



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 February 2008

6342/08

CRS/CRP 6

SUMMARY RECORD

**Subject : 2216th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 13, 14, 15 and 18 February 2008**

SUMMARY

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Coreper Part 1

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2. Replies to written questions put to the Council by Members of the European Parliament

- (a) n° E-6565/07 put by Catherine Stihler - "Childcare and the Barcelona Summit"
- (b) n° E-6635/07 put by Mario Borghezio - "Co-determination and worker protection"
- (c) n° E-6649/07 put by Marco Cappato - "Patent quality debate"
- (d) n° E-6653/07 put by Saïd El Khadraoui - "Russian parliamentary elections"
- (e) n° E-0270/08 put by Riccardo Ventre
"Visit by Pope Benedict XVI to La Sapienza University"
- (f) n° E-0283/08 put by Marco Cappato - "Religious symbols in Italian courtrooms"
- (g) n° E-0348/08 put by Johan Van Hecke - "Troop build-up in southern Mexico"
- (h) n° P-0447/08 put by Jens-Peter Bonde - "Principle of equality"

3. Monthly list of acts adopted under the written procedure
- January 2008

4. Advisory Committee on Freedom of Movement for Workers

- (a) Appointment of Ms Agni PAPAGEORGIOU, to replace Ms Myria ANDREOU, Cypriot full Member, who has resigned
- (b) Appointment of Ms Ana Paula FERNANDES, to replace Mr Adolfo LOURO ALVES, Portuguese full Member, who has resigned
- (c) Appointment of Ms Mirja MYKKÄNEN, to replace Ms Sinikka HYYPPÄ, Finish full Member, who has resigned
- (d) Appointment of Ms Wivi-Ann WAGELLO-SJÖLUND, to replace Mr Tuomo KURRI, Finish alternate Member, who has resigned

5. Advisory Committee on Social Security for Migrant Workers

- (a) Appointment of Mr Andreas KYRIAKIDES, to replace Ms Eleni PAROUTI, Cypriot full Member, who has resigned
- (b) Appointment of Mr V. SANNES, to replace Ms H. ZUNDERMAN, Dutch full Member, who has resigned
- (c) Appointment of Mr J.A.M.M. PIJNENBURG, Dutch alternate member

6. Advisory Committee on Safety and Health at Work

- (a) Appointment of Mr Michael KOLL, to replace Mr Ulrich BECKER, German full Member, who has resigned
- (b) Appointment of Mr Stuart BRISTOW, to replace Mr Malcolm DARVILL, English full Member, who has resigned
- (c) Appointment of Mr Robin FOSTER, to replace Mr Jason BATT, English alternate Member, who has resigned

7. Governing Board of the European Agency for Safety and Health at work
 - Appointment of Mr Stuart BRISTOW, to replace Mr Malcolm DARVILL, English alternate Member, who has resigned
8. Governing Board of the European Foundation for the Improvement of Living and Working Conditions
 - Appointment of Ms Malgorzata RUSEWICZ, to replace Mr Michal BONI, Polish full Member, who has resigned
9. Review of the protocol to the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania
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 - (c) Kyrgyz Republic
 - (d) Panama
 - (e) Croatia
 - (f) the former Yugoslav Republic of Macedonia
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12. Proposal for a Directive of the European Parliament and of the Council amending Directive 2004/40/EC on minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (electromagnetic fields) (eighteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (First reading)

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23. Recommendation to the Council concerning the use of cryptographic devices to protect electronic links between the EU and Operational Headquarters (OHQs) and BICES and special networks
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 - Proposal for a Council Regulation amending the scope of the anti-dumping measures imposed by Council Regulation (EC) n° 130/2006 on imports of tartaric acid originating in the People's Republic of China
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 - Adoption of the position by the European Union for the third Association Council meeting (Brussels, 19 February 2008)
27. Adoption of a Council Decision on the principles, priorities and conditions contained in the Accession Partnership with Turkey
28. Annual Security Compliance Verification Plan 2008
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30. Council Decision extending the period of application of the measures in Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement

