



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 27 June 2007

10695/07

CRS CRP 22

SUMMARY RECORD

**Subject : 2188th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 13, 14 and 18 (in Luxembourg) June 2007**

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 - Council Regulation concerning the implementation of the Agreement between the European Community and the Government of Canada on the conclusion of GATT Article XXIV:6 Negotiations, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff
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64. Proposal for a Council Decision authorising the Italian Republic to apply measures derogating from Articles 26(1)(a) and 168 of Directive 2006/112/EC on the common system of value added tax
65. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of sweetcorn originating in Thailand
66. Proposal for a Council Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain saddles originating in the People's Republic of China
67. Draft Presidency Report on ESDP
68. Presidency Report to the European Council on EU activities in the framework of prevention, including implementation of the EU Programme for the Prevention of Violent Conflicts

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

doc. 10596/07 OJ/CRP1 23

10624/07 OJ/CRP2 23

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under I)

81. Draft Decision of the EEA Joint Committee amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Marco Polo II)

9635/07 EEE 34 TRANS 166 ENV 268 FIN 232 FISC 75 N 32 ISL 32 FL 32

82. Draft Decision of the EEA Joint Committee amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Implementation and Development of the Internal Market)

9514/07 EEE 31 MI 118 FIN 227 FISC 70 BUDGET 10 N 29 ISL 29 FL 29

The following items on the agenda of CR2, Part II, **are transferred**, under Part I :

75. Preparation of the Council meeting (General Affairs and External Relations) on 18/19 June 2007

B. External Relations

(b) Cuba

= **Draft Council conclusions**

10758/07 AMLAT 57 PESC 767

(f) Iran

= **Draft Council conclusions**

10639/07 CONOP 52 COMEM 98 PESC 741

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

20. **Proposal for a Regulation of the European Parliament and of the Council banning the placing on the market and the import of or export from the Community of cat and dog fur and products containing such fur (First reading)**

- **Approval of the final compromise text with a view to agreement**

10225/07 AGRILEG 74 COMER 80 CODEC 615

+ ADD 1

Le Comité, sur la base de l'examen détaillé du texte de compromis par le groupe des Conseillers/Attachés agricoles qui a eu lieu le 6 juin 2007, convient d'approuver, à la majorité qualifiée, le texte de compromis tel que repris à l'Addendum au document 10225/07 et de donner mandat à la Présidence de faire savoir au Parlement européen que, si celui-ci devait adopter les amendements à la proposition de la Commission telles qu'ils figurent dans le compromis, le Conseil serait en mesure d'accepter la proposition de la Commission ainsi modifiée.

A cette occasion, le représentant de la Commission, en réponse au souhait exprimé par les délégations française, lettone et polonaise, a indiqué que son institution examinerait avec un préjugé favorable, dans le cadre de la procédure établie, leur demande de création d'un code douanier spécifique pour les fourrures de chien et de chat.

La délégation italienne a annoncé son vote contraire et son intention de transmettre une déclaration unilatérale à inscrire au procès verbal du Conseil.

21. Proposal for a Directive of the European Parliament and of the Council amending Council Directives 89/665/EEC and 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts (First reading)

- **Approval of the final compromise text with a view to agreement**
10221/07 MAP 18 CODEC 614

The Committee:

- approved the text set out in the Annex to document 10221/07 and gave the Chairman of the Committee a mandate to inform the Chair of the European Parliament Committee on Internal Market and Consumer Protection, by letter that, should the European Parliament adopt the amendments to the Commission proposal reflecting the text as set out in the Annex, the Council would adopt the proposal thus amended (after revision by the legal-linguistic experts of both Institutions) in order to reach agreement at first reading.

22. Energy Community

- **Draft Community position to be taken at the Ministerial Meeting of the Energy Community (Podgorica - Montenegro, on 29 June 2007)**
10457/07 ENER 169 RELEX 427 COWEB 85

With a view to preparing this position and pending the transmission of Commission proposals, the Committee had a first exchange of views which allowed to reach agreement in principle on the substance of all the items on the agenda of the Ministerial, with the exception of item 2.3 on which CY/AT/RO are still maintaining reservations with respect to Ukraine (AT/RO) and Turkey (CY).

AT/RO sought reassurance from the Commission that their concerns regarding environment and nuclear safety would be adequately pressed upon Ukraine and that Ukraine's actions in this respect would be carefully monitored. To that effect, AT also suggested to include "a high level of nuclear safety" in the conditions referred to under point 2.3, 2nd indent; this was not supported by other delegations.

Regarding item 2.2 (Observers) and subject to delegations' scrutiny reservations it was agreed to support Georgia as it is, for the time being, the only one likely to submit an application and therefore, for the time being, remove Armenia and Azerbaijan from the position on this item.

