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THE EUROPEAN UNION**

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11565/12

CRS/CRP 23

SUMMARY RECORD

**Subject : 2413th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 19, 20 and 21 June and in Luxembourg on 25 June 2012**

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II

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

doc. 11502/12 OJ/CRP1 23 + ADD 1

11531/1/12 REV 1 OJ/CRP2 23 + REV 1 COR 1 + CM 3613/1/12 REV 1

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

The following items are **added** :

(Coreper Part 2, under I)

87. Council Decision appointing the European Union Special Representative for Central Asia

11477/12 PESC 756 COEST 217

10297/12 PESC 634 COEST 167 OC 248

88. Council Decision amending and extending Joint Action 2005/889/CFSP on establishing a European Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)

11599/12 PESC 788 CIVCOM 239 COSDP 522 COMEM 215 RELEX 571

JAI 454 EUBAM RAFAH 21

10335/12 PESC 641 CIVCOM 194 COSDP 424 COMEM 180 RELEX 465

JAI 357 EUBAM RAFAH 16 OC 253

89. Council Decision amending and extending Decision 2010/784/CFSP on the European Union Police Mission for the Palestinian Territories (EUPOL COPPS)

11602/12 PESC 789 CIVCOM 240 COSDP 523 COMEM 216 RELEX 572

JAI 455 EUCOPPS 15 COPS 217

10286/12 PESC 627 CIVCOM 191 COSDP 419 COMEM 177 RELEX 461

JAI 352 EUCOPPS 11 COPS 172 OC 242

90. Commission proposal for a Regulation of the European Parliament and of the Council establishing an action programme for customs and taxation in the European Union for the period 2014-2020 (FISCUS) and repealing Decisions No 1482/2007/EC and No 624/2007/EC (First reading)

- The way forward

11617/12 FISC 87 UD 174 CODEC 1718

92. Council conclusions on Special Report No 3/2012 by the European Court of Auditors: Did the Commission successfully deal with deficiencies identified in the Member States' management and control systems?

11633/12 FIN 459 FSTR 55 REGIO 89 SOC 592

9796/12 FIN 338 FSTR 39 REGIO 57 SOC 351

93. Council conclusions on Special Report No 4/2012 by the European Court of Auditors: Using structural and cohesion funds to co-finance transport infrastructures in seaports: an effective investment?

11632/12 FIN 458 FSTR 54 FC 33 REGIO 88 MAR 89

9431/12 FIN 313 FSTR 37 FC 24 REGIO 52 MAR 50

94. **Council Decision amending Decision 2011/782/CFSP concerning restrictive measures against Syria**
 11647/12 PESC 793 COMEM 217 COARM 155 FIN 461
 11548/12 PESC 777 COMEM 210 COARM 150 FIN 450 OC 323
95. **Proposal for a Council Decision on the signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation**
 11744/12 ASIM 79 NT 18 OC 339
 + ADD 1
 + ADD 2
 10676/12 ASIM 64 NT 10 OC 278
 10693/12 ASIM 66 NT 11 OC 279
96. **Council Regulation amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria**
 11582/12 PESC 787 RELEX 568 COMEM 214 COARM 154 FIN 457
 11578/12 PESC 785 RELEX 566 COMEM 212 COARM 152 FIN 455 OC 325
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 11785/12 COAFR 182 COPS 225 DEVGEN 178 ACP 111 RELEX 591

(Coreper Part 1, under II)

91. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards pharmacovigilance (First reading) (Legislative deliberation)**
and
Proposal for a Directive of the European Parliament and of the Council amending Directive 2001/83/EC as regards pharmacovigilance (First reading) (Legislative deliberation)
 - **Presidency debriefing on the outcome of the informal trilogue**

The following items are **withdrawn** :

(Coreper Part 1, under I)

3. **Draft Joint Statement on efforts to combat illegal, unreported and unregulated (IUU) fishing**
 - **Endorsement**
 10464/12 PECHE 195

(Coreper Part 2, under I)

