



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 31 March 2008

7213/08

CRS/CRP 9

SUMMARY RECORD

**Subject : 2219th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 5, 6 and 7 March 2008**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 6

Coreper Part 2

I

2. Resolutions, decisions and opinions adopted by the European Parliament at its part-session in Strasbourg from 18-21 February 2008
3. Report on proceedings in the Council's other configurations
4. Draft Report on the progress of the European Union in 2007
5. Proposal for a Council Decision on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and Ukraine concerning the elimination by Ukraine of export duties on trade in goods
6. Case C-../08P (Commission v. Bavarian Lager Co. Ltd.) - request to intervene
7. Council Decision amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditor of Suomen Pankki
8. The Mechanism on Cooperation and Verification for Bulgaria and Romania
9. Draft Council Regulation for amending Regulation (EC) No 533/2004 on the establishment of partnerships in the framework of the stabilisation and association process
10. Relations with Algeria
 - Adoption of the Position by the European Union for the third Association Council meeting (Brussels, 10 March 2008)
11. Relations with Ukraine
 - Establishment of the position of the European Union for the twelfth meeting of the EU-Ukraine Cooperation Council (Brussels, 11 March 2008)
12. Anti-dumping
 - Proposal for a Council Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain manganese dioxides originating in South Africa
13. Anti-dumping
 - Proposal for a Council Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of coke of coal in pieces with a diameter or more than 80 mm (Coke 80+) originating in the People's Republic of China

14. Anti-dumping
 - Proposal for a Council Regulation repealing the anti-dumping duty on imports of urea originating in Belarus, Croatia, Libya and Ukraine, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96
15. Anti-dumping
 - Proposal for a Council Regulation terminating the partial interim review pursuant to Article 11(3) of Regulation (EC) No 384/96 of the anti-dumping duty on imports of solutions of urea and ammonium nitrate originating in Russia
16. Anti-dumping
 - Proposal for a Council Regulation terminating the partial interim review pursuant to Article 11(3) of Regulation (EC) No 384/96 of the anti-dumping duty on imports of ammonium nitrate originating in Russia
17. Anti-dumping
 - Proposal for a Council Regulation terminating the partial interim review pursuant to Article 11(3) of Regulation (EC) No 384/96 of the anti-dumping duty on imports of ammonium nitrate originating, inter alia, in Ukraine

II

19.	Follow-up to the Council meeting (Justice and Home Affairs) on 28 February 2008	8
20.	Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law	8
21.	Follow-up to the Council meeting (Economic and Financial Affairs) on 4 March 2008	8
22.	EU-US Summit	8
23.	EU-US Ministerial Troika, 12-13 March 2008	8
25.	Preparation of the Council meeting (General Affairs and External Relations), on 10/11 March 2008	
A.	General Affairs	
a)	Preparation of the European Council on 13/14 March 2008	9
b)	Other items in connection with the Council meeting	9
B.	External Relations	
a)	WTO/DDA	9
b)	Western Balkans	10
c)	Zimbabwe	10
d)	Pakistan	10
e)	Other items in connection with the Council meeting	10

Coreper Part 1

I

26. Replies to written questions put to the Council by Members of the European Parliament
 - (a) n° E-0342/08 put by Emilio Menéndez del Valle
"Concern over cases of corruption at the United Nations"
 - (b) n° E-0386/08 put by Ashley Mote - "Where were you?"
 - (c) n° E-0397/08 put by Nigel Farage
"Costs of European Year of Intercultural Dialogue"
 - (d) n° E-0456/08 put by Umberto Guidoni
"Results of the consultation on the future of patent policy in Europe"
 - (e) n° E-0702/08 put by Mario Borghezio
"Egypt threatens Opposition members who provide the EP with information"
27. Case before the Court of Justice
 - Case C-558/07 (The Queen, on the application of S.P.C.M. SA e.a. against the Secretary of State for Environment, Food and Rural Affairs)
28. Draft agenda for the forthcoming part-sessions of the European Parliament
 - (a) Strasbourg from 10 to 13 March 2008
 - (b) Brussels on 26 March 2008
29. Advisory Committee on Freedom of Movement for Workers
 - (a) Appointment of Ms Caroline RIETBERGEN, to replace Mr Peter KOPPE, Dutch full Member, who has resigned
 - (b) Appointment of Mr Guy BAILEY, English full Member
30. Advisory Committee on Safety and Health at Work
 - (a) Appointment of Mr Harald KIHLE, to replace M. Claus Peter WEBER, German alternate Member, who has resigned
 - (b) Appointment of Ms Maja SKORUPAN, to replace Mme Nina GLOBOČNIK, Slovenian alternate Member, who has resigned
31. Proposal for a Regulation of the European Parliament and of the Council setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO2 emissions from light-duty vehicles
32. Draft Council Decision authorising the Commission to negotiate an agreement on scientific and technological cooperation between the European Community and the Hashemite Kingdom of Jordan
33. 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 (First reading)
 - Adoption
 - a) of the common position
 - b) of the statement of the Council's reasons

