



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 February 2013

5772/13

CRS/CRP 4

SUMMARY RECORD

**Subject : 2438th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 30, 31 January and 1 February 2013**

SUMMARY

Page

1. Adoption of the provisional agenda and "I" items 7

Coreper Part 1

I

2. Replies to written questions put to the Council by Members of the European Parliament
- (a) n° E-010118/2012 put by Hans-Peter Martin
"Drones"
 - (b) n° E-010592/2012 put by Marc Tarabella
"EU grant to the ACP countries"
 - (c) n° P-010793/2012 put by Ingeborg Gräßle
"Allegations concerning a Maltese lawyer employed at the Council"
 - (d) n° P-011699/2012 put by Silvia-Adriana Țicău
"Irish Presidency of the EU - lifting barriers for Romanian and Bulgarian workers"
3. Commission Decision amending Decisions 2007/506/EC and 2007/742/EC in order to prolong the validity of the ecological criteria for the award of the EU Ecolabel to certain products
4. Draft Commission Regulation (EU) No .../. amending, for the purposes of adaptation to scientific and technical progress, Annexes IC, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste
5. Commission Regulation (EU) No .../. of XXX amending the Annexes to Regulations (EC) No 1983/2003, (EC) No 1738/2005, (EC) No 698/2006, (EC) No 377/2008 and (EU) No 823/2010 as regards the International Standard Classification of Education
6. Proposal for a Directive of the European Parliament and of the Council on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (XXth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (First reading) (Legislative deliberation)
7. Proposal for a Council Decision on the position on Decision No 1/2013 of the Joint Veterinary Committee set up by the Agreement between the European Community and the Swiss Confederation on trade in agricultural products regarding the amendment of Appendices 1, 2, 3, 5, 6 and 10 to Annex 11 to the Agreement
8. Proposal for a Decision of the Council on the conclusion of the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety

II

9.	Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 18 and 19 February 2013	8
10.	Proposal for a Regulation of the European Parliament and of the Council on the implementation and exploitation of European satellite navigation systems (First reading) (Legislative deliberation)	8
11.	Proposal for a Decision of the European Parliament and of the Council on serious cross-border threats to health (First reading) (Legislative deliberation)	8
12.	Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of water policy (First reading) (Legislative deliberation)	9
13.	Setting of the provisional agenda for the Council meeting (Education, Youth, Culture and Sport) on 15 February 2013	9
14.	SMA I monthly update	9
15.	Proposal for a Regulation of the European Parliament and of the Council on safety of offshore oil and gas prospecting, exploration and production activities (First reading) (Legislative deliberation)	9
16.	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)	10
17.	(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)	10
18.	Proposal for a Regulation of the European Parliament and of the Council concerning the European Network and Information Security Agency (ENISA) (First reading) (Legislative deliberation)	10

Coreper Part 2

I

19. Resolutions, decisions and opinions adopted by the European Parliament at its part-sessions in Strasbourg:
 - a) from 10 to 13 December 2012
 - b) from 14 to 17 January 2013
20. Case before the Court of Justice of the European Union
 - Case C-370/12 (Thomas Pringle against the Government of Ireland, Ireland and the Attorney General)
 - = Judgment of the Court of 27 November 2012
21. Case before the Court of Justice
 - Case C-579/12 RX - Review of the judgment of the General Court of 8 November 2012 in Case T-268/11 P (Commission v. Strack)
22. Case before the General Court
 - Case T-542/12 (Aliaksei MIKHALCHANKA v. Council of the European Union)
23. Special report No 17/2012: The European Development Fund (EDF) contribution to a sustainable road network in Sub-Saharan Africa
24. Committee of the Regions
 - Council Decision appointing a Danish alternate member of the Committee of the Regions
25. Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Cape Verde on the readmission of persons residing without authorisation
26. Working arrangement between the European Police College (CEPOL) and the "Academy of Management of the Ministry of Internal Affairs of the Russian Federation"
27. Draft agreement on co-operation between Eurojust and Liechtenstein
28. Budget for SISNET for the year 2013
29. Afghanistan
 - a) Council implementing Decision implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan
 - b) Council implementing Regulation implementing Article 11(4) of Regulation (EU) No 753/2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan

30. Six-monthly Progress Report on the implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction (2012/II)
31. Draft Crisis Management Concept (CMC) for a possible civilian CSDP border security mission in Libya
32. Draft Council conclusions on the Joint Communication "Supporting closer cooperation and regional integration in the Maghreb"

