09 COMPET 257 ENV 358 IND 51 MI 191 RECH 139 ECO 68 ENER 167
COFIN 353 CONSOM 107

The Committee agreed on the text as set out in 10082/09 COMPET 288 ENV 377 IND 65 MI 215 RECH 166 ECO 79 ENER 190 ECOFIN 382 CONSOM 117.

2. **Small Business Act for Europe: state of play**
 - **Policy debate**
9645/09 COMPET 261 IND 53 MI 195 ECO 70

The Committee agreed on the text as set out in 9645/09 COMPET 261 IND 53 MI 195 ECO 70.

3. **Better Regulation**
 - **Adoption of Council conclusions**
9540/09 COMPET 250

The Committee reaches agreement on the draft conclusions which will be forwarded to the Council for adoption.

4. Proposal for a Council Regulation on the Community legal framework for a European Research Infrastructure Consortium (ERIC)

- Political agreement

12259/08 RECH 232 COMPET 282 + ADD 2

9569/09 RECH 133 COMPET 251 FISC 62

The outcome of the proceedings of the meeting of the Committee is set out in 9951/09 RECH 155 COMPET 281 FISC 65.

5. Research Infrastructures and the regional dimension of European Research Area

- Adoption of Council conclusions

9571/09 RECH 135 COMPET 252 TELECOM 99

The outcome of proceedings of the meeting of the Committee is set out in 9954/09 RECH 157 COMPET 282 TELECOM 111.

6. Evaluation and impact assessment of European research framework programmes (FPs)

- Adoption of the Council conclusions and exchange of views

- Presentation by the Commission of the progress report on FP7

9615/09 RECH 140

The outcome of proceedings of the meeting of the Committee is set out in 9952/09 RECH 156.

7. The first steps towards the realization of the European Research Area Vision 2020

- Adoption of Council conclusions

9618/09 RECH 141 COMPET 259

The outcome of proceedings of the meeting of the Committee is set out in 9956/09 RECH 158 COMPET 283.

8. Enhancing the patent system in Europe

- (a) Proposal for a Council Regulation on the Community patent**
- (b) Draft Agreement creating a Unified Patent Litigation System**
 - Progress report**
9549/09 PI 38 COUR 32
- (c) Request for an opinion by the European Court of Justice on the compatibility with the EC Treaty of the envisaged Agreement creating a Unified Patent Litigation System**
 - Agreement in principle**
9550/09 PI 39 COUR 33

The Committee took note of the Presidency progress report, as contained in 9549/09, and agreed that this be submitted to the Council (Competitiveness) on 28/29 May 2009.

The Committee also agreed to recommend to the Council to endorse the principle of submitting to the European Court of Justice a request for an opinion on the compatibility of the envisaged Agreement creating a Unified Patent Litigation System with the EC Treaty.

25. Setting of the provisional agenda of the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 8 and 9 June 2009

The Committee approves the provisional agenda as it appears in 10494/09.

26. Proposal for a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (recast)

- Key issues**
9510/09 ENV 354 CODEC 689

The Committee discussed two key outstanding issues (large combustion plants and the role of reference documents for best available techniques). The Presidency concluded that it would make revised suggestions to the Working Party on the Environment in the light of the discussions. The Committee would examine the file again in June, with a view to the Council (Environment) reaching political agreement at the end of that month.

- 27. Proposal for a Regulation of the European Parliament and of the Council on novel foods and amending Regulation (EC) No XXX/XXXX (common procedure) (First reading)**
- **Political agreement**
9469/09 DENLEG 30 CODEC 678

The Committee discussed the text submitted by the Presidency in view of the political agreement. DE submitted a proposal for the Council statement that was supported by some delegations, but needs further consideration.

The Committee:

- a) noted outstanding reservations by Member States and the Commission;
- b) decided to slightly modify second part of Recital 6;
- c) agreed to return to outstanding issues in the near future.

Coreper Part 2

II

51. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 4/5 June 2009

The Presidency presented the draft Council agenda and the arrangements foreseen for the Council meeting.

The Commission, supported by a number of delegations, requested the addition of a point on illegal immigration in the Mediterranean.

SI requested the addition of visa liberalisation in the Western Balkans in order to allow the Commission to report on developments.

