



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS
OCTOBER 2007

This document contains:

- in **Annex I**, a summary of definitive legislative acts adopted by the Council in October 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 October 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.

OCTOBER 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
2822nd meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) on 9 October 2007				
Council Decision authorising France to apply a reduced rate of excise duty on "traditional" rum produced in its overseas departments and repealing Decision 2002/166/EC	12293/07		Unanimous	All Member States in favour
Council Regulation amending Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community	13133/07		Qualified majority	All Member States in favour, except Abstention: LV, LT, RO Against: CZ, DK, SK, FI
Council Regulation amending Regulation (EC) No 318/2006 on the common organisation of the markets in the sugar sector	13254/07		Qualified majority	All Member States in favour, except Abstention: LV, LT, RO Against: CZ, DK, SK, FI
Decision of the European Parliament and of the Council establishing a second programme of Community action in the field of health (2008-2013)	PE-CONS 3640/07 + COR 1 (hu) + REV 1 (mt)	135/07 (EP, Council, COM) 136/07 (COM)	Qualified majority	All Member States in favour

OCTOBER 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community 2823rd meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 15 October 2007	PE-CONS 3644/07 + COR 1 (lv) + REV 1 (bg)		Qualified majority	All Member States in favour
Council Decision amending the Council Act adopting rules applicable to Europol analysis files	12850/07 + COR 1 (fi) + COR 2 (pt) + COR 3 (ro) + COR 4 (sl) + COR 5 (ee) + REV 1 (cz) + REV 2 (hu)		Qualified majority	All Member States in favour
Directive of the European Parliament and of the Council on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC	PE-CONS 3613/07 + COR 1 (fi) + COR 2 (de) + REV 1 (pl)		Qualified majority	All Member States in favour

OCTOBER 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
Written procedure completed on 17 October 2007 Proposal for a Decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund according to Point 26 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management 2825th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) on 22 and 23 October 2007	12894/07		Unanimous	All Member States in favour, except Abstention: UK
Council Regulation establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products ("Single CMO Regulation")	10059/07	143/07-150/07 (COM) 151/07 (CY, MT) 152/07 (CY) 153/07 (EL)	Unanimous	All Member States in favour
Council Regulation amending Regulation (EC) No 1947/2005 as regards national aid granted by Finland for seeds and cereal seed	12069/07 + REV 1 (lt)	154/07 (FI)	Qualified majority	All Member States in favour, except Abstention: DK, SE

OCTOBER 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
Council Regulation laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation	12740/07 + REV 1 (lv) + COR 1 (mt)	155/07 (COM)	Qualified majority	All Member States in favour
Council Regulation repealing Regulation (EC) No 2040/2000 on budgetary discipline	13259/07		Unanimous	All Member States in favour
Directive 2007/63/EC of the European Parliament and of the Council of 13 November 2007 amending Council Directives 78/855/EEC and 82/891/EEC as regards the requirement of an independent expert's report on the occasion of merger or division of public limited liability companies	PE-CONS 3641/1/07 REV 1	156/07 (ES, MT)	Qualified majority	All Member States in favour, except Abstention: ES
Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2223/96 with respect to the transmission of national accounts data	PE-CONS 3614/3/07 REV 3		Qualified majority	All Member States in favour
Council Decision on the granting of an emergency state aid by the authorities of Romania to mitigate the consequences of drought in 2006/2007 in the agricultural sector	13500/07	157/07 (SE)	Unanimous	All Member States in favour, except Abstention: CZ, DK, NL, SE

OCTOBER 2007				
TITLE OF DEFINITIVE LEGISLATIVE ACT	TEXTS ADOPTED	STATEMENTS	VOTING RULE	VOTES
2826th meeting of the Council of the European Union (ENVIRONMENT) on 30 October 2007 Regulation of the European Parliament and of the Council on advanced therapy medicinal products and amending Directive 2001/83/EC and Regulation (EC) No 726/2004	PE-CONS 3627/2/07 REV 2	161/07 (NL, DK) 162/07 (MT) 163/07 (DE)	Qualified majority	All Member States in favour

**2821st meeting of the Council of the European Union (TRANSPORT,
TELECOMMUNICATIONS AND ENERGY) on 1 and 2 October 2007****STATEMENT 132/07****Statement by the Commission**

"The European Commission welcomes the Council's adoption of Conclusions in view of the ITU World Radiocommunication Conference (WRC-07), following the Commission's Communication [COM(2005)371] and notes with satisfaction that the Conclusions express overall support for the objectives to be achieved by WRC-07 as identified in the Communication.

The European Commission is pleased to note that the draft Conclusions refer to the Presidency Conclusions of the European Council of December 2006 which call inter alia for "*a coordinated approach for the use of spectrum becoming available as a result of digital switch-over*".

