



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 June 2008

9643/08

CRS/CRP 20

SUMMARY RECORD

**Subject : 2229th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 20-23 and 26 May 2008**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 11

Coreper Part 1

I

2. Replies to written questions put to the Council by Members of the European Parliament
- (a) n° E-1278/08 put by Proinsias De Rossa - "West Papua"
 - (b) n° E-1871/08 put by Robert Evans - "Cotonou Agreement and human rights in Jamaica"
 - (c) n° E-1885/08 put by Erika Mann - "Council action on Western Sahara"
 - (d) n° E-1909/08 put by Maria Badia i Cutchet - "Shortage of health workers"
 - (e) n° P-2044/08 put by Anneli Jäätteenmäki
"Selection of members of the Commission based on a system of strictly equal rotation"
 - (f) n° E-2059/08 put by Marco Cappato, Sophia in 't Veld
"Situation of LGBT people in Morocco"
 - (g) n° P-2069/08 put by Koenraad Dillen - "Sentencing of Chinese dissident Hu Jia"
 - (h) n° E-2146/08 put by Helga Trüpel - "Lobbyists in the administration"
 - (i) n° E-2213/08 put by Emilio Menéndez del Valle - "Growing violence in Sri Lanka"
 - (j) n° P-2267/08 put by Gianluca Susta
"Violation of the Charter of Fundamental Rights"
 - (k) n° E-2289/08 put by Emilio Menéndez del Valle
"Continuing brutality of the Myanmar regime - the siren songs must not be heard"
 - (l) n° E-2311/08 put by Marco Cappato
"VAT on cannabis sales in the Netherlands"
3. Case-law of the Community courts in cases involving the Council (from 1 July to 31 December 2007)
4. Proposal for a Directive of the European Parliament and of the Council on amending Directive 2006/66/EC of the European Parliament and the Council on batteries and accumulators and waste batteries and accumulators as regards Article 6(2) on placing batteries and accumulators on the market
5. Draft Council conclusions on the Special Report No. 09/2007 by the European Court of Auditors concerning "Evaluating the EU Research and Technological Development (RTD) framework programmes - could the Commission's approach be improved?"
6. Proposal for a Council Directive laying down minimum standards for the protection of calves (codified version)
7. Proposal for a Council Regulation on the export of cultural goods (codified version)
8. Proposal for a Council Directive on pure-bred breeding animals of the bovine species (codified version)

9. Proposal for a Council Regulation on scrutiny by Member States of transactions forming part of the system of financing by the European Agricultural Guarantee Fund (codified version)
10. Proposal for a Council Directive laying down minimum standards for the protection of pigs (codified version)
11. Proposal for a Council Regulation amending Council Regulation 1386/2007 laying down conservation and enforcement measures applicable in the Regulatory Area of the Northwest Atlantic Fisheries Organisation
12. Proposal for a Council Regulation on the conclusion of the Agreement in the form of an Exchange of Letters on the amendments to the Protocol setting out, for the period from 18 January 2005 to 17 January 2011, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles
13. Proposal for a Directive of the European Parliament and of the Council amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyreostatic action and of beta agonists (First reading)
14. Proposal for a Directive of the European Parliament and of the Council amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
15. Proposal for a Directive of the European Parliament and of the Council establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Directives 1999/35/EC and 2002/59/EC (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
16. Proposal for a Directive of the European Parliament and of the Council on port State control (recast) (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
17. Proposal for a Regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea in the event of accidents (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons

18. Proposal for a Directive of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (Recast) (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
19. Proposal for a Regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (Recast) (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons

