



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 February 2009

**12750/1/08
REV 1**

PUBLIC 102

NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS JUNE 2008

This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in January 2008.^{1 2}
- ANNEX II containing further details on the adoption of these acts. PART I provides information on the adoption of legislative acts, such as the date of adoption, the relevant Council session, the number of the document adopted, and where appropriate, applicable voting rules, voting results, explanations of vote and statements published in the minutes of the Council. PART II provides information that the Council has decided to make public on the adoption of other acts.

This document is also available via the Internet (<http://consilium.europa.eu>); see under "Documents", "Legislative Transparency", "Summary of Council Acts". Documents listed in the summary may be obtained from the public register of Council documents (<http://register.consilium.europa.eu>).

¹ With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

² In the case of legislative acts adopted in codecision, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts in codecision are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two Institutions.

It should be noted that only the minutes concerning the definitive adoption of legislative acts are authentic (available via the Internet: <http://consilium.europa.eu>, see under "Documents", "Legislative Transparency", "Council Minutes").

**LIST OF ACTS ADOPTED BY THE COUNCIL
IN JUNE 2008**

2872nd meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Luxembourg on 3 June 2008

2008/417/EC: Council Decision of 3 June 2008 authorising Portugal to apply a reduced rate of excise duty on locally produced beer in the autonomous region of Madeira
OJ L 147, 6.6.2008, p. 61–62

Council Decision establishing the position to be adopted on behalf of the Community within the Food Aid Committee as regards the extension of the Food Aid Convention, 1999
9714/08

Council conclusions on Clearing and Settlement
9720/08

Council Conclusions on Code of Conduct Group (Business Taxation)
9652/08

2873rd meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Luxembourg on 5 and 6 June 2008

2008/422/EC: Council Decision of 5 June 2008 on declassifying Annex 4 to the SIRENE Manual adopted by the Executive Committee established by the Convention implementing the Schengen Agreement of 14 June 1985 (1990 Schengen Convention)
OJ L 149, 7.6.2008, p. 78–78

2008/421/EC: Council Decision of 5 June 2008 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Swiss Confederation
OJ L 149, 7.6.2008, p. 74–77

Decision No 582/2008/EC of the European Parliament and of the Council of 17 June 2008 introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Cyprus and Romania of certain documents as equivalent to their national visas for the purposes of transit through their territories
OJ L 161, 20.6.2008, p. 30–35

Decision No 586/2008/EC of the European Parliament and of the Council of 17 June 2008 amending Decision No 896/2006/EC establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory
OJ L 162, 21.6.2008, p. 27–29

Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)
OJ L 177, 4.7.2008, p. 6–16

2008/431/EC: Council Decision of 5 June 2008 authorising certain Member States to ratify, or accede to, in the interest of the European Community, the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law - Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children
OJ L 151, 11.6.2008, p. 36–48

Council Decision concerning the conclusion of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
9196/08

Council Conclusions on the further development of the SECI Center
9395/08

Council Conclusions on cooperation with the candidate countries and potential candidate countries of the Western Balkans in the field of Civil Protection
9199/08 + REV 1 (ro)

Joint Declaration on a Mobility Partnership between the European Union and the Republic of Moldova
9460/08 ADD1 + ADD 1COR 1

Joint Declaration on a Mobility Partnership between the European Union and the Republic of Cape Verde
9460/08 ADD 2 + ADD2 COR 1 (sl)

Council Conclusions on enhancing the Global Approach to Migration
9604/08

Council Conclusions on the European Crime Prevention Network (EUCPN) Annual Report 2007
8816/3/08 REV 3 + REV 3 COR 1 + REV 3 COR 1 REV 1 (el) + REV 4 (fi) + REV 4 COR 1 (fi)

Council conclusions on the assistance to produce a common threat assessment on organised crime for South East European region
8104/2/08 REV 2

Statement concerning the cooperation between Europol and Eurojust
9718/08

Council conclusions on possible cooperation mechanisms between civilian ESDP Missions and Europol as regards the mutual exchange of information
7821/3/08 REV 3

Council Conclusions on development of the FADO system (False and Authentic Documents Online)
9665/08

Council Conclusions on the Management of the External Borders of the Member States of the European Union
9873/08 + REV 1 (mt)

Council Conclusions of 5 June 2008 Schengen Evaluation - future monitoring of the correct application of the Schengen acquis in participating States
8460/2/08 REV 2 + REV 2 COR 1 (fi)

**2874th meeting of the Council of the European Union (ENVIRONMENT),
held in Luxembourg on 5 June 2008**

Regulation (EC) No 689/2008 of the European Parliament and of the Council of 17 June 2008 concerning the export and import of dangerous chemicals
OJ L 204, 31.7.2008, p. 1–35

Council Decision establishing the position to be adopted on behalf of the European Community at the 60th meeting of the IWC in 2008 with regard to proposals for amendments to the Schedule of the International Convention on the Regulation of Whaling (ICRW)
9818/08

2875th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Luxembourg on 6 June 2008

Common Position (EC) No 15/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Directive of the European Parliament and of the Council amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system
OJ C 184E , 22.7.2008, p. 1–10

Common Position (EC) No 17/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Directive of the European Parliament and of the Council establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Directives 1999/35/EC and 2002/59/EC
OJ C 184E , 22.7.2008, p. 23–36

Common Position (EC) No 20/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Directive of the European Parliament and of the Council on port State control (Recast)
OJ C 198E , 5.8.2008, p. 1–41

Common Position (EC) No 19/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea in the event of accidents
OJ C 190E , 29.7.2008, p. 17–40

Common Position (EC) No 16/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Directive of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (Recast)
OJ C 184E , 22.7.2008, p. 11–22

Common Position (EC) No 18/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (Recast)
OJ C 190E , 29.7.2008, p. 1–16

Statement on the Date for Elections to the European Parliament 2009
10228/08 + COR 1

2876th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS), held in Luxembourg on 9 and 10 June 2008

2008/439/EC: Council Decision of 9 June 2008 amending Decision 2004/162/EC concerning dock dues in the French overseas departments
OJ L 155, 13.6.2008, p. 17–19

Council Decision on the signature and provisional application of the Agreement in the form of an Exchange of Letters between the European Community and Ukraine in relation to the preservation of commitments on trade in services contained in the Partnership and Cooperation Agreement
8959/08

Council Decision 2008/665/CFSP of 9 June 2008 concerning the conclusion of the Agreement between the European Union and the Republic of Albania on the participation of the Republic of Albania in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA)
OJ L 217, 13.8.2008, p. 18–18

Council conclusions on enhanced administrative cooperation in the context of the posting of workers in the framework of the provision of services
9935/08 + REV 1 (hu)

Council Conclusions on "Anticipating and matching labour market needs, with special emphasis on youth - A Jobs and Skills Initiative"
10091/08

Council Conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action - THE GIRL CHILD
9669/08

Council Conclusions on the review of the progress of the implementation by the Member States and the EU institutions of the Beijing Platform for Action - WOMEN IN POLITICAL DECISION-MAKING
9670/08

Council Conclusions on Eliminating Gender Stereotypes in Society
9671/08

Council Conclusions on reducing the burden of cancer
9636/08 + COR 1 (el) + COR 2 (sl) + REV 1 (hu)

Council Conclusions on Antimicrobial Resistance (AMR)
9637/08

Council Conclusions on a cooperation mechanism between the Council and the Commission for the implementation of the EU Health Strategy
9639/08

Council Conclusions on the communication from the Commission to the European Parliament and the Council concerning the report on current practice with regard to provision of information to patients on medicinal products
9437/08

2877th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Luxembourg on 12 and 13 June 2008

Council Regulation (EC) No 569/2008 of 12 June 2008 amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community
OJ L 161, 20.6.2008, p. 1–1

Council Directive 2008/59/EC of 12 June 2008 adapting Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, by reason of the accession of the Republic of Bulgaria and Romania
OJ L 166, 27.6.2008, p. 31–32

Council Conclusions on "Reaping the full benefits of the digital dividend in europe : A Common approach to the use of the spectrum released by the digital switchover"
10820/08

Council Conclusions on "Preparing Europe's digital future i2010 Mid-Term Review"
9598/08 + COR 1 (bg)

Council Conclusion on "Multi-annual contracts for rail infrastructure quality"
10304/08

2878th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Luxembourg on 16 June 2008

2008/451/EC: Council Decision of 16 June 2008 adjusting the allowances provided for in Decision 2003/479/EC and Decision 2007/829/EC concerning the rules applicable to national experts and military staff on secondment to the General Secretariat of the Council
OJ L 158, 18.6.2008, p. 56–57

