



Malta-EU Steering & Action Committee

GENERAL AFFAIRS



04.12.09

The Upcoming General Affairs Council

Agenda

The General Affairs Council will be held on 7th December 2009 and the Council will:

- discuss preparations for the December meeting of the European Council, covering in particular institutional issues, the economic, financial and employment situation, justice and home affairs (Stockholm programme) and climate change;
- discuss the annual communication from the Commission on the EU's strategy with regard to its enlargement, and
- will take note of a Council work programme prepared by the trio of future presidencies: Spain, Belgium and Hungary.

[Click here](#) for further reference

With regards Foreign Affairs, the following points will be discussed:

- Western Balkans
- Middle East Peace Process (MEPP)
- Iran

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Anti-Dumping Duties

COM (2009) 663 - Proposal for a Council Regulation concluding the 'new exporter' review of Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty on imports of chamois



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leather originating in the People's Republic of China, levying retroactively and imposing an anti-dumping duty with regard to imports from one exporter in this country and terminating the registration of these imports

On 3 July 2009 the Commission initiated a 'new exporter' review of Council Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of chamois leather originating in the People's Republic of China, repealed the duty with regard to imports from one exporter in this country and made these imports subject to registration. The company concerned is Henan Prosper Skins & Leather Enterprise Co., Ltd. ('the applicant').

During the investigation, the applicant provided false and misleading information within the meaning of Article 18(1) of the basic Regulation, and refused to cooperate. Finally, the applicant withdrew its request for a review. It was considered appropriate to continue the investigation *ex officio* and base findings with regard to the applicant on facts available within the meaning of Article 18 of the basic Regulation. On that basis it was concluded that an anti-dumping duty set at the level of the duty applicable to 'all companies' imposed by Regulation (EC) No 1338/2006 should be imposed retroactively on the applicant.

It is therefore proposed that the Council adopts the attached proposal for a Regulation which should be published in the Official Journal of the European Union as soon as possible.

Commission proposes 15-month extension of anti-dumping measures on leather shoes – 02/12/2009

The Commission has proposed to the Council a 15-month extension of anti-dumping measures regarding certain leather footwear from China and Vietnam rather than 5 years, the maximum allowed by the rules. The original duties, which are 16.5% on Chinese shoes and 10% on Vietnamese shoes, were imposed in 2006. Following an industry request, the Commission investigated to see whether the measures should continue after their normal expiry date. The investigation found an extension of the measures to be justified. A 15-month period therefore appears reasonable to allow the industry to adjust, while minimising any effects on other stakeholders. The decision, which should be published no later than 2 January 2010, rests now with Member States. [Click here](#) for more info

Other matters

President Barroso unveils his new team – 27/11/2009



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Barroso, President of the European Commission, announced the portfolios responsibilities for the next Commission. The President has held detailed consultations with all the Commissioners-designate in order to assign the right jobs to the right people. The President believes that this team can deliver the agenda for change he set out in the political guidelines he presented in September, following his nomination by all 27 Member States and before his approval as President of the next Commission by the European Parliament.

Responsibilities of the Commissioners-designate

- Joaquín ALMUNIA: Competition. Vice-President of the Commission.
- László ANDOR: Employment, Social Affairs and Inclusion.
- Baroness Catherine ASHTON: High Representative of the Union for Foreign Affairs and Security and Vice-President of the Commission.
- Michel BARNIER: Internal Market and Services.
- Dacian CIOLOS: Agriculture and Rural Development.
- **John DALLI: Health and Consumer Policy.**
- Maria DAMANAKI: Maritime Affairs and Fisheries.
- Karel DE GUCHT: Trade.
- Štefan FÜLE: Enlargement and European Neighbourhood Policy.
- Johannes HAHN: Regional Policy.
- Connie HEDEGAARD: Climate Action.
- Maire GEOGHEGAN-QUINN: Research and Innovation.
- Rumiana JELEVA: International Cooperation, Humanitarian Aid and Crisis Response.
- Siim KALLAS: Transport. Vice-President of the Commission.
- Neelie KROES: Digital Agenda. Vice-President of the Commission.
- Janusz LEWANDOWSKI: Budget and Financial Programming.
- Cecilia MALMSTRÖM: Home Affairs.
- Günter OETTINGER: Energy.
- Andris PIEBALGS: Development.
- Janez POTOČNIK: Environment.
- Viviane REDING: Justice, Fundamental Rights and Citizenship. Vice-President of the Commission.
- Olli REHN: Economic and Monetary Affairs.
- Maroš ŠEFČOVIČ: Vice-President of the Commission for Inter-Institutional Relations and Administration.
- Algirdas ŠEMETA: Taxation and Customs Union, Audit and Anti-Fraud.



