



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
July 2007

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in July 2007. This is accompanied by statements in the minutes which may be released to the public (**Annex II**). The summary also mentions any votes against and abstentions, explanations of vote, and the voting rules applicable;
- in **Annex III**, a list of the other acts¹ adopted by the Council in July 2007, with a reference, where appropriate, to voting results, explanations of vote and statements which the Council has decided to make public.

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>).

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", then "Council Minutes"). Extracts from the minutes in question may also be obtained from the Transparency Department (transparency@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.

JULY 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
2813th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS) on 10 July 2007				
Council Decision on guidelines for the employment policies of the Member States	10237/07 + COR 1 (hu)	95/07 (Council)	Qualified majority	All Member States in favour
Council Regulation opening and providing for the management of autonomous Community tariff quotas for certain fishery products for the period 2007 to 2009	10886/3/07 REV 3	96/07 (Cion, Council) 97/07	Qualified majority	All Member States in favour
Council Regulation amending Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy	9746/07 + COR 1 (da) + COR 2 (fi) + COR 3 (lv)		Qualified majority	All Member States in favour
Council Decision in accordance with Article 122(2) of the Treaty on the adoption by Cyprus of the single currency on 1 January 2008	10861/07		Qualified majority	All Member States in favour

JULY 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
Council Decision in accordance with Article 122(2) of the Treaty on the adoption by Malta of the single currency on 1 January 2008	10868/07		Qualified majority	All Member States in favour
Council Regulation amending Regulation (EC) No 974/98 as regards the introduction of the euro in Cyprus	10872/07 + REV 1 (sv)		Unanimous	All Member States in favour
Council Regulation amending Regulation (EC) No 974/98 as regards the introduction of the euro in Malta	10873/07 + REV 1 (sv)		Unanimous	All Member States in favour
2815th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) on 16 July 2007				
Directive of the European Parliament and of the Council laying down rules on nominal quantities for prepacked products, repealing Council Directives 75/106/EEC and 80/232/EEC, and amending Council Directive 76/211/EEC	PE-CONS 3621/07	99/07 (Cion, Council) 100/07 (Cion, Council) 101/07 (Cion) 102/07 (BE)	Qualified majority	All Member States in favour

2813th meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) on 10 July 2007**STATEMENT 94/07****Statement by the Council**

"When approving the accession of the European Atomic Energy Community to the amended Convention on the Physical Protection of Nuclear Material and Nuclear Facilities and adopting the attached Declaration of competence by the Community according to Article 18(4) of the Convention, the Council states that:

1. It is understood that Article 7 of the Convention leaves the choice of the nature, type and level of the penalties to the parties. The parties are not specifically required to impose criminal penalties and there are no rules of criminal procedure in Article 7 either. In particular, the criminal law of the Member States is not going to be harmonised through the Convention.
2. The Declaration does not mean that the Community competence is without limits. The extent of the competence to legislate in the areas concerned will always be assessed separately and the Declaration will not widen existing Community competence in any way.
3. Should the grave nature of the conduct listed in Article 7 of the Convention require that those offences are made punishable under criminal law, it is understood that the competence to impose criminal penalties in this particular area will lie with the Member States.

Furthermore, the Council recalls the declaration made by the Commission in 1987 on the subject of the ratification of the Convention on the Physical Protection of Nuclear Material, namely:

"The Commission acknowledges that the responsibility for ensuring the implementation of the physical protection measures laid down in the Convention lies solely with the Member States.

The Member States will not be bound to submit operational reports to the Commission, and the Commission will not draw up any accounts nor carry out any on-site inspection concerning physical protection measures taken by the Member States.".

STATEMENT 95/07**Statement by the Council**

"The Council takes note of the European Parliament's request that it should be given the necessary time, and in any event no less than five months, to fulfil its consultative role, as defined in Article 128(2) of the Treaty establishing the European Community, during the full revision of the Employment Guidelines which is scheduled to take place in 2008. The Council undertakes, subject to the date on which the Commission presents its proposal, to use its best endeavours to respect the European Parliament's request, and is looking forward to constructive cooperation with the Parliament with a view to ensuring that the revised Employment Guidelines are adopted in due time."

STATEMENT 96/07

Statement by the Commission and the Council

"The Commission and the Council re-state that the practice of glazing is to be associated with the freezing of the product and may thus not constitute a processing operation giving quota entitlement in the sense of footnote (b)."