- 35. Proposal for a Regulation of the European Parliament and of the Council amending the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union (First reading)**
- **Progress report**
11471/12 STAT 23 FIN 444 CODEC 1688
- 55. Central America**
- b) **Proposal for a Council Decision on the conclusion of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other**
 - **Transmission to EP**
16395/11 AMLAT 99 PESC 1390 WTO 388
- 82. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) and the Convention implementing the Schengen Agreement (First reading)**
- **Approval of the final compromise text with a view to an agreement**
11463/12 FRONT 102 CODEC 1685 COMIX 388

The following CRP2 agenda item is **transferred** from Part II to Part I and should read as follows :

- 23. Proposals for financing instruments for external action under the Multiannual Financial Framework (2014-2020) (First reading)**
- **Partial general approach**
 - a) **Draft Regulation of the European Parliament and of the Council establishing an Instrument for Pre-accession Assistance (IPA II)**
10962/12 ELARG 52 PESC 709 RELEX 511 FIN 407 CADREFIN 295
COWEB 82 CODEC 1573 PE 250
+ ADD 1
 - b) **Draft Regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument**
11028/12 COEST 194 COMAG 47 PESC 710 RELEX 513 FIN 410
CADREFIN 298 DEVGEN 161 CODEC 1584
+ ADD 1
 - c) **Draft Regulation of the European Parliament and of the Council establishing a Partnership Instrument for cooperation with third countries**
11030/12 CADREFIN 300 DEVGEN 163 RELEX 515 COASI 99 ASIE 66
COEST 196 CODEC 1586 PE 255 COMAG 49 COLAT 24
 - d) **Draft Regulation of the European Parliament and of the Council establishing an Instrument for Stability**
11031/12 RELEX 516 PESC 712 FIN 413 DEVGEN 164 ACP 95
CADREFIN 301 CODEC 1587 PE 256

- e) **Draft Proposal for a Regulation of the European Parliament and of the Council establishing a financing instrument for the promotion of democracy and human rights worldwide**
11033/12 COHOM 139 DEVGEN 165 NIS 53 PESC 714 RELEX 517
FIN 414 ACP 96 CADREFIN 302 CODEC 1589
+ ADD 1
- f) **Draft Council Regulation establishing an Instrument for Nuclear Safety Cooperation**
11034/12 ATO 99 RELEX 518 PESC 715 FIN 415 CADREFIN 303
- g) **Draft Council Decision on relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other**
11058/12 GROENLAND 10 COEST 205 PTOM 25 PECHE 220 FIN 417
ENV 512 EEE 71 CADREFIN 304
- h) **Draft Regulation of the European Parliament and of the Council establishing common rules and procedures for the implementation of the Union's instruments for external action**
11059/12 RELEX 521 FIN 418 DEVGEN 168 ACP 99 CODEC 1597
CADREFIN 305 COHOM 142 COEST 206 COLAT 25
COMAG 54 ASIE 71 COASI 105 COWEB 90 ELARG 60 ATO 101 PE 260
+ ADD 1

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

Statements are made by CZ and SE delegations on the following item :

43. Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) as regards the dates of its transposition and application and the date of repeal of certain Directives (First reading)

- **Approval of the final compromise text**
11419/12 EF 142 ECOFIN 612 SURE 8 CODEC 1678
10230/12 EF 123 ECOFIN 431 SURE 3 CODEC 1395

"STATEMENT BY THE CZECH REPUBLIC

The Czech Republic strongly supports the introduction the new risk based solvency regime pursuant to the Directive 2009/138 on the taking up and pursuit of the business of Insurance and Reinsurance (Solvency II). We believe it should be implemented and applied as soon as possible, but under circumstances that are reasonable for all respective stakeholders.

As the adoption of the proposal of the Directive amending Directives 2003/71 and 2009/138 in respect of the powers of the European Insurance and Occupational Pensions Authority and European Securities and Markets Authority (Omnibus II) has been delayed, we understand the urgent need to postpone the transposition and application of the Solvency II Directive. Only for these reasons we support the proposed Quick Fix Directive so as to avoid a state of legal vacuum after 1 November 2012.

