



**COUNCIL OF  
THE EUROPEAN UNION**

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**16150/07**

**CRS/CRP 45**

**SUMMARY RECORD**

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**Subject : 2208th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 4, 5, 7 and 10 December 2007**

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

doc. 16018/1/07 REV 1 OJ/CRP1 43

16113/07 OJ/CRP2 43

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 1, under AOB)

- = **Follow-up to the TTE Council (request by the ES delegation)**
  - **Adoption of the Council conclusions on GALILEO (restricted session)**
- = **Negotiations on Bali**
  - **Information from the Presidency on the state of play**

(Coreper Part 2, under I)

**90. Draft Presidency Report on ESDP**

16099/07 COSDP 1023 PESC 1464 CIVCOM 636

16116/07 COSDP 1028 PESC 1468 CIVCOM 638

**91. Draft Council conclusions on the Operation ALTHEA**

16179/07 COSDP 1038 PESC 1483 BIH 32 COWEB 295

The following items are **withdrawn** :

(Coreper Part 2, under I)

**52. Force Catalogue 07 Revision**

(Coreper Part 2, under II)

**85. Preparation of the Council meeting (Justice and Home Affairs), on 6/7 December 2007**

**(a) Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law**

15339/07 DROIPEN 109 ENV 633 CODEC 1286

16105/07 DROIPEN 118 ENV 686 CODEC 1405

The following items on the agenda of CRP2, under part II, are **transferred**, under part I :

**85. Preparation of the Council meeting (Justice and Home Affairs), on 6/7 December 2007**

**(d) JHA External Relations**

- **Outcome of the Diplomatic Conference at the Hague on the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance and the Protocol on the Law Applicable to Maintenance Obligations**  
14449/07 JUSTCIV 281
- **Preparation of the 2nd Conference of the Parties to the UN Convention against Corruption on 28 January - 1 February 2008**  
= **Review Mechanism**  
14412/1/07 REV 1 CRIMORG 164      RESTREINT UE

**89. Proposal for a Council Decision establishing Statutes for the Euratom Supply Agency**

- **Political Agreement**  
16080/07 ATO 164 FIN 589 ECOFIN 502

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

# Coreper Part 1

## II

### 94. **Proposal for a Directive of the European Parliament and of the Council on ambient air quality and cleaner air for Europe (Second reading)**

- **Presidency briefing on the outcome of the informal trilogue**
- **Approval of the final compromise text with a view to agreement**  
15933/07 ENV 674 ENER 305 IND 125 TRANS 396 CODEC 1378

The Committee confirmed that the outcome of the third and final informal trilogue constituted an acceptable basis for a second-reading agreement. It therefore mandated its President to write to the European Parliament to formalise the agreement.

PL indicated that it could not accept the final compromise package.

NL made the following statement:

"The Netherlands has always supported the development of ambitious and effective European policy on air quality and will continue to do so in the future. It is, therefore, happy with the compromise agreed by the Council and the European Parliament and compliments the Parliament, the Commission and the Presidency on the results achieved. The new Directive on ambient air quality marks significant progress for both the environment and public health.

As the Netherlands pointed out when the Common Position was drawn up, the air quality in our country is strongly influenced by transboundary developments and will therefore benefit enormously from an effective European approach. The Netherlands' main concern has been that the Directive should contain a balanced package of European and national measures, as well as realistic time limits to achieve the air quality targets. Only then will member states be able to achieve the ambitious targets that have been set.

The Netherlands is pleased with the Commission's statement that it will present Community measures in good time. Timely, EU-wide compliance with the air quality standards will depend on sound European policy tackling pollution at the source. The Netherlands would especially point to the lack of data and prevailing uncertainties about emissions and concentrations of fine particulates (PM<sub>2.5</sub>). It will of course make every effort to meet the objectives of the Directive by the target date. On the basis of the knowledge currently at our command, this will largely be feasible. The Dutch government is developing a National Air Quality Cooperation Programme to tackle locations where emission ceilings are persistently exceeded, so that, there too, air quality standards may be met by the target date.