52. Preparation of the Council meeting (General Affairs and External Relations) on 18/19 May 2009

A. General Affairs

- a) Preparation of the European Council on 18/19 June 2009**
 - **Annotated draft agenda**
9666/09 POLGEN 83

The Committee took note of the Annotated Draft Agenda to be submitted to the General Affairs and External Relations Council on 18/19 May. The Chair took note of delegations' comments.

b) Other items in connection with the Council meeting

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

B. External Relations

a) Russia

- **Preparations of the EU-Russia Summit (Khabarovsk, Russia, 21/22 May 2009)**
9720/09 COEST 171 PESC 623 POLGEN 85

The Committee discussed the preparations for the EU-Russia Summit in Khabarovsk on 21-22 May 2009 on the basis of a Presidency/Secretariat/Commission information note (doc. 9720/09).

b) (poss.) Iran

The Presidency confirmed this item on the agenda of the Council. Ministers will hold a discussion inter alia on the Presidential elections (12 June) as well as the regional context.

c) (poss.) Georgia

The Presidency informed that the item will be discussed in GAERC over lunch.

d) (poss.) Republic of Moldova

Following the request of the Romanian delegation, the Presidency informed that the Republic of Moldova will be on the agenda of GAERC on 18 May.

e) Draft Council Conclusions on ESDP

9577/09 COSDP 409 PESC 588 CIVCOM 306 COPOL 34 RELEX 425

The Committee endorsed the text of the draft Council conclusions on ESDP and agreed to submit it to the Council for approval (doc. 9577/09).

f) Draft Council conclusions on supporting developing countries in coping with the crisis

9101/09 DEVGEN 114 RELEX 422 ACP 109 FIN 177 WTO 91

The Committee discussed the draft Council Conclusions as set out in 9101/09. Based on compromise proposals from the Presidency, an agreement was reached on all outstanding issues apart from the ad hoc Vulnerability Flex. The Committee decided to submit this issue for further discussion to the Council on 18 May 2009.

- g) Economic Partnership Agreements (EPAs)**
 - **State of play and orientation debate**

The Presidency informed the Committee on the proposed handling of the orientation debate on Economic Partnership Agreements (EPAs) at the GAERC meeting on 19 May 2008.

- h) Democratic Governance/Policy Dialogue**
 - **Orientation debate**

The President of the Committee informed delegations that Development Ministers would hold an orientation debate on "Democratic Governance and Policy Dialogue" at the meeting of GAERC on 19 May 2009, on the basis of an issues paper prepared by the Netherlands.

- i) Other items in connection with the Council meeting**

Le Comité met au point l'ordre du jour provisoire de la session Relations extérieures.

- j) Sri Lanka**
 - **Draft Council conclusions**
9857/09 COASI 85 ASIE 32 COPOL 37 PESC 644 COHOM 107
COHAFA 26

The Committee received the draft Council Conclusions, which had been agreed by the PSC. UK suggested several changes to the agreed text, mainly justified by ongoing developments on the ground (final hours of fighting in the combat zone). These were agreed after a brief drafting session, and the new text was forwarded as an A point to the Council.

- 53. EU-China Summit (Prague, 20 May 2009)**
9676/09 ASIE 29 COASI 82 PESC 609 ECOFIN 370 ENER 186 ENV 369 WTO 100
POLGEN 84

The Committee took note of the state of preparations for the eleventh EU-China Summit, to be held in Prague on 20 May 2009. The Presidency will continue negotiations with China for a joint statement.

- **Any other business**
 - (a) **Proposal for a Council Regulation on the statute for a European private company (SPE)**
 - **Information and progress report from the Presidency**
9658/09 DRS 41 SOC 316

The Committee took note of the Presidency's intention to submit a progress report on the proposed Regulation (as set out in 9658/09) to the Competitiveness Council of 28/29 May 2009.

- (b) **Employment Summit**
 - **Information from the Presidency**

The Chair informs the Committee of the results of the informal Employment Summit held in Prague on 7 May 2009.

Certain delegations having considered that the Main Messages should not find their way directly into the conclusions of the June European Council, the Chair explains that the Main Messages are only one of a number of background documents, of which the forthcoming Commission Communication will be another, to be taken into account.

- (c) **Follow-up to the Southern Corridor Summit (Prague, 8 May 2009)**

The Presidency informed the Committee about the outcome of the Southern Corridor Summit in Prague on 8 May 2009.

- (d) **Follow-up to the Employment Summit (Prague, 7 May 2009)**

The Presidency informed the Committee of the outcome of this Summit, which resulted in informal main messages, namely, seven concrete actions at national level and three actions at EU level. It was regrettable that the social partners did not agree to the package.

(e) Follow-up to the Eastern Partnership Summit (Prague, 7 May 2009)

The Committee took note of a presentation by the Presidency on the outcome of the Eastern Partnership Summit held in Prague on 7 May 2009.

(f) Telecom Package (restricted session)

The Committee has an exchange of views on the state of play following the vote in the European Parliament.

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