However, in general, we have strong concerns whether the setting of the transposition and application dates is realistic. In our opinion, a period of six months, delimited by the dates 30 June 2013 and 1 January 2014, is not sufficient for preparation of all stakeholders to a new regime, especially not for approval procedures. It is far not certain whether the level 2 and level 3 measures will be adopted and published by 30 June 2013. A national legislation transposing the Solvency II Directive might not be in conformity with the level 2 and level 3 measures as their content will not be fixed in sufficient advance. Moreover, all stakeholders will have to prepare for the new regime according to legislation which will not yet be in force.

For these circumstances, which create a legal uncertainty, the Czech Republic will propose, within the Omnibus II Directive negotiations, postponement of application of the Solvency II Directive to 1 January 2015."

"STATEMENT BY SWEDEN"

Sweden strongly supports the reform of the solvency and risk management regimes of insurance companies brought about by directive 2009/138 on the taking up and pursuit of the business of Insurance and Reinsurance (Solvency II). The directive should be implemented and applied as soon as reasonably possible. Regrettably, the adoption of the amendments to Solvency II included in the proposed directive amending directives 2003/71 and 2009/138 in respect of the powers of the European Insurance and Occupational Pensions Authority and European Securities and Markets Authority (Omnibus II) has been postponed. From our perspective, it is not possible to separate the transposition of the Solvency II directive from the transposition of the amending directive (Omnibus II) since the latter contains extensive changes to the substance of Solvency II. Omnibus II cannot be expected to be adopted until the autumn of 2012. At that point, the Swedish government is constitutionally required to put proposed amendments to national law, aiming to implement Omnibus II, to a public consultation. Further, the proposed legislation must be reviewed from a constitutional and legal perspective by the Council on Legislation. Naturally, the reading in Parliament then follows. That reading will take 2-3 months to complete. Regrettably, Sweden will, given the aforesaid, most likely not be able to comply with article 309 (1) of directive 2009/138, as amended by the proposal. Swedish national legislation transposing directive 2009/138, as amended by Omnibus II, cannot be adopted until the end of 2013 at the earliest."

DE made a statement on the following item :

45. Commission Delegated Regulation (EU) No .../. of 4.6.2012 amending Regulation (EC) No 809/2004 as regards information on the consent to use of the prospectus, information on underlying indexes and the requirement for a report prepared by independent accountants or auditors

- **Intention not to raise objection to a delegated act**
10904/12 EF 134 ECOFIN 516 SURE 6 SOC 500 DELACT 29
10789/12 EF 132 ECOFIN 491 SURE 5 SOC 476 DELACT 28

"Germany does not intend to raise objections against the Delegated Regulation and, hence, given the time constraints consents to the proposed information of the Commission on the Council's intention not to raise any objections before the expiry of the three months period.

However, it must be kept in mind that an early approval of delegated acts is considered an exemption from the normal procedure subject to and that the participation rights of the Council and the European Parliament with respect to delegated acts must not be undermined by late adoption and notification of the delegated acts by the Commission."

The Commission made a statement on the following item :

90. Commission proposal for a Regulation of the European Parliament and of the Council establishing an action programme for customs and taxation in the European Union for the period 2014-2020 (FISCUS) and repealing Decisions No 1482/2007/EC and No 624/2007/EC (First reading)

- **The way forward**
11617/12 FISC 87 UD 174 CODEC 1718

"The Commission takes note of the position of COREPER confirming the Council Working Parties, Tax Questions Group and Customs Union Group, and their request to split the Commission proposal for FISCUS into two separate legal acts, Customs 2020 and Fiscalis 2020;

The Commission maintains its position against a split. The integration of the customs and tax programmes is an expression of the overall aim to simplify the next generation of spending programmes under the post-2013 Multi-annual Financial Framework through the application of a common set of rules, whilst preserving the distinct identity of the customs and taxation sectors;

Nevertheless, in view of the unanimity of Member States being in favour of a split, the Commission recalls its right of initiative and expresses its intention to present, in due course, an amended proposal (which in this case will take the form of two legislative texts) upon which discussions in Council and EP could resume."