However, on one key issue – the change of the regulatory status of the UHF band – the European Commission believes that the Council Conclusions miss a unique opportunity to give an impetus to the whole of the wireless industry, as they do not seek actively to upgrade mobile services to the same status as broadcasting services in the UHF radio band.

This would facilitate decisions being taken concerning the introduction in the EU of a range of new services. It would maximise the societal and economic potential of the UHF radio band arising from the digital dividend, where radio spectrum is becoming available following the transition to digital broadcasting. Furthermore, it would allow Europe to align itself with other regions of the world who have already taken this step.

The European Commission regrets the fact that the Council Conclusions are not more ambitious in this respect, as proposed by the Commission Communication. They fail to support a strong negotiating position by the EU Member States at WRC-07.

The European Commission therefore sees the risk of a serious delay in the regulatory decision to bring the status of the UHF band into line with new service development and market demand, and despite spectrum becoming available in this band. As a consequence, the Commission sees this as a missed opportunity to contribute to the Lisbon goals by triggering productivity gains through the introduction of innovation, and in particular in regard to broadband wireless services."

STATEMENT 133/07

Statement by Romania

relating to the final clause of the Visa and Readmission Agreements between the EC and the Republic of Moldova

Romania reiterates its support for the conclusion and the implementation of the "Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of short-stay visas" and of the "Agreement between the European Community and the Republic of Moldova on the readmission of persons residing without authorisation" and its commitment to fully apply their provisions.

Also, Romania believes that through their substance, the Agreements contribute to the future enhancement of the relations between the European Union and the Republic of Moldova.

At the same time, Romania underlines that its participation to the said agreements does not imply whatsoever any recognition or acknowledgement of the name of the language referred to as "Moldovan". Romania reiterates that, according to the facts and scientific evidence, including the interpretation of the Academy of Science of the Republic of Moldova (issued in September 1994), the correct name of the language is Romanian.

STATEMENT 134/07

Statement by Romania

relating to the final clause of the Protocol to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part, on accession of the Republic of Bulgaria and Romania to the PCA

Romania reiterates its support for the conclusion and the implementation of the "Protocol to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part, on accession of the Republic of Bulgaria and Romania to the PCA" and its commitment to fully apply its provisions.

Also, Romania believes that through its substance, the Protocol to this Agreement contributes to the future enhancement of the relations between the European Union and the Republic of Moldova.

At the same time, Romania underlines that its participation to the said agreement through the Protocol does not imply whatsoever any recognition or acknowledgement of the name of the language referred to as "Moldovan". Romania reiterates that, according to the facts and scientific evidence, including the interpretation of the Academy of Science of the Republic of Moldova (issued in September 1994), the correct name of this language is Romanian.

STATEMENT 135/07

Trilateral declaration regarding the 2nd Programme of Community action in the field of public health 2008-2013

The European Parliament, the Council and the Commission:

- share the view that the 2nd Programme of Community action in the field of health (2008-2013) must be provided with financial means that allow fully for its implementation;
- recall Article 37 of the Interinstitutional Agreement on budgetary discipline and sound financial management¹ stating that the budgetary authority and the Commission undertake not to depart by more than 5 % from the budget unless new, objective, long-term circumstances arise for which specific reasons are given. Any increase resulting from such variation must remain within the existing ceiling of the heading concerned;
- assure their willingness to evaluate in a sound manner the specific needs and circumstances of the Health Programme in the annual budget procedure.

STATEMENT 136/07

Statement by the Commission

1. On 24 May 2006, the Commission issued an amended proposal for a second Programme of Community action in the field of health (2007-2013)². In Article 7, the reference amount of the programme was proposed to be set at EUR 365,6 million for the period starting in 2007 and ending in 2013.
2. Because of delays in the legislative procedure, on 23 March 2007 the Commission informed the Budget Authority that the start of the new Public Health programme will have to be postponed to budget year 2008³. As a consequence, the envelope of the new Public Health programme 2008-2013 would need to be adjusted to the level of EUR 321,5 million.

¹ OJ C 139, 14.6.2006, p.1.

² COM (2006) 234.

³ COM (2007) 150.

3. An amount of EUR 44,1 million will be used in the 2007 budget year under the present Public Health programme¹ in order to ensure maximum continuity concerning public health actions. Therefore, the total envelope for public health actions financed from the programmes over the period 2007-2013 sums up to EUR 365,6 million.

2823rd meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 15 October 2007

STATEMENT 137/07

Statement by the Council

"The Council asks ATHENA's Special Committee to examine with an open mind any subsequent requests which the Operation Commander might submit to it concerning the needs of the EUFOR TCHAD/RCA operation."

