



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 January 2013

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ADD 1**

**PV/CONS 49
SOC 805
SAN 222
CONSOM 117**

ADDENDUM to DRAFT MINUTES

Subject: **3188th** meeting of the COUNCIL OF THE EUROPEAN UNION
**(EMPLOYMENT, SOCIAL POLICY, HEALTH AND CONSUMER
AFFAIRS)** held in Luxembourg on 4 October 2012

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LEGISLATIVE DELIBERATIONS

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

"A" ITEMS

- 1. Regulation of the European Parliament and of the Council on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ('the IMI Regulation') [First reading] (LA)**
PE-CONS 25/2/12 REV 2 COMPET 315 MI 370 CIDEF 1423

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

- 2. Decision of the European Parliament and of the Council establishing an information exchange mechanism with regard to intergovernmental agreements between Member States and third countries in the field of energy [First reading](LA + S)**
PE-CONS 30/1/12 REV 1 ENER 232 CODEC 1492

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 194 of the TFEU).

Commission statement

"The Commission considers that the adoption of the Decision of the European Parliament and of the Council setting up an information exchange mechanism with regard to intergovernmental agreements between Member States and third countries in the field of energy represents a first step towards more transparency, solidarity and consistency with internal market rules. The Commission will continue to encourage – as outlined in the original proposal – a more ambitious approach that would reflect and be more consistent with the EU's challenges and far reaching objectives in the area of energy policy.

In particular as provisions proposed as mandatory by the Commission have been made voluntary by the legislator, notably as regards an ex ante compatibility assessment mechanism to ensure that new intergovernmental agreements which have an impact on the operation or the functioning of the internal market are in compliance with Union law, the Commission will closely monitor the effectiveness of the adopted legislation, reserving its Treaty rights, and make use of its review clause as appropriate."

3. Regulation of the European Parliament and of the Council on European Standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/105/EC and 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/CEE and Decision 1673/2006/EC of the European Parliament and of the Council [First reading] (LA + S)

PE-CONS 32/2/12 REV 2 COMPET 373 IND 103 MI 407 RECH 214 ENT 141
TELECOM 120 CODEC 1560

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 of the TFEU).

Commission statement

"While the Commission welcomes the overall agreement on the standardisation regulation, it regrets the inclusion of unnecessary and burdensome comitology procedures for the sending of standardisation requests to the European standardisation organisations. The Commission will make full use of the review clause to evaluate the impact of these procedures, especially on the time and resources needed to finalise standardisation requests, and will report back to the Council and Parliament with its conclusions and any further proposals which it considers necessary in that regard within two years from the date of entry into force of the Regulation. Furthermore the Commission underlines that regulation 182/2011 is the legal framework that lays out the conditions under which comitology must be applied and the Commission therefore considers recital 51 to be not necessary."

4. Directive of the European Parliament and of the Council on certain permitted uses of orphan works [First reading] (LA + S)

PE-CONS 36/2/12 REV 2 PI 77 AUDIO 68 CULT 95 CODEC 1735

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Italian delegation voting against, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 53(1), 62 and 114 of the TFEU).

Unilateral Statement by the Italian Delegation regarding Articles 1(5), 10 and 1(3)

"In casting its negative vote, Italy notes that Article 1(5) of the Directive allows the coexistence of two parallel and alternative legislative systems: firstly the system of exception introduced by the Directive, and secondly the framework defined by individual national legislation, in which the system introduced by the Directive cannot interfere.

Italy remains convinced that such an arrangement would lead to serious mismatches within the internal market and would compromise the harmonising function of the Directive.

This harmonising function is further compromised by the review clause proposed in Article 10, since this establishes that in the event that a Member State reports a case of incompatibility between the national system and that of the Directive, the European Commission will be asked to consider a possible review of the Directive.

Moreover, the introduction of the "unpublished works" category (Article 1(3)) seems to fall outside the objective scope of the Directive, as well as being incompatible with and far-removed from the general principles of copyright. This provision could in fact infringe the author's personality rights, the so-called "moral rights", which are exercised on the basis of legislation of the Union's Member States, in accordance with the provisions of the Berne Convention for the Protection of Literary and Artistic Works, the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty."