32. Proposal for a Council Decision on the principles, priorities and conditions contained in the European Partnership with Albania
33. Proposal for a Council Decision on the principles, priorities and conditions contained in the European Partnership with Bosnia and Herzegovina
34. Proposal for a Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the former Yugoslav Republic of Macedonia
35. Proposal for a Council Decision on the principles, priorities and conditions contained in the European Partnership with Serbia including Kosovo defined by United Nations Security Council Resolution 1244 of 10 June 1999
36. Proposal for a Council Decision on the signing of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the republic of Bulgaria and Romania to the European Union
37. Council Decision on the release of information under the Agreement between the European Union and Ukraine on the security procedures for the exchanges of classified information
39. Draft Council Decision 2008/.../CFSP implementing Joint Action 2005/797/CFSP on the European Union Police Mission for the Palestinian Territories
40. Council Joint Action amending and extending the mandate of the European Union Special Representative for the Middle East peace process
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42. Council Joint Action extending the mandate of the European Union Special Representative in the former Republic of Macedonia (FYROM)
43. Council Joint Action extending the mandate of the European Union Special Representative in Bosnia and Herzegovina
44. Council Joint Action amending and extending the mandate of the European Union Special Representative for the South Caucasus
45. Implementation of the Global Approach to Migration
46. a) Proposal for a Council Decision on the signature, on behalf of the European Union, and on the provisional application of certain provisions of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis

- b) Proposal for a Council Decision on the signature, on behalf of the European Community, and on the provisional application of certain provisions of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis
 - c) Proposal for a Council Decision on the signature of a Protocol between the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Community and the Swiss Confederation concerning the criteria and mechanisms for establishing the State responsible for examining a request for asylum lodged in a Member State or in Switzerland (Dublin)
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 - e) Draft Decision of the EU/Switzerland Mixed Committee established by the Agreement concluded between the European Union, the European Community and the Swiss Confederation concerning the latter's association in the implementation, application and development of the Schengen Acquis amending Decision N° 1/2004 of 26 October 2004 adopting its Rules of Procedure (common position of the EU)
47. a) Council Regulation on the tests of the second generation Schengen Information System (SIS II)
- b) Council Decision on the tests of the second generation Schengen Information System (SIS II)
48. Initiative of the Republic of Slovenia, the French Republic, the Czech Republic, the Kingdom of Sweden, the Slovak Republic, the United Kingdom and the Federal Republic of Germany with a view to adopting a Council Framework Decision on the enforcement of decisions rendered in absentia and amending Framework Decision 2002/584/JHA on the European arrest warrant and the surrender procedures between Member States, Framework Decision 2005/214/JHA on the application of the principle of mutual recognition to financial penalties, Framework Decision 2006/783/JHA on the application of the principle of mutual recognition to confiscation orders and Framework Decision 2008/.../JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union
49. Draft Council Decision on the European Judicial Network
50. Draft Council Decision on the strengthening of Eurojust amending Council Decision 2002/187/JHA of 28 February 2002, as amended by Council Decision 2003/659/JHA setting up Eurojust with a view to reinforcing the fight against serious crime

51. EUROPOL
 - Audit report and discharge for the period of 1 January 2006 - 31 December 2006
52. Proposal for a Council Decision implementing Regulation (EC) n° 168/2007 as regards the adoption of a Multi-annual Framework for the European Union Agency for Fundamental Rights for 2007-2012
53. Proposal for a Directive of the European Parliament and the Council on certain aspects of mediation in civil and commercial matters (First Reading)
 - Adoption
 - a) of the common position
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II

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

doc. 6292/08 OJ/CRP1 6

6163/08 OJ/CRP2 6 COMIX 130

The above mentioned agenda is approved with the following changes :

The following item is **added** :

(Coreper Part 2, under II)

