



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 13 February 2012**

**5964/12**

**CRS/CRP 4**

**SUMMARY RECORD**

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**Subject : 2394th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 2 and 3 February 2012**

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## Coreper Part 1

### I

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20. Governing Board of the European Foundation for the Improvement of Living and Working Conditions  
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21. Governing Board of the European Foundation for the Improvement of Living and Working Conditions  
Appointment of Ms Marika MERILAI, Estonian alternate member, in place of Mr Tarmo KRIIS, who has resigned
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Appointment of Ms Kristi SUUR, Estonian alternate member, in place of Ms Carita RAMMUS, who has resigned
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24. Commission Regulation (EU) No .../. of XXX laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council
25. Draft Commission Directive .../.../EU of ... amending Directive 2009/43/EC of the European Parliament and of the Council as regards the list of defence-related products

26. Draft Commission Regulation (EU) No.... of xxx laying down, pursuant to Directive 2006/66/EC of the European Parliament and of the Council, detailed rules regarding the calculation of recycling efficiencies of the recycling processes of waste batteries and accumulators
27. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1198/2006 on the European Fisheries Fund, as regards certain provisions relating to financial management for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability (First reading) (Legislative deliberation)
28. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 as regards the use of phosphates and other phosphorous compounds in household laundry detergents (First reading) (Legislative deliberation + Statement)
29. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean (First reading) (Legislative deliberation)

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

doc. 5927/12 OJ/CRP1 4

5918/12 OJ/CRP2 4

The above-mentioned agendas are approved.

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

## Coreper Part 2

### II

**13. Proposal for a Regulation of the European Parliament and of the Council on OTC derivative transactions, central counterparties and trade repositories (EMIR)**

- **Follow-up to the trilogue of 31 January 2012**  
5950/12 EF 24 ECOFIN 87 CODEC 241

The Chairman debriefed the Committee on the outcome of the trilogue on 31 January 2012 followed by an exchange of views on the way forward in restricted format. The Committee agreed to return to this item at its forthcoming meeting.

**14. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 21 February 2012**

The Committee agreed the provisional agenda for this Council meeting.

**15. Follow-up to the Council meeting (General Affairs) on 27 January 2012**

The Committee took stock of the information provided by the Presidency concerning the General Affairs Council on 27 January 2012, which was focused on the new Multiannual Financial Framework (MFF).



# Coreper Part 1

## II

### 30. Council Decision authorising the Commission to open negotiations on behalf of the European Union for a new protocol to the Fisheries Partnership Agreement with the Kingdom of Morocco

#### - Presidency compromise

5724/12 PECHE 29

+ REV 1

The Committee endorsed by qualified majority the approach proposed by the Presidency in its note (doc. 5724/1/12 REV 1). The UK, SE, IE, DE, FI, NL and SI expressed a preference for the explicit mention of the waters off Western Sahara in the mandate, in relation to the protection of the rights of the local populations in that area. Of these delegations, the UK and SE were opposed to the compromise; FI and NL declared their intention to abstain, the latter also raising additional requests that had not been addressed by the compromise (maximum sustainable yield; ship-owner fees). The other delegations were prepared to align themselves with the compromise in order not to delay the re-launch of negotiations with Morocco. On request by DE, the Presidency confirmed that the compromise text was fully taking into account the European Parliament's resolution of December 14, 2011 and that the Committee minutes will state the views of delegations in relation to the fishing waters off the Western Sahara. There was broad agreement that the ensuing negotiations would have to be conducted in a way that the EP's opinion is catered for.

IE, FI, NL and SE requested to include statements in the Council's minutes.

The Commission expressed its readiness to support the compromise, while regretting that a reference to negotiation options in addition to reporting requirements had been deleted.

**31. Proposal for a Directive of the European Parliament and of the Council on control of major-accident hazards involving dangerous substances (Seveso III) (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**  
5697/12 ENV 42 IND 12 PROCIV 11 CODEC 192

The Committee agreed, subject to some adjustments in the text of the third and fourth columns of document 5697/12, to a mandate with a view to an informal trilogue to be held on 7 February 2012 in the framework of negotiations with the European Parliament to reach an agreement at first reading on the above-mentioned proposal.

**32. Proposal for a Regulation of the European Parliament and of the Council concerning the export and import of hazardous chemicals (recast) (First reading) (Legislative deliberation)**

- **Preparation for the informal trilogue**  
5691/12 ENV 40 WTO 23 MI 47 CODEC 189

The Committee agreed on the Presidency's mandate for the first informal trilogue scheduled on 14 February 2012.

**33. Preparation for the Council meeting (Transport, Telecommunications and Energy) on 14 February 2012**

**1. Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure and repealing Decision 1364/2006 (Legislative deliberation)**

- **Orientation debate**  
5329/12 ENER 10 CADREFIN 23 CODEC 94

The Committee agreed that an orientation debate could take place on the basis of the questions set out in 5329/12 as amended.

**2. Europe 2020 Strategy (Non-legislative activity)**

- **Policy debate**  
5740/12 ENER 25 ENV 45 POLGEN 14  
(Public debate in accordance with Article 8(2) CRP [proposed by the Presidency])

The Committee agreed that a policy debate could take place on the basis of the questions set out in 5740/12.

- **Any other business**

- (16.) **Follow-up to the informal meeting of Members of the European Council on 30 January 2012 (Coreper II)**  
= **Information from the Presidency and the Commission**

The Committee took note of the information given by the Presidency and the Commission on the informal European Council ; the meeting on 30 January 2012 focused on the growth and jobs agenda, the Single Market (standardisation, energy efficiency, simplification of accounting requirements, e-signature, roaming, outstanding issues in the patent package) and SMEs.

**Follow-up to the informal meeting of Members of the European Council on 30 January 2012 (Coreper I)**  
= **Information from the Commission**

The Presidency presented the issues of the 30 January 2011 Heads of State and Government statement which are relevant to Coreper I noting, in particular, the work required on the energy efficiency directive, including a possible early discussion in Coreper. The Commission informed on the bilaterals held under the European semester and underlined the importance of the mid-April deadline for National Reform Programmes. It also informed on the follow-up of the January Heads of State and Government meeting as regards youth unemployment and support to small and medium-sized enterprises, notably on the action teams established for the 8 Member States worst affected by youth unemployment. The discussion centered on youth unemployment and the digital single market.

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