STATEMENT 138/07

Statements by France

I

"The decision taken on the joint action for the EUFOR TCHAD/RCA operation is indicative of continuing difficulties in the implementation of the agreement reached in December 2006 on the review of the ATHENA mechanism. France therefore requests that discussions be initiated on this matter as quickly as possible so as not to jeopardise future military operations by the Union."

II

"In view of the importance of the logistical phase for the success of the EUFOR TCHAD/RCA operation, France invites those Member States that have strategic transport capabilities to help with the deployment of the force, notably by supporting the deployment of contingents from countries that do not."

STATEMENT 139/07

Joint Statement

"The Council agrees to examine, in the framework of the future discussions on the conclusion of the new Lugano Convention, the possibility of making a declaration, in accordance with Article II(2) of Protocol 1 to that Convention.

The Council is of the opinion that, when such a declaration is considered, the situation of all Member States whose rules on civil procedure already provide for specific rules concerning third-party notices should be examined."

¹ Decision No 1786/2002/EC of the European Parliament and of the Council of 23 September 2002 adopting a programme of Community action in the field of public health (2003-2008) (OJ L 271, 9.10.2002, p. 1).

STATEMENT 140/07

Statement by the Council

On the sharing of duty collection costs, on VAT and on statistics under the centralised clearance system

The centralised clearance system as set out in the Regulation adopted today on a Modernised Customs Code entails a substantial change in the way duty collection costs are retained by customs authorities in the Member States. The Council notes that the provisions of the Modernised Customs Code are not directly linked to this question of the sharing of duty collection costs.

However, in order not to delay adoption of the Modernised Customs Code on the one hand, and to avoid major imbalances in the budgetary management of the Member States on the other hand, the Council takes the view that a mechanism to readjust the flow of collection costs should be devised. Such a mechanism should take into account the practical involvement of the customs and tax administrations in customs operations related to the import and export of goods.

This mechanism should be developed within the appropriate fora and be granted a status ensuring a legally binding effect on Member States.

The mechanism should be in force by the time the Modernised Customs Code enters into force and should be operational by the time the Modernised Customs Code is applicable.

In addition, the Council notes that the centralised clearance system may also require adjustments in the areas of VAT, statistics, and national prohibitions and restrictions.

The Council agrees that these issues should be clarified in the appropriate fora, before the provisions on centralised clearance in the Modernised Customs Code enter into force. This applies in particular to the question of the sharing of duty collection costs.

STATEMENT 141/07

Joint Statement by the Council and the Commission

On evaluation of the functioning of the centralised clearance system

The Council and the Commission agree that three years after the entry into force of the Modernised Customs Code the Commission should evaluate the functioning of the centralised clearance system.

On the basis of contributions from Member States, the Commission services will submit a report to the Council and the European Parliament and the Commission will, if appropriate, make any necessary proposal for legislative changes.

STATEMENT 142/07

Statements by the Council

- The Council welcomes the Stabilisation and Association Agreement (SAA), which supports Montenegro's European aspirations. The Council emphasises that the signature of this agreement does not prejudice its position on how Montenegro's current de facto use of the euro will be addressed in possible future accession negotiations. Montenegro's present use of the euro, decided by the Montenegrin authorities in exceptional circumstances, is fully distinct from euro area membership.
- The Council recalls that unilateral "euroisation" is not compatible with the Treaty, which foresees the eventual adoption of the euro as the endpoint of a structured convergence process within a multilateral framework.
- An EU Member State cannot adopt the euro and join the euro area without fulfilling all the criteria defined in the Treaty. These comprise the achievement of a high degree of sustainable convergence as defined in the Treaty.
- Taking into account the above, the implications of the Treaty framework for Montenegro's monetary regime will be detailed in due course, at the latest by the time of possible future negotiations for accession to the EU.

**2825th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES)
on 22 and 23 October 2007**

STATEMENT 143/07

Statement by the Commission

concerning Article 47(1)

"The Commission intends to incorporate Annex II of Regulation (EC) No 318/2006 (sugar beet purchase terms) without change into the implementing rules to be adopted."

STATEMENT 144/07

Statement by the Commission

concerning reporting obligations in the flax and hemp sector

"The report from the Commission to the European Parliament and the Council referred to in Article 15(3) of Regulation (EC) No 1673/2000 on the common organisation of the markets in flax and hemp grown for fibre will, as foreseen in that Article, be submitted well in advance of the start of the respective marketing year 2008/2009."

STATEMENT 145/07

Statement by the Commission

concerning Article 117(c)

"With regard to the application of Article 68a of Regulation (EC) No 1782/2003 in conjunction with Article 117 of this Regulation, the Commission intends to include the necessary provisions as currently contained in Regulation (EC) No 1952/2005 and, in particular, Article 6 thereof in the implementing rules."