Coreper Part 1

II

15. (a) **Proposal for a Regulation of the European Parliament and of the Council on European Venture Capital Funds (EuVECA) (First reading) (Legislative deliberation)**
- (b) **Proposal for a Regulation of the European Parliament and of the Council on European Social Entrepreneurship Funds (EuSEF) (First reading) (Legislative deliberation)**
- **Preparation for the informal trilogue**

The Committee prepared the next informal trilogues, which would take place on 20 and 21 June 2012.

16. **Proposal for a Directive of the European Parliament and of the Council on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings (Accounting Directive) (First reading) (Legislative deliberation)**
- **General approach**
11238/12 DRS 92 COMPET 419 ECOFIN 574 CODEC 1647

The Committee reached an agreement on the text of the general approach on the basis of the Presidency compromise text set out in the Annex of document 11442/12 and decided to submit it to the Council for adoption as an "A" item, without discussion.

17. **Preparation for the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 21 and 22 June 2012**
 1. **Proposal for a Regulation of the European Parliament and of the Council on establishing a Health for Growth Programme, the third multi-annual programme of EU action in the field of health for the period 2014-2020 (First reading) (Legislative deliberation)**
 - **Partial general approach**
10769/12 SAN 139 PHARM 43 MI 402 CADREFIN 285 CODEC 1530

The Committee confirmed the draft partial general approach as set out in 10769/12, with one delegation not supporting the text, and another delegation stating that it agreed to the text in the spirit of compromise and without prejudice to reopening some issues during the negotiations with the European Parliament.

The Committee invited the Council to agree the partial general approach on the basis of the text in the Annex to the document 10769/12.

2. Europe 2020 strategy: Contribution to the European Council (28-29 June 2012) - European Semester

- Policy debate

10885/12 SOC 498 ECOFIN 513 EDUC 158

(i) Draft Council Recommendations on the National Reform Programmes 2012 to each Member State (and draft explanatory note)

- Approval (Article 148 TFEU)

10572/12 UEM 143 ECOFIN 478 SOC 461 COMPET 357 ENV 443
EDUC 151 RECH 203 ENER 230

10994/12 UEM 162 ECOFIN 522 SOC 509 COMPET 378 ENV 471
EDUC 162 RECH 222 ENER 247

11296/12 UEM 230 ECOFIN 604 SOC 580 COMPET 448 ENV 545
EDUC 221 RECH 284 ENER 314

11321/12 UEM 231 ECOFIN 606 SOC 581 COMPET 449 ENV 550
EDUC 222 RECH 285 ENER 315

In the general discussion, the delegations raised several concerns over the process, more particularly on:

- the division of labour between EPSCO and ECOFIN;
- the process in the committees in general, in particular the organisation of work and applied voting rules;
- the modification of Commission proposals and the comply or explain rule;
- the need for more time and more inter-institutional dialogue in the whole process.

Concerning the discussion on the country-specific recommendations, some Member States requested changes beyond those agreed at committee level. The Committee agreed on some factual modifications or corrections reflected in the texts of the respective Member States' recommendations. Four Member States maintained their reservations, to be submitted to the EPSCO Council.

All in all, the Committee:

- considered open issues and
- agreed to submit the employment-related elements of the country-specific recommendations (as listed in 11296/1/12 REV 1) to the Council with a view to approve the Country-specific Recommendations (Article 148 TFEU).

