



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 12 March 2012

6738/12

CRS/CRP 7

SUMMARY RECORD

**Subject : 2397th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 22, 23 and 27 February 2012**

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

doc. 6721/12 OJ/CRP1 7

6600/1/12 REV 1 OJ/CRP2 7 + CM 1846/2/12 REV 2 + CM 1862/1/12 REV 1

The above mentioned agendas are approved with the following changes:

The following items are **added** :

(Coreper Part 2, under I)

42. Yemen

- **Draft Council conclusions**
6776/12 COMEM 62 PESC 214

43. Relations with the South Caucasus

- **Draft Council conclusions**
6673/12 COEST 49 PESC 188 NIS 11

44. EU priorities at the UN Human Rights Council

- **Draft Council conclusions**
6825/12 COHOM 42 CONUN 26 PESC 218 OC 81

45. Restrictive measures against Iran

- **Letter of reply to be sent to a listed entity**
6768/12 PESC 213 RELEX 159 COMEM 61 CNOP 32 COARM 56 FIN 133

(Coreper Part 2, under II)

38. Preparation of the Council meeting (Foreign Affairs) on 27 February 2012

g) Relations with Belarus

- **Draft Council conclusions**
6671/12 COEST 48 PESC 186 RELEX 145

The following CRP2 agenda item is **transferred** from Part I to Part II :

29. Belarus

- a) **Council implementing Decision implementing Decision 2010/639/CFSP concerning restrictive measures against Belarus**
 - b) **Council implementing Regulation implementing Regulation (EC) n° 765/2006 concerning restrictive measures in respect of Belarus**
- = **Additional designations**
6689/12 PESC 193 RELEX 150 COEST 52 COMEM 57 COARM 50 FIN 126
+ ADD 1 RESTREINT UE

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

- 11. Proposal for a Directive of the European Parliament and of the Council on energy efficiency and repealing Directives 2004/8/EC and 2006/32/EC (First reading) (Legislative deliberation)**
= **Guidance for future work**
6446/12 ENER 54 ENV 107 TRANS 41 ECOFIN 146 RECH 48 CODEC 369
+ COR 1

Ahead of preparations for trilogues with the European Parliament and with a view to providing guidance to work at Working Party level the Committee proceeded to an exchange of views on the topics set out in 6446/12, focusing its discussion on articles 6 and 4 of the proposed Directive. The Chairman indicated that further similar steering discussions at Committee level are planned on this proposal.

12. Preparation for the Council meeting (Environment) on 9 March 2012

- 1. Follow-up to the 17th session of the Conference of the Parties (COP 17) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 7th session of the Meeting of the Parties to the Kyoto Protocol (CMP 7) (Durban, South Africa, 28 November - 9 December 2011) (Non-legislative activity)**
- **Adoption of Council conclusions**
6534/12 ENV 118 ONU 13 DEVGEN 32 ECOFIN 151 ENER 58 FORETS 13
MAR 12 AVIATION 27
6700/12 ENV 126 ONU 17 DEVGEN 39 ECOFIN 172 ENER 62 FORETS 14
MAR 14 AVIATION 31

The Committee examined the draft set of conclusions contained in 6534/12.

The Chair concluded that the draft would be forwarded, as revised on the basis of the discussion, to the Council (Environment) on 9 March 2012 for consideration with a view to its adoption.

2. A Roadmap for moving to a competitive low-carbon economy in 2050 (*Non-legislative activity*)

- Adoption of Council conclusions

7505/11 ENV 183 ENER 51 TRANS 70 MI 136 RECH 58 COMPET 98

IND 31 ECOFIN 120 SOC 223 AGRI 201 ONU 38 AVIATION 45

6539/12 ENV 119 ENER 59 TRANS 48 MI 103 RECH 55 COMPET 94 IND 30

ECOFIN 152 SOC 122 AGRI 90 ONU 14

The Committee examined the draft Council conclusions contained in 6539/12.

The Chair concluded that the draft conclusions would be forwarded, as revised on the basis of the discussion, to the Council (Environment) on 9 March 2012 for consideration with a view to their adoption.

Coreper Part 2

II

13. Amended proposal for a Directive of the European Parliament and of the Council laying down standards for the reception of asylum seekers (recast) (First reading)

- **Examination of compromise text**
6394/1/12 REV 1 ASILE 24 CODEC 353

The Committee examined the Presidency compromise text contained in 6394/1/12 REV 1.

The outcome of this examination is reflected in 6799/12.