II

20. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 12 and 13 June 2008
 1. Setting of the provisional agenda13
 2. External relations
 - (a) Draft Decision by the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the Commission to open negotiations with Australia on a comprehensive air transport agreement13
 - (b) Draft Decision by the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the Commission to open negotiations with New Zealand on a comprehensive air transport agreement13
21. Preparation of the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 9 and 10 June 2008
 1. Setting of the provisional agenda14
 2. Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action
 - (a) Indicators in respect of the Girl Child14
 - (b) Women in political decision-making14
 3. Elimination of gender stereotypes in society14
 4. Antimicrobial resistance14
 5. Implementation of the EU Health Strategy15
 6. Commission Recommendation on enhanced administrative cooperation in the context of the posting of workers in the framework of the provision of services15
 7. Proposal for a Regulation of the European Parliament and of the Council on novel foods and amending Regulation (EC) No xxx/xxxx15

22.	Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and 2000/60/EC (Second reading)	
(a)	Presidency briefing on the outcome of the informal trilogue	15
(b)	Preparation of the next informal trilogue	15
23.	Proposal for a Directive of the European Parliament and of the Council on waste and repealing certain Directives (Second reading)	16
24.	Preparation of the Council meeting (Environment) on 5 June 2008	
1.	Proposal for a Council Decision establishing the position to be adopted on behalf of the European Community with regard to proposals for amendments to the Schedule of the International Convention on the Regulation of Whaling	16
2.	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 CO ₂ emissions from light-duty vehicles	16
25.	Preparation of the Council meeting (Transport, Telecommunications and Energy) on 6 June 2008	
1.	Internal Energy Market Legislative Package	
(a)	Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/54 concerning common rules for the internal market in electricity	
(b)	Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/55 concerning common rules for the internal market in natural gas	
(c)	Proposal for a Regulation of the European Parliament and of the Council establishing an Agency for the Cooperation of Energy Regulators	
(d)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1228/03 on conditions for access to the network for cross-border exchanges in electricity	
(e)	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1775/05 on conditions for access to the natural gas transmission networks	
		17
2.	International relations in the field of energy	
(a)	OPEC	18
(b)	Energy efficiency	18
(c)	Energy Community	18
(d)	Other initiatives	18
26.	Preparation for the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 29 and 30 May 2008	
1.	Proposal for a Council Regulation setting up the Fuel Cells and Hydrogen Joint Undertaking	18
2.	Commission Recommendation on the management of intellectual property in knowledge transfer activities and Code of Practice for universities and other public research organisations ("IP Charter Initiative")	18

Coreper Part 2

I

27. Draft Council minutes
 - a) 2808th meeting of the Council (General Affairs and External Relations) held in Luxembourg on 17/18 June 2007
 - b) 2809th meeting of the Council (General Affairs and External Relations) held in Luxembourg on 18 June 2007
 - c) 2816th meeting of the Council (General Affairs and External Relations) held in Brussels on 23 July 2007
 - d) 2817th meeting of the Council (General Affairs and External Relations) held in Brussels on 23/24 July 2007
28. Cooperation between the European Parliament and the Council in the field of human rights
29. Statute of the assistants of the Members of the European Parliament
30. Request for European Parliament participation in the high level segment of the fourth meeting of the Conference of the Parties serving as the Meeting of the Parties to the Cartagena Protocol on Bio safety and of the ninth meeting of the Conference of the Parties to the Convention on Biological Diversity (Bonn, 28-30 May 2008)
31. Draft Council Decision on the conclusion on behalf of the European Community of the International Tropical Timber Agreement, 2006
32. Proposal for a Council Regulation on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Fisheries Partnership Agreement between the European Community and the Islamic Republic of Mauritania for the period 1 August 2008 to 31 July 2012
33. Resolutions, decisions and opinions adopted by the European Parliament at its part-sessions in Strasbourg from 21 to 24 April 2008 and in Brussels on 7 and 8 May 2008
34. Report on proceedings in the Council's other configurations
35. Preliminary draft amending budget n° 4 to the general budget for 2008 : General statement of revenue
36. Relations with Russia
 - Draft agenda and draft annotated for the first EU-Russia Permanent Partnership Council (Research) (Ljubljana, 26 May 2008)
37. Proposal for a Council Regulation repealing Council Regulation (EC) n° 752/2007 of 30 May 2007 on administering certain restrictions on imports of certain steel products from Ukraine