STATEMENT 146/07

Statement by the Commission

on import licence systems referred to in Article 124

"The Commission recognises the importance of import licences for the management of agricultural markets in particular with regard to products whose importation is currently subject to the presentation of an import licence in accordance with the relevant basic Council Regulation. The Commission therefore intends to assess the need for import licence requirements in the light of the sensitivity of the markets concerned and to consider the removal of licence requirements only where equivalent mechanisms could be used. The Commission will, in such cases, monitor carefully the effects of decisions taken and will inform the Management Committee of the results of its assessment within a reasonable period of time."

STATEMENT 147/07

Statement by the Commission

on export licence systems referred to in Article 155

"The Commission recognises the importance of export licences for the management of agricultural markets in particular with regard to products whose export is currently subject to the presentation of an export licence in accordance with the relevant basic Council Regulation. The Commission therefore intends to assess the need for export licence requirements in the light of the sensitivity of the markets concerned and to consider the removal of export licence requirements only where equivalent mechanisms could be used."

STATEMENT 148/07

Statement by the Commission

concerning the requirement of Community origin for the granting of export refunds, referred to in Article 160(7)(a)

"The Commission does not intend, under the current circumstances, to change the legal status quo as regards origin requirements for the granting of export refunds."

STATEMENT 149/07

Statement by the Commission

concerning Article 179(b)

"The Commission declares that with regard to olive oil a price rise can only be considered to be significant if the market price for olive oil in the Community exceeds 1,6 times the average price set out in Article 30, during a period of at least three months."

STATEMENT 150/07

Statement by the Commission

on working arrangements for the Management Committee following the adoption of the single Common Market Organisation

"The Commission proposal for a Regulation establishing a single Common Market Organisation (CMO) is aimed at merging the existing 21 CMOs into one comprehensive legal framework. This approach logically includes creating one Management Committee which would replace the Management Committees currently operating in the different sectors of the Common Agricultural Policy (CAP).

The Commission is keenly aware of the importance of the Management Committee procedure for the Common Agricultural Policy to operate properly. The legal requirement for Management Committees to participate in the process of adoption of legal acts at Commission level pursues the purpose to involve Member States in the Commission's decision-making. In the CAP and, in particular, in the area of market policy, Management Committees are meant to ensure that the Member States' expertise and experience be taken into account.

The Commission is therefore determined to make the new Management Committee operate in such a way as to ensure its ability to fully exercise its functions. As this requires Member States expertise to be adequately represented in the committee its meetings need to be programmed accordingly. Furthermore the rules on the reimbursement of the travel expenses of Member States' delegates should be adapted. At the same time one should bear in mind that the working arrangements of the committee will need to be kept in line with the actual needs as they result from the CAP as it is evolving. Where the CAP undergoes changes which affect the need for discussions in the committee these arrangements should be adapted as was done in the past¹.

¹ It should be recalled in this context that following Agenda 2000 and the 2003 CAP reform the number of Management Committee meetings held in the area of market policy decreased from 284 in 2001 to 218 in 2006, i.e. by roughly 24 %.

Against this background and in the light of current circumstances it would appear to be appropriate to organise the working patterns of the single Management Committee according to the following principles:

1. Working arrangements at "cruising speed"

In accordance with current practice meetings should in general be held up to two full days per week. As need be, e.g. for a meeting in the area of trade mechanisms, an additional meeting day could be foreseen. The frequency of Management Committee discussions on issues in specific sectors will continue to depend on the needs of the sectors concerned.

For reasons of consistency and to allow Member States to properly organise their representation at committee level, the points to be dealt with during a committee meeting should be selected so as to make sure that they are sufficiently related to each other as regards their substance. It would thus be appropriate e.g. to concentrate issues concerning crop production in one meeting and those concerning animal production in a separate one. As regards the discussions on issues in specific sectors such as wine, fruit and vegetables or specialised crops it would be sensible to also provide for separate meetings of the Management Committee.

In cases where it is particularly important to have recourse to Member States' expertise and experience sector-specific expert group meetings should be scheduled under the umbrella of the single Management Committee. This would apply in particular to discussions on draft implementing rules or events that need to be tackled with greater urgency such as particular market disturbances (e.g. avian flu). As the case may be, even more than one of such experts groups could be convened on the same day. The experts group would pass the results of its discussions on to the committee which would take the formal vote.

