



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 11 January 2008**

**16705/07**

**CRS/CRP 48**

**SUMMARY RECORD**

---

**Subject : 2210th meeting of the PERMANENT REPRESENTATIVES COMMITTEE  
held in Brussels on 19 December 2007**

---

## SUMMARY

Page

1. Adoption of the provisional agenda and items "I" ..... 7

### Coreper Part 2

#### I

2. Emergency and Crisis Coordination Arrangements in Brussels (CCA)
4. Stocktaking report: Measures to increase the effectiveness, coherence and visibility of the EU External policies
5. Request for European Parliament participation in the annual meetings of the International Monetary Fund and the World Bank
6. Committee of the Regions
  - (a) Appointment of a member (EL)
  - (b) Appointment of a member and an alternate member (IT)
  - (c) Appointment of a member and an alternate member (DE)
7. Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Central Bank of Malta
8. Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Central Bank of Cyprus
9. Budget for SISNET for the year 2008
10. Proposal for a Council decision on defining 1-benzylpiperazine (BZP) as a new psychoactive substance which is to be made subject to control measures and criminal provisions
11. Cooperation with West Africa in the field of drugs
14. Proposal for a Council Directive amending Directive 2006/112/EC with regard to certain temporary provisions concerning rates of value added tax
15. Proposal for a Council decision authorising the United Kingdom to continue to apply a measure derogating from Articles 26(1)(a), 168 and 169 of Directive 2006/112/EC on the common system of value added tax
16. Council conclusions on the Special Report No 5/2007 concerning the Commission's Management of the CARDS programme

17. CFSP Budget - priority actions for 2008 and 2009
18. Draft Council Decision on the release of information under the Agreement between the Republic of Croatia and the European Union on security procedures for the exchange of classified information
19. Proposal for a Council Framework Decision on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters
20. EU Satellite Centre : Revised Financial Rules
21. Draft Council Joint Action amending Council Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of the European Defence Agency
22. Council Joint Action repealing Joint Action 2005/557/CFSP on the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan
23. Council Joint Action amending 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)
24. Political and Security Committee Decision EUPOL AFGH/2/2007 of 30 November 2007 on the establishment of the Committee of Contributors for the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) - Authorisation for publication
25. Political and Security Committee Decision concerning the appointment of the Head of the European Union Planning Team (EUPOT Kosovo)
26. Implementation UN Security Council Resolution 1373(2001) - Adoption of a
  - Draft Council Common Position updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2007/448/CFSP
  - Draft Council Decision implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2007/445/EC
27. Accession Negotiations with Croatia
  - Outcome of screening on Chapter 23: Judiciary and Fundamental Rights
28. Agreement on a Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Croatia
29. CDE - Centre for the Development of Enterprise
30. Proposal for a Council Regulation applying the arrangements for goods originating in certain states which are part of the African, Caribbean and Pacific Group of States (ACP) provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements

31. Proposal for a Council Decision on the conclusion of an Agreement in the form of an exchange of letters between the European Community and New Zealand pursuant to Article XXVIII of GATT 1994 relating to the modification of the WTO tariff quota for New Zealand butter provided for in the EC Schedule CXL annexed to the GATT 1994
32. Recommendation from the Commission to the Council in order to authorise the Commission to open negotiations with the Kingdom of Norway, the Republic of Iceland, the Swiss Confederation and the Principality of Liechtenstein with a view to concluding an Agreement between the Community and those countries on supplementary rules in relation to the External Borders Fund for the period 2007-2013 as part of the General programme 'Solidarity and Management of Migration Flows'
33. Incompatibilities between the FAL Convention and EC Law
  - Notification to the International Maritime Organisation in accordance with Article VIII of the FAL Convention
34. Council Regulation on the establishment of the "ARTEMIS Joint Undertaking" to implement a Joint Technology Initiative in Embedded Computing Systems
35. Council Regulation setting up the Clean Sky Joint Undertaking
36. Council Regulation setting up the "ENIAC Joint Undertaking"
37. Council Regulation setting up the Innovative Medicines Initiative Joint Undertaking
38. Council Decision on an addition to the negotiation directives in the Council Decision authorising the Commission to open negotiations, in the context of the World Health Organisation Framework Convention of Tobacco Control, on related protocols
39. Declaration - Joint Tripartite Declaration establishing a "European Maritime Day"
40. East Asia Policy Guidelines