Council Regulation (EC) No 556/2008 of 16 June 2008 amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products
OJ L 160, 19.6.2008, p. 1–3

Council Regulation (EC) No 595/2008 of 16 June 2008 amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products
OJ L 164, 25.6.2008, p. 1–9

Council Regulation (EC) No 587/2008 of 16 June 2008 amending Regulation (EC) No 866/2004 on a regime under Article 2 of Protocol 10 to the Act of Accession concerning rules on goods, services and persons crossing the Green Line in Cyprus
OJ L 163, 24.6.2008, p. 1–3

Council Decision on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
9372/08

2008/579/EC: Council Decision of 16 June 2008 on the signing and conclusion on behalf of the European Community of the International Coffee Agreement 2007
OJ L 186, 15.7.2008, p. 12–12

Council Decision on the signing on behalf of the European Community of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part
8224/08

Council Decision of 16 June 2008 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part

OJ L 169, 30.6.2008, p. 11–807 (BG)

OJ L 169, 30.6.2008, p. 10–807 (ES, CS, DA, DE, ET, EN, FR, IT, LV, LT, MT, PT, SK, SL, FI)

OJ L 169, 30.6.2008, p. 8–805 (EL, RO)

OJ L 169, 30.6.2008, p. 10–806 (HU, NL)

OJ L 169, 30.6.2008, p. 10–813 (PL)

OJ L 169, 30.6.2008, p. 7–803 (SV)

Council Regulation (EC) No 594/2008 of 16 June 2008 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, and for applying the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part

OJ L 169, 30.6.2008, p. 1–10 (BG)

OJ L 169, 30.6.2008, p. 1–9 (ES, CS, DA, DE, ET, EN, FR, IT, LV, LT, HU, MT, NL, PL, PT, SK, SL, FI)

OJ L 169, 30.6.2008, p. 1–7 (EL, RO)

OJ L 169, 30.6.2008, p. 1–6 (SV)

Council Decision on a Community Position to be adopted in the EC-Bosnia and Herzegovina Interim Committee on its Rules of Procedure including the Terms of Reference and Structure of the EC-Bosnia and Herzegovina sub-committees

9163/08

Council Conclusions on enhancing the Global Approach to Migration

9604/08

Council Conclusion on Reinforcing the Union's Disaster Response Capacity – towards an integrated approach to managing disasters

10128/08 + REV 1 (ro) + REV 2 (el) + REV 5 (sl)

Council conclusions on the tenth anniversary of the EU Guidelines on the Death Penalty and adoption of the revised and updated version of the EU Guidelines on the Death Penalty

10276/08

Council conclusions on the Review of the EU Guidelines on Children in Armed Conflict

10287/08

Council Joint Action regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia

8539/08

Council Conclusions on Operation ALTHEA

10293/08

Council Decision 2008/669/CFSP of 16 June 2008 concerning the conclusion of the Agreement between the European Union and the Republic of Guinea-Bissau on the Status of the European Union Mission in Support of Security Sector Reform in the Republic of Guinea-Bissau
OJ L 219, 14.8.2008, p. 65–71

Position of the European Union in view of the eighth meeting of the EU-Israel Association Council (Luxembourg, 16 June 2008)
10606/08

2879th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Luxembourg on 16 and 17 June 2008

Council Conclusions on the Western Balkans
10448/3/08 REV 3

Council Conclusions on Sudan
10526/08

Council Conclusions on Somalia
10548/08

Council Conclusions on the Great Lakes Region
10525/1/08 REV 1

Adoption of legislative acts following the European Parliament's second reading under the codecision procedure (Strasbourg, 16 to 19 June 2008)

Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (Text with EEA relevance)
OJ L 260, 30.9.2008, p. 13–59

Written procedure completed on 18 June 2008

The EU as a global partner for pro-poor and pro-growth development: EU Agenda for Action on MDGs
10659/08

2881th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Luxembourg on 23 and 24 June 2008

Council Regulation (EC) No 637/2008 of 23 June 2008 amending Regulation (EC) No 1782/2003 and establishing national restructuring programmes for the cotton sector
OJ L 178, 5.7.2008, p. 1–6

Council Regulation (EC) No 615/2008 of 23 June 2008 amending Regulation (EC) No 1405/2006 laying down specific measures for agriculture in favour of the smaller Aegean islands and amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers
OJ L 168, 28.6.2008, p. 1–2

Council Decision 2008/617/JHA of 23 June 2008 on the improvement of cooperation between the special intervention units of the Member States of the European Union in crisis situations
OJ L 210, 6.8.2008, p. 73–75

Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime
OJ L 210, 6.8.2008, p. 12–72

Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime
OJ L 210, 6.8.2008, p. 1–11

Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences
OJ L 218, 13.8.2008, p. 129–136

2008/580/EC: Council Decision of 23 June 2008 granting a Community guarantee to the European Investment Bank against losses under loans for projects outside the Community (South-eastern neighbours, Mediterranean countries, Latin America and Asia and the Republic of South Africa) (Codified version)
OJ L 186, 15.7.2008, p. 30–35

2008/492/EC: Council Decision of 23 June 2008 concerning the accession of Bulgaria and Romania to the Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises
OJ L 174, 3.7.2008, p. 1–5

2008/493/EC: Council Decision of 23 June 2008 amending Annex I to the Act of Accession of Bulgaria and Romania
OJ L 174, 3.7.2008, p. 6–6

Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation)
OJ L 218, 13.8.2008, p. 60–81

Regulation (EC) No 762/2008 of the European Parliament and of the Council of 9 July 2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation (EC) No 788/96 (Text with EEA relevance)
OJ L 218, 13.8.2008, p. 1–13

Regulation (EC) No 766/2008 of the European Parliament and of the Council of 9 July 2008 amending Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters
OJ L 218, 13.8.2008, p. 48–59

Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (Text with EEA relevance)
OJ L 218, 13.8.2008, p. 14–20

Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC (Text with EEA relevance)
OJ L 218, 13.8.2008, p. 21–29

Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (Text with EEA relevance)
OJ L 218, 13.8.2008, p. 30–47

Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC (Text with EEA relevance)
OJ L 218, 13.8.2008, p. 82–128

Decision No 743/2008/EC of the European Parliament and of the Council of 9 July 2008 on the Community's participation in a research and development programme undertaken by several Member States aimed at supporting research and development performing small and medium-sized enterprises
OJ L 201, 30.7.2008, p. 58–67

Decision No 742/2008/EC of the European Parliament and of the Council of 9 July 2008 on the Community's participation in a research and development programme undertaken by several Member States aimed at enhancing the quality of life of older people through the use of new information and communication technologies
OJ L 201, 30.7.2008, p. 49–57

Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS)
OJ L 172, 2.7.2008, p. 15–24

Common Position adopted by the Council on 23 June 2008 with a view to the adoption of the Directive of the European Parliament and of the Council on airport charges
8332/2/08 REV 2

Council Regulation (EC) No 624/2008 of 23 June 2008 laying down the weightings applicable from 1 July 2007 to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries and of certain officials remaining in post in the two new Member States for a maximum period of 19 months after accession
OJ L 172, 2.7.2008, p. 1–6

Council Decision authorising the Commission to conduct negotiations for the elaboration of an international legally-binding instrument on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing
10490/08 + REV 1 (lv)

Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community (Brussels, 27 June 2008)
10564/08

Council Decision on the signing on behalf of the Community of the Agreement on Scientific and Technological Cooperation between the European Community and the Government of New Zealand
10118/08

Council Joint Action 2008/485/CFSP of 23 June 2008 amending and extending Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)
OJ L 164, 25.6.2008, p. 44–45

Council Joint Action 2008/480/CFSP of 23 June 2008 amending and extending Joint Action 2005/190/CFSP on the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX
OJ L 163, 24.6.2008, p. 50–50

Council Conclusions concerning the Court of Auditors' Special Report No 2/2008 on Binding Tariff Information
10390/08 + COR 1 (it) + REV 1 (lt) + REV 1 COR 1 (lt)

Council Joint Action 2008/487/CFSP of 23 June 2008 in support of the universalisation and implementation of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in the framework of the European Security Strategy
OJ L 165, 26.6.2008, p. 41–44

Council Joint Action 2008/550/CFSP of 23 June 2008 establishing a European Security and Defence College (ESDC) and repealing Joint Action 2005/575/CFSP
OJ L 176, 4.7.2008, p. 20–24

