



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 2 July 2008**

**10503/08**

**CRS/CRP 23**

**SUMMARY RECORD**

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**Subject : 2232nd meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 11, 12 and 16 June 2008**

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

doc. 10489/08 OJ/CRP1 22

10464/08 OJ/CRP2 22

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under I)

**64. Secretary General/High Representative's Report on the Seventh Operation  
ALTHEA Six Monthly Review**

**66. Operation ALTHEA**

- **Draft Council conclusions**

10293/08 COSDP 483 PESC 711 BIH 19 COWEB 157

**67. Enlargement**

- **Accession negotiations with Croatia**

= **Chapter 2: Freedom of movement for workers**

10639/08 ELARG 66

**68. Enlargement**

- **Accession negotiations with Croatia**

= **Chapter 19: Social policy and employment**

10399/08 ELARG 62

(Coreper Part 2, under II)

**65. EU Agenda for Action on MDGs**

10545/08 DEVGEN 106 POLGEN 62 RELEX 435 ACP 96

ENV 361 AGRI 179 PECHE 140 SOC 353 ONU 47

EDUC 160 SAN 121 COHOM 76 JEUN 64

The following item is **withdrawn** :

(Coreper Part 2, under I)

**39. Agreement between the European Union and Australia on the processing and  
transfer of European Union-sourced passenger name record (PNR) data by air  
carriers to the Australian Customs Service**

- **Adoption of the Council Decision concerning the signing of the Agreement**

10439/08 JAI 314 AUS 12 RELEX 426 DATAPROTECT 40

10002/08 JAI 278 AUS 11 RELEX 377 DATAPROTECT 33

9946/08 JAI 276 AUS 10 RELEX 370 DATAPROTECT 32

The following item on the agenda of CRP2, under part I is **transferred** under part II :

**63. Preparation of the Council meeting (General Affairs and External Relations) on 16/17 June 2008**

**B. External Relations**

**c) Other items in connection with the Council meeting**

**46. Cuba**

**- Draft Council conclusions**

10566/1/08 REV 1 AMLAT 52 PESC 769

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

# Coreper Part 1

## II

### 13. **Proposal for a Decision of the European Parliament and of the Council on the European Year for Combating Poverty and Social Exclusion (2010) (First reading)**

- **Consideration of the outcome of the informal trilogue, with a view to an agreement**  
16600/07 SOC 538 CODEC 1463  
10268/08 SOC 336 CODEC 714 + ADD 1 + ADD 2 + ADD 3

The Chair introduces the compromise package as set out in 10268/08.

The Committee agrees that the statement by CZ, CY, LV, LT, MT, PL and SK set out in 10268/08 ADD 2 will be entered into the Council's minutes at the time when the Decision is adopted.

The Committee agrees that the statement by the Commission set out in 10268/08 ADD 3 will be entered into the Council's minutes at the time when the Decision is adopted.

The Chair concludes that there is broad agreement on the compromise amendments set out in 10268/08 ADD 1 and that she will therefore write to the Chair of the EP Committee responsible to inform him that a first-reading agreement could be reached should there be no further changes to the package of negotiated amendments at the vote in the EP Plenary.

UK maintains a parliamentary scrutiny reservation.

ES, IT and HU maintain linguistic scrutiny reservations.

### 14. **Proposal for a Directive of the European Parliament and of the Council on road infrastructure safety management (First reading)**

- **Confirmation of an agreement with the European Parliament**  
13874/06 TRANS 260 CODEC 1095 + ADD 2  
10184/08 TRANS 180 CODEC 700

The Committee confirmed the text of the agreement negotiated between the Presidency and the European Parliament TRAN Committee and endorsed the Committee Chair to send a letter to the TRAN Committee Chair confirming the possibility of a first reading agreement.

**15. Proposal for a Directive of the European Parliament and of the Council on airport charges (Second reading)**

- **Confirmation of an agreement with the European Parliament**  
5887/07 AVIATION 27  
10466/08 AVIATION 121 CODEC 748

The Committee noted the outcome of the informal contacts between the Parliament, Council and Commission and agreed to return to this issue at a future meeting.