## II

41. Proposal for a Council Directive on the exemption from value added tax and excise duty of goods imported by persons travelling from third countries .....8
42. Presentation of the agenda for the Council meeting (Economic and Financial Affairs), on 22 January 2008 .....8
43. Follow up to the Council meeting (Justice and Home Affairs), on 6/7 December 2007 .....8

- 44. Proposal for a Council Decision implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012 .....8
- 45. 26 basic acts to be adapted as a matter of urgency to Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers, as amended by Council Decision 2006/512/EC of 17 July 2006 .....9
- 46. Follow up to the Council meeting (General Affairs and External Relations), on 10/11 December 2007 .....9
- 47. EU - Africa Summit .....9

**II**

- 48. Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 21 and (poss.) 22 January 2008  
(For the items within the remit of the Permanent Representatives Committee) .....11
- 49. 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 .....12
- 50. Proposal for a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation security (Third reading) .....12
- 51. Modified proposal for a Directive of the European Parliament and of the Council on credit agreements for consumers amending Council Directive 93/13/EC (European Parliament second reading) .....12

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

doc. 16721/07 OJ/CRP1 45

16606/07 OJ/CRP2 45

The above mentioned agenda is approved with the following changes :

The following items are **withdrawn** :

(Coreper Part 2, under I)

- 3. Slovenian Presidency - Chairmanship of certain working groups by other delegations, at the request of the Slovenian Presidency**  
16657/07 POLGEN 135 INST 167
- 12. (poss.) Proposal for a Council Decision implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012**
- 13. (poss.) Draft agreement between the European Community and the Council of Europe for the purpose of instituting, in accordance with Article 9 of Council Regulation (EC) No 168/2007 of 15 February 2007, establishing a European Union Agency for Fundamental Rights, close cooperation between the Agency and the Council of Europe**

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

## Coreper Part 2

### II

- 41. Proposal for a Council Directive on the exemption from value added tax and excise duty of goods imported by persons travelling from third countries**  
16541/07 FISC 187

The Committee agreed

- The Presidency compromise as set out in document 16541/07 FISC 187 on the understanding that the Directive shall apply with effect from 1 December 2008 while Article 17 shall apply from 1 January 2008 until 30 November 2008.
- To enter a Commission statement in the Council minutes.
- To transmit the draft Directive to the Council for adoption as an "A" item after finalisation by the legal linguists experts.

- 42. Presentation of the agenda for the Council meeting (Economic and Financial Affairs), on 22 January 2008**

The Committee agreed the provisional agenda for this Council meeting.

- 43. Follow up to the Council meeting (Justice and Home Affairs), on 6/7 December 2007**

The Presidency presented outcomes of some important items discussed at the Council meeting.

- 44. Proposal for a Council Decision implementing Regulation (EC) No 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012**  
16622/1/07 REV 1 JAI 707 COSCE 20 COHOM 135 COEST 338 FIN 627

The Committee examined the above mentioned item on the basis of document 16622/1/07 JAI 707 COSCE 20 COHOM 135 COEST 338 FIN 627. The outcome of the discussions is set out in document 16772/07 JAI 712 COSCE 23 COHOM 139 COEST 345 FIN 640.



**45. 26 basic acts to be adapted as a matter of urgency to Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers, as amended by Council Decision 2006/512/EC of 17 July 2006**

16480/07 JUR 456 INST 166 EF 86 ECOFIN 516 DRS 54 SURE 41 MI 342  
ENV 706 ENT 163 ENER 319 ECO 168 SAN 264 AGRI 433  
AGRILEG 202 DENLEG 138 CONSOM 153 CRIMORG 190  
FRONT 129 COMIX 1076 CODEC 1453

The Committee took note of the outcome of negotiations and confirmed the agreement reached by the institutions regarding the 26 acts to be adapted as a matter of urgency. It also agreed that a letter be sent by the Chairman of the Committee to the Chairpersons of the ECON, LIBE, JURI and ENVI Committees of the European Parliament.