Council Decision 2008/482/CFSP of 23 June 2008 amending Decision 2008/134/CFSP on the European Union Police Mission for the Palestinian Territories
OJ L 163, 24.6.2008, p. 52–52

Council Joint Action 2008/481/CFSP of 23 June 2008 amending Joint Action 2008/131/CFSP extending the mandate of the European Union Special Representative for Afghanistan
OJ L 163, 24.6.2008, p. 51–51

Council Common Position 2008/652/CFSP of 7 August 2008 amending Common Position 2007/140/CFSP concerning restrictive measures against Iran
OJ L 213, 8.8.2008, p. 58–70

2008/475/EC: Council Decision of 23 June 2008 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran
OJ L 163, 24.6.2008, p. 29–33

Council Conclusions on Cuba
10566/04/08 REV 4

Written procedure completed on 24 June 2008

Draft EU Guidelines Joint Declaration of the 1st Summit of the Barcelona Process: Union for the Mediterranean Paris, 13 July 2008
11043/08

Written procedure completed on 26 June 2008

Council Joint Action 2008/491/CFSP of 26 June 2008 amending and extending Council Joint Action 2007/406/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo)
OJ L 168, 28.6.2008, p. 42–43

Written procedure completed on 27 June 2008

2008/569/EC, Euratom: Council Decision of 27 June 2008 appointing three Judges of the European Union Civil Service Tribunal
OJ L 183, 11.7.2008, p. 31–32

Written procedure completed on 30 June 2008

Council Decision 2008/651/CFSP/JHA of 30 June 2008 on the signing, on behalf of the European Union, of an 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
OJ L 213, 8.8.2008, p. 47–48

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS JUNE 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
2872nd meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Luxembourg on 3 June 2008 2008/417/EC: Council Decision of 3 June 2008 authorising Portugal to apply a reduced rate of excise duty on locally produced beer in the autonomous region of Madeira	7748/08 + COR 1 (pt)	Qualified majority	All Member States in favour
2873rd meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Luxembourg on 5 and 6 June 2008 2008/422/EC: Council Decision of 5 June 2008 on declassifying Annex 4 to the SIRENE Manual adopted by the Executive Committee established by the Convention implementing the Schengen Agreement of 14 June 1985 (1990 Schengen Convention)	9481/08	Unanimity	All Member States in favour
2008/421/EC: Council Decision of 5 June 2008 on the application of the provisions of the Schengen acquis relating to the Schengen Information System in the Swiss Confederation	9059/08	Unanimity	All Member States in favour

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS JUNE 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Decision No 582/2008/EC of the European Parliament and of the Council of 17 June 2008 introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Cyprus and Romania of certain documents as equivalent to their national visas for the purposes of transit through their territories	PE-CONS 3607/1/08 REV 1	Qualified majority	All Member States in favour
Decision No 586/2008/EC of the European Parliament and of the Council of 17 June 2008 amending Decision No 896/2006/EC establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain residence permits issued by Switzerland and Liechtenstein for the purpose of transit through their territory	PE-CONS 3608/1/08 REV 1	Qualified majority	All Member States in favour
Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I)	PE-CONS 3691/5/07 REV 5	Qualified majority	All Member States in favour
Statement by the Council and the Commission re the law applicable to insurance contracts The Council and the Commission note that the rules contained in Article 7 essentially reflect the legal situation as regards applicable law as presently included in the insurance Directives. Any future substantive revision of the present regime should take place in the context of the review clause of this Regulation.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS JUNE 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by the French delegation re Article 6 of Rome I on the law applicable to consumers In view of the importance of conflict-of-law rules in international private law, and in order to achieve the objective, laid down in Article 153 of the EC Treaty, of ensuring a high level of consumer protection within the Community, France wishes to state that, in the revision of Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, the provisions relating to jurisdiction (section 4 of Brussels I) must be consistent with Article 6 of the Regulation applicable to contractual obligations (Rome I), concerning the law applicable to consumer contracts.			
2874th meeting of the Council of the European Union (ENVIRONMENT), held in Luxembourg on 5 June 2008 Regulation (EC) No 689/2008 of the European Parliament and of the Council of 17 June 2008 concerning the export and import of dangerous chemicals	PE-CONS 3604/8/08 REV 8	Qualified majority	All Member States in favour
Statement by the Commission concerning the status of mercury and arsenic under the PIC Regulation The Commission stresses that, in accordance with Article 22(3) of Regulation (EC) No 304/2003, if metallic arsenic were to be banned or severely restricted in the Community, a proposal would be made to adapt the relevant annex. It further notes that work is ongoing in the Council and Parliament on a proposal for an export ban on mercury out of the Community, thus going beyond the prior informed consent requirement in the Rotterdam Convention and the EC Regulation implementing it.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS JUNE 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Common Position (EC) No 19/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea in the event of accidents	6389/2/08 REV 2	Qualified majority	All Member States in favour, except: abstention: IT
Common Position (EC) No 16/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Directive of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (Recast)	5724/2/08 REV 2	Qualified majority	All Member States in favour
Common Position (EC) No 18/2008 of 6 June 2008 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (Recast)	5726/2/08 REV 2	Qualified majority	All Member States in favour

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS JUNE 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
2876th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS), held in Luxembourg on 9 and 10 June 2008 2008/439/EC: Council Decision of 9 June 2008 amending Decision 2004/162/EC concerning dock dues in the French overseas departments	8988/08	Qualified majority	All Member States in favour
2877th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Luxembourg on 12 and 13 June 2008 Council Regulation (EC) No 569/2008 of 12 June 2008 amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community	7653/08	Qualified majority	All Member States in favour
Council Directive 2008/59/EC of 12 June 2008 adapting Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, by reason of the accession of the Republic of Bulgaria and Romania	9129/08	Qualified majority	All Member States in favour

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS JUNE 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
2878th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Luxembourg on 16 June 2008 Council Regulation (EC) No 556/2008 of 16 June 2008 amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products Council Regulation (EC) No 595/2008 of 16 June 2008 amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products Adoption of legislative acts following the European Parliament's second reading under the codecision procedure (Strasbourg, 16 to 19 June 2008) Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (Text with EEA relevance)	9399/08 + REV 1 (lt) 9400/08 + COR 1 (fr) + COR 2 (cz) + REV 2 (en)	Qualified majority Qualified majority (Not applicable)	All Member States in favour All Member States in favour (Not applicable)

**2881th meeting of the Council of the European Union
(AGRICULTURE and FISHERIES), held in Luxembourg on 23 and 24
June 2008**

Council Regulation (EC) No 637/2008 of 23 June 2008 amending
Regulation (EC) No 1782/2003 and establishing national restructuring
programmes for the cotton sector

10232/08
+ COR 1

Qualified majority

All Member States in
favour, except:
abstention: UK

Statement by the European Commission

The Commission declares that although a minimum quantity of cotton produced per hectare is not an eligibility criterion for the crop specific payment for cotton, a Member State can make use of minimum yields as indicating factors in the framework of the implementation of Article 29 of Council Regulation (EC) No 1782/2003 in order to identify farmers potentially having "artificially created the conditions required for obtaining such payments with a view to obtaining an advantage contrary to the objectives of that support scheme".

Statement by the Spanish delegation

Spain welcomes the adoption of the new regulation on cotton which provides for a stable framework for the production of cotton in the European Union. Spain considers that the national restructuring programs provided for in this new regulation are particularly useful to mitigate the difficulties experienced by some economic operators of the cotton sector particularly in the ginning sector. In this context, Spain will prioritise the inclusion in said national restructuring programmes of measures aimed at facilitating the adaptation of ginners to the new situation, in particular through providing financial assistance for modernization of facilities and funding for dismantling. Therefore, during the first periods of application of the new regulation, Spain intends to use the existing funds for national restructuring programs preferably to achieve the adaptation of the ginning sector to the new producing scenario. Spain considers that these measures may be included in several 4-year national restructuring programmes.

Statement by the UK delegation

The UK regrets it is unable to support the Presidency Compromise text on cotton. We note the ECJ ruling annulled the 2004 cotton reform package on procedural grounds rather than on the substance of that agreement. The UK regrets that in this negotiation the substance of the cotton regime has been changed, effectively re-opening the Council's decision of 2004.

In particular the UK opposes the increase in the rate of the per-hectare aid payment to cotton growers, which is completely contrary to the trend of CAP reforms since 2003. The UK believes that full decoupling provides a better basis for enabling farmers to take decisions for themselves about how they farm their land.

In addition, the UK regrets the increase in aid per hectare at this sensitive stage in the WTO DDA talks when liberalisation of cotton support in the developed world, including the EU, could play a crucial role in the search for agreement.