2. Transition period

The Commission is aware of the particular circumstances that are likely to prevail during the phase of transition between the adoption of the new CMO regulation and its full application to all sectors¹. In that phase the new Management Committee and the currently existing sector related Management Committees will coexist. The latter will carry out their tasks set out in the existing CMOs until they are replaced by the new committee. The new committee will have to discuss and vote on the draft rules for the implementation of the new single CMO. It would appear to be reasonable, however, to involve the existing sector-related committees in that discussion process, as this technique proved to be quite effective in the implementation process of the 2003 CAP reform. It could also be particularly useful as regards the fruit and vegetables and wine sectors once the respective reform processes in these sectors are completed and up for implementation.

¹ It should be noted that the Commission proposal provides for the application of the single CMO as from 1.1.2008, except for sectors operating on the basis of marketing years where the single CMO would become applicable as from the beginning of the respective marketing year in 2008.

In appropriate cases, e.g. with regard to discussing horizontal implementing rules, recourse could be had to experts groups. It goes without saying that in such cases the formal vote on the draft measures concerned will always have to be taken in the single Management Committee.

3. Reimbursement of travel expenses

Due to the broad competences of the single Management Committee there will be a need for Member States to send an appropriate number of delegates to the meetings of that committee. Therefore the Commission intends to increase the number of delegates whose travel expenses may be reimbursed per meeting from one to two. Such an arrangement would correspond to what currently already applies with regard to other horizontal committees such as the Management Committee for Direct Payments or the Committee of the Funds. Member States will remain free, however, to send more than two delegates provided that they bear the travel expenses. It should be stressed, that any arrangement on the reimbursement of travel expenses applies within the limits of the available budget appropriations."

STATEMENT 151/07

Statement by Cyprus, supported by Malta

"Cyprus has thoroughly and repeatedly explained the highly sensitive political grounds that did not allow her to give her consent to the adoption of a number of Community acts that were adopted pursuant to the Regulations that are to be repealed by Article 195 of the proposed Regulation at hand.

It therefore suffices here to underline once more that we express our regret that a number of Community acts related to export refunds that have been adopted, include a reference to the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control, in a manner that the areas in question receive treatment equivalent to third country destinations.

Such treatment is, in our view, contrary to primary law of the EU, and in particular Protocol 10 of the Act of Accession 2003. I would like to clarify, in this respect, that the areas of the Republic of Cyprus in which the Government of the Republic does not exercise effective control are part of the territory of the Republic of Cyprus, and can by no means be treated as a third country or territory, as referred to in the Community acts in question. What Protocol 10 clearly states is that the application of the *acquis* in the areas not under the effective control of the Government of the Republic of Cyprus has been temporarily suspended, and by no means gives any form of third country status to the areas in question.

In view of the above, and due to the fact that the Community acts that include such a reference to the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control continue to be valid on the basis of Article 195 of the proposed Regulation at hand, Cyprus is obliged to withhold its consent to the adoption of the Regulation before us."

STATEMENT 152/07

Statement by Cyprus

SECOND STATEMENT BY CYPRUS

"Further to the political agreement reached on the Proposal for a Council Regulation establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation), the Republic of Cyprus wishes to offer the following clarification on its position:

An understanding has been reached as to the terminology to be used in future Community acts related to export refunds, in order to ensure that future reference, in such acts, to the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control, is in accordance with primary Community Law and in particular Protocol 10 of the Act of Accession 2003. Thus, such legal acts cannot, in any way, treat the areas in question in a manner similar to that of third country destinations, or give rise to any doubts as to their legal status.

This understanding enables Cyprus to give its consent to the adoption of the single CMO Regulation in the expectation that the Community acts already adopted, which continue to be valid on the basis of Article 195 of the proposed Regulation, will in due course, be substituted by new Community acts to the same effect, whose terminology will be in accordance with Protocol 10 of the Act of Accession 2003."

STATEMENT 153/07

Statement by Greece

"Greece is voting in favour of the proposal for a Council Regulation establishing a common organisation of agricultural markets; it however shares fully the views of the Cyprus declaration.

For reasons of principle, we consider that the areas of the Republic of Cyprus, where the Government of the Republic of Cyprus does not exercise effective control, should not, whatever the reason, receive treatment equivalent to third country destinations."

STATEMENT 154/07

Statement by Finland

"The northerly production conditions of Finland make special demands on crops produced there. Many varieties commonly grown in Central Europe do not thrive in Finland's difficult climatic conditions. In order to ensure a supply of seed varieties adapted to Finnish agriculture, operational conditions for seed production must be guaranteed. To this end, targeted measures will be needed also after 2010. They should form part of Community policy measures."

STATEMENT 155/07

Statement by the Commission

on the Council Regulation laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation

"The Commission takes note of the unanimous position of the Council on the question of laying down conservation measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation and the subsequent unanimous adoption of the Presidency compromise text.