5. Directive of the European Parliament and of the Council on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC [First reading] (LA + S)

PE-CONS 35/2/12 REV 2 ENER 323 ENV 564 TRANS 215 ECOFIN 624
RECH 294 CODEC 1723

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Spanish and Portuguese delegations voting against and the Finnish delegation abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 194(2) of the TFEU).

Statement by the European Parliament, the Council and the Commission on the exemplary role of their buildings in the context of the Energy Efficiency Directive

"The European Parliament, the Council and the Commission declare that, due to the high visibility of their buildings and the leading role they should play with regard to their buildings' energy performance, they will, without prejudice to applicable budgetary and procurement rules, undertake to apply the same requirements to the buildings they own and occupy as those applicable to the buildings of Member States' central government under Articles 5 and 6 of Directive 2012/XX/EU of the European Parliament and of the Council on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC."

Commission statement in relation to energy audits

"As explained in its Communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions on EU State Aid Modernisation (COM(2012) 209 final of 8.5.2012), the Commission has identified the Union Guidelines on State Aid for Environmental Protection as one of the instruments which can contribute to the Europe 2020 Growth Strategy and objectives and which may be revised by the end of 2013. In such context, the Commission may verify that the future rules on State Aid for Environmental Protection continue to promote in an optimal way sustainable growth, inter alia through promotion of energy efficiency in line with the objectives of the present Directive."

Commission statement in relation to Union ETS

"In the light of the need to maintain the incentives in the Union's Emissions Trading Scheme the Commission undertakes:

- to urgently present the first report pursuant to Article 10(5) of Directive 2003/87/EC on the carbon market accompanied by a review of the auction time profile of phase 3
- to examine in this report options, including among others permanent withholding of the necessary amount of allowances, for action with a view to adopting as soon as possible further appropriate structural measures to strengthen the ETS during phase 3, and make it more effective."

Statement by Finland

"Finland has for decades worked systematically in order to improve energy efficiency. Due to Finland's climatic conditions and high share of energy intensive industries energy efficiency is a necessity. Finland's second National Energy Efficiency Action Plan, adopted in June 2011 compiled the ongoing energy policy measures and actions. Thanks to these measures Finland will before 2016 exceed the 9 % target, set by the Energy Services Directive (ESD).

Finland has underlined that the Energy Efficiency Directive (EED) should have taken into account, without restrictions, the early actions since 2008 taken by Member States with the aim of meeting the targets laid down by the ESD. Finland considers that neglecting the savings that the Member States have already achieved through ESD is not the fairest way forward. According to Finland locally produced renewable energy which reduces the amount of energy purchased, is to be regarded as energy saving also within the framework of the EED, being clearly such a saving from the end-user's viewpoint.

The EED's broad scope, large number of individual obligations and stringent timelines are a challenge not only to the Member States, but to the Commission as well. Finland fears that problems might emerge as far as compliance costs, including administrative burden, and general acceptance by the target groups is concerned. The Commission should ensure that the extensive calculation, verification, monitoring and reporting regime is kept at reasonable level.

Finland is also looking forward to hearing whether and how the EU institutions themselves intend to fulfill the Directive's obligations to public bodies, within the timelines set."

Statement by Portugal

"Portugal has during the past years achieved good results in terms of development of energy efficiency and Renewable Energy Sources (RES). In fact, before the current economic crisis, specifically between 2007 and 2010, Portugal put great effort in implementing its energy efficiency national plan.

There should be no doubt that Portugal supports energy efficiency policies, what Portugal underlines is that executing the specific measures established in the Energy Efficiency Directive (EED) is not the most efficient way to achieve energy savings in Portugal since:

- a) Disregarding the savings that the Member States have already achieved through Energy Services Directive (ESD) - and will still achieve until 31st December 2013 - will penalize those Member States (such as Portugal) that have already implemented energy efficiency policies;
- b) The EED privileges measures related with building renovation, which are tailor-made for countries whose climatic conditions make it indispensable to use cooling and heating systems, but are not so appropriate - from a cost-benefit perspective - for countries that experience moderate temperatures through all the year. Moreover, building renovation related measures entail substantial upfront investment costs. Considering that capital in Portugal is more expensive than in other Member States and combining with the fact that Portuguese consumers spend less in cooling and heating, it results that investments' pay-back will be much harder to achieve in Portugal than in other Member States;
- c) Finally, EED implies an increase of public expenditures; in particular it involves renovation of governmental buildings, compliance costs and administrative burden. Portugal is concerned on how to cope with such public spending obligations under the severe budgetary restrictions that result from the Financial Assistance Program we have signed.