STATEMENT 97/07

Statement by the Commission – Review clause

"The Commission will carefully monitor the situation of the Community market in the fishery products, for which autonomous tariff quotas are opened for the period 2007 to 2009. If during this period the Community market in one or more of these products is affected by serious disturbances or supply problems, the Commission will assess the situation with due regard to all relevant factors and, as appropriate, submit proposals to the Council to remedy the situation."

2815th meeting of the Council of the European Union (AGRICULTURE and FISHERIES) on 16 July 2007

STATEMENT 98/07

Commission Statement (to be inserted in the Coreper's minutes) /only in EN/

The European Council held in Brussels in 2002 decided in its conclusions that new Member States will accede to the European Development Fund as of the new Financial Protocol (10th EDF)¹. In order to further streamline and harmonise procedures, participation in procedures for the awarding of procurement contracts or grants financed from the 9th and 10th European Development Fund shall be open to all natural and legal persons from EU Member States, including the new EU 12, as from the date of entry into force of the 10th European Development Fund. Regarding the participation in the awarding of grants and in procurement procedures under the 9th European Development Fund, this shall apply to tenders and calls for proposals which are published as from the same date.

STATEMENT 99/07

Joint statement by the Commission and the Council

"According to the Treaty and the jurisprudence of the Court of Justice, Member States applying the phasing-out may not refuse, prohibit or restrict the placing on the market of products legally marketed in another Member State on grounds relating to the nominal quantities of the package."

¹ Annex I to the conclusions

STATEMENT 100/07

Joint statement by the Commission and the Council

"Member States that currently do not apply national sizes in the sectors to which the phase-out applies will not introduce new rules for nominal quantities of packages."

STATEMENT 101/07

Commission statement **on the disposal of stocks of wines and spirit drinks**

"The future range of Community nominal quantities for wines and spirit drinks, in the intervals covered by the Annex, basically reproduces existing ranges, with the exception of 1 125 ml for spirit drinks. The effect therefore will be all but negligible. Ranges below or above the intervals defined in the Annex (between 100-1 500 ml, excepting the 125 ml bottom interval for sparkling wines and the 2 000 ml maximum quantity for spirit drinks) are not covered by the Annex and therefore fall under the general principle of free nominal quantities.

Under Article 8 of the Common Position (Transposition) Member States have 12 months from the date of entry into force of the Directive in which to incorporate the instrument into national law. The Directive becomes applicable 18 months after it enters into force, which means that there are also at least six months between the Directive's transposition and its application. This gives the manufacturers concerned enough time to adapt.

In addition, pre-packed products placed on the market before the application of the Directive, for example, those in the distribution channels, would not be affected by the Directive and could be sold to end consumers.

For all these reasons the Commission considers that disposing of stocks of pre-packed wine and spirit drinks would in practice not be difficult."

STATEMENT 102/07

Statement by Belgium

"Belgium supported this proposal on its merits alone, without consideration of any other factors attributed to this Directive by the Commission."

2816th meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 23 July 2007

STATEMENT 103/07

Statement by the Czech Republic

"on the Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security (DHS)

The Czech Republic reiterates its attachment to guarantees of the appropriate level of Personal Data Protection of the EU Citizens in its relations to third parties.

In this context the Czech Republic shares some of the concerns expressed by the European Parliament concerning the issue of conformity of the new PNR Agreement with the EU principles on Personal Data Protection.

The Czech Republic invites the European Commission, the Art. 29 Working Group and the European Data Protection Supervisor to cooperate closely when drafting the new legislation on the EU PNR system in order to ensure high level of Personal Data Protection within the EU."

STATEMENT 104/07

Statement by Belgium

"Belgium accepts the signature by the Council Presidency of the Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security (DHS), as referred to in 11596/07 JAI 372. However, it would stress the importance which it attaches to an effective and regular evaluation of the implementation of that Agreement, in particular as regards the USA's commitments in relation to personal data protection as set out in the assurances. It calls for this aspect to be included in the arrangements for the review process to be decided on between the EU and the DHS, and for Member States to be notified of those arrangements."