The Commission continues to consider its initial proposal to implement new NAFO conservation and enforcement measures that become obligatory for the Community by a "Comitology" procedure based on Article 30(2) of Regulation (EC) N° 2371/2002, as being the appropriate approach in this case.

The Commission considers that the decision taken on this file does not constitute a precedent for future decisions."

STATEMENT 156/07

Statement by the Spanish and Maltese delegations

The Spanish and Maltese delegations consider that the inclusion of provision for a correlation table in Article 4(1) of the Directive establishes a legal requirement going beyond point 34 of the Interinstitutional Agreement on better law-making and Article 249 of the EC Treaty, which stipulates that a directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods.

STATEMENT 157/07

Statement by Sweden

National aid in Romania due to drought

"Sweden is of the opinion that the Council should not be used for obtaining an approval of state aid, where there is a possibility to have the state aid plan approved by the Commission. A procedure carried out by the Commission offers proper guarantees as regards the appropriate implementation of the state aid plan. A procedure before the Council does not offer any equivalent guarantees.

Sweden therefore cannot support an approval by the Council of the granting of state aid according to the Romanian request. However, given the urgency and the extreme importance of this issue for Romania, Sweden will abstain from voting in order not to block a decision."

2826th meeting of the Council of the European Union (ENVIRONMENT) on 30 October 2007

STATEMENT 158/07

Joint Statement by the Council and the Commission

Inter alia for pragmatic reasons, it is preferable that the Community alone should conclude the agreement with the United Arab Emirates on certain aspects of air services. The same considerations would apply in respect of similar agreements as long as they are concluded in accordance with and within the limits of the mandate on the replacement of certain provisions in existing bilateral agreements adopted by the Council Decision of 5 June 2003.

This Decision does not constitute a precedent as to the exercise of the respective competencies of the Community and its Member States in respect of agreements other than those referred to above, such as, for example, agreements of the type envisaged by the Council Decision of 5 June 2003 authorising the Commission to open negotiations with the United States in the field of air transport, which shall be concluded as mixed agreements.

This Decision does not create any new Community competences as far as external agreements on air services are concerned, nor does it affect the division of competences between the Community and its Member States.

STATEMENT 161/07

Statement by the Netherlands and Danish delegations

The Netherlands and Denmark welcome the proposal for a Regulation on advanced therapy medicinal products. Specially tailored and harmonised rules for this product category will improve the accessibility and safety of these technologically advanced products.

This Regulation lays down that all combinations of medical devices with viable cells will be classified as advanced therapy medicinal products. This will mean that the nature of the material will determine which product regime is applicable. The Netherlands and Denmark regret this.

The Netherlands and Denmark have persistently emphasised the importance of the principal mode of action for the intended purpose as the guiding principle which should determine which regulatory regime is applicable to a specific product. This guiding principle has proven its value over the past decades as the cornerstone of the delineation between several product categories, such as pharmaceuticals, medical devices, cosmetics and foodstuffs.

One of the most important trends in product development is the combination of more than one technology into one product, also known as converging technologies. As a result, the number of products which it will be difficult to classify into a specific regulatory framework will increase substantially. A consistent, clear and future-proof criterion for assigning products to a regulatory structure is therefore necessary.

The Netherlands and Denmark would like to stress that the approach chosen in the case of combinations of medical devices with viable cells and/or tissues is an exception to the well-established approach which exists today in the medicinal and medical device sector. The principal mode of action for the intended purpose should remain the guiding principle in all other future cases.

STATEMENT 162/07

Statement by the Maltese delegation

Malta acknowledges the importance of having advanced therapy medicinal products regulated under a specific regulatory framework, whereby the products will be evaluated by the European Medicines Agency and placed on the market through the centralised procedure.

Notwithstanding, Malta holds that medicinal products that contain or are derived from human embryonic and foetal cells, primordial germ cells or cells derived from those cells should not have been included within the scope of the Advanced Therapy Regulation. Malta firmly maintains that it does not approve of any form of human embryonic stem cell extraction from live, even frozen embryos.

More specifically, Malta does not approve of experimentation on existing cell clone lines of human embryonic stem cells available on the market, by reason of complicity. Malta, however, finds no ethical problem when adult stem cells, including cord blood stem cells, are used for the production of medicinal products.

Nevertheless, Malta notes that Article 28(2) of the Advanced Therapy Regulation amending Directive 2001/83/EC affirms that the latter Directive and all Regulations referred to therein shall not affect the application of national legislation prohibiting or restricting the use of any specific type of human or animal cells, or the sale, supply or use of medicinal products containing, consisting of or derived from these cells.