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- Antonio TAJANI: Industry and Entrepreneurship. Vice-President of the Commission.
- Androulla VASSILIOU: Education, Culture, Multilingualism and Youth.

[Click here](#) for further details

Lisbon Treaty

Implementation of the Treaty of Lisbon – 01/12/2009

The Treaty of Lisbon entered into force on 1 December 2009. Here is a brief summary of the main changes:

A single legal personality

On 1 December 2009 the European Community was replaced by the European Union which succeeds it and takes over all its rights and obligations. The Treaty on European Union keeps the same name and the Treaty establishing the European Community becomes the Treaty on the Functioning of the European Union.

A President of the European Council

A new political figure has come on the scene: the fixed full-time President of the European Council. The President's main task is to ensure the preparation and continuity of the work of the European Council – which becomes an institution in its own right – and to facilitate consensus. He will, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy. The role of President of the European Council is not compatible with other national offices. The European Council has elected Mr Van Rompuy to this post for a term of two and a half years, renewable once.

A High Representative of the Union for Foreign Affairs and Security Policy

The High Representative combines three different functions: she will be at once the Council's representative for the CFSP (Common Foreign and Security Policy), the President of the Foreign Affairs Council and a Vice-President of the Commission. She is responsible for steering foreign policy and common defence policy. She also represents the Union on the international stage in the field of the CFSP. The post is designed to enhance the consistency and unity of the EU's external action. Ms Catherine Ashton has been appointed by the European Council with the agreement of the President of the Commission. She will receive the consent of the European Parliament (when it votes on the Commission as a body). Her term of office (five years) coincides with the Commission's term of office. In fulfilling her mandate, the High



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Representative will be assisted by the European External Action Service and will have authority over some 130 delegations of the Union in third countries and to international organisations.

A new European External Action Service

The Treaty of Lisbon sets up a European External Action Service (EEAS). It will work in cooperation with the diplomatic services of the Member States and will comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services. The Treaty stipulates that the organisation and functioning of the EEAS will be established by a decision of the Council. The Council will act on a proposal from the High Representative after consulting the European Parliament and obtaining the consent of the Commission.

Double majority (qualified majority) in the Council

Up to now, when the Council voted on the basis of a qualified majority, the number of votes attributed to each Member State was predetermined by the Treaty itself (applying a scale ranging from 29 votes each for the four largest Member States to 3 votes for the smallest). That system will continue until November 2014. From then on, the definition of the qualified majority by which the Council will adopt a large number of its acts (except where the Treaty expressly requires unanimity or a simple majority) will be different: it will then be a double majority so that, in order to be adopted, an act must have the support of at least 55 % of the EU Member States (i.e. 15 Member States in a Union of 27) and at least 65 % of the population of the EU. A blocking minority must include at least four Member States. However, between November 2014 and March 2017, any Member State may request that the current weighted voting system be applied instead of the new double majority system. Note, too, that the Council is obliged to meet in public when it deliberates and votes on European legislation.

Co decision extended

The "ordinary legislative procedure" will be co decision with the Parliament, with a qualified majority in the Council. This procedure has been extended to some forty fields, the most important of which relate to justice and home affairs. Areas such as tax matters, social security, foreign policy, defence, operational police cooperation, etc. will still require unanimity in the Council.

Setting the number of MEPs

The number of MEPs cannot exceed 751 and the breakdown of parliamentary seats between Member States will be degressively proportional. The Treaty also stipulates that no Member State can have fewer than 6 or more than 96 seats.



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A new role for national parliaments

National parliaments will have eight weeks to examine draft European legislative acts. If a third of them (a quarter in the field of Justice and Home Affairs) oppose a draft, the Commission must review it. Moreover, if over half of all national parliaments oppose an act subject to co decision, the European legislator (a majority of the European Parliament or 55 % of the votes in the Council) must decide whether or not to proceed with the legislative process. National parliaments may also take a case to the European Court of Justice if they consider that a legislative act is contrary to the principle of subsidiarity.

Citizens' right of initiative

A million citizens may sign a petition inviting the Commission to submit a proposal on any area of EU competence.

The Charter of Fundamental Rights

The Treaty confers on the Charter the same legal value as the Treaties.

For further reference [click here](#)