Council Regulation (EC) No 615/2008 of 23 June 2008 amending Regulation (EC) No 1405/2006 laying down specific measures for agriculture in favour of the smaller Aegean islands and amending Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers	9225/08 + COR 1	Qualified majority	All Member States in favour
Council Decision 2008/617/JHA of 23 June 2008 on the improvement of cooperation between the special intervention units of the Member States of the European Union in crisis situations	7350/08	Unanimity	All Member States in favour
Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime	10216/08 + COR 1 (pt) + COR 2 (fr) + REV 1 (sk) + REV 2 (pl)	Qualified majority	All Member States in favour

Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime	11896/07 + COR 1 + COR 2 + COR 3 (ro) + REV 1 (pl)	Qualified majority	All Member States in favour
Statement by the Council In consideration of Article 36, this Council Decision does not prevent Member States from the non-automated exchange of data referred to in Article 14 and Article 16 under agreements or arrangements based on other legal foundations or practices			
Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences	11077/1/07 REV 1	Unanimity	All Member States in favour
Council Declaration concerning the Council Framework Decision on the protection of personal data processed in the framework of police and judicial co-operation in criminal matters The Council recognises the importance of the existence of a comprehensive and coherent set of rules at the level of the European Union concerning the high level of protection of personal data processed in the framework of police and judicial co-operation in criminal matters, as a part of the Union's ever increasing regulatory set of instruments on such co-operation. These rules will constitute an important development of the minimum data protection principles set by the Convention of 28 January 1981 for the protection of individuals with regard to automatic processing of personal data, and in Recommendation (87)15 regulating the use of personal data in the police sector, both adopted in the framework of the Council of Europe. Therefore, the Council continues to give priority to the examination of the proposal for a Council Framework Decision on the protection of personal data processed in the framework of police and judicial co-operation in criminal matters, and intends to reach a political agreement on the proposal as soon as possible and at the latest by the end of 2007.			

Council Declaration concerning the right of access to the VIS by the United Kingdom and Ireland in the Council Decision

The Council recognises that the shared security of Member States will be strengthened by the reciprocal access of the United Kingdom and Ireland to the Visa Information System and emphasizes the importance of the United Kingdom and Ireland access for law enforcement purposes to the Visa Information System. The Council will therefore keep the position of the United Kingdom and Ireland under review, including in relation to relevant jurisprudence and will in the light of the outcome of the Court Decisions adopt such provisions as may be necessary or appropriate to enable the United Kingdom and Ireland to have access to the Visa Information System on the same footing as the other Member States.

Joint Declaration from the United Kingdom and Ireland

The UK and Ireland welcome the Council Declaration regarding access to the VIS.

The UK and Ireland consider that they are entitled to participate in the adoption and application of the VIS Council Decision. In particular they do not accept that the measure can properly be classified as a Schengen building measure. Even if it could be so classified, the UK and Ireland consider that the legal base is not one which builds upon the area of the Schengen acquis covering short-stay visas or that such a classification justifies their exclusion from the measure.

The UK and Ireland should therefore be granted full, direct access to the Visa Information System.

2008/580/EC: Council Decision of 23 June 2008 granting a Community guarantee to the European Investment Bank against losses under loans for projects outside the Community (South-eastern neighbours, Mediterranean countries, Latin America and Asia and the Republic of South Africa) (Codified version)

8715/08
+ COR 1 (lt)
+ COR 2 (mt)
+ COR 3 (nl)
+ COR 5 (sk)
+ COR 6 (sl)
+ COR 7 (sv)
+ COR 8 (ro)
+ COR 9 (bg)
+ REV 1 (pt)

Qualified majority

All Member States in favour

2008/492/EC: Council Decision of 23 June 2008 concerning the accession of Bulgaria and Romania to the Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises

10060/08
+ REV 1 (sv)

Unilateral declarations concerning the Convention of 23 July 1990 on the elimination of double taxation in connection with the adjustment of profits of associated enterprises

Unilateral Declarations on Article 7 of the Convention on the elimination of double taxation in connection with the adjustment of profits of associated enterprises:

Italy, Lithuania and Malta

declare that they will apply Article 7(3).

Unilateral Declarations on Article 8 of the Convention on the elimination of double taxation in connection with the adjustment of profits of associated enterprises:

Declaration by Bulgaria:

The term 'serious penalties' means penalties of every kind, imposed for actions constituting administrative or tax infringements, including infringements of procedural law concerning tax assessment and tax collection, as well as for crimes against the tax system. „Serious penalties” imposed on the enterprise are also deemed to exist when penalties are imposed for offences committed against the tax system on an individual from that enterprise whose actions have influenced the amount of tax liabilities of the enterprise or the collection therewith.

Declaration by Romania:

The term "serious penalty" includes the commission of any criminal act provided by the tax evasion law or the accountancy law or the company law or the tax legislation. It also includes administrative penalties in regard to:

- refusal to submit the tax statements (declarations) or the informative statements at the request of the tax bodies;
- refusal to supply documents and records requested by the tax inspection authorities,
- failing to submit the periodical financial documents and the accounting reports or, submitting such documents or reports which include incorrect data,
- actions included in the tax record, according to the legislation in force.

Declaration by the Slovak Republic:

The term "serious penalty" means a penalty imposed according to the Criminal Code for criminal offences committed with respect to the infringement of the pertinent tax laws, Tax Administration Act or Act on Accounting.

Declaration by the Kingdom of Spain:

"Serious penalties" shall include administrative penalties for serious and very serious tax infringements, as well as sentences for offences affecting public finances.

2008/493/EC: Council Decision of 23 June 2008 amending Annex I to the Act of Accession of Bulgaria and Romania

10061/08
+ REV 1 (sv)

Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation)

PE-CONS 3630/4/07
REV 4

Qualified majority

All Member States in
favour

Joint statement by the European Parliament, the Council and the Commission on article 26 relating to operational management

The European Parliament and the Council invite the Commission to present, following an impact assessment that provides a substantive analysis of alternatives from a financial, operational and organisational perspective, the necessary legislative proposals entrusting an agency with the long-term operational management of the VIS. The impact assessment could form part of the impact assessment which the Commission undertook to carry out with regard to the SIS II.

The Commission commits itself to presenting, within two years of the entry into force of this Regulation, the necessary legislative proposals to entrust an agency with the long-term operational management of the VIS. Such proposals shall include the modifications required to adapt the Regulation concerning the VIS and the exchange of data between Member States on short stay-visas.

The European Parliament and the Council commit themselves to dealing with these proposals as quickly as possible and to have them adopted in time to allow the agency to take up fully its activities before the end of a five-year period following the entry into force of this Regulation.

Joint statement by the European Parliament and the Council concerning the misuse of visas and invitations

The European Parliament and the Council underline the need to tackle the phenomenon of visa misuse in a comprehensive manner and believe that the treatment of cases of misuse which emerge or come to light after the expiry of the validity of a visa should be carefully considered in the context of the Visa Code proposal. Following an agreement on the Visa Code, they invite the Commission to propose, if necessary, appropriate amendments to the VIS Regulation.

Furthermore, the European Parliament and the Council invite the Commission to report not later than three years after the start of operations of the VIS on the situation as regards misuse by persons issuing invitations, and to present, if necessary, suitable proposals for amendments.

Statement by the Council concerning the proposal for a Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals

The Council recognises the importance of adopting without delay a Return Directive which shall contribute to the establishment of an effective removal and repatriation policy based on common standards for persons to be returned in a humane manner and with full respect for their human rights and dignity, as required by the Hague Programme. In order to enforce this European legislation, appropriate resources must be available. The Council therefore commits itself to making progress on the proposal for a Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third country nationals and to starting as soon as possible the inter-institutional discussions with the European Parliament with a view to reaching a first reading agreement by the end of 2007.

Statement by the Council

The Council takes note of the intention of the Republic of Cyprus to participate in the Visa Information System (VIS) before the lifting of controls at its borders with the other Schengen Member States and that thus, in accordance with Article 3(2) of the Accession Act, the Council will be invited to take two decisions and set two dates, a first one for the implementation of the common visa policy by Cyprus including the VIS and other relevant parts of the Schengen acquis, the second one for the lifting of border controls as regards travel between the Republic of Cyprus and the Member States fully implementing the Schengen acquis.