18. Proposal for a Council Decision establishing the position to be adopted on behalf of the European Union with regard to the proposals for amending Annexes II and III to the Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean at the seventeenth meeting of the Contracting Parties

- Adoption

11318/12 ENV 549 MED 36 PECHE 226 ONU 82

11301/12 ENV 547 MED 35 PECHE 225 ONU 81

The Committee considered the latest text prepared by the Presidency. The Commission maintained its position and indicated it would not be able to accept the changes to its proposal. ES and UK indicated their intention to abstain. No delegation opposed the text. The Chair concluded that the draft Decision would be forwarded to the Council for adoption as an "A" item at one of its forthcoming meetings.

91. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards pharmacovigilance (First reading) (Legislative deliberation)

and

Proposal for a Directive of the European Parliament and of the Council amending Directive 2001/83/EC as regards pharmacovigilance (First reading) (Legislative deliberation)

- Presidency debriefing on the outcome of the informal trilogue

The Presidency informed the Committee that in the informal trilogue on 19 June 2012 a tentative agreement had been reached. The proposed compromise lay within the Presidency mandate set out in document 11097/12 on all points apart from the transposition time. The Committee agreed to accept a transposition time of 12 months for the proposed Directive and that the proposed Regulation be applied 6 months after entry into force.

Coreper Part 2

II

19. Preparation of the Council meeting (Economic and Financial Affairs) on 22 June 2012

a) European Semester

i) Draft Council Recommendations on the National Reform Programmes 2012 to each Member State and draft Council Opinions on the updated Stability or Convergence Programmes

- Approval

11321/12 UEM 231 ECOFIN 606 SOC 581 COMPET 449 ENV 550
EDUC 222 RECH 285 ENER 315

11296/12 UEM 230 ECOFIN 604 SOC 580 COMPET 448 ENV 545
EDUC 221 RECH 284 ENER 314

ii) Draft Council Recommendation on the implementation of the broad guidelines for the economic policies of the Member States whose currency is the euro

- Approval

11061/12 UEM 190 ECOFIN 551 SOC 540 COMPET 408 ENV 500
EDUC 190 RECH 250 ENER 277

The Committee agreed the documents and decided to forward them to the Council (ECOFIN) for approval.

b) Implementation of the Stability and Growth Pact

i) Council Decision abrogating Excessive Deficit Procedures

- Adoption

11079/12 UEM 194 ECOFIN 556
11080/12 UEM 195 ECOFIN 557

The Committee approved the documents and decided to forward them to the Council for adoption.

ii) Proposal for a Council Implementing Decision lifting the suspension of commitments from the Cohesion Fund for Hungary

- Adoption

10850/12 ECOFIN 503 FSTR 51 FC 30 REGIO 78 CADREFIN 290
OC 289

The Committee invited the Council to adopt the Implementing Decision lifting the suspension of commitments from the Cohesion Fund for Hungary as contained in document 10850/12.

c) Other items in connection with the Council meeting

The Committee finalised the provisional agenda for this Council meeting and reviewed the state of readiness of the agenda items listed.

20. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 10 July 2012

The Committee agreed the provisional agenda for this Council meeting.

21. Proposal for a Regulation of the European Parliament and of the Council on the European system of national and regional accounts in the European Union (ESA 2010) (First reading)

- **Preparation for the third informal trilogue**
11472/12 STATIS 54 ECOFIN 615 UEM 234 CODEC 1689

The Committee discussed the Presidency compromise on the above proposal but did not reach an agreement on a revised mandate for negotiations with the European Parliament.

22. Draft Council Conclusions on developing cooperation with Turkey in the areas of Justice and Home Affairs

10438/12 JAI 362 ASIM 59 RESTREINT UE

The Committee agreed to invite the Council to adopt the draft Council conclusions, as an "A" item, as set out in 11579/12 + ADD 1.

23. Proposals for financing instruments for external action under the Multiannual Financial Framework (2014-2020) (First reading)

- **Partial general approach**
 - i) **Draft Regulation of the European Parliament and of the Council establishing a financing instrument for development cooperation**
11029/12 DEVGEN 162 ACP 93 RELEX 514 FIN 411 NIS 52 PESC 711
CADREFIN 299 COHOM 136 CODEC 1585 PE 254

At its meeting of 20 June 2012 the Committee continued discussions on the main outstanding issues in the European Neighbourhood Instrument (ENI). After bilateral consultations the Presidency tabled a revised compromise proposal related to Articles 4(2), 7(2), 7(3) and 7(6) ENI.