The Chairman concluded that, on the basis of the Commission proposals, the Working Party on Energy on 19 June would finalise the position with a view to its final consideration by the Committee on 20 June and then adoption by Council on 25 June.

Regarding Turkey, Cyprus representative made a declaration set out in 10695/07 ADD 1.

23. Third railway package (Third reading)

- (a) Proposal for a Directive of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways**
- (b) Proposal for a Directive of the European Parliament and of the Council on the certification of train crews operating locomotives and trains on the Community's rail network**
- (c) Proposal for a Regulation of the European Parliament and of the Council on International Rail Passengers' Rights and Obligations**
- Presidency briefing on the outcome of the Trilogue**

La Présidence informe le Comité des résultats du trilogue du 5 juin (en préparation du Comité de Conciliation du même jour).

24. EU activities on Avian Influenza and Pandemic preparedness during the German Presidency

- Progress report**
10536/07 SAN 129 PESC 713 DEVGEN 108 RELEX 441 ACP 107 RECH 188
PROCIV 99 AVIATION 108 FRONT 63 VISA 183 JAI 306 ASIM 46
AGRI 187 VETER 10 FAO 13 OAFR 198 COEST 192 COTRA 4 COWEB 88
MED 21 COMAG 17 COMEM 97

The Committee took note of the progress report presented by the Presidency on the activities of the different EU bodies dealing with avian and pandemic influenza carried out during the German Presidency.

The incoming PT Presidency indicated that no meeting of the Friends of the Presidency Group on avian and pandemic influenza was planned, but it would be called if situation so requires.

Urgent issues may always be brought to the attention of the Committee and/or the Working party on Public Health, which may be also used for information sharing.

Other existing structures, such as the European Centre for Disease Prevention and Control and the Health Security Committee, could address coordination at technical level.

25. Preparation of the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 25 June 2007

1. Proposal for a Regulation of the European Parliament and the Council establishing the European Institute of Technology (EIT)

– General approach

(Public deliberation, pursuant art. 8(1)(c) CRP)

14871/06 EIT 1 EDUC 219 RECH 294 COMPET 303

10276/07 EIT 11 EDUC 108 RECH 176 COMPET 186

The Committee recommended to the Competitiveness Council meeting on 25 June 2007 to adopt a General approach on the basis of the Presidency compromise text set out in document 10413/07 EIT 12 EDUC 109 RECH 180 COMPET 188, after resolving the last open issues contained in the cover page and the footnotes of this document.

2. Communication from the Commission "Improving knowledge transfer between research institutions and industry across Europe: embracing open innovation" and Presidency initiative for a Charter for the management of intellectual property from public research institutions and universities

- Adoption of Council conclusions

8323/07 EDUC 67 RECH 100 COMPET 93

8434/07 RECH 103 EDUC 69 COMPET 98 + COR 1

10144/1/07 RECH 163 EDUC 105 COMPET 174 REV 1

The Committee recommended to the Competitiveness Council meeting on 25 June 2007 to adopt the conclusions set out in document 10145/07 EDUC 106 RECH 164 COMPET 175.

3. Report from CREST: "How to make better coordinated use of Structural Funds and the Framework Programme to support R&D"

– Adoption of Council conclusions

10288/07 RECH 177 COMPET 187 FSTR 11

The Committee recommended to the Competitiveness Council meeting on 25 June 2007 to adopt the conclusions set out in document 10414/07 RECH 181 COMPET 189 FSTR 12.

4. Green Paper on the future of the European Research Area

- **Exchange of views**
8322/07 RECH 99
8811/07 RECH 108 COMPET 105
10152/07 RECH 171 COMPET 182

The Committee recommended to the Competitiveness Council meeting on 25 June 2007 to proceed to an exchange of views on the basis of the questions and the roadmap set out in document 10152/1/07 RECH 171 COMPET 182 REV 1.

5. Proposal for a Regulation of the European Parliament and of the Council laying down the Community Customs Code (Modernized Customs Code)

- **Implementing the Community Lisbon programme**
- **Political agreement**
(Public deliberation, pursuant art. 8(1)(b) CRP)
15380/05 UD 152 ENFOCUSTOM 86 MI 138 COMER 186 TRANS 277 CODEC 1144
10464/07 UD 57 ENFOCUSTOM 65 MI 152 COMER 88 TRANS 210
CODEC 631

The Committee

- examined the outstanding issues and took note of delegations' positions.
In this context, in view of the assurance given by the Commission that due account would be taken of the specific situations existing in the Member States concerned in the context of the computerisation of customs formalities relating to transit by rail and that transitional periods could, if necessary, be established, one delegation withdrew its reservation on Article 123;
- invited the Working Party to further examine the outstanding technical questions and decided to revert to this item at a forthcoming meeting.