The Council declares that an anticipated decision, after consulting the European Parliament, on the implementation of the common visa policy is conditioned by:

- a declaration of readiness by the Republic of Cyprus to fully implement the common visa policy including the VIS and other relevant parts of the Schengen acquis, in particular its integration in the SIS (in order to check against the list of non-admissible third country nationals;
- a verification in accordance with the Schengen evaluation procedures that the necessary conditions for the application of these parts of the acquis have been met by the Republic of Cyprus.

Statement by the Republic of Slovenia and the Republic of Poland on article 18

The Republic of Slovenia and the Republic of Poland confirm their readiness to fully implement the Regulation of the European Parliament and of the Council concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas. As frequently used points of entry to the European Union, Slovenia and Poland are aware of their responsibility to carry out border checks in the interest of all the Member States and wish to draw attention to possible consequences of strict implementation of Article 18 of the Regulation.

Article 18 defines the systematic verification of visa stickers and fingerprints of third-country nationals required to hold a visa when entering the Schengen area. However, the Republic of Slovenia and the Republic of Poland wish to draw attention to technical problems that might arise with mobile fingerprint readers when comparing fingerprints with the central database and problems that arise when fingerprints do not match, even though the identity of a person is correct. For this reason this type of border control will probably result in serious disturbances for international traffic at border-crossing points. Furthermore, the Republic of Slovenia and the Republic of Poland wish to underline the fact that this Article does not provide for any exemptions, even in cases where it is obvious that certain passengers are bona fide, such as members of official delegations, athletes, cultural and scientific workers and members of families travelling together and the possibility of abuse of visas is excluded.

In light of the above, the Republic of Slovenia and the Republic of Poland supported the idea raised in Council that after mandatory verification with the number of the visa sticker, border-police officers would have a discretionary right to decide which additional criteria should be used in order to establish the identity of a person during a border check procedure.

Regulation (EC) No 762/2008 of the European Parliament and of the Council of 9 July 2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation (EC) No 788/96 (Text with EEA relevance)	PE-CONS 3606/4/08 REV 4	Qualified majority	All Member States in favour, except: abstention: DE
Regulation (EC) No 766/2008 of the European Parliament and of the Council of 9 July 2008 amending Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters	PE-CONS 3616/2/08 REV 2	Qualified majority	All Member States in favour, except: abstention: IE
Statement by the Council and the Commission Without prejudice to relevant Community legislation, the Member States and the Commission shall cooperate to ensure that all Community exchange systems and data bases that support risk analysis and control procedures in the area of customs legislation will be operated complementarily and, if appropriate, interoperable with those covered by this Regulation. Statement by Ireland Ireland supports the overall objective of Regulation 515/97 and will continue to contribute to information exchange arrangements in the interest of dealing with breaches of customs and agriculture rules. However, Ireland considers Articles 135 and 280 of the Treaty establishing the European Community to be an inappropriate legal base for a measure containing provisions on fiscal matters. Ireland has consistently held that, as a matter of principle, fiscal matters should be dealt with on the basis of unanimity at Council.			

Statement by the United Kingdom delegation

The UK is supportive of the aims and objectives of the Regulation 515/97 proposal and will continue to engage actively with other Member States to promote stronger co-operation and exchange of information in the customs and agriculture area.

However, the UK has voted against the proposal on the basis that Articles 135 and 280 of the Treaty establishing the European Community (TEC) are an inappropriate legal base for a measure containing provisions on fiscal matters. The UK continues to take the view that, where legislation includes provisions on fiscal matters, a specific tax legal base, requiring unanimity in the Council, should be used, either solely or, where appropriate, jointly with other Articles of the Treaty.

The UK considers that tax authorities should not share the information required under Article 2a(f) with other Member States' customs authorities *unless* customs are also designated as 'liaison departments' or 'competent officials' under Regulations 1798/03 or 2073/04 which govern administrative co-operation for value added tax and excise duties.

Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (Text with EEA relevance

PE-CONS 3612/3/08
REV 3

Qualified majority

All Member States in
favour

Statement by Austria

Under Article 2(c) of the proposal for a Regulation of the European Parliament and of the Council on population and housing censuses, "usual residence" means the place where a person has (i) continuously lived for the last 12 months before the reference date or (ii) settled within the last 12 months before the reference date, with the intention of staying there for at least 12 months. However, where (i) the 12-month period of residence or (ii) the intention of staying for 12 months cannot be established, the legal or registered place of residence also counts as the usual place of residence.

Austria construes that provision as meaning that, where the Member State has no information as to any intention of staying there for at least 12 months, the legal or registered residence should be taken to be the usual residence.

Regulation (EC) No 764/2008 of the European Parliament and of the Council of 9 July 2008 laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision No 3052/95/EC (Text with EEA relevance)	PE-CONS 3613/2/08 REV 2	Qualified majority	All Member States in favour, except: abstention: IT
Statement by the Italian delegation Italy, which abstained from the vote on the above Regulation, considers that the presence in the adopted text of a reference to national prior authorisation procedures, both in the preamble (recitals 11 and 12) and, indirectly, in the enacting terms (Article 2(2) with the formulation "any provision ... other ..."), could constitute a <i>de facto</i> system for derogation from the application of the principle of mutual recognition in non-harmonised sectors and in that of precious metals in particular. Such a derogation system would entail legal uncertainty in terms of application, a duplication of the burden imposed on economic operators and the risk of increased litigation between private individuals.			
Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (Text with EEA relevance)	PE-CONS 3614/4/08 REV 4	Qualified majority	All Member States in favour, except: against: AT

Statement by the European Commission on peer evaluation (re article 7(1)(c))

The Commission is committed to ensuring the proper operation of the peer evaluation of national Accreditation Bodies in close cooperation with the European co-operation for Accreditation (EA) as provided for in this Regulation in order to verify the continuing compliance with the provisions of the Regulation and with the international standard for accreditation bodies (ISO/IEC 17011).

Aware that the fulfilment of the requirements for a successful peer evaluation as laid down in the current EA rules could discriminate national accreditation bodies of small Member States which are not yet signatories to the European Cooperation for Accreditation Multilateral agreement (EA MLA), the Commission will, following the adoption of this Regulation, commit itself at EA, ILAC and IAF level to re-examine the existing rules so as to open the peer evaluation process to all national recognised Accreditation Bodies in all technical fields, independent of their size. It will in particular seek to have the basic conditions of access to peer evaluation relating the criteria on the requirement of a set number of accreditations to be carried out prior to peer evaluation be modified to be less restrictive.

Should an appropriate solution not be found at the international level, the Commission takes the commitment to find an acceptable solution with EA at the European level, for the non-discriminatory application of this Regulation.

Statement by the European Commission on the language used for identifying national market surveillance authorities (re articles 27-29)

The Commission considers that Articles 27-29 of this Regulation cater for all the different configurations of the distribution of responsibilities in Member States between different national authorities responsible for market surveillance and those responsible for controlling products entering the Union. They do not preclude Member States from having one single national authority for both activities. However, as far as reference to decisions on the release for free circulation of goods is made, this responsibility is specific to the customs authorities.

Joint Statement by Cyprus, Luxembourg and Malta on peer evaluation (re article 7(1)(c))

Cyprus, Luxembourg and Malta support the Declaration of the European Commission on peer evaluation.

Statement by the Federal Republic of Germany

1) Principle

The Federal Government welcomes and basically supports the intention declared in the Presidency document of reaching agreement with the European Parliament at first reading. It would however point out that in its view the amended provisions on accreditation for the medical devices sector will satisfy public health requirements only to an extent.

It would give a reminder that a large proportion of medical devices are applied directly in or on the human body and can thus in principle entail comparable risks to those of medicinal products. Moreover, in the case of combined products, e.g. medicinal products with biological components, the distinction between these products and medicinal products becomes increasingly blurred.

A stringent, official authorisation system ensures that medicinal products are of the requisite quality and are safe according to current scientific knowledge. However, the planned amendment to the New Approach provisions may in future allow essential health-related decisions concerning the marketing of medical devices to be taken exclusively by non-government bodies.

The Federal Government considers this to be a problem from a public health standpoint. It therefore couples its agreement to the document with a request that the Commission consider whether medical devices which are particularly sensitive in terms of risk require special treatment involving official bodies. In its view the governments of the Member States retain responsibility for public health in any event and that responsibility cannot be further delegated to non-official bodies.

2) re Article 1:

The scope does not extend to rules on accreditation/conformity assessment where matters of public safety or state security are concerned.

3) re Article 13:

The provisions of this Regulation concerning market surveillance of products are applicable where these products are covered by European harmonisation legislation. Where only certain product characteristics or requirements are harmonised at European level, the provisions of this Regulation concerning surveillance do not apply in relation to other characteristics of these products, which may continue to be regulated by the Member States.