II

33.	Preparation of the Council meeting (General Affairs) on 4 February 2013	
	a) Preparation of the European Council on 7-8 February 2013 (<i>restricted session</i>)	11
	b) Preparation of the European Council on 14-15 March 2013	11
	c) Other items in connection with the Council meeting	11
34.	Preparation of the Council meeting (Foreign Affairs) on 31 January 2013	
	a) Somalia	11
	b) Other items in connection with the Council meeting	12
35.	Preparation of the Council meeting (Economic and Financial Affairs) on 12 February 2013	
	- Other items in connection with the Council meeting	12
36.	Relations with the European Parliament (February 2013)	12

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

doc. 5756/13 OJ/CRP1 4

5712/1/13 REV 1 OJ/CRP2 4 + CM 1398/13

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

The following items are **added** :

(Coreper Part 2, under I)

37. Council Decision of .../.. approving the conclusion, by the Commission, of an Agreement between the European Atomic Energy Community (Euratom) and the Korean Peninsula Energy Development Organisation (KEDO)

- **Adoption**

5679/13 ATO 11 CONOP 13

5681/13 ATO 12 CONOP 14

(Coreper Part 2, under II)

34. Preparation of the Council meeting (Foreign Affairs) on 31 January 2013

c) **Mali**

- **Draft Council conclusions**

5787/13 COAFR 36 ACP 15 PESC 101 DEVGEN 23 COTER 10

COMAG 14 COHAFA 13 RELEX 79

38. Debrief on the VI EU-Brazil Summit

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

Coreper Part 1

II

9. **Setting of the provisional agenda for the Council meeting "Competitiveness" (Internal Market, Industry, Research and Space) on 18 and 19 February 2013**

The Committee agreed the provisional agenda for the meeting of the Competitiveness Council on 18 and 19 February 2013.

10. **Proposal for a Regulation of the European Parliament and of the Council on the implementation and exploitation of European satellite navigation systems (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**

17844/11 TRANS 338 MAR 154 AVIATION 254 CAB 54 CODEC 2250
ESPACE 80 FIN 1021

5621/13 TRANS 19 MAR 7 AVIATION 7 CAB 1 CODEC 137 ESPACE 4
FIN 39 CSC 7

The Committee discussed the compromise package proposed by the Presidency, as in document 5621/13, with a view to preparing the first informal trilogue.

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

- **Preparation for the informal trilogue**

5539/13 SAN 24 PHARM 2 PROCIV 9 CODEC 120

The Committee agreed to give a mandate to the Presidency to enter into informal negotiations with the representatives of the European Parliament and the Commission on the basis of the text as set out in the Annex of the above document. Remaining reservations (RO) and scrutiny reservations (DE and SE) were withdrawn.

The Commission reiterated its reservations on the Council's position as set out in paragraph 8 of the above document.

- 12. Proposal for a Directive of the European Parliament and of the Council amending Directives 2000/60/EC and 2008/105/EC as regards priority substances in the field of water policy (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**
5543/13 ENV 47 SAN 25 CHIMIE 5 AGRILEG 8 CODEC 121

The Committee agreed to a Presidency mandate in view of a first informal trilogue to be held on 5 February 2013 in the framework of negotiations with the European Parliament to reach an agreement in first reading on the proposed Directive.

- 13. Setting of the provisional agenda for the Council meeting (Education, Youth, Culture and Sport) on 15 February 2013**

The Committee agreed the provisional agenda for the forthcoming Council meeting (Education, Youth, Culture and Sport) as set out in 6165/13.

- 14. SMA I monthly update**
- **Progress report from the Presidency**

The Committee took note of the progress report on two files : e-Identification and posted workers. The Commission also reported on the state of play of the proposals of SMA II.

- 15. Proposal for a Regulation of the European Parliament and of the Council on safety of offshore oil and gas prospection, exploration and production activities (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Chair informed the Committee about the main points discussed at the second trilogue on 29 January 2013, namely EMSA, the MODUS codes, global standards and reporting obligations, addressees in relation with landlocked countries, competent authority for which the EP appears to support the principle of a threshold to decide when to apply functional separation, liability and the issue of economic damage for which a solution seems to be within reach, public participation for which the still bracketed text in the Council position would be acceptable to the EP, recital 40 on the Arctic where the EP demands cannot be accommodated, and a few other more technical issues.