**16. Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and 2000/60/EC (Second reading)**

- **Presidency briefing on the outcome of the informal trilogue**
- **Analysis of the final compromise text with a view to agreement**  
11486/3/07 ENV 378 CODEC 757 REV 3  
10315/08 ENV 351 CODEC 721

The Committee mandated the Presidency to write to the European Parliament to confirm the second-reading agreement set out in document 10315/08.

**17. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community (Second reading)**

- **Presidency briefing on the outcome of the informal trilogue**
- **Preparation of the next informal trilogue**  
5058/3/08 ENV 2 AVIATION 2 MI 1 IND 1 ENER 2 CODEC 4 REV 3  
10311/08 ENV 350 AVIATION 119 MI 196 IND 55 ENER 180 CODEC 720

After hearing a report on the outcome of the first trilogue, the Committee mandated the Presidency to continue negotiations with the European Parliament on the basis of the third column of the table annexed to 10311/08, with the changes agreed during the meeting, with a view to securing a second-reading agreement.

**18. Preparation of the Council meeting (Agriculture and Fisheries) on 23 and 24 June 2008**

**1. Proposal for a Regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market**

**– Political agreement**

9012/08 AGRILEG 67 ENV 261 CODEC 545

+ ADD 1 + ADD 1 COR 1 + ADD 1 REV 1 (cs)

10380/08 AGRILEG 96 ENV 353 CODEC 734

Les résultats des délibérations du Comité sont repris au doc. 10380/1/08 REV 1.

**2. Proposal for a Council Regulation establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing**

**– Political agreement**

14236/07 PECHE 305

5470/5/08 PECHE 20 REV 5

10286/08 PECHE 132

The Committee prepares the item on the basis of a Presidency compromise (DS 600/08).

This item is retained on the agenda of the Council.

**3. Proposal for a Council Regulation on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears**

**– Political agreement / Adoption**

14231/07 PECHE 303

9702/08 PECHE 111

10510/08 PECHE 139

The Committee agrees to maintain this item on the Council agenda.

**4. Proposal for a Council Regulation concerning authorisations for fishing activities of Community fishing vessels outside Community waters and access of third country vessels to Community waters**

**– Political agreement**

11182/07 PECHE 215

10288/08 PECHE 133

The Committee has a discussion on this item on the basis of a Presidency compromise (doc. 10561/08 PECHE 144) and agrees to maintain the item on the Council agenda.

5. **Proposal for a Council Regulation on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for the period 1 August 2008 to 31 July 2012**  
9295/08 PECHE 98  
9690/08 PECHE 110

**Proposal for a Council Decision on the conclusion of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for the period 1 August 2008 to 31 July 2012**  
9298/08 PECHE 99  
10233/08 PECHE 128

The Lithuanian and Spanish delegations state their reasons for not agreeing to the proposed allocation key for fishing opportunities, respectively in Category 9 ("pelagics") and Category 5 ("cephalopods"). The Spanish delegation insists that the 6-week rule for scrutiny by national parliaments be respected.

The Commission representative explains the reasons for the proposed allocation key.

The Committee prepares the item by retaining it on the agenda of the Council.

6. **Communication from the Commission to the Council: Fishing Opportunities for 2009 – Policy Statement from the European Commission**  
– **Exchange of views**  
10264/08 PECHE 130

The Committee prepares the item which is retained on the Council agenda.

7. **Revision of the cod TAC in area VII b–k, VIII, IX and X; EC waters of CECAF 34.1.1**  
– **Exchange of views**

The Committee prepares the item which is retained on the Council agenda.

## **19. Food improvement agents package (Second reading)**

- (a) Proposal for a Regulation of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings**
- (b) Proposal for a Regulation of the European Parliament and of the Council on food additives**
- (c) Proposal for a Regulation of the European Parliament and of the Council on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 of the European Parliament and of the Council**
- (d) Proposal for a Regulation of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1576/89, Council Regulation (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive 2000/13/EC**
- Consideration of the European Parliament's amendments in preparation for next informal trilogue**
  - 10267/08 DENLEG 61 CODEC 713
  - 10269/08 DENLEG 62 CODEC 715
  - 10270/08 DENLEG 63 CODEC 716
  - 10272/08 DENLEG 64 CODEC 717

The Committee agreed to the mandate for the second informal trialogue to be held on 17 June 2008.