Member State measures based on domestic legislation relating to characteristics of a product or requirements of a product which are not the subject of European harmonisation legislation remain unaffected by the provisions of this Regulation concerning market surveillance.

Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products, and repealing Council Decision 93/465/EEC (Text with EEA relevance)	PE-CONS 3615/4/08 REV 4	Qualified majority	All Member States in favour
Statement by the European Commission on the activities of notifying authorities (re ANNEX I article R15 paragraph 4) The Commission considers that, where the notifying authority of a Member State is situated in a structure which carries out a variety of related activities under this Decision, the Member State is under an obligation to ensure that the internal structures of that authority are organised in such a manner as to avoid conflicts of interest and to ensure that the notifying authority is free of competition with the organisations it notifies and remains independent and neutral.			
Decision No 743/2008/EC of the European Parliament and of the Council of 9 July 2008 on the Community's participation in a research and development programme undertaken by several Member States aimed at supporting research and development performing small and medium-sized enterprises	PE-CONS 3623/1/08 REV 1	Qualified majority	All Member States in favour
Decision No 742/2008/EC of the European Parliament and of the Council of 9 July 2008 on the Community's participation in a research and development programme undertaken by several Member States aimed at enhancing the quality of life of older people through the use of new information and communication technologies	PE-CONS 3618/1/08 REV 1	Qualified majority	All Member States in favour
Decision No 626/2008/EC of the European Parliament and of the Council of 30 June 2008 on the selection and authorisation of systems providing mobile satellite services (MSS)	PE-CONS 3637/1/08 REV 1	Qualified majority	All Member States in favour, except: abstention: BU, SE against: PT

Bilateral Statement by Bulgaria and Sweden

The usage of the valuable spectrum 2 GHz-band should aim at providing Mobile Satellite Services to as many EU citizens as possible and at covering as large parts of the Member States' territories as possible. Unlike terrestrial systems, mobile satellite systems can provide broadband services also in rural and remote areas in a cost efficient way and thereby increasing the offering and availability of pan-European services and end-to-end connectivity.

Against this background an admission criterion as low as 60 percent geographical EU coverage cannot be deemed to ensure pan-European services that would contribute sufficiently to closing the digital divide still existing in parts of the European Union. The current decision does not even guarantee that all Member States will have access to these services initially. Bulgaria and Sweden will therefore abstain from voting.

Statement by Portugal

The pan-European nature of satellite services and the need to ensure a universal coverage of the territories of the 27 Member States, thus bridging the digital divide and improving their accessibility and quality, was the basis to pursue a selection and authorisation procedure of satellite services at community level.

When agreeing on a European common selection process Portugal expected that the conditions for admission of MSS providers would be at least equal, if not improved, in comparison with a possible national selection procedure.

The European Commission has invoked extensively the abovementioned principles in the preamble of its proposal, also arguing on the benefits that MSS will bring to rural and remote areas, in order to bridge the digital divide.

The European Parliament shared these objectives in their Resolution 2006/2212 and in some of the amendments proposed.

However, the agreed proposal of Decision fails to deliver those objectives, allowing that extensive parts of the European Union territories will not be covered by the satellite systems, thus excluding millions of European citizens from the possibility to benefit from Mobile Satellite Services. This constitutes a serious setback and clearly disrespects the principles of equal treatment and equality of access to all our citizens enshrined in the Treaty.

Therefore Portugal can not agree with the proposal agreed between the Council and European Parliament and will vote against it.

Common Position adopted by the Council on 23 June 2008 with a view to the adoption of the Directive of the European Parliament and of the Council on airport charges	8332/2/08 REV 2	Qualified majority	All Member States in favour, except: against: LU
Statement by the Commission The Commission will assess whether, as a result of the implementation of the [proposed] Directive, the airports referred to in Article 1(2) are being unjustifiably disadvantaged vis-à-vis other airports with comparable traffic data of other Member States with which they are in competition. Where appropriate, the Commission will take adequate initiatives in order to restore a level playing field including, if necessary, making proposals for reviewing the Directive's thresholds. Statement by Slovakia After the Commission has promised to prepare a report on the possible impact of the new Directive on the biggest airports of Member States, which are under limit of 5 million passengers, Slovakia considered this as a step in a good direction and lifted its reservation to Article 1. However, the Slovak delegation has asked the Commission to complete the above mentioned report before the implementation of the new Directive and to prepare appropriate adjustments to the Directive, if necessary. Statement by Luxembourg Luxembourg cannot accept the scope of the measure as defined in Article 1 of this proposal as it considers that it contravenes the principle of non-discrimination, a general principle in Community law, in imposing different legal obligations on airports in comparable situations. Throughout the negotiations in the Council, Luxembourg has submitted amendments designed to prevent such discrimination but to no avail. It has urged the Council to adopt just one criterion for determining the scope of the measure - the number of passengers - in order to ensure uniform application of the Directive and avoid unwarranted differences in treatment based solely on an airport's geographical location. Luxembourg regrets that it has not been possible to find a satisfactory solution to an issue it considers to be of fundamental importance and reserves the right to use all means available to it to prevent the application of a provision that it regards as discriminatory.			

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
2872nd meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Luxembourg on 3 June 2008 Council Decision establishing the position to be adopted on behalf of the Community within the Food Aid Committee as regards the extension of the Food Aid Convention, 1999 9714/08 Council conclusions on Clearing and Settlement 9720/08 Council Conclusions on Code of Conduct Group (Business Taxation) 9652/08 2873rd meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Luxembourg on 5 and 6 June 2008 2008/431/EC: Council Decision of 5 June 2008 authorising certain Member States to ratify, or accede to, in the interest of the European Community, the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law - Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children 7573/08 + REV 3 (sv) + REV 4 (lv) + REV 5 (pl)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Council Decision concerning the conclusion of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters 9196/08 Statement from the Commission Following the declaration made by the European Community in accordance with Article II(2) of Protocol 1 to the Lugano Convention, the Commission recalls that it did not propose such a declaration. This declaration has the effect of breaching the parallelism between the Lugano Convention and the parallel Community instrument Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, while the principal objective of the new Lugano Convention was to reinstall such parallelism. As a result, for the Commission this declaration is without prejudice to the ongoing revision of the rules on third party proceedings/notices in the context of Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. Council Conclusions on the further development of the SECI Center 9395/08 Council Conclusions on cooperation with the candidate countries and potential candidate countries of the Western Balkans in the field of Civil Protection 9199/08 + REV 1 (ro) Joint Declaration on a Mobility Partnership between the European Union and the Republic of Moldova 9460/08 + ADD1 + ADD 1COR 1 + ADD 2	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Joint Declaration on a Mobility Partnership between the European Union and the Republic of Cape Verde 9460/08 ADD 2 + ADD2 COR 1 (sl) Council Conclusions on enhancing the Global Approach to Migration 9604/08 Council Conclusions on the European Crime Prevention Network (EUCPN) Annual Report 2007 8816/3/08 REV 3 + REV 3 COR 1 + REV 3 COR 1 REV 1 (el) + REV 4 (fi) + REV 4 COR 1 (fi) Council conclusions on the assistance to produce a common threat assessment on organised crime for South East European region 8104/2/08 REV 2 Statement concerning the cooperation between Europol and Eurojust 9718/08 Council conclusions on possible cooperation mechanisms between civilian ESDP Missions and Europol as regards the mutual exchange of information 7821/3/08 REV 3 Council Conclusions on development of the FADO system (False and Authentic Documents Online) 9665/08	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Council Conclusions on the Management of the External Borders of the Member States of the European Union 9873/08 + REV 1 (mt) Council Conclusions of 5 June 2008 Schengen Evaluation - future monitoring of the correct application of the Schengen acquis in participating States 8460/2/08 REV 2 + REV 2 COR 1 (fi) 2874th meeting of the Council of the European Union (ENVIRONMENT), held in Luxembourg on 5 June 2008 Council Decision establishing the position to be adopted on behalf of the European Community at the 60th meeting of the IWC in 2008 with regard to proposals for amendments to the Schedule of the International Convention on the Regulation of Whaling (ICRW) 9818/08 2875th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Luxembourg on 6 June 2008 Statement on the Date for Elections to the European Parliament 2009 10228/08 + COR 1	