After further bilateral consultations the Presidency also tabled a compromise proposal for Article 5(2) and Annex II of the Development Cooperation Instrument (DCI).

Delegations agreed to both proposals *ad referendum*.

At the meeting of 21 June 2012 the Committee confirmed the agreement on substance for both compromise proposals. The Chair invited delegations to confirm to the General Secretariat of the Council that they had lifted all their other outstanding reservations on the external financing instruments, and sought agreement to submit all nine external financing instruments to the Committee and the Foreign Affairs Council on 25 June 2012 as I/A items. Delegations agreed to this approach, but Spain requested that DCI would be submitted to the Foreign Affairs Council as a B item.

France announced that it could lift its reservation on the Instrument for Nuclear Safety Cooperation, but added that it would make a statement for the Council minutes.

At its meeting on 25 June 2012 the Committee confirmed the agreement reached on the partial general approach for the draft Regulation of the European Parliament and of the Council establishing a financing instrument for development cooperation, as set out in 11029/12.

Following the Spain request, the Committee agreed to submit the above mentioned document to the Council for adoption as a B Item.

24. Draft Council Decision authorising the Member States to negotiate in the United Nations Conference on the Arms Trade Treaty (New York, 2-27 July 2012) on those matters coming under the competence of the Union in matters of the common foreign and security policy

11525/12 COARM 148 CODUN 42 PESC 773 COMER 150

RESTREINT UE

11501/12 COARM 144 CODUN 38 PESC 763 COMER 146

RESTREINT UE

The Committee took note of the statement by the Secretary General of the EEAS regarding the recommendation submitted by the High Representative. Following the statement by the UK delegation that it could not agree to adopt the Council Decision, there was no unanimity, and the Committee did not approve the text.

The Committee agreed to include in the minutes of the Committee the following statement by the EEAS:

"The EEAS is of the opinion that a Council Decision authorizing Member States to negotiate CFSP aspects of the Arms Trade Treaty is fully justified. The Union has developed over the past years relevant CFSP acquis in the field of activities covered by the future Arms Trade Treaty. The Union has also consistently and strongly supported the negotiation of an Arms Trade Treaty through both political and financial CFSP instruments adopted at Council and European Council level.

The Treaty clearly stipulates that CFSP is exercised by the Council, and not by Member States, individually or collectively.

The EEAS intends to continue to facilitate the EU support to the negotiation of the Arms Trade Treaty at the UN Conference, in the same manner as it did in the UN Preparatory Committee leading to the Conference."

25. Debriefing EU-Mexico Summit on 17 June 2012

The Committee was debriefed, by the EEAS, on the outcome of the EU-Mexico Summit held in Los Cabos, Mexico, on 17 June 2012.

The Summit had been short but helpful - in the immediate run-up to the G20 meeting - and very positive. Both the President of the European Council and the President of the Commission had asked Mexico, in its capacity as Chair of the G20, to play a constructive role in the coming debates while Mexico had explained its security policy. Furthermore, the major bilateral items had been concisely raised.

As to the financial crisis, the President of the European Council had explained the roadmap leading up to the European Council end of June. The focus of the Mexican questions was less the situation in Greece and more so the Spanish situation with a number of questions raised by the Mexican Finance Minister concerning the Spanish banking sector. Regarding security, the Mexican President had in particular elaborated on the three-pronged approach of his administration: facing the criminals, reforming the law and restoring the social fabric. This was put in practice with total respect for human rights. The overall figures for homicides etc. were not as bad as in other parts of Latin America, he added.