The Spanish delegetion introduced the following statement concerning the additives file (doc. 10269/08) :

"The main purpose of the Spanish health authorities is the protection of the consumer safety, including the defence of the population groups that may be more vulnerable, including children.

The basis for the food safety, as designed at European level since the white paper on food safety, is the risk analysis, based on an independent risk assessment, which lies in the European Food Safety Authority (EFSA).

EFSA has recently evaluated the results of the study of McCann et al on the effects of certain dyes and sodium benzoate in the behaviour of children and concluded that only provides limited evidence that mixtures tested had a small and statistically significant effect on the activity and attention in some children from the general population and that the clinical significance of the observed effects also remains unclear. Moreover, since mixtures and not individual additives were tested, it is not possible to ascribe the observed effects to any of the individual compounds.

Consequently, the inclusion of warnings on the label in this case would not be a measure of risk management based on an independent risk assessment, and we do not believe it contributes to improving the consumer protection, but can cause confusion.

We understand that any measure in this way should be taken by a comitology procedure with scrutiny after a technical discussion based on an opinion of EFSA, so we see as favourable the proposal from the Presidency that moves these labelling requirements to the Annex.

Spain believes that the adoption of the food improvement agents package is a matter of priority and it contributes as a whole to improve the consumer protection and we understand that with the proposal of the Presidency there is no reason to vote against its adoption, hence finally Spain abstain in the vote on this issue."



## Coreper Part 2

### II

#### 57. Follow-up to the Council meeting (Justice and Home Affairs) on 5/6 June 2008

The AT challenged the press release regarding EUROJUST, however, the President of the Committee noted that the Council, with the exception of an Italian scrutiny reservation in relation to 3 paragraphs, had agreed to the Presidency proposal, including a Spanish amendment on Article 9 f).

#### 58. Presentation of the agenda of the Council meeting (Economic and Financial Affairs) on 8 July 2008

The Committee agreed the provisional agenda for this Council meeting.

#### 59. Proposal for a Council Regulation applying a scheme of generalised tariff preferences for the period from 1st January 2009 to 31 December 2011 and amending Regulations (EC) n° 552/97, n° 1933/2006 and Commission Regulation (EC) n° 964/2007 and n° 1100/2006

10358/08 SPG 6 WTO 108 + ADD 1

The Committee discussed the draft Regulation on the basis of a Presidency compromise proposal. The Chairman concluded that there was a qualified majority in favour of the draft Regulation and that the text would be submitted for adoption to COREPER/COUNCIL after legal and linguistic scrutiny.

#### 60. Relations with Ukraine

##### - Preparations for the EU-Ukraine Summit (Evian, 9 September 2008)

##### = Orientation debate

10461/08 NIS 90 COEST 121 PESC 742

RESTREINT UE

The Committee discussed the paper by the incoming French Presidency on the preparations for the EU-Ukraine Summit, that is to take place on 9 September in Évian, and tasked COEST to proceed with the preparations.

**61. Relations with Russia**

- **Preparations for the EU-Russia Summit (Khanty-Mansiisk, 26/27 June 2008)**  
10189/08 COEST 117 NIS 88 PESC 697 RELEX 396 ECOFIN 213 WTO 103  
ENER 172 TRANS 181 JAI 292 RECH 194

Delegations expressed their unanimous support for the line set out in the Presidency/Commission/Secretariat information note on preparations for the EU-Russia Summit (doc. 10189/08).

**62. EU-US Summit, Brdo, 10 June 2008**

- **Debrief**  
10440/08 USA 27 PESC 738 RELEX 427 ECOFIN 225 ENER 185  
TRANS 193 JAI 315 ENV 358 DEVGEN 105 POLGEN 61  
10595/08 USA 29 PESC 774 ECOFIN 230 ENER 189 JAI 322  
ENV 366 POLGEN 61 RESTREINT UE

Presidency debriefed on the EU-US Summit and highlighted the main points from the report (doc. 10595/08).