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OTHER ACTS	Votes/Statements made public
2876th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS), held in Luxembourg on 9 and 10 June 2008 Council Decision on the signature and provisional application of the Agreement in the form of an Exchange of Letters between the European Community and Ukraine in relation to the preservation of commitments on trade in services contained in the Partnership and Cooperation Agreement 8959/08 Council Decision 2008/665/CFSP of 9 June 2008 concerning the conclusion of the Agreement between the European Union and the Republic of Albania on the participation of the Republic of Albania in the European Union military operation in the Republic of Chad and in the Central African Republic (Operation EUFOR Tchad/RCA) 9405/08	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Statement by the Republic of Albania: The Republic of Albania, associating itself with Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic¹ (Operation EUFOR Tchad/RCA), will endeavour, insofar as its internal legal system so permits, to waive as far as possible claims against any other State participating in the EU crisis-management operation for injury, death of its personnel, or damage to, or loss of, any assets owned by itself and used by the EU crisis-management operation if such injury, death, damage or loss: – was caused by personnel in the execution of their duties in connection with the EU crisis-management operation, except in the event of gross negligence or wilful misconduct, or – arose from the use of any assets owned by States participating in the EU crisis-management operation, provided that the assets were used in connection with the operation and except in the event of gross negligence or wilful misconduct of the EU crisis-management operation personnel using those assets. Statement by the EU Member States: The EU Member States applying Joint Action 2007/677/CFSP of 15 October 2007 on the European Union military operation in the Republic of Chad and in the Central African Republic² (Operation EUFOR Tchad/RCA) will endeavour, insofar as their internal legal systems so permit, to waive as far as possible claims against the Republic of Albania for injury, death of their personnel, or damage to, or loss of, any assets owned by themselves and used by the EU crisis-management operation if such injury, death, damage or loss: – was caused by personnel from the Republic of Albania in the execution of their duties in connection with the EU crisis-management operation, except in the event of gross negligence or wilful misconduct, or – arose from the use of any assets owned by the Republic of Albania, provided that the assets were used in connection with the operation and except in the event of gross negligence or wilful misconduct of EU crisis-management operation personnel from the Republic of Albania using those assets.	

¹ OJ L 279, 23.10.2007, p. 21.

² OJ L 279, 23.10.2007, p. 21.

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Council conclusions on enhanced administrative cooperation in the context of the posting of workers in the framework of the provision of services 9935/08 + REV 1(hu) Joint statement by Germany, Belgium, Bulgaria, France, Italy, the Netherlands and Austria re invitation to the Commission and the Member States Germany, Belgium, Bulgaria, France, Italy, the Netherlands and Austria consider that enhanced administrative cooperation in the context of the posting of workers in the framework of the provision of services, as recommended by the Commission and endorsed by the Council, should be accompanied by strengthened cooperation in the area of social security coordination with regard to the posting of workers, as this is a closely related matter. These delegations therefore consider that the Commission and the Member States, in accordance with their respective competences, should, with a view to the strengthening of cooperation between the Member States, explore possible administrative procedures to be followed in case of a dispute between national administrations about the fulfilment of the posting conditions as laid down in Regulation 1408/71 and respectively, after entry into force, Regulation 883/2004 in the light of the jurisprudence of the European Court of Justice with regard to E 101 certificates. Council Conclusions on "Anticipating and matching labour market needs, with special emphasis on youth - A Jobs and Skills Initiative" 10091/08 Council Conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action - THE GIRL CHILD 9669/08 + ADD 1	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
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Council Conclusions on the review of the progress of the implementation by the Member States and the EU institutions of the Beijing Platform for Action - WOMEN IN POLITICAL DECISION-MAKING 9670/08 + ADD 1 Council Conclusions on Eliminating Gender Stereotypes in Society 9671/08 Council Conclusions on reducing the burden of cancer 9636/08 + COR 1 (el) + COR 2 (sl) + REV 1 (hu) Council Conclusions on Antimicrobial Resistance (AMR) 9637/08 Council Conclusions on a cooperation mechanism between the Council and the Commission for the implementation of the EU Health Strategy 9639/08 + REV 1 (sl) + REV 2 (bu) Council Conclusions on the communication from the Commission to the European Parliament and the Council concerning the report on current practice with regard to provision of information to patients on medicinal products 9437/08 + REV 1 (sl)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
2877th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Luxembourg on 12 and 13 June 2008 Council Conclusions on "Reaping the full benefits of the digital dividend in europe : A Common approach to the use of the spectrum released by the digital switchover" 10820/08 Council Conclusions on "Preparing Europe's digital future i2010 Mid-Term Review" 9598/08 + COR 1 (bg) Council Conclusion on "Multi-annual contracts for rail infrastructure quality" 10304/08 2878th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Luxembourg on 16 June 2008 2008/451/EC: Council Decision of 16 June 2008 adjusting the allowances provided for in Decision 2003/479/EC and Decision 2007/829/EC concerning the rules applicable to national experts and military staff on secondment to the General Secretariat of the Council 9483/08 + REV 1 (mt) Council Regulation (EC) No 587/2008 of 16 June 2008 amending Regulation (EC) No 866/2004 on a regime under Article 2 of Protocol 10 to the Act of Accession concerning rules on goods, services and persons crossing the Green Line in Cyprus 9469/08 + REV 1 (sk)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Council Decision on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 9372/08 2008/579/EC: Council Decision of 16 June 2008 on the signing and conclusion on behalf of the European Community of the International Coffee Agreement 2007 OJ L 186, 15.7.2008, p. 12–12 9559/08 Council Decision on the signing on behalf of the European Community of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part 8224/08 Council Decision of 16 June 2008 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part 8229/08 + COR 1	

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OTHER ACTS	Votes/Statements made public
Council Regulation (EC) No 594/2008 of 16 June 2008 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, and for applying the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part 9160/08 + COR 1 (it) Council Decision on a Community Position to be adopted in the EC-Bosnia and Herzegovina Interim Committee on its Rules of Procedure including the Terms of Reference and Structure of the EC-Bosnia and Herzegovina sub-committees 9163/08 Council Conclusions on enhancing the Global Approach to Migration 9604/08 Council Conclusion on Reinforcing the Union's Disaster Response Capacity – towards an integrated approach to managing disasters 10128/08 + REV 1 (ro) + REV 2 (el) + REV 5 (sl) Council conclusions on the tenth anniversary of the EU Guidelines on the Death Penalty and adoption of the revised and updated version of the EU Guidelines on the Death Penalty 10276/08 Council conclusions on the Review of the EU Guidelines on Children in Armed Conflict 10287/08 + REV 1 (en)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
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Council Joint Action regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia 8539/08 + COR 1 (el) Operation ALTHEA - Draft Council Conclusions 10293/08 Council Decision 2008/669/CFSP of 16 June 2008 concerning the conclusion of the Agreement between the European Union and the Republic of Guinea-Bissau on the Status of the European Union Mission in Support of Security Sector Reform in the Republic of Guinea-Bissau 9032/08 European Union's position for the Association Council's Eighth meeting concerning the Relations with Israel 10606/08 2879th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), held in Luxembourg on 16 and 17 June 2008 Council Conclusions on the Western Balkans 10448/3/08 REV 3 Council conclusions on Sudan 10526/08	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Council conclusions on Somalia 10548/08 Council conclusions on the Great Lakes Region 10525/1/08 REV 1 Written procedure completed on 18 June 2008 The EU as a global partner for pro-poor and pro-growth development: EU Agenda for Action on MDGs 10659/08 + COR 1 (fr) + REV 1 (pt) 2881th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Luxembourg on 23 and 24 June 2008 Council Regulation (EC) No 624/2008 of 23 June 2008 laying down the weightings applicable from 1 July 2007 to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries and of certain officials remaining in post in the two new Member States for a maximum period of 19 months after accession 8254/08 + REV 1 (ro) + REV 2 (mt) Council Decision authorising the Commission to conduct negotiations for the elaboration of an international legally-binding instrument on port State measures to prevent, deter and eliminate illegal, unreported and unregulated fishing 10490/08 + REV 1 (lv)	

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Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community (Brussels, 27 June 2008) 10564/08 + ADD 1 + COR 1 + ADD 1 COR 1 (pt) + ADD 2 Statement of the Republic of Bulgaria Bulgaria supports the European Community position as regards the financial discharge of the Director of the Energy Community Secretariat and the dispute settlement under the Energy Community Treaty. However, referring to its reservation regarding the amendment of the Annex to Regulation (EC) No 1228/2003 on the conditions for access to the network for trans-border exchanges in electricity, establishment of an 8th region, <i>Bulgaria abstains from taking position on the draft Proposal for a Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community (Brussels, 27 June 2008) with the following arguments:</i> Bulgaria expresses its support to the full opening of the electricity market in the SEE countries as well as all across Europe. The development of the trade in electricity and with trans-border capacity in South-East Europe, on the basis of transparent and market mechanisms, under the conditions of equality of all countries participating in the process is a key objective of Bulgaria. In this context, the geographical scope of the new 8th region is an issue of paramount importance for Bulgaria and for the other countries from the region. Its structure at the moment does not assure the equal standing of the participating countries. The view of Bulgaria regarding this region is that the overlapping country between the Central South Europe area and South-East Europe area shall be Italy, in terms of the electricity border between Italy and Greece. Such a structure would secure the equal standing of the participating countries and would provide the electricity traders with the possibility to trade with trans-border transmission capacity within the coordinated procedure for allocation of trans-border transmission capacities at one step to Italy and with all the other countries proposed to be included into the new region.	