26. Preparation of the Council meeting (Environment) on 28 June 2007

1. Proposal for a Directive of the European Parliament and of the Council on waste

- **Political agreement**
(Public deliberation, pursuant art. 8(1)(b) CRP)
5050/06 ENV 5 CODEC 3
10391/07 ENV 310 CODEC 627 + ADD 1

The Committee discussed outstanding issues. In relation to Article 25a on Minimum standards the Commission made the following statement:

"In relation to the implementing powers conferred on the Commission under Article 25a of this Directive relating to the adoption of minimum standards for permits referred to in Article 19 and for registration referred to in Article 25, the Commission considers that an appropriate impact assessment would be necessary before the use of any of these powers."

The remaining open issues, to be addressed in Council, are described in 10804/07 + ADD1.

2. Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directive 2000/60/EC

- **Political agreement**
(Public deliberation, pursuant art. 8(1)(b) CRP)
11816/06 ENV 415 CODEC 782
10417/07 ENV 314 CODEC 629 + ADD 1

The Committee discussed outstanding issues and agreed to forward the file to the Council with a view to its reaching political agreement (see doc. 10790/07 + ADD 1).

3. Proposal for Regulation of the European Parliament and of the Council on the banning of exports and safe storage of metallic mercury

- **Political agreement**
(Public deliberation, pursuant art. 8(1)(b) CRP)
14629/06 ENV 580 COMER 194 SAN 215 CODEC 1210
10397/07 ENV 311 COMER 87 SAN 125 CODEC 628 + ADD 1

The Committee examined the remaining outstanding issues in view of a political agreement on this proposal. The results of its deliberations can be found in document 10797/07 + ADD1.

4. **Recommendation from the Commission to the Council on the participation of the European Community in negotiations on international rules and procedures in the field of liability and redress for damage resulting from transboundary movements of Living Modified Organisms (LMOs) under the Cartagena Protocol on Biosafety**
- **Adoption of a Council Decision**
13078/06 ENV 474 WTO 152 ONU 96 AGRI 290
10275/07 ENV 305 WTO 124 ONU 33 AGRI 176

The Committee took note of delegations' positions on the draft Council Decision granting a negotiating mandate to the Commission. It agreed to recommend that the Council adopt the Decision by qualified majority and enter a statement concerning the need to keep the Community's negotiating position under review in its minutes (see doc. 10786/07).

5. **Communication from the Commission to the Council and the European Parliament on the results of the review of the Community Strategy to reduce CO₂ emissions from passenger cars and light-commercial vehicles**
- **Adoption of Council conclusions**
10419/07 ENV 315 ENT 67 COMPET 190 TRANS 208 ENER 167

The Committee discussed the abovementioned draft Council conclusions.

The results of these discussions can be found in document 10789/07 which will be submitted to Council for adoption.

6. **Review of the European Union Emissions Trading Scheme**
- **Adoption of Council conclusions**
10343/07 ENV 307 MI 151 IND 55 ENER 164

The Committee examined the draft Council conclusions. The result of its deliberations can be found in doc. 10787/07.

7. **Preparation for the ninth ordinary meeting of the Conference of the Parties (COP 9) to the Convention on Biological Diversity (CBD) (Bonn, 19 to 30 May 2008)**
- **Adoption of Council conclusions**
10062/07 ENV 294 AGRI 171 DEVGEN 97 RECH 155 ENER 156 PI 23
FORETS 32 ONU 29

This item was postponed to the 2189th Committee on 20 June 2007.

8. New perspectives for EU Environmental Policy

- 1) Mid-term review of the 6th Community Environment Action Programme**
- 2) Economic Instruments**
- 3) Environment, Innovation, Employment**
- **Adoption of Council conclusions**
10401/07 ENV 312 SAN 126 ENT 66 ENER 166 ECOFIN 247 TRANS 207
AGRI 179 DEVGEN 104 FIN 256 SOC 242

This item was postponed to the 2189th Committee on 20 June 2007.

Coreper Part 2

II

73. Proposal for a Decision of the European Parliament and of the Council establishing a Community programme to improve the operation of taxation systems in the internal market (Fiscalis 2013)

9940/07 FISC 86 CODEC 581 + ADD 1

The Committee agreed the amended compromise text of the Presidency (9940/07 FISC 86 CODEC 581) and mandated the Presidency to transmit the text by letter (9940/07 ADD 1 FISC 86 CODEC 581) to the European Parliament with a view to reaching an agreement in first reading.

74. Follow-up to the Council meeting (Justice and Home Affairs) on 12/13 June 2007

The Presidency stated that the Committee would deal with the follow-up to the Council discussion on the situation in the central Mediterranean at a future meeting following preparation at an appropriate level.