56. Preparation of the Council meeting (General Affairs and External Relations) on 18/19 February 2008

B. External Relations

- **Western Balkans**

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

31. European Neighbourhood Policy

- **Draft Council conclusions**

6319/08 NIS 19 COEST 31 MED 18

38. Relations with the Republic of Moldova

- **Draft Council conclusions**

6343/08 PESC 188 NIS 21 COEST 33

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

A statement is made by the RO delegation on the following item :

(Coreper Part 1, under I)

10. Proposals for Council Decisions on the conclusion of Agreements on certain aspects of air services between the European Community and

(a) Malaysia

(b) Paraguay

(c) Kyrgyz Republic

(d) Panama

(e) Croatia

(f) the former Yugoslav Republic of Macedonia

- Adoption

5369/08 AVIATION 15 RELEX 25

5371/08 AVIATION 17 AMLAT 4

5367/08 AVIATION 14 COEST 9 NIS 6 RELEX 24

5370/08 AVIATION 16 RELEX 26 AMLAT 3 + COR 1 (it) + COR 2 (sl)

5101/07 AVIATION 10 COWEB 4

5398/08 AVIATION 18 COWEB 19

6158/08 AVIATION 33 RELEX 81 AMLAT 12 COEST 30 NIS 18 COWEB 49

"RO understands that until Croatia ratifies the regional agreement (ECAA) there won't be an infringement procedure or equivalent action against RO on grounds of noncompliance with EC Law due to RO's bilateral ASA with Croatia."

A statement is made by the CY delegation on the following item :

(Coreper Part 2, under II)

34. Proposal for a Council Decision on the principles, priorities and conditions contained in the Accession Partnership with the former Yugoslav Republic of Macedonia

5350/08 COWEB 14

5351/08 COWEB 15

"Cyprus would like to express its regret for the fact that the text of the Accession Partnership with FYROM does not include an explicit reference to the need for FYROM to ensure full respect to international law and in particular to the sovereignty and territorial integrity of the Republic of Cyprus, as stated in United Nations Security Council Resolutions 541 (1983) and 550 (1984) on Cyprus.

The need for full respect to international law and in particular to the sovereignty and territorial integrity of all Member States of the EU constitutes one of the main obligations of candidate countries and a fundamental commitment FYROM has undertaken under the Stabilisation and Association Agreement it has signed with the EU.

In view of the above, Cyprus is obliged to abstain from the vote on the adoption of the Accession Partnership with FYROM.

Cyprus will continue to underline at every occasion the obligation FYROM has to renounce any relation at national or municipal level with the illegal secessionist entity in the occupied part of Cyprus.

Cyprus will continue to raise the matter in the context of the EU, as a crucial issue that is covered under the SAA. It expects, therefore, that the EU will appropriately address FYROM's obligation in future meetings of the EU with FYROM, within the Stabilisation and Association Process."

Coreper Part 1

II

13. Goods Package (First reading)

- **Proposal for a Regulation of the European Parliament and of the Council laying down procedures relating to the application of certain national technical rules to products lawfully marketed in another Member State and repealing Decision 3052/95/EC**
- **Proposal for a Regulation of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products**
- **Proposal for a Decision of the European Parliament and of the Council on a common framework for the marketing of products**
- **Approval of the compromise text**

The Committee approved, with qualified majority, the compromise texts presented by the Presidency in documents 5312/1/08, 5338/1/08, 5339/1/08 and mandated the Presidency to inform the European Parliament accordingly, with a view to reaching first reading agreements on the proposals.

The IT delegation stated its intention to abstain on the proposal for a Regulation on Mutual Recognition (doc. 5312/1/08) and will make a statement to the minutes of the Council meeting which will adopt the text of the Regulation.

The AT delegation stated its intention to vote against the adoption of all three proposals.

The UK delegation stated that it, at this stage, maintains a reservation on the proposal for a Regulation on the "New Approach" (doc. 5339/1/08).