The Commission's main concern is in relation with competent authority, where it does not see the Council text nor the EP one achieving the degree of independence required.

The next trilogue is scheduled on 21 February 2013.

- 16. 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)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Presidency informed the Committee on the outcome of the first informal trilogue with the European Parliament on the COSME proposal.

- 17. (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)**
- **Presidency debriefing on the outcome of the informal trilogue**

The Committee took note of the information presented by the Presidency concerning the outcome of the first informal trilogue.

- 18. Proposal for a Regulation of the European Parliament and of the Council concerning the European Network and Information Security Agency (ENISA) (First reading) (Legislative deliberation)**
- **Presidency debriefing on the outcome of the informal trilogue**
 - **(poss.) Analysis of the final compromise text with a view to agreement**

The Presidency outlined the main elements of the outcome of the 3rd trilogue which took place on 29 January 2013. This outcome was supported by the Commission while a few delegations expressed their concerns about the too short duration of the mandate. The Committee was nevertheless willing to endorse the outcome as set out in 5793/13. Once the text reflecting this outcome will have been marked, this item will be put back on the Committee agenda as I item so as to send the usual letter and agreed text to the ITRE Chair.

Coreper Part 2

II

33. Preparation of the Council meeting (General Affairs) on 4 February 2013

- a) **Preparation of the European Council on 7-8 February 2013 (*restricted session*)**
- **Draft conclusions**
5092/13 CO EUR-PREP 2

The Committee examined the draft conclusions of the European Council on 7 and 8 February 2013, focusing on the trade part and on the parts on the Arab spring and Mali.

- b) **Preparation of the European Council on 14-15 March 2013**
- **Annotated draft agenda**
5639/13 CO EUR-PREP 5

The Committee took note of the annotated draft agenda submitted by the President of the EC, setting out the main issues the EC is expected to address on 14-15 March 2013.

- c) **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 4 février 2013.

34. Preparation of the Council meeting (Foreign Affairs) on 31 January 2013

- a) **Somalia**
- **Draft Council conclusions**
5628/1/13 REV 1 COAFR 29 ACP 12 PESC 85 DEVGEN 16 COSDP 75
COTER 7 CONUN 9 COPS 33 POLMIL 6

The Committee approved the draft Council conclusions without discussion and submitted them to the Council for adoption (doc. 5628/1/13 REV 1).

b) Other items in connection with the Council meeting

The Executive Secretary General of the EEAS updated the Committee of the way in which the High Representative intends to conduct the exchange of views at the Foreign Affairs Council on 31 January 2013.

c) Mali

- **Draft Council conclusions**

5787/13 COAFR 36 ACP 15 PESC 101 DEVGEN 23 COTER 10
COMAG 14 COHAFA 13 RELEX 79

The Committee approved the draft Council conclusions without discussion and submitted them to the Council for adoption (doc. 5787/13).

35. Preparation of the Council meeting (Economic and Financial Affairs) on 12 February 2013

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

The Committee reviewed the state of readiness of the agenda items listed.

36. Relations with the European Parliament (February 2013)

5557/13 PE 25 INST 32 POLGEN 10 CODEC 124
+ COR 1

The Committee held a discussion on relations with the European Parliament on the basis of the document 5557/13.

38. Debrief on the VI EU-Brazil Summit

The Committee was debriefed, by the EEAS and the Commission, on the outcome of the EU-Brazil Summit held in Brasilia, on 24 January 2013.

The Summit had signalled the willingness to further strengthen the Strategic Partnership and confirmed the good potential for joint collaboration, on areas such as science, technology and innovation, education, climate change, sustainable development but also human rights, or UN matters. The decision to establish a new dialogue on international peace and security matters could ultimately lead to the signature of a Framework Participation Agreement to CSDP missions.

The main emphasis had been on economic relations and how to enhance competitiveness. It had been agreed to establish an ad-hoc Working Group that should analyse more systematically bilateral economic issues, including investment, competitiveness and trade. The EU side had voiced strong concern for the protectionist measures adopted by the Brazilian government to protect its industrial sector.

On the bi-regional side, Brazil had stressed its unreserved commitment to the EU-Mercosur Association Agreement; however, it had indicated that progress would possible only and exclusively with the full commitment and involvement of the other Mercosur members.