34. Proposal for a Regulation of the European Parliament and of the Council on food additives (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
35. 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 (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
36. 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 Regulations (EEC) No 1576/89 and (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive 2000/13/EC (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons

II

37. Proposal for a Directive of the European Parliament and the Council on the civil liability and financial guarantees of shipowners (First reading)11
38. Proposal for a Directive of the European Parliament and of the Council on compliance with flag State requirements (First reading)11
39. 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)12
- Any other business12

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

doc. 7205/08 OJ/CRP1 9

7185/08 OJ/CRP2 9 COMIX 179

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under I)

40. Draft Commission Decision terminating the anti-dumping proceeding concerning imports of polyvinyl alcohol originating in the People's Republic of China and Taiwan and releasing the amounts secured by way of the provisional duties imposed

6789/08 ANTIDUMPING 30 COMER 41 CHINE 16 ASIE 14 + COR 1

41. Adoption by the Council of an updated version of the EU Common Military List (equipment covered by the European Union Code of Conduct on Arms Exports)

6680/08 PESC 227 COARM 13

42. Draft Decision of the EEA Joint Committee amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (Second Programme of Community action in the field of Health [2008-2013])

6304/08 EEE 7 SAN 27 FIN 53 FISC 15 N 7 ISL 6 FL 10 MI 48

43. Draft Decision of the EEA Joint Committee amending Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement

6308/08 EEE 10 CHIMIE 3 SAN 30 ENT 24 ENV 83 FIN 56

FISC 18 N 10 ISL 9 FL 13 MI 51

(Coreper Part 2, under II)

25. Preparation of the Council meeting (General Affairs and External Relations), on 10/11 March 2008

B. External Relations

(f) Afghanistan

- Draft Council conclusions

(Coreper Part 1, under AOB)

- **Adoption of ENV Council contribution (requested by AT)**
- **Sustainable criteria for biofuels (requested by FR)**
- **Anti-dumping on imported compressors from China (requested by NL)**
- **Language regime of the European Institute for Gender Equality (requested by IT)**

The following items are **withdrawn** :

(Coreper Part 2, under I)

- 18. (poss.) Draft decision of the Council authorising the Commission to negotiate an updating of the Framework Agreement for Trade and Cooperation between the European Community and its Member States, of the one part, and the Republic of Korea, of the other part or a new Partnership and Cooperation Agreement with the Republic of Korea to replace the aforementioned Framework Agreement**
7173/08 ASIE 23 PVD 16 RESTREINT UE

(Coreper Part 2, under II)

- 24. Communication from the Commission to the European Parliament and the Council on Western Balkans**
- **Enhancing the European perspective**
= **Presentation by the Commission**

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

19. Follow-up to the Council meeting (Justice and Home Affairs) on 28 February 2008

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

20. Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law 6749/1/08 REV 1 DROIPEN 16 ENV 112 CODEC 246

After a discussion the President concluded that in general the delegations maintained their positions and that the text should not be sent to the European Parliament.

21. Follow-up to the Council meeting (Economic and Financial Affairs) on 4 March 2008

The Committee took note of the proceedings of the ECOFIN Council of 4 March 2008.

22. EU-US Summit

- State of preparations

7174/08 USA 11 PESC 282 RELEX 141 ECOFIN 99 ENER 68 TRANS 65
JAI 108 ENV 138 DEVGEN 26 POLGEN 22 RESTREINT UE

The Committee exchanged views on the preparation of the EU-US Summit and provided guidance for the forthcoming negotiations.

23. EU-US Ministerial Troika, 12-13 March 2008

- Preparation of a joint statement on the work of the High Level Contact Group on data protection

7163/08 JAI 107 DATAPROTECT 9 USA 10

The Committee discussed the two questions set out in 7163/08 JAI 107 DATAPROTECT 9 USA 10. With regard to the first question, delegations discussed the issue of a deadline for endeavouring to complete the work of the High Level Contact Group.

Further to some delegations' suggestions, the Chair concluded that if no agreement could be reached with the US, the joint EU-US declaration might have to be dropped. Regarding the second question, all intervening delegations agreed on the need to inform the EP. The Chair indicated that the Presidency would inform the the LIBE Committee in the course of an in camera hearing.

25. Preparation of the Council meeting (General Affairs and External Relations), on 10/11 March 2008

A. General Affairs

- a) Preparation of the European Council on 13/14 March 2008**
 - **Draft Conclusions**
7180/08 POLGEN 24

The Committee examined the revised draft conclusions of the European Council. In the light of the discussions a revised version will be submitted to the General Affairs and External Relations Council on 10 March 2008.