The Netherlands is pleased that the Council and the European Parliament concluded their second reading in time for the Directive to take effect as of early 2008. This is essential for our own national programme, as well as actions in the countries around us. The Netherlands will work hard to ensure that the national cooperation programme and all local and regional measures are sufficient to achieve the European air quality standards."

**95. Proposal for a Directive of the European Parliament and of the Council establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Framework Directive) (Second reading)**

- **Presidency briefing on the outcome of the informal trilogue**
- **Approval of the final compromise text with a view to agreement**  
15987/07 ENV 676 MAR 119 CODEC 1387

The Committee confirmed that the outcome of the final informal trilogue on 29 November 2007 constituted an acceptable basis for a second-reading agreement. It therefore mandated its President to write to the European Parliament to formalise the agreement.

IT abstained; MT entered a reservation.

**96. Preparation of the Council meeting (Environment) on 20 December 2007**

**1. Environment and Health**

- **Adoption of Council conclusions**  
10757/07 SAN 131 ENV 328  
15475/07 ENV 646 SAN 216

The Committee gave support to the draft conclusions as proposed by the Presidency. It further invited the Council (ENV) to confirm and adopt the draft conclusions.

**2. Proposal for a Directive of the European Parliament and of the Council establishing a framework for the protection of soil and amending Directive 2004/35/EC**

**- Political agreement**

(Public deliberation, pursuant to Article 8(1)(b) CRP)

13388/06 ENV 495 AGRI 305 DEVGEN 232 FORETS 32 FSTR 64

RECH 242 REGIO 53 TRANS 246 CODEC 1012

15472/07 ENV 645 AGRI 384 DEVGEN 260 FORETS 61 FSTR 37

RECH 387 REGIO 53 TRANS 376 CODEC 1309

15995/07 ENV 678 AGRI 411 DEVGEN 273 FORETS 63 FSTR 39

RECH 413 REGIO 58 TRANS 400 CODEC 1389 + ADD 1

The Committee discussed the main outstanding issues as set out in document 15995/07, based on a Presidency text contained in document 15995/07 ADD 1. The Presidency reserved the right to present a new, comprehensive compromise package before the Council (Environment) on 20 December 2007.

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

**- Political agreement**

(Public deliberation, pursuant to Article 8(1)(b) CRP)

5154/07 ENV 7 AVIATION 15 MI 7 IND 3 ENER 8 CODEC 11

15993/07 ENV 677 AVIATION 216 MI 325 IND 126 ENER 307 CODEC 1388

+ ADD 1

The Committee addressed a number of outstanding issues contained in a draft presented by the Presidency with a view of clarifying the positions of delegations and explore possible directions for a compromise. In particular, discussions revolved around the issues of the starting date of the system, the benchmark to be used for calculating the allocation of quotas and the earmarking of revenues. Delegations also expressed their positions with respect to the de minimis clause and the special reserve for new entrants and fast-growing airlines.

**97. Preparation of the Council meeting (Agriculture and Fisheries) on 17 and 18 December 2007**

**1. Food improvement agents proposals**

- (a) Proposal for a regulation of the European Parliament and of the Council on food additives**
- (b) Proposal for a Regulation of the European Parliament and of the Council on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 of the European Parliament and of the Council**
- (c) Proposal for a Regulation of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1576/89, Council Regulation (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive**
- (d) Proposal for a Regulation of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings 2000/13/EC**
- Political agreement**
  - 12181/06 DENLEG 42 CODEC 829
  - 12179/06 DENLEG 40 CODEC 827
  - 12182/06 DENLEG 43 CODEC 830
  - 12180/06 DENLEG 41 CODEC 828
  - 15858/07 DENLEG 123 CODEC 1367
  - 15861/07 DENLEG 125 CODEC 1369
  - 15862/07 DENLEG 126 CODEC 1370 + COR 1
  - 15860/07 DENLEG 124 CODEC 1368

The Committee examined the proposal on flavourings (doc. 15862/07) and agreed to it, subject to lowering the maximum level of coumarin for the category "Breakfast cereals" including müsli in the Annex III, Part B from 25mg/kg to 20 mg/kg.