STATEMENT 105/07

Statements by the Republic of Bulgaria concerning:

- **the Convention of 26 July 1995, based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention) :**

"With reference to Article 40, paragraph 2 of the Europol Convention the Republic of Bulgaria expresses its consent that disputes between Members States on the interpretation and application of the Convention be systematically referred to the Court of Justice of the European Communities.";

- **the Protocol of 24 July 1996, drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the establishment of a European Police Office:**

"Pursuant to Article 2 of the Protocol on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Europol Convention, the Republic of Bulgaria declares that it accepts the jurisdiction of the Court of Justice of the European Communities in accordance with the procedures specified in Article 2, paragraph 2(a)."

STATEMENT 106/07

Danish and Lithuanian statement

regarding the EEA Enlargement Agreement

"In order to counterbalance the effects of the EEA Enlargement and to ensure fair and equal competition on the global fish market, Denmark and Lithuania stress the importance of obtaining supplies of duty free raw materials of fresh herring and fresh mackerel from third countries to the EU fish processing industry. So, Denmark and Lithuania ask the Commission to analyse the new market situation and if necessary to consider appropriate proposals."

STATEMENT 107/07

Joint statement by Spain and the United Kingdom

"Spain and the United Kingdom state that this Directive and any activity or measure undertaken in applying it or as a consequence thereof is understood to be without prejudice to the respective legal positions of Spain and the United Kingdom as regards the dispute over sovereignty and jurisdiction over the waters in the context of Gibraltar."

JULY 2007	
OTHER ACTS	Votes made public
2813th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS) on 10 July 2007	
Council Decision authorising Austria to conclude an agreement with Switzerland that includes provisions derogating from Article 2(1)(d) of Directive 2006/112/EC on the common system of value added tax 11019/07 + COR 1 (fi) Council Joint Action extending Joint Action 2006/439/CFSP regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia 10667/07 Council Decision approving the accession of the European Atomic Energy Community to the amended Convention on the Physical Protection of Nuclear Material and Nuclear Facilities 10341/07 Council Decision on the signing and provisional application of the Agreement on Scientific and Technical Cooperation between the European Community and the State of Israel 10424/07 + COR 1 Council Decision on the conclusion of the Agreement in the form of an Exchange of Letters relating to the provisional application of the Protocol setting out, for the period from 16 September 2006 to 15 September 2012, the fishing opportunities and the financial contribution provided by the Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other 9283/07 + COR 1 (da) + REV 1 (lt) Council conclusions on the governance and funding of the International Accounting Standards Board and the International Accounting Standards Committee Foundation 11308/07	statement: 94/07 (Council)

JULY 2007	
OTHER ACTS	Votes made public
2814th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS/BUDGET) on 13 July 2007 Council Decision on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union 11299/07 + COR 1 2815th meeting of the Council of the European Union (AGRICULTURE and FISHERIES) on 16 July 2007 Council Joint Action amending and extending Joint Action 2006/623/CFSP on the establishment of a EU-team to contribute to the preparations of the establishment of a possible international civilian mission in Kosovo, including a European Union Special Representative component (ICM/EUSR Preparation Team) 11396/07 + COR 1 Council Joint Action on cooperation with the African Centre for Study and Research on Terrorism in the framework of the implementation of the European Union counter-terrorism strategy 11023/07 Council Regulation amending Regulation (EC) No 817/2006 of 29 May 2006 renewing the restrictive measures in respect of Burma/Myanmar 10878/07	

JULY 2007	
OTHER ACTS	Votes made public
Council Decision modifying the Internal Agreement of 17 July 2006 between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multi-annual financial framework for the period 2008-2013 in accordance with the ACP-EC Partnership Agreement and the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the EC Treaty applies 10332/07 Council Regulation extending the suspension of the definitive anti-dumping duty imposed by Regulation (EC) No 215/2002 on imports of ferro molybdenum originating in the People's Republic of China 11166/07 2816th meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 23 July 2007 Council Decision concerning the signature, on behalf of the European Union, of an Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security (DHS) 11493/07 + COR 1 Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security (DHS) (2007 PNR Agreement) 11595/07 + REV 1 (nl) + REV 2 (fi) + REV 3 (ro) Council Decision on the signing, on behalf of the European Union, of an Agreement between the European Union and the United States of America on the processing and transfer of passenger name record (PNR) data by air carriers to the United States Department of Homeland Security (DHS) (2007 PNR Agreement) 11596/07 + REV 1 (ro)	statement: 98/07 (Cion) abstention: AT statement: 103/07 (CZ) 104/07 (BE)