The Commission will make statements to the Council minutes regarding (a) peer evaluation (Re Article 6.1.c - Regulation), (b) the language used for identifying national market surveillance authorities (Re Regulation Articles 24-26), and (c) on the activities of notifying authorities (Re Decision Article 20 paragraph 5).

14. Amended proposal for a Regulation of the European Parliament and of the Council on the further implementation of the European satellite radionavigation programmes (EGNOS and Galileo) (First reading)

- Preparation for the next informal trialogue

13113/07 TRANS 281 MAR 68 AVIATION 156 RECH 247 CAB 32

FIN 438 CODEC 990

6235/08 TRANS 34 MAR 22 AVIATION 36 RECH 49 CAB 6

FIN 48 CODEC 173

The Committee had an exchange of views on the key issues to be discussed with the European Parliament in the first informal trialogue on the above mentioned proposal for a Regulation with a view to preparing a first reading agreement.

15. Setting of the provisional agenda for the Council meeting (Environment) on 3 March 2008

The Committee approved the provisional agenda as set out in 6897/08.

16. Preparation of the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 25 February 2008

1. Lisbon Economic reform process

Contribution to the Spring European Council ("Key Issues Paper") based on

(a) Commission Strategic Report on the implementation of the first Lisbon cycle

(b) Community Lisbon Programme 2008-2010

(c) Commission Proposal for Integrated Guidelines 2008-2010

(d) Country specific recommendations

- Policy debate

- Adoption

6197/08 COMPET 51 RECH 46 ECOFIN 62 UEM 49 AG 13 SOC 85

6198/08 COMPET 52 RECH 47 ECOFIN 63 UEM 50 AG 14 SOC 86

The Committee recommended to the Competitiveness Council meeting on 25 February 2008 to proceed to a policy debate on the basis of the leading questions proposed by the Presidency as set out in document 6198/08.

The outcome of the Committee's proceedings concerning the Key Issues Paper 2008 is reflected in document 6282/08 COMPET 54 RECH 50 ECOFIN 65 UEM 51 AG 15 SOC 96.

**2. Communication from the Commission to the Council, the European Parliament, the European Social Committee and the Committee of the Regions
"A European Strategic Energy Technology Plan (SET-Plan) -Towards a low-carbon"**

- Exchange of views

15458/07 ENER 288 ENV 640 RECH 382

6155/08 COMPET 48 RECH 43 ENER 39 ENV 72

The Committee recommended to the Competitiveness Council meeting on 25 February 2008 to proceed to an exchange of views on the basis of the leading questions proposed by the Presidency as set out in document 6155/1/08 REV 1.

3. Proposal for a Council Regulation setting up the Fuel Cells and Hydrogen Joint Undertaking ("JTI - FCH")

- General approach

5929/08 RECH 36 ENER 35

6115/08 RECH 41 ENER 38

The Committee recommended to the Competitiveness Council meeting on 25 February 2008 to agree on the General Approach as set out in document 6115/08.

Coreper Part 2

II

54. Follow up to the Council meeting (Economic and Financial Affairs) on 12 February 2008

The Committee took note of the proceedings of the ECOFIN Council of 12 February 2008.

55. Presentation of the agenda for the Council meeting (Economic and Financial Affairs) on 4 March 2008

The Committee agreed the provisional agenda for this Council meeting.

56. Preparation of the Council meeting (General Affairs and External Relations) on 18/19 February 2008

A. General Affairs

a) Preparation of the European Council on 13/14 March 2008

- Annotated draft agenda
6259/08 POLGEN 10

The Committee took note of the Annotated Draft Agenda to be submitted to the General Affairs and External Relations Council on 18 February. The Chair took note of delegations' comments.

b) Enlargement

- Croatian Ecological and Fisheries Protection Zone
= Draft Council conclusions

On the basis of a Presidency proposal on draft Council conclusions on Enlargement (doc. 6498/08) the Committee holds an extensive discussion on the issue and takes note of the statements and proposals made by delegations. The Committee reaches an agreement on a revised draft Council conclusions on Enlargement as set out in the note to the Council (doc. 6552/08).