STATEMENT 163/07

Statement by Germany

Germany worked tirelessly during its Presidency to secure agreement on the content of the Regulation and its speedy adoption. Despite the fact that we therefore agree unreservedly with the provisions of the Regulation, we note with regret that there are serious shortcomings in the German translation of this important legal text prepared by the Council Legal Service, in that it does not take sufficient account of the requirements of specialist and legal usage in German-speaking countries. This is particularly true of the translation of the English terms "Marketing Authorisation" and "Summary of Product Characteristics" as "Genehmigung für das Inverkehrbringen" and "Zusammenfassung der Merkmale des Arzneimittels", which are not customary in German specialist and legal usage and would indeed sometimes lead to misunderstanding. "Zulassung" and "Fachinformation" are the only accurate translations of these English terms which would be properly understood by all those working in the sector. These terms will therefore continue to be used in Germany in future, even in matters covered by the Regulation.

Furthermore, Germany will continue to urge that these terms be used in the German language versions of future proposals for establishing and revising European law on medicinal products and calls on the Commission to take this into account when preparing future legislation.

OCTOBER 2007	
OTHER ACTS	Votes made public
2821st meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS AND ENERGY) on 1 and 2 October 2007	
Council Conclusions on the Communication from the Commission on "The ITU World Radiocommunication Conference 2007 (WRC-07)" 11991/07	statement: 132/07 (COM)
Council Decision concerning the conclusion of an Agreement between the European Union and New Zealand on the participation of New Zealand in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN) 10618/07	
Council Joint Action amending Joint Action 2007/113/CFSP amending and extending the mandate of the European Union Special Representative for Central Asia 12332/07 + COR 1 (fi)	
Council Common Position extending Common Position 2004/694/CFSP on further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY) 12688/07	
Council Decision on the conclusion of consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument 12708/07 + COR 1(fr)	
Council Resolution concerning the establishment of a European Union LRIT Data Centre 13030/07	
Conclusions of the Council of the European Union on the Commission communication on an action plan for airport capacity, efficiency and safety in Europe 13161/07	

OCTOBER 2007	
OTHER ACTS	Votes made public
2822nd meeting of the Council of the European Union (ECONOMIC AND FINANCIAL AFFAIRS) on 9 October 2007	
Council Conclusions on the Court of Auditors' Special Report No. 3/2007 concerning the management of the European Refugee Fund (2000-2004) 13171/07 + COR 1	
Council Decision on the signing of the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas 12758/07	statement: 133/07 (RO)
Council and Commission Decision concerning the conclusion of the Protocol to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part, on accession of the Republic of Bulgaria and Romania to the PCA 11754/07	statement: 134/07 (RO)
Council Common Position amending Common Position 2005/440/CFSP concerning restrictive measures against the Democratic Republic of Congo 12686/07	
Council Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of peroxosulphates (persulphates) originating in the United States of America, the People's Republic of China and Taiwan 12771/07	
Council Decision on the signing and provisional application of an Additional Protocol to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 13038/07 + COR 1	
Council Conclusions on ensuring the effectiveness of the preventive arm of the Stability and Growth Pact 13337/07	

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OTHER ACTS	Votes made public
Council Conclusions on the quality of public finances: modernising public administration 13316/07 Council Conclusions on Better Regulation in the EU – Progress made with the reduction of administrative burdens 13286/1/07 REV 1 Council Conclusions on the communication from the Commission: "Towards Common Principles of Flexicurity: More and Better jobs through Flexibility and Security" 13287/07 Council Conclusions on clearing and settlement 13313/07 Council Conclusions on enhancing the arrangements for financial stability in the EU 13359/2/07 REV 2 Written procedure completed on 10 October 2007 Council Decision concerning the signing of the Agreement between the European Community and the Republic of Moldova on the readmission of persons residing without authorisation 12752/07 2823rd meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 15 October 2007 Council Regulation imposing anti-dumping duties on imports of integrated electronic compact fluorescent lamps (CFL-i) originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 384/96 and extending to imports of the same product consigned from the Socialist Republic of Vietnam, the Islamic Republic of Pakistan and the Republic of the Philippines 13040/1/07 REV 1	<i>statement: 133/07 (RO)</i>

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OTHER ACTS	Votes made public
Council Decision on the conclusion of an Agreement on the participation of the Republic of Bulgaria and Romania in the European Economic Area and four related agreements 12641/07 Council Decision on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 13101/07 + REV 1 (es) Council Decision on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 13104/07 + REV 1 (es) EU common positions with a view to the next Accession Conference with Croatia 13772/07 Council Joint Action on the European Union military operation in the Republic of Chad and in the Central African Republic 12459/07 + REV 1 (en) EU Strategy on Aid for Trade: Enhancing EU support for trade-related needs in developing countries 13070/07 Council Decision on the signing, on behalf of the Community, of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters 12247/07 + REV 1 (hu) + REV 2 (It) + REV 3 (it) + REV 4 (de) + REV 6 (pt) + REV 7 (pl) + REV 8 (lv)	statements: 137/07 (Council) 138/07 (FR) statement: 139/07 (joint)