JULY 2007	
OTHER ACTS	Votes made public
Council Joint Action amending and extending Joint Action 2006/304/CFSP on the establishment of an EU Planning Team (EUP T Kosovo) regarding a possible EU crisis management operation in the field of rule of law and possible other areas in Kosovo 11411/07 Council Joint Action in support of the Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, in the framework of the European Security Strategy 10163/07 Council Decision implementing Common Position 2004/293/CFSP renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) 11586/07 Council Regulation amending Regulation (EC) No 234/2004 concerning certain restrictive measures in respect of Liberia 11094/07 Council Decision concerning the accession of Bulgaria and Romania to the Convention on the establishment of a European Police Office (Europol Convention) 11617/07 Council conclusions on special report no 1/2007 concerning the implementation of the mid-term processes – Structural funds 2000-2006 11578/1/07 REV 1 Council Decision on the signing and provisional application of a Second Additional Protocol to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 10603/07 + COR 1 (en)	statement: 105/07 (BU)

JULY 2007	
OTHER ACTS	Votes made public
The European Union's position for the sixth meeting of the EU-Morocco Association Council 11801/07 Council Decision on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, to take account of the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union 11763/07 Council Regulation amending Regulation (EC) No 397/2004 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Pakistan 11604/07 Council Regulation terminating the interim review of anti-dumping measures imposed by Council Regulation (EC) No 1910/2006 on imports of television camera systems originating in Japan and repealing the anti-dumping measures imposed by Regulation (EC) No 1910/2006 11369/07 Council Regulation repealing the anti-dumping duty on imports of urea originating in Russia, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96, and terminating the partial interim reviews pursuant to Article 11(3) of such imports originating in Russia 11527/07 Council Decision on the signing and the provisional application of an Agreement on the participation of the Republic of Bulgaria and Romania in the European Economic Area and four related agreements 10834/1/07 REV 1 + REV 2 (hu)	statement: 106/07 (DA, LT)

JULY 2007	
OTHER ACTS	Votes made public
Council Decision on a Community position to be adopted within the EC-Switzerland Joint Committee on a Recommendation of the said Joint Committee on the re-importation of originating products and on the acceptance by the Contracting Parties of simplified proofs of origin made out by approved exporters 11171/07 Council conclusions on the Mechanism on Cooperation and Verification for Bulgaria and Romania 11904/07 + COR 1 (fi) Council Regulation on the conclusion of a Fisheries Partnership Agreement between the European Community, on the one hand, and the Republic of Kiribati, on the other 9284/07 Council Regulation on the conclusion of a Fisheries Partnership Agreement between the Democratic Republic of São Tomé and Príncipe and the European Community 8870/07 + COR 1 Council conclusions – Preparations for the Environment for Europe Sixth Ministerial Conference (Belgrade, 10-12 October 2007) 11906/07 Council Decision concerning a proposal, on behalf of the European Community and the Member States, for amendments to the relevant Annexes of the Stockholm Convention on Persistent Organic Pollutants (POPs) 11785/07 Council common position establishing a Framework for Community Action in the field of Marine Environmental Policy (Marine Strategy Framework Directive) 9388/07 + COR 1 (lv) + COR 2 (es) + COR 3 (nl) + ADD 1 + REV 1 (hu)	abstention: IT statement: 107/07 (ES, UK)

JULY 2007	
OTHER ACTS	Votes made public
Common Position adopted by the Council with a view to the adoption of a Decision of the European Parliament and of the Council on a paperless environment for customs and trade 8520/07 + REV 1 (lt) + REV 2 (mt) + REV 3 (hu) + COR 1 (fi) Common Position adopted by the Council with a view to the adoption of a Decision of the European Parliament and of the Council establishing for the period 2007-2013 the Specific Programme "Drug prevention and information" as part of the General Programme "Fundamental Rights and Justice" 8698/2/07 REV 2 + REV 3 (fi) Council conclusions on the Western Balkans – Albania 12063/1/07 REV 1 2817th meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 23 and 24 July 2007 Council conclusions on Sudan/Darfur 11947/1/07 REV 1 Council conclusions on the Middle East Peace Process 11955/2/07 REV 2 Council conclusions on Lebanon 11928/07 Council conclusions on the Western Balkans – Albania 12063/1/07 REV 1	