Achieving EED implementation and acceptance by its target groups will be very challenging. Portugal is looking forward to working together with the Commission and expects to receive its support on how to fulfill the Directive's obligations, within the timelines set."

Statement by the German and Austrian delegations

"With regard to the German version of the EU Energy Efficiency Directive, the German and Austrian Governments wish to point out once again that the term "cost effective" should have been translated as "kosteneffizient" in this Directive."

Statement by Spain

"Spain remains fully committed towards achieving the European target of 20% of savings in primary energy by 2020.

In the last decade, Spain has taken decisive action to significantly improve the energy efficiency of its economy. We met already in 2010 the 2006 Energy Services Directive (ESD 2006/32/EC) target of reducing by 9% final energy consumption, thus 6 years in advance. More recently, Spain enacted a very ambitious Energy Savings and Efficiency National Plan for the 2011-2020 period.

However, given the current economic context and past efforts, Spain considers that the new **Energy Efficiency Directive (EED) does not provide a cost-effective approach to achieving further energy savings, otherwise imposing a disproportionate burden on certain countries:**

- **Disregarding past efforts and savings achieved before 2014** penalises countries like Spain that have been in recent years at the forefront of promoting energy efficiency, with significant financial effort.
- The new **accounting methodology** represents an unjustified change from the already established and commonly accepted methodology -agreed by all Member States and the Commission together- which will entail important transaction costs and a significant administrative burden in order to adapt existing policies.
- Furthermore, it incentivises the adoption of short term measures that in the longer run may not be the most effective. This is particularly true for the buildings sector, where there is the greatest untapped energy efficiency potential in Europe, but has very long pay-back periods, which **savings beyond 2020 are similarly disregarded by the EED**. The Spanish Energy Efficiency National Plan 2011-2020 estimates that the buildings sector will account for 60% of the total financing needs up to 2020.
- The EED **binding target for renovation of public buildings** not only overlaps with the targets of the Directive 2010/31/EC on energy performance of buildings; experience in several EU countries shows that Governments can not rely entirely in Energy Services Companies (ESCOs) to externalise the cost of public building renovation and therefore this target will put short term additional pressure on public budgets.
- **Promotion on CHP** for district heating or cooling requires infrastructures that are already in place in countries with specific climate conditions but not widely available in other countries and which are unaffordable in the current economic context. Furthermore, the promotion of high efficiency cogeneration has to be balanced against the flexibility needs of the electricity system, particularly in countries such as Spain where renewable energy sources account today for more than 30% of total power generation.

Spain is nevertheless looking forward to working together with the Commission in order to find the most cost-effective solutions in order to fulfil the Energy Efficiency Directive's obligations."

6. Regulation of the European Parliament and of the Council amending Regulation (EC) No 726/2004 as regards pharmacovigilance [First reading] (LA + S)

PE-CONS 42/2/12 REV 2 MI 467 PHARM 58 SAN 170 ECO 98 ENT 165
CODEC 1829

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 and Article 168(4)(c) of the TFEU).

**Statement by the Commission
on establishing fees related to pharmacovigilance activities**

"On 18 June 2012, the Commission launched a public consultation on a concept paper concerning the introduction of fees for Pharmacovigilance, as set out in Regulation (EU) No 1235/2010 and Directive 2010/84/EU, which is open for comments until 15 September 2012. After examination of the comments received, the Commission will prepare an impact assessment which is one of the necessary steps in the legislative process before the Commission puts forward a legislative proposal. The Commission will continue to work on this file as a priority with the intention of presenting a legislative proposal as soon as possible to the European Parliament and the Council."

7. Directive of the European Parliament and of the Council amending Directive 2001/83/EC as regards pharmacovigilance [First reading] (LA)

PE-CONS 43/2/12 REV 1 MI 468 PHARM 59 SAN 171 ECO 99 ENT 166
CODEC 1830 OC 374

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 and Article 168(4)(c) of the TFEU).

8. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency [First reading] (LA + S)

- Adoption

(a) of the position of the Council in first reading

(b) of the statement of the Council's reasons

10090/12 MAR 67 CODEC 1345 OC 254

+ COR 1 (hu)

+ REV 1 (bg)

+ ADD 1

12062/12 CODEC 1812 MAR 105 OC 462

+ ADD 1 REV 1

approved by Coreper, Part 1, on 13.09.2012

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, with the United Kingdom delegation voting against (Legal basis: Article 100(2) of the TFEU).

Council statement on recital 44 and article 2a(2)(e)

"With regard to recital (44), the Council notes that the Commission should examine the Agency's potential contribution with regard to the prevention of pollution from offshore oil and gas installations in the context of the implementation of a possible future legislative act on safety of offshore oil and gas activities.

In this respect, the Council takes the view that the Agency should continue to operate under its current mandate focussed on maritime safety and shipping-related tasks and under the transport legal basis.

Furthermore, with regard to Article 2a(2)(e) the Council reiterates the fact that the examination of IMO requirements and the gathering of basic information on potential threats to maritime transport and the marine environment does not include any inspection activities or any activities specifically related to the exploration or exploitation of mineral resources."

Statements by the Commission

"At the stage of Council's general approach of 16 June 2011, the Commission announced to make 4 statements, at the time of the adoption of the Regulation, on Article 2(2)(b), on Article 2(4)(h), on Article 2a(2)(a) and (b) as well as on Article 2a(2)(f).

1. Maritime security inspections

With regard to the technical assistance the Agency is providing to the Commission in the performance of maritime security inspection tasks as referred to in Article 2(2)(b), the Commission confirms that this provision does not affect the character of maritime security inspections as foreseen by Commission Regulation (EC) No 324/2008 of 9 April 2008 laying down revised procedures for conducting Commission inspections in the field of maritime security.

In particular, this provision does neither extend the Commission powers to undertake inspections nor does it confer any power to EMSA for carrying out maritime security inspections on its own.

2. Union competence

With regard to the technical assistance for the Member States and the Commission to contribute to the relevant work of the technical bodies of IMO, the Commission understands the notion of competence in the sense of the Treaty as encompassing the notion of Union interest currently used in the EU coordination practice with regard to IMO.

3. Marine Strategy Framework Directive and greenhouse gas emissions from ships

With regard to the ancillary tasks listed in Article (2a), the Commission recalls the following:

(1) The Marine Strategy Framework Directive has the objective to achieve good environmental status of marine waters. Some of the pressures and impacts listed in Table 2 of Annex III are shipping related. The Commission, which has inter alia to measure progress in the implementation of the various areas covered by the Directive, considers it useful to receive the Agency's technical assistance for the shipping-related elements, in particular through exploiting the results of existing tools such as SafeSeaNet and CleanSeaNet;

(2) With regard to greenhouse gas emissions from ships, the Commission considers that the Agency's potential technical assistance should not be limited to the calculation of emissions, as this could be seen as an EU preference for a certain market-based instrument. Furthermore, the Commission considers that any technical assistance provided by EMSA will not affect the EU's position with regard to a global or regional situation.

4. Classification societies for inland waterway vessels

The Commission takes the view that the provision of relevant information by the Agency to the Commission as foreseen in Article 2a (2) (f) can be undertaken on the basis of EMSA's existing expertise and therefore does not require additional resources for inspections."

9. Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1234/2007 as regards the regime of the single payment scheme and support to vine-growers [First reading] (LA)

PE-CONS 46/1/12 REV 1 AGRI 496 AGRIORG 119 AGRIFIN 129 CODEC
1864

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 42 and Article 43(2) of the TFEU).

10. 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 [First Reading] (LA + S)

- a) adoption of the position of the Council in first reading
- b) adoption of the statement of the Council reasons
14224/12 CODEC 2231 WTO 314 FDI 24 OC 528
+ ADD 1
11917/12 WTO 244 FDI 20 CODEC 1777 OC 357
+ ADD 1
approved by Coreper, Part 2, on 03.10.2012

The Council approved its position at first reading, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union (Legal basis: Article 207(2) of the TFEU).