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OTHER ACTS	Votes made public
Common Position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council laying down the Community Customs Code (Modernised Customs Code) 11272/07 + COR 1 (fr) + COR 2 + REV 1 (nl) + REV 1 COR 1 (nl) + REV 2 (fi) + REV 3 (hu) + REV 5 (fr) Common Position adopted by the Council with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities 10076/6/07 + COR 1 (el) + COR 2 (it) + COR 3 + REV 1 (fr) + REV 1 COR 1 (fr) + REV 2 (bg) + REV 2 COR 2 (bg) + REV 3 (lv) + REV 3 COR 1 (lv) + REV 4 (nl) + REV 5 (da) + REV 6 ADD 1 + REV 7 (lv) Common Position adopted by the Council with a view to the adoption of a Regulation of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC 10537/07 + REV 1 (fi) + REV 2 (ee) + ADD 1 COR 1 Council Decision on the signing on behalf of the European Community of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part 11567/07 Council Decision concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Montenegro, of the other part 11569/07 + COR 1 2824th meeting of the Council of the European Union (GENERAL AFFAIRS AND EXTERNAL RELATIONS) on 15 and 16 October 2007 Council Conclusions on Uzbekistan 13568/1/07 REV 1	statements: 140/07 (Council) 141/07 (Council, COM) against: MT statement: 142/07 (Council)

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OTHER ACTS	Votes made public
Council Conclusions on Chad, the Central African Republic and Sudan 14057/07	
Council Conclusions on Burma/Myanmar 13783/07	
Council Conclusions on Iran 13769/07	
Council Conclusions on the Western Balkans 13558/1/07 REV 1	
Council Conclusions on Libya 13850/07	
Council Conclusions on Iraq 13697/07	
Council Conclusions on the Middle East Peace Process 13698/07	
Council Conclusions on Lebanon 13842/07	
2825th meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) on 22 and 23 October 2007	
Council Decision on the conclusion of the Protocol amending the Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade 13380/07	
Council Conclusions on Special Report No 2/2007 of the Court of Auditors concerning the Institutions' expenditure on buildings 13525/07	

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OTHER ACTS	Votes made public
Council Decision implementing Joint Action 2005/557/CFSP on the European Union civilian-military supporting action to the African Union missions in the Darfur region of Sudan and in Somalia 13372/07 Council Decision concerning the conclusion of an agreement between the European Community and the Russian Federation on trade in certain steel products 12903/07 Council Regulation on administering certain restrictions on imports of certain steel products from the Russian Federation 12906/07 Council Decision on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 12412/07 2826th meeting of the Council of the European Union (ENVIRONMENT) on 30 October 2007 Council Decision on the signing and provisional application of the Agreement between the European Community and the United Arab Emirates on certain aspects of air services 10439/07 REV 4 Council Regulation imposing a definitive anti-dumping duty on imports of polyethylene terephthalate (PET) film originating in India following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 384/96 and terminating a partial interim review of such imports pursuant to Article 11(3) of Regulation (EC) No 384/96 13355/07	statement: 158/07 (Council, COM)

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OTHER ACTS	Votes made public
Council Regulation repealing the antidumping duties imposed by Regulation (EC) No 1050/2002 on imports of recordable compact disks originating in Taiwan and allowing for their repayment or remission and repealing the countervailing duties imposed by Regulation (EC) No 960/2003 on imports of recordable compact disks originating in India, allowing for their repayment or remission and terminating the proceeding in their respect 13521/07 + REV 1 (It) Council Regulation imposing a definitive anti-dumping duty on certain iron or steel ropes and cables originating in the Russian Federation, and repealing the anti-dumping measures on imports of certain iron or steel ropes and cables originating in Thailand and Turkey 13349/07 Council Common Position concerning the temporary reception by Member States of the European Union of certain Palestinians 13617/07 Council Decision on the signing and provisional application of a Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and its Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 13197/07 Council Decision on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union 13199/07 Council Conclusions on water scarcity and droughts 13888/07	

• OCTOBER 2007	
OTHER ACTS	Votes made public
Council Conclusions on Climate Change: Preparations for the 13th session of the Conference of the Parties (COP 13) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 3rd session of the Meeting of the Parties to the Kyoto Protocol (CMP 3) (Bali, 3-14 December 2007) 14632/07	