The Committee agreed to the other three proposals concerning additives, common authorization procedure and enzymes as contained in documents 15858/07, 15860/07 and 15861/07 respectively and to submit the whole package of four proposals to the Council (Agriculture and Fisheries) on 17/18 December 2007 for political agreement.

**2. Proposal for a Council Regulation fixing for 2008 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required**

- **Political agreement**  
15874/07 PECHE 356  
15997/07 PECHE 362

Le Comité a pris note des positions exprimées par les Etats membres et la Commission.

On poursuivra la discussion sur ce dossier lors de la réunion du 12 décembre prochain.

**3. Report from the Commission to the Council on the implementation of electronic identification in sheep and goats and Proposal for a Council Regulation amending Regulation (EC) No 21/2004 as regards the date of introduction of electronic identification for ovine and caprine animals**

- **General approach / Adoption**

Le Comité procède à un échange de vues sur le texte de compromis de la Présidence tel que repris au document 16125/07 ADD 1. La Présidence constate l'existence d'une majorité qualifiée en faveur de son compromis. Dès lors le Comité convient d'inviter le Conseil à adopter ce texte, lors de sa session des 17-19 décembre 2007, après qu'il aura fait l'objet d'une mise au point par les juristes linguistes et que le Parlement européen aura rendu son avis.

Suite à une question de la délégation britannique, la Commission a confirmé que conformément au Règlement (CE) No 21/2004, l'identification électronique ne devenait obligatoire à la date retenue que pour les animaux nés à compter de cette date.

**98. Proposal for a Council Regulation concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy**

- **Political agreement**  
8650/07 PECHE 116  
15946/07 PECHE 360

Le Comité a discuté ce dossier et fait des progrès sur les points en suspens. Il poursuivra la discussion lors de sa réunion du 12 décembre prochain.

**99. Proposal for a Council Regulation fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Black Sea for 2008**

**- Adoption**

15506/07 PECHE 347

15980/07 PECHE 361

The Committee reaches unanimous political agreement on the Presidency compromise presented in agreement with the Commission (doc. 16192/07 PECHE 370) plus an increased TAC for turbot.

The proposal, after finalisation by the legal linguistic experts, will be inscribed as an "A" item at a forthcoming meeting of the Council.

**100. Proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation security (Third reading)**

**- Preparation for the trilogue**

Le Comité prépare, sur base du document DS 1080/07, le trilogue du 10.12.2007.

**101. Proposal for a Regulation of the European Parliament and of the Council 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 and Regulation (EC) No 852/2004 of the European Parliament and the Council on the hygiene of foodstuffs**

**• Splitting of the proposal**

**- Decision on procedure to follow**

15854/07 JUR 426 TRANS 392 AGRILEG 184 DENLEG 122

COMPET 414 CODEC 1365

Le point susvisé a été reporté et inscrit en partie II de la prochaine réunion du Comité du 12 décembre 2007, à la demande de la délégation britannique.

## Coreper Part 2

### II

#### 84. Follow-up to the Council meeting (Economic and Financial Affairs), on 4 December 2007

The Committee took note of the proceedings of the ECOFIN Council of 4 December 2007.

Further to the provisional press release on item 6a. Financial services - Lamfalussy review, the Italian delegation asked that it be noted that they had abstained from adoption of the Council conclusions on this item. The Chairman of the Committee invited the Council Secretariat to do what was required.

#### 85. Preparation of the Council meeting (Justice and Home Affairs), on 6/7 December 2007

##### (b) Draft Council Conclusions on the Communication from the Commission to the Council and the European Parliament on the role of Eurojust and the European Judicial Network in the fight against organised crime and terrorism in the European Union

16115/07 EUROJUST 66 FIN 39 COPEN 173

15176/1/07 REV 1 EUROJUST 61 EJN 36 COPEN 159

The Presidency underlined the importance of the Council Conclusions in the light of the Commission Communication and in view of possible future developments of Eurojust and EJN.

