



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 23 July 2012**

**12850/12**

**OJ/CRP2 28**

**PROVISIONAL AGENDA**

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for: 2418th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
(Part 2)

date: Brussels, Wednesday 25 July 2012 (10.00)

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1. Adoption of the provisional agenda and any other business

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2. Case before the Court of Justice of the European Union

- Preliminary reference C-291/12, Schwarz (Referring court : Verwaltungsgericht Gelsenkirchen - Germany)

= Validity of Article 1, paragraph 2 of Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States, as amended by Regulation (EC) No 444/2009 of the European Parliament and the Council of 6 May 2009 amending Regulation (EC) No 2252/2004  
12767/12 JUR 418 JAI 540 VISA 153 COMIX 454

3. Case before the Court of Justice of the European Union

- Preliminary reference C-293/12, Digital Rights Ireland (Referring court : High Court of Ireland - Ireland)

= Validity of Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC  
12785/12 JUR 421 DAPIX 93 TELECOM 143 COPEN 180

4. Judgments of the General Court - "Aarhus Convention"
  - Case T-338/08  
Stichting Natuur en Milieu and Pesticide Action Network Europe against European Commission
  - Case T-396/09  
Vereniging Milieudefensie and Stichting Stop Luchtverontreiniging Utrecht against European Commission  
12664/1/12 REV 1 JUR 411 ENV 620  
+ COR 1
  
5. Case before the General Court
  - Case T-296/12 (The Health Food Manufacturer's Association a.o. v. European Commission)
    - = Application for annulment of the Commission Regulation (EU) No 432/2012 of 16 May 2012 establishing a list of permitted health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health and of the Commission Decision of the same date adopting on-hold list of health claims
      - Council intervention before the General Court in support of the Commission  
12823/12 JUR 423 DENLEG 70 SAN 178 AGRI 520
  
6. Appointment of the Director of the Historical Archives of the European Union
  - Agreement on the use of the written procedure for the adoption (\*)  
12773/1/12 REV 1 INF 120
  
7. (poss.) Access arrangements for meetings of the Council and its preparatory bodies  
12780/12 POLGEN 141 CSC 51
  
8. Decision of the Representatives of the Governments of the Member States of the European Union, meeting within the Permanent Representatives Committee, on entrusting the European Supervisory Authorities with the tasks in relation to the financial assistance for the re-capitalisation of financial institutions  
12569/1/12 REV 1 ECOFIN 705 UEM 266
  
9. Proposal for a 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]**
  - Agreement on the use of the written procedure for the adoption of the legislative act (\*)  
12629/12 CODEC 1915 EF 174 ECOFIN 710 OC 425
  
10. Amended Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1073/1999 concerning investigations conducted by the European Anti-fraud Office (OLAF) and repealing Regulation (EURATOM) No 1074/1999 **[First reading]**
  - State of play on the legislative negotiations and approval of the final compromise text  
12735/12 GAF 16 FIN 565 CODEC 1936  
+ ADD 1

11. Recommendation for a Council Decision issuing directives to the Commission for the negotiation of amendments to the Convention on Nuclear Safety  
 - Agreement on the use of the written procedure for its adoption (\*)  
     12754/12 ATO 115  
     12753/12 ATO 114  
     + COR 1  
**RESTREINT UE**  
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12. (poss.) Proposal for a Council Regulation on Union support for the nuclear decommissioning assistance programmes in Bulgaria, Lithuania and Slovakia  
     12757/12 ATO 116 CADREFIN 360  
     10766/1/12 REV 1 ATO 88 CADREFIN 283  
     10771/1/12 REV 1 ATO 89 CADREFIN 286
13. Proposal for a Council Regulation establishing the fishing opportunities for anchovy in the Bay of Biscay for the 2012/2013 fishing season  
 - Agreement on the use of the written procedure for its adoption (\*)  
     12655/12 PECHE 283 OC 430  
     12656/12 PECHE 284 OC 431
14. Draft Council Decision related to Council Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement  
 - Agreement on the use of the written procedure for its adoption (\*)  
     12768/12 ACP 145 COAFR 232 PESC 970
15. Political and Security Committee Decision EU BAM Rafah/2/2012 extending the mandate of the Head of European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) ad interim  
 - Authorisation for publication in the Official Journal (\*)  
     12717/12 COPS 274 PESC 957 CIVCOM 295 COSDP 637 RELEX 697  
     JAI 537 PSC DEC 17 COMEM 258 EUBAM RAFAH 25  
     12308/12 COPS 249 PESC 881 CIVCOM 270 COSDP 586 RELEX 648  
     JAI 508 PSC DEC 13 COMEM 234 EUBAM RAFAH 23
16. Proposals for external financing instruments under Heading 4 of the Multiannual Financial Framework 2014-2020 **[First reading]**  
 - Optional consultation of the European Economic and Social Committee and the Committee of Regions (\*)  
     12762/12 CADREFIN 361 DEVGEN 215 ACP 143 RELEX 709  
     COMAG 83 COHOM 188 COEST 269 COWEB 124  
     ELARG 82 CODEC 1949 FIN 574

(\*) *Item on which a procedural decision may be adopted by Coreper in accordance with Article 19(7) of the Council's Rules of Procedure*

## II

17. Follow-up to the Council meeting (Foreign Affairs) on 23 July 2012
  18. Follow-up to the Council meeting (General Affairs) on 24 July 2012
  19. Presentation of the agenda of the Council meeting (Justice and Home Affairs) on 20 September 2012
  20. Inter-institutional co-operation within the framework of the "Compact for Growth and Jobs"
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