- **Climate change and international security**
7249/08 POLGEN 27 PESC 289 ENER 69 ENV 141
DEVGEN 28 RELEX 146

The Committee agreed that the joint report should be submitted directly to the European Council since there was a direct mandate from the European Council (doc. 7249/08).

b) Other items in connection with the Council meeting

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

B. External Relations

- a) WTO/DDA**
 - = **Draft Council conclusions**

In preparation for the GAERC, the Committee endorsed a compromise proposal for Draft Council Conclusions; the full text of these conclusions is contained in document 7375/08. The Committee agreed to submit these to the Council for formal adoption.

- b) **Western Balkans**
= **Draft Council conclusions**
7136/08 COWEB 72 COSDP 194 PESC 276

The Committee confirmed the draft Council conclusions as set out in document 7136/1/08 REV 1 COWEB 72 COSDP 194 PESC 276 concerning Bosnia and Herzegovina as well as the Stability Pact/Regional Cooperation Council and sent them to the Council with view to adoption.

- c) **Zimbabwe**
= **Draft Council conclusions**
7145/08 PESC 278 COAFR 86

The work of the Committee is contained in document 7145/08.

- d) **Pakistan**
= **Draft Council conclusions**
7149/08 COASI 33 ASIE 20 PESC 280

The Committee endorsed the draft Council conclusions on Pakistan (7149/08) and recommended the Council to adopt them.

- (f) **Afghanistan**
- **Draft Council conclusions**

The Committee endorsed a revised version of the draft Council conclusions on Afghanistan (7376/08) and recommended the Council to adopt them.

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

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

Coreper Part 1

II

37. Proposal for a Directive of the European Parliament and the Council on the civil liability and financial guarantees of shipowners (First reading)

- **Guidance for the future work**
5907/06 MAR 10 CODEC 94 ENV 51
6890/08 MAR 33 ENV 117 CODEC 259

The Committee examined a report by the Shipping Working Party on the above mentioned proposal. The Committee noted that there was no qualified majority supporting the Commission proposal and agreed to request the Working Party to prepare a progress report that will serve as basis for a policy debate at the upcoming TTE Council on 7 April 2008. The Presidency will prepare specific questions with a view to structuring this policy debate.

38. Proposal for a Directive of the European Parliament and of the Council on compliance with flag State requirements (First reading)

- **Guidance for the future work**
6843/06 MAR 23 ENV 131 CODEC 201
7127/08 MAR 35 ENV 134 CODEC 312

The Committee examined a report by the Shipping Working Party on the above mentioned proposal. It noted there was no qualified majority in favour of the Commission proposal and agreed to request the Working Party to prepare a progress report that will serve as basis for a policy debate on the above proposal at the upcoming TTE Council on 7 April 2008. The Presidency will prepare specific questions with a view to structuring this policy debate.

39. 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)

- **Presidency briefing on the outcome of the informal trilogue**
- **Preparation for the next trilogue**

7248/08 TRANS 66 MAR 36 AVIATION 63 RECH 81 CAB 12 FIN 86
CODEC 322

The Committee was informed by the Presidency on the outcome of the informal trilogue with the EP on 4 March 2008. With the exception of two amendments that require further discussion, the Committee endorsed the results of the trilogue, as far as an agreement on a text proposal could be reached.

In preparation of the next informal trilogue, scheduled for Strasbourg on 11 March 2008, the Committee examined compromise proposals submitted by the Commission concerning the future role of the European GNSS Supervisory Authority and the "Interinstitutional Galileo Conference" and agreed to consider them as a package, basis for the negotiations with the EP. Furthermore, it discussed three draft statements presented by the Commission services related to some outstanding issues concerning the draft Regulation.

- **Any other business**

- **Adoption of ENV Council contribution (requested by AT)**

The Austrian delegation raised a concern in relation to the text of the Council conclusions as set out in 7251/08, stating that, according to its understanding, one specific wording in this document had not been agreed at Council. The Presidency clarified the conclusions drawn by the President of the Council (Environment) on 3 March 2008 on the above-mentioned Council conclusions.

- **Sustainable criteria for biofuels (requested by FR)**

The Presidency confirmed that the ad hoc Working Party on sustainability criteria for biofuels would also look at Annex VII to the proposed directive on energy from renewable sources, but only to the extent that this was necessary in order for the Working Party to conclude its work on the criteria themselves.

- **Anti-dumping on imported compressors from China (requested by NL)**

As regards the draft Commission proposal to impose a definitive anti-dumping duty on imports of certain compressors from China, NL, supported by CZ, DK, SE and UK, raise procedural questions, to which the Legal Service responds.

The Commission announces that the proposal will be sent officially to the Council immediately after stakeholders have been consulted.

- **Language regime of the European Institute for Gender Equality (requested by IT)**

The Committee takes note of IT's comments, with the support of ES, following to the information given by the Commissioner for Employment and Social Affairs to the Council (EPSCO) meeting on 29 February 2008 regarding a provisional decision, taken at a recent meeting by the Management Board of the European Institute for Gender Equality, that the language regime of the Management Board should be limited to EN, FR and the language of the Chair.