Statement by the European Parliament, the Council and the Commission

"The fact that this Regulation, including recitals 17, 18 and 19, provides for the use of the procedures referred to in Regulation (EU) No 182/2011 does not constitute a precedent as to future regulations allowing the Union to empower the Member States under Article 2(1) TFEU to legislate and adopt legally binding acts in areas of Union exclusive competence. Furthermore, in this Regulation, the use of the advisory as opposed to the examination procedure shall not be considered as setting a precedent for future regulations establishing the framework for the common commercial policy."

11. Regulation of the European Parliament and of the Council applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 [First reading] (LA + S)

PE-CONS 26/1/12 REV 1 SPG 19 WTO 208 CODEC 1486

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 207 of the TFEU).

Statement by Luxembourg

"Luxembourg would point out that, although the objective of the reform of the scheme of generalised tariff preferences is to assist those countries which need it most, the main pillar of the current proposal does not entirely do justice to this principle. Luxembourg regrets the exclusion of all middle-income countries, since this does not take sufficient account of the diverse nature of this category of countries.

However, recognising the importance of adopting the scheme of generalised tariff preferences as broadly as possible, Luxembourg can accept this instrument."

12. Regulation of the European Parliament and of the Council relating to temporary judges of the European Union Civil Service Tribunal [First reading] (LA)

PE-CONS 29/1/12 REV 1 COUR 27 INST 375 JUR 304 CODEC 1490

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 257 of the TFEU).

13. Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA [First reading] (LA + S)

PE-CONS 37/1/12 REV 1 DROIPEN 88 JUSTCIV 251 ENFOPOL 205
DATAPROTECT 82 SOC 606 FREMP 99 CODEC 1755

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. In accordance with the relevant Protocols annexed to the Treaties, the Danish delegation did not participate in the vote. (Legal basis: Article 82(2) of the TFEU).

Statement by Denmark

"Article 30 of the Directive of the European Parliament and of the Council of establishing minimum standards on the rights, support and protection of victims of crime is based on an understanding of the Protocol No 22 on the position of Denmark annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union which Denmark does not agree with.

Denmark has noted the solution found in Article 30, which consists in specifying that the Directive amends Framework Decision 2001/220/JHA through replacing it, whereas the solution is without prejudice to the outcome of the ongoing discussion concerning future comparable situations."

14. Regulation of the European Parliament and of the Council introducing emergency autonomous trade preferences for Pakistan [First reading] (LA + S)

PE-CONS 47/1/12 REV 1 WTO 266 COMER 171 ASIE 80 UD 211
CODEC 1900

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 207(2) of the TFEU).

Statement by Sweden

"Sweden welcomes the adoption of a regulation on autonomous trade preferences for Pakistan. Trade is a vital driving force for growth and development, and has benefits for all parties. However, remembering that this particular regulation is the end-product of the European Council's decision on 16 September 2010, to ease trade as an emergency response for recovery after the devastating floods in Pakistan that year, Sweden regrets that the adoption of the regulation comes late, is limited in scope, and will endure, de facto, only a short period of time. Given the EU's commitment to use trade as a tool for development and economic recovery, the Council will revert to the matter of autonomous trade preferences for Pakistan before the end of 2013. Sweden remains committed to Pakistan's eligibility to GSP+ in 2014 provided it meets the necessary criteria."

AGENDA ITEMS

3. 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]

- General approach
 - 11951/11 SOC 598 CODEC 1075
 - + COR 1
 - 14020/12 SOC 764 CODEC 2184
 - + COR 1

The Council reached a general approach on the text of the proposal, as set out in the Annex to doc. 14020/12 + COR 1.

MT has lifted its reservation on the delegated acts. DE could not support the text at this stage, maintaining its reservations on the method of exposure evaluation and the delegated acts. UK has maintained its parliamentary reservation and therefore abstained from formally supporting the text. Cion fully reserved its position on the entire compromise proposal.