**46. Follow up to the Council meeting (General Affairs and External Relations), on 10/11 December 2007**

Le Comité est informé par la Présidence des suites que celle-ci entend donner à certains points ayant fait l'objet des délibérations du Conseil.

**47. EU - Africa Summit**

**- Debrief and follow-up**

16693/2/07 REV 2 COAFR 391 ACP 271 RELEX 992 COPOL 58 MIGR 142  
COMAG 53 COSDP 1090 PESC 1559 DEVGEN 283 POLGEN 136

The Committee :

The Presidency briefed on the successful outcome of the summit which launched a new EU/Africa Strategic Partnership, and called - in accordance with European Council Conclusions of 14 December 2007 - for additional and combined efforts of all relevant actors to reach within the next three years concrete and tangible results in the implementation of the Partnership and its First Action Plan.

The Committee discussed and agreed the extension of the mandate of the ad hoc working party in accordance with the mandate as set out in document 16693/3/07 REV 3.

Taking into account the discussions in the ad hoc working party as well as a Presidency Note for the Committee "Implementation of the Joint EU/Africa Action Plan", the Committee agreed in principle to establish under the supervision of the ad hoc working group core groups to implement the First Action Plan.

The Committee agreed to decide on the revision of existing Africa-related EU working arrangements by the end of April and before the expiry of the mandate of the ad hoc working party.

# Coreper Part 1

## II

### 48. **Setting of the provisional agenda for the Council meeting (Agriculture and Fisheries) on 21 and (poss.) 22 January 2008** **(For the items within the remit of the Permanent Representatives Committee)**

The Commission representative requests the inclusion as a B-item for adoption of its proposal for a Council Decision on the termination of the Protocol setting out the fishing opportunities and financial contribution under the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania.

The Spanish delegation opposes the inclusion of this point referring to the exchange of views under AOB on the issue in the Council the previous day. It requests a written opinion of the Council Legal Service on the need for an opinion of the European Parliament in order for Council to be able to decide on the termination of the protocol and on the need of a previous impact assessment of such a termination.

The French, German, Greek, Latvian, Lithuanian and Netherlands delegations support the views of the Spanish delegation and urge the Commission to seek alternative solutions (e.g. the Joint Committee).

The Council Legal service makes an oral intervention pointing out that:

- The Commission has the right to request the inclusion of the item on the agenda and that the purpose of the debate (for instance, exchange of views, general approach or adoption) can be designated later.
- An opinion of the European Parliament is necessary in order for the Council to decide to terminate the protocol. The Decision proposed can therefore only be adopted after consulting the European Parliament.
- The Council may consult the European Parliament. To do so, the legal basis of the proposal (Article 300(2) of the Treaty) would have to be changed to Article 300(3). If the Commission does not agree to this modification, the change of legal basis can be done by the Council acting by unanimity.
- The Legal Service reserves its position on the issue of the need for an impact assessment until its forthcoming written opinion.

The Commission representative contests the need for an opinion of the Parliament since the proposal intends to terminate only the protocol, and not the agreement itself.

The Committee adopts the draft agenda with the addition of the requested B-item without a designation of the purpose of the debate.

**49. 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

The Committee reaches unanimous political agreement on the revised Presidency compromise presented in agreement with the Commission (DS 1101/07).

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

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

- **Analysis of the results of the EP delegation meeting**

Le Comité examine les résultats de la délégation du PE et fixe les termes du dernier compromis du Conseil à offrir au PE.

**51. Modified proposal for a Directive of the European Parliament and of the Council on credit agreements for consumers amending Council Directive 93/13/EC (European Parliament second reading)**

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

The Chairman orally informed the Committee on the latest developments of the negotiation on this text and gave the floor to the incoming SI Presidency which confirmed that the mandate for the trialogue of 10 January 2008 will be discussed at the next Committee meeting, on 9 January 2008.

=====