14. Proposal for a Decision of the European Parliament and of the Council amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme "Solidarity and Management of Migration Flows" and repealing Council Decision 2004/904/EC) (First reading)

- **Confirmation of the agreement with the European Parliament**
6370/12 ASILE 23 CODEC 343 CADREFIN 80
6563/12 ASILE 28 CODEC 395 CADREFIN 91

The Committee agreed on the text as set out in 6563/12 and charged the Legal Linguistic Experts to do the necessary in order to ensure an early adoption of the Council position.

The Commission representative announced the intention of its institution to enter a statement into the minutes of the Council on the occasion of the adoption of the Council position.

15. Preparation of the Council meeting (Justice and Home Affairs) on 8 March 2012

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

The Presidency updated the Committee on the agenda and arrangements for the meeting and announced that the lunchtime discussion would be on the issue of organised crime - a multidisciplinary approach.

16. Follow-up to the Council meeting (Economic and Financial Affairs) on 21 February 2012

The President debriefed the Committee on the ECOFIN and the meetings in its margins:

- At the Macroeconomic Dialogue at political level the day before the ECOFIN, the Ministers and social partners discussed the current economic situation and the appropriate policy responses. The key concern was how to ensure growth and jobs in the current juncture.
- At the breakfast before the ECOFIN:
 - Ministers were debriefed from the Eurogroup the day before. The major achievement was the agreement on the second programme to Greece which would reduce the debt to a sustainable level.
Ministers also discussed the economic situation and bank recapitalisation.
 - Still during breakfast, Ministers took note of the EIB's intentions for promoting growth.
 - On the selection process for the next EBRD President, based on the Austrian announcement, it is foreseen that Ministers will discuss the way forward in the margins of the March ECOFIN.

Concerning the Council meeting itself, the following points were highlighted:

- On economic governance, Ministers agreed on the general approach for the two legislative texts, as well as on the Council statement to be inserted into the Council minutes.
- On macroeconomic imbalances, there was a presentation and first discussion of the Commission's first Alert Mechanism Report. The Council tasked the EFC to prepare Council conclusions on the report for the March ECOFIN.
- On the contribution to the March 2012 European Council, Ministers adopted Council conclusions on macroeconomic and fiscal guidance in the context of the European Semester, and the Member States participating in the Euro Plus Pact adopted conclusions. Bulgaria also submitted a statement on the Euro Plus Pact (tax issues).

17. Presentation of the provisional agenda of the Council meeting (Economic and Financial Affairs) on 13 March 2012

The Committee agreed the provisional agenda for this Council meeting.

29. Belarus

6937/12 PESC 236 RELEX 173 COEST 61 FIN 142

+ ADD 1 RESTREINT

a) **Council implementing Decision implementing Decision 2010/639/CFSP concerning restrictive measures against Belarus**

b) **Council implementing Regulation implementing Regulation (EC) n° 765/2006 concerning restrictive measures in respect of Belarus**

= **Additional designations**

6689/12 PESC 193 RELEX 150 COEST 52 COMEM 57 COARM 50 FIN 126

+ ADD 1 RESTREINT UE

The outcome of the discussion on this item is contained in 6939/12 (restrictive measures against Belarus) and 6931/12 (draft Council conclusions).

In the continuation of the meeting of the Committee after the Foreign Affairs Council, the Committee adopted additional designations to restrictive measures as a "I" item, set out in 6969/12, 6684/12 + ADD 1 RESTREINT UE and 6685/12 + ADD 1 RESTREINT UE.

35. Preparation of the Council meeting (General Affairs) on 28 February 2012

a) **Preparation of the European Council on 1-2 March 2012**

- **Draft conclusions**

5356/12 CO EUR-PREP 3

- **Synthesis Report on the European Semester**

6662/12 CO EUR-PREP 10 POLGEN 32 ENV 124 ENER 61 MI 113 RECH 58

COMPET 98 IND 33 ECOFIN 169 SOC 132 EDUC 49 TELECOM 33

The Committee took note of the information provided by the representative of the President of the European Council on the EC draft conclusions and had an exchange of views on the main issues of the conclusions (economy policy, international summits, foreign policy).

It also took note of the synthesis report prepared by the Presidency on the discussions of the main political messages of the different Council configurations in relation to the 2012 European Semester.

b) **Enlargement**

- **Serbia**

6824/1/12 REV 1 ELARG 18 COWEB 22

The Committee examined in detail the revised draft Council conclusions submitted by the Presidency (doc. 6824/1/12 REV 1). The outcome of this debate is enshrined in 6990/12 to be examined by the Council at its meeting on 28 February 2012.

c) Other items in connection with the Council meeting

The Committee finalised the provisional agenda for this Council meeting.

36. Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession

- **Final agreement on the text of the proposed Regulation**
6557/1/12 REV 1 JUSTCIV 61 CODEC 392
+ ADD 1 REV 1

The Committee concluded

- (a) that there is an agreement on the package on Article 21 and related recitals on the administration of the estate;
- (b) that there is no sufficient agreement on the package relating to the restoration of lifetime gifts ("clawback") which should therefore be excluded from the agreement mentioned under (c);
- (c) that there is an agreement on the consolidated text of the proposed Regulation as set out in 6925/12 with the opposition of CZ and scrutiny reservation by BE on Article 24.

37. Presentation of the provisional agenda of the Council meeting (Foreign Affairs/Trade) on 16 March 2012

The Committee took note of the provisional agenda of the above-mentioned Council, which should include the following items:

- (poss.) Proposal for a Regulation of the European Parliament and of the Council establishing transitional arrangements for bilateral investment agreements between Member States and third countries
- Proposal for a Regulation of the European Parliament and of the Council applying a scheme of generalised tariff preferences
- EU-Colombia / Peru FTA
- EU-Singapore FTA
- Council Conclusions on Trade, Growth and Development
- AOB: ACTA

It was also indicated that at their working lunch, Ministers should address the state of play in the EU-Japan scoping exercise, and green growth. The Presidency undertook to circulate a background note on the latter.

38. Preparation of the Council meeting (Foreign Affairs) on 27 February 2012

a) Syria

- **Draft Council conclusions**
6938/12 COMAG 15 PESC 237 COHAFA 18 SY 6

First the Committee examined the draft Council conclusions on Syria as set out in 6354/12, and later reverted to the item by endorsing the text as set out in 6938/12 and submitted it to the Council for adoption.

b) Egypt

- **Draft Council conclusions**
6935/12 COMAG 13 PESC 234

First the Committee examined the draft Council conclusions on Egypt as set out in 6694/12, and later reverted to the item by endorsing the text as set out in 6935/12 and submitted it to the Council for adoption.

c) Southern Caucasus

At the request of one delegation, the Committee had an exchange of views on the draft Council conclusions on South Caucasus (doc. 6673/12), which had originally been on the list of "I" items (item 43). The outcome of the discussion on this item is set out in 6934/12.

On this occasion, the Committee agreed to insert in its minutes the following unilateral declarations:

"Declaration of the Netherlands on the Council Conclusions for the Southern Caucasus

The Netherlands emphasize that steps in visa processes are merit-based. As agreed in the Warsaw summit declaration on the EaP of September 2011 visa facilitation and readmission agreements must be concluded and effectively implemented before a decision can be made to take steps towards a visa- free regime. There can be no automaticity.

The Netherlands interpretation of paragraph 13 and 14 in the Council Conclusions is that there remains a strong link between the implementation of visa facilitation and readmission agreements and the EU's commitment to a visa-free regime with Georgia.

Furthermore the Netherlands would like to underline that internal position papers (for examples "lines to take" for Cooperation Councils) do not constitute binding "agreed language" and should therefore not be used as a reference point for Council conclusions."

**"Declaration of Lithuania and Romania regarding the Council Conclusions
on the South Caucasus**

Lithuania and Romania consider that paragraph 22 of the Council conclusions, which refers to the EU engagement policy in the two breakaway regions of Georgia, should be interpreted as having no prejudice to the long standing EU position (as reflected in several EU documents such as 17048/10 and 16656/11) according to which the engagement policies of Georgia and the EU should be mutually reinforcing."

d) Serbia/Kosovo

The Committee briefly considered the handling of this item at the Foreign Affairs Council (FAC) on 27 February 2012. Some delegations raised the question of Croatia's participation in the discussion of this item at the FAC.

e) MEPP

The Committee took note of the HR's intentions to have a discussion on MEPP during lunch.

f) Other items in connection with the Council meeting

There was no discussion under this item.

g) Relations with Belarus

- **Draft Council conclusions**
6671/1/12 REV 1 COEST 48 PESC 186 RELEX 145

This item was addressed under item 29.

39. Follow-up to the EU-India Summit (Delhi, Friday 10 February 2012)

The Committee was briefed on the results of the EU-India Summit held in New Delhi on 10 February 2012.

40. Follow-up to the EU-China Summit (Beijing, Tuesday 14 February 2012)

The Committee was briefed on the results of the EU-China Summit held in Beijing on 14 February 2012.

41. EU-Republic of Korea Summit 2012

- **Orientation debate**

6588/12 COASI 18 ASIE 13 PESC 168 RELEX 124 POLGEN 30 ECOFIN 166
ENV 122 WTO 55 RESTREINT UE

The Committee was informed about preparations for the next EU-Republic of Korea Summit on the basis of an orientation note distributed under the responsibility of the Cabinet of the President of the European Council, in close cooperation with the Presidency, the Commission services and the EEAS. The Committee will revert to this issue closer to the Summit.

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