4. Proposals for Council Decisions on the position to be taken on behalf of the European Union within the Stabilisation and/or Association Council/the Cooperation Committee established by each of the respective agreements between the European Communities and Turkey, Montenegro, Albania and the Republic of San Marino, with regard to the adoption of the provisions on the coordination of social security systems

- Political agreements
 - 8553/12 SOC 260 ALB 1 COWEB 51
 - 8554/12 SOC 261
 - + COR 1
 - 8555/12 SOC 262 SM 4 EEE 30
 - 8556/12 SOC 263 NT 8
 - 13985/12 SOC 760 ALB 6 COWEB 138
 - + COR 1
 - 13986/12 SOC 761 ME 7 COWEB 139
 - + COR 1
 - 13987/12 SOC 762 SM 15 EEE 105
 - + COR 1
 - 13988/12 SOC 763 NT 27
 - + ADD 1
 - + ADD 2
 - + COR 1

The Council reached political agreements on the four draft Council Decisions, as set out in the Annexes to docs. 13985/12 + COR 1 (for Albania), 13986/12 + COR 1 (for Montenegro), 13987/12 + COR 1 (for San Marino) and 13988/12 + COR 1 (for Turkey).

The Council approved the Council Statement on Turkey (ADD 1 to doc. 13988/12) and took note of the joint IE-UK Statement (ADD 2 to doc. 13988/12), which was joined by NL, and of the Statements of BG and of MT tabled as room documents, which are to be entered in the minutes of this Council session and of the Council session at which the Decisions will be adopted.

The draft Decisions will be finalised by the Lawyer-Linguists before being submitted for adoption as an "A" item at the EPSCO meeting in December.

NON-LEGISLATIVE ACTIVITIES - PUBLIC DEBATES

*(In accordance with Article 8(2) of the Council's Rules of Procedure for items from 6 to 9)
[proposed by the Presidency]*

6. Europe 2020 Strategy and the new European Governance

- (a) Evaluation of the second European Semester and thematic surveillance in employment and social policies**
- Policy debate
13684/12 SOC 735 ECOFIN 771 EDUC 258

The Council held a policy debate, based on a Presidency note (doc. 13684/12), on the evaluation of the second European Semester and thematic surveillance in employment and social policies. The results of this debate are to be found in the Presidency Synthesis Report on the evaluation of the second European Semester.

The Council positively assessed the second European Semester but called for ameliorating some aspects with a view to the 2013 European Semester process.

Delegations stressed that more needs to be done to ensure greater coherence and clarity, to achieve greater openness and inclusiveness, and with regard to improving coordination between committees and Council formations, most particularly between the EPSCO and ECOFIN *filières*. They called for EPSCO to have an important role in the European Semester process - on issues of its competence, on cross-cutting issues and on interlinked economic matters.

The Commission's intention to have closer contacts with the Member States throughout the process was welcomed. Delegations also highlighted that the focus must now turn on implementation and outcomes of the Country-Specific Recommendations.

- Endorsement of the contributions of the
 - = Employment Committee
13685/12 SOC 736 ECOFIN 772 EDUC 259
 - = Social Protection Committee
13722/12 SOC 739 ECOFIN 774 EDUC 263

The Council endorsed the contributions of the Employment and Social Protection Committees, as set out in docs. 13685/12 and 13722/12.

(b) Principles of well-functioning Labour Markets

- EMCO draft proposal
13686/12 SOC 737 ECOFIN 773 EDUC 260

The Council took note of the EMCO draft proposal on principles of well-functioning labour markets, as set out in doc. 13686/12.

(c) Social Protection Performance Monitor (SPPM)

- Endorsement of the SPPM main features, prepared by SPC
13723/12 SOC 740 ECOFIN 775 EDUC 264

The Council endorsed the main features of the SSPM, as set out in doc. 13723/12.

7. Towards a job-rich recovery and giving a better chance to Europe's youth

- Adoption of Council conclusions
13907/12 SOC 756 ECOFIN 782 EDUC 266 JRUN 64 COMPET 557 MI 562

The Council adopted the conclusions as set out in doc. 13907/12. The final version of the conclusions is to be found in doc. 14426/12.

8. Preventing and tackling child poverty and social exclusion and promoting children's well-being

- Adoption of Council conclusions
13445/12 SOC 720 EUC 254
 - + COR 1
 - + COR 2 (hu)
 - + REV 1 (el)

The Council adopted the conclusions as set out in doc. 13445/12 + COR 1. The final version of the conclusions is to be found in doc. 14437/12.

9. Preparation of the Tripartite Social Summit (Brussels, 18 October 2012)

- Information from the Presidency

The Council took note of the information provided by the Presidency on the preparation of the next Tripartite Social Summit taking place on 18 October.

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