The Committee confirmed the agreement reached by the JHA Counsellors on the draft Council Conclusions as set out in document 15176/1/07 REV 1 EUROJUST 61 EJN 36 COPEN 159.

The Council Conclusions have been forwarded to Council for adoption.

- (c) **Initiative presented by the Federal Republic of Germany and the French Republic with a view to the adoption by the Council of a Framework Decision on the recognition and supervision of suspended sentences and alternative sanctions and conditional sentences**  
15948/07 COPEN 171

The Committee discussed the text as prepared by the JHA Counsellors on 3 December 2007 and reached agreement on some outstanding issues. The Committee agreed to submit the text to the JHA Council on 6/7 December 2007 with a view to reaching a general approach thereon.

(d) **JHA External Relations**

- **Outcome of the meeting of the seventh EU Russia Permanent Partnership Council (Justice and Home Affairs) on 22 and 23 November 2007, Brussels**  
15918/07 JAI 652 RELEX 930 NIS 229 COEST 324

The Presidency highlighted the main topics addressed during the PPC troika with Russia, e.g. the role of women in the fight against terrorism, the EU visa policy towards Russia and the exchange of data. The Commission referred to the Litvinenko case and the disappearance of a Lithuanian business man.

EE underlined the importance of a correct application of both the Visa and Readmission agreements.

LT mentioned cooperation at the border and expressed gratitude for interfering in the interest of the Lithuanian business man mentioned above.

- **Outcome of the First Euro Mediterranean Ministerial Meeting on Migration (Albufeira - 18/19 November 2007)**  
15805/07 MED 45 JAI 633 ASIM 91 + COR 1

The Presidency informed the Committee about the positive outcome of the above Ministerial meeting, which adopted a declaration which includes concrete future projects.

**(e) Other items in connection with the Council meeting**

The Presidency informed the Committee on their intention to report to the Council on the situation of the Proposal for a Council Framework Decision on the European supervision order in pre-trial procedures between Member States of the European Union.

**86. Preparation of the Council meeting (General Affairs and External Relations) on 10/11 December 2007**

**A. General Affairs**

**(a) Preparation of the European Council**

= **Draft conclusions**  
16000/07 POLGEN 126 + REV 1

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

**(b) Enlargement**

- **Draft Council conclusions**  
16148/07 ELARG 127  
16003/1/07 REV 1 COWEB 284 COSDP 1009 PESC 1446

On the basis of revised Presidency proposals on draft Council conclusions on Enlargement (doc. 16148/07 and doc. 16272/07) the Committee holds an extensive discussion on the issue and takes note of the statements and proposals made by delegations. The Committee reaches a very broad agreement on draft Council conclusions on Enlargement as set out in the note to the Council (doc. 16273/07).

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

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

**B. External Relations**

**(a) Middle East**

- = **Draft Council conclusions on Middle East Peace Process**  
16178/07 COMEP 51 PESC 1482
- = **Draft Council conclusions on Lebanon**  
16204/1/07 REV 1 COMAC 49 COMEP 52 PESC 1485

Le Comité a approuvé les projets de Conclusions du Conseil sur le Processus de Paix au Moyen-Orient (doc. 16178/07 COMEP 51 PESC 1482) et sur le Liban (doc. 16204/1/07 REV 1 COMAG 49 COMEP 52 PESC 1485) et les a transmis au Conseil pour adoption.

**(b) Western Balkans**

- = **Draft Council conclusions on Kosovo**  
16037/07 COWEB 288 COSDP 1014 PESC 1450

The Committee discussed draft Council conclusions on the Western Balkans and agreed to send a revised text, as contained in document 16003/3/07 REV 3 COWEB 284 COSDP 1009 PESC 1446, to the Council with view to adoption.