Regarding points of bilateral interest, the focus was on trade where trade and FDI flows had more than doubled over the last ten years and where now consideration should be given to an upgrade of the existing agreement, notably on Services and Investment. The Mexican President was receptive to this wish. Furthermore, both sides highlighted the need to fight protectionism. Other subjects raised included Climate Change and Sustainable Development where satisfaction was expressed given that both parties worked well together. Finally, as to Human Rights, two cases were mentioned by the European side which led to some form of discontent on the Mexican side since Mexico considered only one of these cases to be a Human Rights case, the other one being under judicial examination at the High Court.

No delegation intervened.

26. Preparation of the 5th EU - South-Africa Summit on 18 September 2012

- Orientation debate

11468/12 PESC 754 ACP 101 COAFR 169 RESTREINT UE

The Committee discussed the organisation and content of the fifth EU-South Africa Summit planned for 18 September 2012 in Brussels on the basis of document 11468/12

EU RESTRICTED. The discussion provided input to the further preparations of the Summit agenda.

27. Proposal for a Directive establishing minimum standards on the rights, support and protection of victims of crime (First reading)

- Outcome of the trilogue

11403/12 DROIPEN 80 JUSTCIV 242 ENFOPOL 190

DATAPROTECT 77 SOC 583 FREMP 94 CODEC 1674

The Committee approved the final compromise text provisionally agreed with the European Parliament. The Committee Chair was given a mandate in accordance to the established practice to send to the Civil Liberties Justice and Home Affairs Committee (LIBE) and the Women's Rights and Gender Equality Committee (FEMM) chairpersons a confirmation letter containing the agreed text with a view to a first reading agreement under the ordinary legislative procedure.

28. Proposal for a Directive of the European Parliament and of the Council on attacks against information systems, replacing Council Framework Decision 2005/222/JHA 89 (First reading)

- **Approval of the final compromise text with a view to a first reading agreement with the European Parliament**
11399/12 DROIPEN 79 TELECOM 126 CODEC 1673

The Committee approved the final compromise text provisionally agreed with the European Parliament. The Committee Chair was given a mandate in accordance to the established practice to send to the LIBE chairperson a confirmation letter containing the agreed text with a view to a first reading agreement under the ordinary legislative procedure.

29. Evaluation of European Union agencies

- **Endorsement of the Joint Statement and Common Approach**
11450/12 INST 416

The Committee endorsed the Joint Statement and Common Approach of the European Parliament, the Council of the EU and the European Commission on decentralised agencies and took note of the following statement by the Commission:

"As stated in the Joint Statement, the Commission confirms that - together with the other institutions - it will take this Common Approach into account in the context of all future decisions concerning EU decentralised agencies, following a case-by-case analysis and bearing in mind that this approach is not legally binding."

30. Draft Regulation amending the Statute of the Protocol on the Statute of the Court of Justice of the European Union and Annex I thereto – Mandate to the Friends of the Presidency Group (Reform of the Court of Justice of the EU)
11464/12 COUR 35 JUR 342 INST 418

The Committee took note of the mandate to the Friends of the Presidency Group (Reform of the Court of Justice of the EU), as set out in 11464/12.

31. Preparation of the Council meeting (General Affairs) on 26 June 2012

a) New Multiannual Financial Framework

- **Orientation debate / certain issues**
11539/12 CADREFIN 322 POLGEN 115

In preparation of the General Affairs Council on 26 June 2012, the Committee exchanged views on the full version of the Negotiating Box. Ministers in the GAC will be invited to concentrate on the new elements of the Box.

b) Montenegro

- **Draft Council conclusions**
11457/12 ELARG 64 COWEB 97
- **Draft General EU position**
11458/12 ELARG 65
- **Draft Procedure for accession negotiations with Montenegro (internal arrangements)**
11460/12 ELARG 66

The outcome of the deliberations at the Committee is contained in 11725/12, 11726/12 and 11727/12.