38. Association with Turkey
 - Establishment of the position of the European Union for the 46th Association Council meeting (Brussels, 27 May 2008)
39. European Economic Area
 - Establishment of the European Union's common position for the 29th meeting of the EEA Council (Brussels, 27 May 2008)
40. Proposal for a Council Decision on the signing, on behalf of the Community and its Member States, of a Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation of the other, on the free movement of persons, regarding the participation, as Contracting Parties, of the Republic of Bulgaria and Romania pursuant to their accession to the European Union
41. Draft Council Conclusions on the EU Action Plan on Agricultural Commodity Chains, Dependence and Poverty and the EU Africa Partnership in support of Cotton Sector Development
42. GAERC 26-27 May 2008 : Development Segment
43. Outcome of the 12th session of the United Nations Conference on Trade and Development (UNCTAD XII)
44. Council Decision on the release of information under the Agreement between the International Criminal Court and the European Union on Cooperation and Assistance
45. Annual Report from the Council to the European Parliament on the main aspects and basic choices of the CFSP (Point G, paragraph 43 of the Interinstitutional Agreement of 17 May 2006) - 2007
46. Relations with Georgia
 - Council and Commission Decision on the conclusion of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Georgia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
47. Relations with Armenia
 - Council and Commission Decision on the conclusion of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
48. Relations with the Republic of Moldova
 - Establishment of the position of the European Union for the tenth meeting of the EU-Moldova Cooperation Council (Brussels, 27 May 2008)
49. Relations with Russia
 - Draft Council negotiating Directives for a new Agreement to provide a comprehensive framework for EU - Russia relations

50. Single Progress Report on the Development of EU Military Capabilities
51. Approval of Draft EU Exercise Programme (2009-2013)
52. Draft Comprehensive Annual Report on ESDP and ESDP-related Training (CART) 2008
53. Council conclusions on cooperation with the candidate countries and potential candidate countries of the Western Balkans in the field of Civil Protection
54. Schengen evaluation of Switzerland
 - Draft Council conclusions on the implementation of the Schengen acquis with respect to Data Protection
55. Schengen evaluation of the Czech Republic
 - Draft Council conclusions on the follow up to the Schengen evaluation conducted in 2006-2007
56. Schengen evaluation of Malta
 - Draft Council conclusions on the follow up to the Schengen evaluation conducted in 2006-2007
57. Schengen evaluation of Slovenia
 - Draft Council conclusions on the follow up to the Schengen evaluation conducted in 2006-2007
58. Schengen evaluation of Slovakia
 - Draft Council conclusions on the follow up to the Schengen evaluation conducted in 2006-2007
59. Adoption of a Draft Council Decision on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime
61. External relations strategy in the field of judicial cooperation in civil matters
62. Draft Council conclusions on the further development of the SECI Centre
64. Proposal for a Council Directive on mutual assistance for the recovery of claims relating to certain levies, duties, taxes and other measures (Codified version)
65. Proposal for a Council Directive on the structure and rates of excise duty applied to manufactured tobacco (codified version)

II

66.	Preparation of the Council meeting (Justice and Home Affairs), on 5/6 June 2008	
a)	Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law (First Reading)	19
b)	Proposal for a Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals	19
c)	Other items in connection with the Council meeting	
i)	e-Justice	19
ii)	Draft Council Decision on the implementation of Decision 2008/.../JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime	20
d)	Counter-Terrorism Session (restricted session)	
-	Presentation by the Director of Slovenian Intelligence and Security Agency on current developments in counter-terrorism fields	20
-	Report by the Counter-Terrorism Coordinator	20
e)	Draft Agreement between the European Union and Australia on the processing and transfer of European Union sourced passenger name record data by air carriers	21
67.	Preparation of the Council meeting (General Affairs and External Relations), on 26/27 May 2008	
A.	General Affairs	
a)	Preparation of the European Council on 19/20 June 2008	21
b)	Other items in connection with the Council meeting	21
B.	External Relations	
a)	Draft Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the promotion and protection of the rights of the child in the European Union's external action - the development and humanitarian dimensions	21
b)	Draft Conclusions of the Council and of the Representatives of the Governments of the Member States meeting within the Council on the EU as a global partner for development : Speeding up progress towards the Millennium Development Goals (MDGs)	22
c)	Draft Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the Economic Partnership Agreements	22
d)	Western Balkans	22
e)	Afghanistan	22
f)	Africa	22
g)	Iraq	23
h)	Georgia	23
i)	Middle East	23