At the request of IE, Presidency agreed to look into the methodology of Summit preparations.

**63. Preparation of the Council meeting (General Affairs and External Relations) on 16/17 June 2008**

**A. General Affairs**

- a) **Preparation of the European Council (19/20 June 2008)**  
10431/08 POLGEN 60

The Committee examined the revised draft conclusions of the European Council. In the light of the discussions a revised version will be submitted to the General Affairs and External Relations Council on 16/17 June 2008.

- b) **Draft 18-month programme of the Council**  
10093/08 POLGEN 56

The Committee heard a brief presentation by the three future presidencies of the draft 18-month programme to be submitted to the Council for endorsement.

**c) Other items in connection with the Council meeting**

Le Comité met au point l'ordre du jour provisoire de la session Affaires générales.

**B. External Relations**

**a) Western Balkans**

**- Draft Council conclusions**

10448/1/08 REV 1 COWEB 161 COSDP 509 PESC 740

In its session of 11 June, the Committee approved draft Council conclusions concerning the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina and the Road Maps for Visa Liberalisation, as set out in document ST 10448/1/08 REV 1 COWEB 161 COSDP 509 PESC 740. Concerning the former Yugoslav Republic of Macedonia, the Committee took note of the reservations by two delegations. One delegation kept a reserve on the whole text and another delegation on the last sentence.

In its session of 16 June, the Committee reviewed the text on the former Yugoslav Republic of Macedonia in order to include language on the parliamentary elections re-runs of 15 June as set out in document ST 10448/2/08 REV 2 COWEB 161 COSDP 509 PESC 740.

**b) Africa**

**i) Great Lakes Region**

**- Draft Council conclusions**

10525/08 PESC 760 COAFR 198 ACP 94

The work of the Committee is contained in 10525/08 .

**ii) Sudan**

**- Draft Council conclusions**

10526/08 PESC 761 COAFR 199 ACP 95

The work of the Committee is contained in 10526/08 .

- iii) **Somalia**
  - **Fight against acts of piracy**
  - = **Draft Council conclusions**
  - 10548/08 PESC 767 COAFR 200 ACP 97

The work of the Committee is contained in 10548/08 .

**c) Other items in connection with the Council meeting**

Le Comité met au point l'ordre du jour provisoire de la session Relations extérieures.

- 46. **Cuba**
  - **Draft Council conclusions**
  - 10566/1/08 REV 1 AMLAT 52 PESC 769

The Committee forwards the document 10566/2/08 REV 2 for decision by Ministers.

- 65. **EU Agenda for Action on MDGs**
  - 10545/08 DEVGEN 106 POLGEN 62 RELEX 435 ACP 96
  - ENV 361 AGRI 179 PECHE 140 SOC 353 ONU 47
  - EDUC 160 SAN 121 COHOM 76 JEUN 64

This item was withdrawn from the agenda.

- **Any other business**
  - = **Procedure concerning the decision to appoint 7 members of the Management Board of the European Food Safety Authority**
    - **Information from the Presidency**
    - 10076/08 AGRILEG 88 MI 176 DENLEG 59 SDAN 107 CONSOM 60
    - RECH 188

The Committee initiated the procedure leading to the adoption of a Council decision appointing 7 members of the Management Board of the European Food Safety Authority. The view of the European Parliament is expected to be issued on 12 June 2008, after which delegations should indicate their preferences.

This file will be examined by the Committee on 18 June 2008.

= **Close down of bluefin tuna in the Mediterranean (requested by the FR delegation)**

The French delegation, supported by the Italian delegation, announced that it was referring this closure to Council pursuant to Article 7(4) of Regulation (EC) 237/2002.

= **Governing Board of the EIT (requested by the SK delegation)**

The Committee took note of a request of the Slovak delegation (supported by CZ, RO, MT, BU, LT, LV and ES ) to the European Commission, to evaluate carefully whether the objective criteria for selecting the members of the EIT Governing Board have been fully respected, including excellence and a reasonable gender and geographical balance, before appointing the members of the EIT Governing Board on the basis of the list proposed by the independent selection committee.

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