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For that purpose, we expect the Annex to Regulation (EC) No 1228/2003 on the conditions for access to the network for trans-border exchanges in electricity to be amended under the comitology procedure. The amendment shall affect the Central South Europe area, with Greece being removed from Central South Europe area as it shall participate only in South East Europe area. Solely such an approach would guarantee an equal standing of all countries involved in the future process of coordinated tenders for trans-border transmission capacity both in the South East Europe region and the Central South Europe region. At the same time, Bulgaria relies on the Commission to abide by the commitment taken to organize a trilateral meeting in September 2008 between the operators of electricity transmission systems of Bulgaria, Greece and Italy at which to discuss the aspects related to the trade with electricity and trans-border transmission capacity and the participation of the three states therein on an equal footing.

Statement of the Republic of Cyprus

On the enlargement of the Energy Community, and more specifically, with regard to the Negotiating Mandate concerning the accession of the Republic of Turkey to the Energy Community, Cyprus recalls its position recorded in a statement to the minutes during the adoption of decision no. 10781/07. As things have remained unchanged, Cyprus cannot agree to the accession of Turkey to the Energy Community Treaty and consequently cannot agree to the proposed Negotiating Mandate for the following reasons:

On a political level, Turkey regrettably continues to oppose the accession of Cyprus in various international organizations contrary to its commitments under the Negotiating Framework. Moreover it has failed to implement its obligations arising from the Ankara Protocol vis-à-vis the Republic of Cyprus, and continues to apply discriminatory measures against Cyprus' interests. In this respect, it should also be noted, that Turkey has not yet taken any steps towards the normalisation of its relations with the Republic of Cyprus, since the beginning of its accession process with the EU, a necessary component of which is the recognition of ALL Member States of the Union. These issues of substance must also clearly be reflected in any proposed Negotiating Mandate.

On a technical level, Turkey is far from fulfilling any of the obligations or commitments relevant to the purpose and goals of the Energy Community Treaty, conditions which must be fully respected prior to any decision concerning its accession. Cyprus hopes that all EU Member States will be receiving full, timely and updated reports on the progress of Turkey towards meeting these criteria.

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Finally, Cyprus notes with concern that, instead of submitting a formal application to join the Energy Community as requested by the Commission, Turkey attempts to link the fulfillment of the necessary accession criteria with unrelated issues such as the opening of accession negotiations of the Energy Chapter. Cyprus sees no link between these two separate and unrelated issues, something which clearly points to the real intentions of Turkey in this particular case. Cyprus hopes and expects that these legitimate concerns will be appropriately addressed and taken fully into consideration.	
Council Decision on the signing on behalf of the Community of the Agreement on Scientific and Technological Cooperation between the European Community and the Government of New Zealand 10118/08	
Council Joint Action 2008/485/CFSP of 23 June 2008 amending and extending Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo) 10113/08	
Council Joint Action 2008/480/CFSP of 23 June 2008 amending and extending Joint Action 2005/190/CFSP on the European Union Integrated Rule of Law Mission for Iraq, EUJUST LEX OJ L 163, 24.6.2008, p. 50–50 10073/08	
Council Conclusions concerning the Court of Auditors' Special Report No 2/2008 on Binding Tariff Information 10390/08 + COR 1 (it) + REV 1 (lt) + REV 1 COR 1 (lt) + COR 2 (lt)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Council Joint Action 2008/487/CFSP of 23 June 2008 in support of the universalisation and implementation of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in the framework of the European Security Strategy 10234/08 Council Joint Action 2008/550/CFSP of 23 June 2008 establishing a European Security and Defence College (ESDC) and repealing Joint Action 2005/575/CFSP 10145/08 Council Decision 2008/482/CFSP of 23 June 2008 amending Decision 2008/134/CFSP on the European Union Police Mission for the Palestinian Territories 10173/08 Council Joint Action 2008/481/CFSP of 23 June 2008 amending Joint Action 2008/131/CFSP extending the mandate of the European Union Special Representative for Afghanistan 10143/08 + COR 1 (it) Council Common Position 2008/652/CFSP of 7 August 2008 amending Common Position 2007/140/CFSP concerning restrictive measures against Iran 9120/08 + ADD 1 + COR 1 (cz) + ADD 1 REV 1 (en) + ADD 1 REV 2 + ADD 1 REV 3 (en)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
2008/475/EC: Council Decision of 23 June 2008 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran 9121/08 + ADD 1 + ADD1 REV 1 (en) + ADD 1 REV 2 Council Conclusions on Cuba 10566/04/08 REV 4 Written procedure completed on 24 June 2008 Draft EU Guidelines Joint Declaration of the 1st Summit of the Barcelona Process: Union for the Mediterranean Paris, 13 July 2008 11043/08 Statement by Estonia Para 23 of the draft EU Guidelines states that the running costs of the Secretariat (support staff, equipment etc) will be funded on an equal basis by the EU and the Mediterranean partners. Referring to the explanation by the European Commission during the working group discussions Estonia is of understanding that allocation of funds from the EU Members States will be voluntary. Therefore, it is of understanding of Estonia that no obligatory allocation of funds from the EU Member States is required. Estonia asks to notify any objections to this interpretation.	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
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Statement by Italy In line with the discussion that took place in Portoroz at the 76th Euromed Senior Officials Meeting (9 June 2008), as reported in COREU CFSP/SEC/1257/08, it is understood that, after the identification of the key initiatives in the Annex to the final text of the Summit Declaration, Member States will have the possibility to continue to contribute to the ongoing process of project definition. On the Annex, Civil Protection, the joint Civil Protection Programme will aim at covering all sectors of civil, or soft security/safety, in line with the holistic approach to security of the Barcelona Process. Statement by United Kingdom Whilst broadly content with the draft text, there will still need to be discussions on the detail of the budgetary implications. We would have significant concerns about any EC Budget funds being called on to finance the administrative structures proposed. Similarly, where projects are to be supported by the EC Budget these should come from existing rather than additional resources. There should be no diversion of funding within the ENPI framework (neither from the east of the south, nor from existing ENPI southern programmes to BP:UFM). Written procedure completed on 26 June 2008 Council Joint Action 2008/491/CFSP of 26 June 2008 amending and extending Council Joint Action 2007/406/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) 10012/1/08 REV 1 + COR 1 (et)	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Written procedure completed on 27 June 2008 2008/569/EC,Euratom: Council Decision of 27 June 2008 appointing three Judges of the European Union Civil Service Tribunal 8567/1/08 REV 1 Statment by the Council on the renewal of the term of office of three judges for the civil service tribunal The Council emphasises that, pursuant to Article 3 of Annex I of the Statute of the Court of Justice, it is exclusively for the Council to decide on the best geographical balance for the composition of the Civil Service Tribunal. The decision to appoint the three retiring judges of the Civil Service Tribunal for a new term of office has been taken by the Council, taking into account the exceptional fact that their effective term of office has been two years. This will under no circumstances constitute a precedent. Accordingly, and taking account of the need to ensure that judges of the Civil Service Tribunal have the experience and qualifications required, the Council will continue to ensure that the Tribunal has a balanced composition which is renewed periodically, without prejudice to the provisions of Annex I to the Statute of the Court of Justice, on as broad a geographical basis as possible from among nationals of all the Member States and with respect to the national legal systems represented.	

INFORMATION ON THE ADOPTION OF OTHER ACTS JUNE 2008	
OTHER ACTS	Votes/Statements made public
Written procedure completed on 30 June 2008 Council Decision 2008/651/CFSP/JHA of 30 June 2008 on the signing, on behalf of the European Union, of an 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 10002/08 + COR 1 (da) + REV 1 (fi) + REV 1 COR 1 (fi) + REV 2 (hu)	