75. Preparation of the Council meeting (General Affairs and External Relations) on 18/19 June 2007

A. General Affairs

- (a) **Preparation of the European Council, 21/22 June 2007**
= **Draft conclusions**
10494/07 POLGEN 65

The Committee discussed the draft European Council conclusions proposed by the Presidency.

(b) 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) Strengthening the European Neighbourhood Policy

- **Draft Council conclusions**
- **Presidency Progress Report**
10595/07 NIS 148 COEST 193 MED 22
10598/1/07 REV 1 NIS 149 COEST 194 MED 23

The Committee finalises the Presidency Progress Report on Strengthening the European Neighbourhood Policy, as set out in document 10874/07.

The Committee also finalises the text of draft Council Conclusions to be submitted to the General Affairs and External Relations Council on 18 June 2007 (doc. 10855/07), with the Polish and Czech delegations maintaining scrutiny reservations. In this context, the Committee invites the Working Party on Eastern Europe and Central Asia to examine proposals by Poland to work towards an Eastern dimension of the European Neighbourhood Policy and regional cooperation with the Eastern ENP partners.

(c) Relations with Western Balkans

- = **Draft Council conclusions**
10583/07 COWEB 91 COSDP 504 PESC 729
10785/07 COWEB 100 COSDP 517 PESC 769

The Committee discussed the draft Council conclusions and agreed to forward them to Council in document (ST 10583/1/07 REV1 COWEB 91 COSDP 504 PESC 729), for finalisation and adoption at its meeting on 18 and 19 June 2007

(d) MEPP

- = **Draft Council conclusions**
10638/07 PESC 740 COMEP 15

Le Comité a approuvé ce qui suit :

Lors de sa réunion du 18 juin 2007, le Comité politique et de sécurité est convenu de transmettre au Conseil le projet de conclusions du Conseil, repris en annexe du document 10638/1/07 REV 1 PESC 740 COMEP 15 en vue de son adoption. Le point 6 du projet de conclusions reste entre crochets.

- (e) **Lebanon**
= **Draft Council conclusions**
10726/07 COMAG 19 COMEP 18 PESC 761

Le Comité a approuvé le projet de Conclusions sur le Liban et l'a transmis au Conseil pour adoption (doc. 10726/2/07 REV 2 COMAG 19 COMEP 18 PESC 761)

- (g) **Sudan**
= **Draft Council conclusions**
10716/07 PESC 759 COAFR 212

The work of the Committee is contained in document 10716/3/07 REV3.

- (h) **EU action in UN for a for the abolition of the Death Penalty - Presidency Proposal for the way ahead**
10593/07 COPOL 21 COHOM 63

The Committee discussed the way forward on the EU action against the Death Penalty in the UNGA in preparation of the GAERC on 18 June 2007.

- (i) **Other items in connection with the Council meeting**

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

76. EU-Russia Visa Facilitation Agreement - Implications on Georgia

The Committee heard an oral presentation by the Commission on the EU-Russia Visa Facilitation Agreement and its implications on Georgia. The Commission confirmed that the Visa Facilitation Agreement applies to all residents of Abkhazia and South Ossetia with Russian passports. The Commission also stressed the need to create a Sub-Committee on Justice and Home Affairs with Georgia.

The Committee tasked the relevant working parties to discuss the issue in more detail and report back to it as soon as possible.

77. Debriefing on the G8 Summit, Heiligendamm, 6-8 June 2007

The Committee was informed of the outcome of the G8 Summit held in Heiligendamm on 6-8 June 2007.

78. Presentation of the agenda for the Council meeting (Economic and Financial Affairs) on 10 July 2007

The Committee agreed the provisional agenda for this Council meeting.

79. SWIFT (restricted session)

10741/07 JAI 319 ECOFIN 270 RESTREINT UE

The outcome of the Committee's proceedings is set out in 10695/07 ADD 2 LIMITE.

80. Preparation of the extraordinary Council meeting (General Affairs and External Relations) on 25 June 2007

- Other items in connection with the Council meeting

Regarding the WTO DDA item, the Presidency indicated that an extraordinary meeting of the Committee would be convened on 25 June at 11:00, to prepare the GAERC, which should start at 14:00. The 133 Committee (Full Members) will hold a meeting on 25 June at 9:00.

- Any other business

- EU/EC representation in the Peace-Building Commission - Nameplate

The Committee took note of the fact that the Committee's decision that "in all meetings of the PBC, the Commission, the Presidency and the SG/HR will sit behind a single nameplate reading *European Union*" (doc. 16834/06EXT 1) had not been implemented because of objections from the UN Office of Legal Affairs. The Committee asked CONUN to further examine this issue at its meeting on 20 June and to report back at the meeting of the Committee on 27 June.