Moreover delegations agreed to add the following text to the minutes of the Committee:

"Delegations agreed to note in the minutes of COREPER that it is understood that provisions on para. 36 of the General EU Position concerning the future full application by Montenegro of all provisions of the Schengen *acquis* concern Montenegro only, and are without prejudice to and have no implications for the decisions to be taken by the Council for the full application of the provisions of the Schengen *acquis* in the Republic of Bulgaria and Romania."

c) Preparation of the European Council on 28/29 June 2012

- **Draft conclusions**
9424/1/12 REV 1 CO EUR-PREP 15

The Committee held an exchange of views on the draft conclusions for the June European Council.

d) 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.

83. Preparation of the Council meeting (Foreign Affairs) on 25 June 2012

a) Southern Neighbourhood

i) Syria

- Draft Council conclusions

11779/12 COMAG 63 PESC 810 COHAFA 80 SY 18

The Committee examined and agreed the draft Council conclusions on Syria as set out in 11470/12, with the exception of paragraphs 4 and 7 of text to which the Committee decided to revert before the Council.

At its meeting on 25 June 2012, the Committee examined and agreed the draft Council conclusions on Syria as set out in 11779/12 and submitted them to the Council for adoption.

ii) Egypt

- Draft Council conclusions

11382/12 COMAG 58 PESC 734

The Committee examined and agreed the draft Council conclusions on Egypt as set out in 11382/12 and submitted them to the Council for adoption.

b) Pakistan

- Draft Council conclusions

11611/12 COASI 114 ASIE 74 COPS 218 WTO 229 PESC 791

The Committee confirmed the agreement reached in PSC on 20 June 2012 and decided to submit the draft Council Conclusions as set out in 11611/12 to the Council for adoption.

c) Bosnia and Herzegovina

- Draft Council conclusions

11512/12 COWEB 99 PESC 766

The Committee agreed on the draft Council conclusions as set out in 11732/12.

d) Human Rights

The Committee examined the package of texts (EU Strategic Framework, EU Action Plan and draft Council conclusions) as endorsed by the Political and Security Committee on 18 June 2012. As regards the adoption of this package as an "A" item, the UK informed that it maintained its parliamentary scrutiny reservation on the draft Council conclusions. However, the UK added that everything was being done to lift the reservation as soon as possible. In that context, the Chair insisted that it was of paramount importance to lift the UK reservation swiftly for enabling the package to be on the agenda of the Council on 25 June 2012. It was hence decided that the Committee would revert to the draft Council conclusions on 25 June 2012 in the morning.

e) Iran

In a restricted session the Committee took note of the statements by the EL delegation, the Secretary General of the EEAS, the Commission and the UK delegation and agreed to revert to the issue before the Council of 25 June 2012.

Following the exchange at its meeting of 21 June 2012, the Committee decided to invite the Council to enter into the minutes of its meeting of 25 June 2012 a Joint Council and Commission declaration.

f) Other items in connection with the Council meeting

There was no discussion or conclusions under this item.

84. Proposal for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (First reading)

- **Outcome of the trilogue**
11467/12 ASILE 98 CODEC 1687

The Committee had an exchange of views on this file and authorised the Presidency to pursue contacts with the European Parliament with a view to solving the remaining outstanding issues.

85. 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)

- **Outcome of the trilogue**
11466/12 ASILE 97 CODEC 1686

The Committee, on the basis of the suggestions contained in the above document and taking into account the mandate endorsed on 21 March 2012, provided further guidance to the Presidency in view of the fifth trilogue on the recast of the Reception Conditions Directive.

86. Proposal for a Regulation of the European Parliament and of the Council on the financial rules applicable to the annual budget of the Union (First reading)

11634/12 FIN 460 CODEC 1726

After an exchange of views based on the European Parliament's proposed outline for a compromise on the outstanding issues, the Committee agreed, subject to a silence procedure, to review the Presidency's room for manoeuvre in the negotiations with the European Parliament.

- **Any other business**

- = **European Semester/Country Specific recommendations (CSR)**

The Presidency informed delegations on the process and the approach concerning discussions on the Country Specific Recommendations in the context of the European Semester in both Coreper I and Coreper II and in EPSCO and ECOFIN.

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