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) **Africa**
 - = **Kenya**
 - **Draft Council conclusions**
6336/08 PESC 186 COAFR 61

The work of the Committee is contained in 6336/1/08 REV 1.

- = **Chad**
 - **Draft Council conclusions**
6339/08 COSDP 133 COAFR 62 CHAD 17 PESC 187

The work of the Committee is contained in 6339/1/08 REV 1.

- b) **Burma/Myanmar**
 - = **Draft Council conclusions**
6260/08 COASI 18 ASIE 7 COPOL 9 COHOM 11 CONUN 23

The Committee endorsed the draft Council conclusions on Burma/Myanmar and recommended the Council to adopt them.

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

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

- = **WTO/DDA**

In preparation for the GAERC, the Commission outlined the state of play and some delegations expressly confirmed their wish to have a discussion at political level in the light of the documents recently circulated in Geneva which cause their serious concerns.

The Chairman confirmed the item for the Council agenda.

- = **EPAs**

The Committee held an exchange of views on the state of play of the negotiations on the Economic Partnership Agreements (EPAs), in preparation for the discussion at the General Affairs and External relations Council meeting on 18 February 2008.

31. European Neighbourhood Policy

- Draft Council conclusions

6319/08 NIS 19 COEST 31 MED 18

The outcome of discussions on this item is set out in 6542/08 NIS 28 COEST 42 MED 19.

38. Relations with the Republic of Moldova

- Draft Council conclusions

6343/08 PESC 188 NIS 21 COEST 33

The outcome of proceedings on this item is set out in the "A" item note to the Council (doc. 6543/08 PESC 210 NIS 29 COEST 43).

- Western Balkans

The Committee took note of the outcome of the discussion in PSC regarding the preparation for the GAERC debate on Kosovo status issue, as a follow-up to the resolution of Kosovo Assembly of 17 February 2008 that declared Kosovo's independence.

57. Preparation of the EU-LAC Summit in Lima on 16/17 May 2008

The Presidency informs the Committee on the state of play of preparations of the EU-LAC Summit in Lima on 16 and 17 May 2008.

58. Opening of negotiations for the conclusion of a security of information Agreement with the State of Israel

6113/08 PESC 164 JAI 62 CSC 4

The Committee agreed to recommend that the Council decide on 18 February to open negotiations pursuant to Article 24 TEU with the State of Israel in order to conclude a security of information Agreement on the basis of the draft model Agreement agreed in 2003 and taking account of other such agreement concluded by the Council.

59. Preparation of the Council meeting (Justice and Home Affairs) on 28 February 2008

a) Outstanding issues of the draft Council decision establishing the European Police Office (EUROPOL)
6240/08 EUROPOL 15

Significant progress was realised in the discussions on the three outstanding issues on the basis of document 6240/08 EUROPOL 15. With regard to immunity, delegations welcomed the Commission's announcement that, subject to the approval by the College, it would be prepared to amend Regulation No 549/69 by introducing an exception on the immunity of Europol officials participating in joint investigations teams.

Moreover, the Commission will provide a written reply by 24 February to the questions regarding budget neutrality. Various delegations recalled their pending scrutiny reservation on this issue.

Regarding "bold- non bold posts, rotation and instructions" issue, the Committee agreed to amending Article 6(4) as set out in document 6240/08. The German proposal on "bold posts - rotation" will be submitted for further discussions to the Europol Working Party. The three issues will be re-discussed at the Committee at its meeting on 27 February 2008.

b) Other items in connection with the Council meeting

No issue was raised under this item.

60. EU-US High Level Contact Group on Data Protection
- State of play

At the request of the Presidency, the Commission presented the activities of the EU-US High Level Contact Group on data protection. One delegation intervened to stress the importance of this ongoing exercise. The Chair indicated that the Committee would revert to this issue at its meeting on 27 February in order to discuss the future ways forward.