The Committee also discussed draft European Council conclusions on Kosovo and decided to ask the Council to approve the draft text, as contained in document 16037/1/07 REV 1 COWEB 288 COSDP 1014 PESC 1450 and on which some delegations still had some scrutiny reserves, with a view to adoption by the European Council.

**(c) Sudan/Chad**

- = **Draft Council conclusions**  
16050/1/07 REV 1 COSDP 1016 COAFR 367 CHAD 19 PESC 1453

The work of the Committee is contained in document 16050/1/07 REV 1.

**(d) Somalia**

- = **Draft Council conclusions**  
16051/07 PESC 1454 COAFR 368

The work of the Committee is contained in document 16051/07.

**(e) Afghanistan**

**= Draft Council conclusions**

16004/07 COASI 190 ASIE 122 COSDP 1010 CIVCOM 629

PESC 1447 RELEX 937 JAI 662

The Committee endorsed the draft Council conclusions on Afghanistan and recommended the Council to adopt them.

**(f) Economic Partnership Agreements**

**- State of play on the negotiations**

**- Adoption of Market Access Regulation**

14969/07 ACP 247 WTO 246 UD 113

14970/07 ACP 248 WTO 247 UD 114

The Committee examined the state of play based on a Commission Staff Working Paper (doc. 15968/07 ACP 254 WTO 261 UD 124) and examined the Commission proposal for a Market Access Regulation as it resulted from the Working Party (doc. 14969/07 ACP 247 WTO 246 UD 113). The result of the Committee's work is set out in the report to the Council (doc. 16221/07 ACP 260 WTO 264 UD 126).

**(g) Other items in connection with the Council meeting**

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

**= Draft conclusions on Iran**

16230/07 COMEM 201 CONOP 96 COPOL 52

Le 5 décembre 2007, le Comité a approuvé le projet de conclusions du Conseil européen sur l'Iran (doc. 16230/07 COMEM 201 CONOP 96 COPOL 52) en vue de son approbation par le CAGRE du 10 décembre 2007 et de son adoption par le Conseil européen des 13/14 décembre 2007.

**87. Preparation for the EU-Africa Summit**

The Presidency provided organisational information on the EU-Africa Summit, including opening session and the distribution of speaking roles. The Committee was furthermore informed of the way how the Presidency intends to handle the discussion on Zimbabwe.

**88. Treatment of questions referred for a preliminary ruling concerning the area of freedom, security and justice**

**- Amendment to the Protocol on the Statute of the Court of Justice**

15901/07 JUR 436 COUR 56 JUSTCIV 326 ASIM 97 JAI 647

15910/07 JUR 437 COUR 57 JUSTCIV 327 ASIM 98 JAI 650

15912/07 JUR 438 COUR 58 JUSTCIV 328 ASIM 99 JAI 651

15815/07 JUR 423 COUR 52 JUSTCIV 319 ASIM 92 JAI 634

Le Comité a examiné les avis du Parlement européen et de la Commission. Le Comité a également pris note des réserves parlementaires des délégations DE et UK, ainsi que du souhait de la délégation BE d'inscrire une déclaration au procès-verbal du Conseil lors de l'adoption de la décision.

**- Any other business**

**= Debrief on the EU-China Summit (Beijing, 28 November 2007)**

The Committee was debriefed on the outcome of the EU-China Summit which was held in Beijing on 28 November.

**= Debrief on the EU-India Summit (New Delhi, 30 November 2007)**

The Committee was debriefed on the outcome of the EU-India Summit which was held in New Delhi on 30 November.

**= Follow-up to the TTE Council (request by the ES delegation)**

**- Adoption of the Council conclusions on GALILEO (restricted session)**

The Spanish delegation, supported by other delegations, regretted the way and the procedure used to adopt the TTE Council conclusions on Galileo. The Presidency indicated that this discussion could be pursued under the incoming Presidency.

**= Negotiations on Bali**

**- Information from the Presidency on the state of play**

The Presidency briefs the Committee on the ongoing negotiations in Bali.

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