j)	ESDP	24
k)	Other items in connection with the Council meeting	24
68.	Preparation of the EU-US Summit	25
69.	Preparation of the EU-South Africa Summit	25
71.	Follow up to the Council meeting (Economic and Financial Affairs), on 14 May 2008	25
72.	Preparation of the Council meeting (Economic and Financial Affairs), on 3 June 2008	25
–	Any other business	25

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

doc. 9558/08 OJ/CRP1 19

9509/08 OJ/CRP2 19 COMIX 396

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 1, under AOB)

- **Follow-up to the Agriculture/Fisheries Council on 19 May 2008 (requested by the FR delegation)**

(Coreper Part 2, under I)

73. Taxation of savings (Directive 2003/48/CE) operational procedures, roles and responsibilities for implementing the revised version of the standard format for the exchange of information and "List of statistics - Disclosure of statistics"

- **Draft Council conclusions**
9467/08 FISC 55

(Coreper Part 2, under II)

67. Preparation of the Council meeting (General Affairs and External Relations), on 26/27 May 2008

B. External Relations

d) Western Balkans

- **Draft Council conclusions on Bosnia and Herzegovina**

k) Other items in connection with the Council meeting

- **General review of the Implementation of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations**

9734/08 COSDP 425 COPOL 40 CIVCOM 258 COHOM 56

DEVGEN 84 PESC 624 RELEX 345 CONUN 53

l) Burma/Myanmar

The following items are **withdrawn** :

(Coreper Part 2, under I)

60. (poss.) Setting up of Ad Hoc Group on Information Exchange

9208/08 CRIMORG 70 ENFOPOL 88 ENFOCUSTOM 54

63. Proposal for a Council Decision granting a Community guarantee to the European Investment Bank against losses under loans for projects outside the Community (South-eastern Neighbours, Mediterranean countries, Latin America and Asia and the Republic of South Africa (codified version))

- **Adoption of the legislative act**
8715/08 CODIF 45 ECOFIN 145 RELEX 251
9447/08 CODIF 70 ECOFIN 180 RELEX 313

The following item on the agenda of CRP2 under part II, is **transferred** under part I :

- 70. = Preliminary draft amending budget n° 3 to the general budget for 2008 -
 Statement of expenditure by Section - Section III - Commission**
**= Proposal for a Decision of the European Parliament and of the Council on
 the mobilisation of the EU Solidarity Fund**
9701/08 FIN 196

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

Coreper Part 1

II

20. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 12 and 13 June 2008

1. Setting of the provisional agenda

The Committee agreed on the provisional agenda for the next TTE Council meeting as set out in 10423/08.

2. External relations

- (a) **Draft Decision by the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the Commission to open negotiations with Australia on a comprehensive air transport agreement**

- **Adoption**

11970/05 AVIATION 116 AUS 15	RESTREINT UE
9004/08 AVIATION 104 AUS 7	RESTREINT UE

The Committee settled most of the outstanding issues and agreed to invite the TTE Council, at its meeting on 12/13 June 2008, to resolve the remaining outstanding issue in order to adopt the Decision authorising the Commission to open negotiations with Australia on a comprehensive air transport agreement.

- (b) **Draft Decision by the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the Commission to open negotiations with New Zealand on a comprehensive air transport agreement**

- **Adoption**

12201/05 AVIATION 123 NZ 2	RESTREINT UE
9174/08 AVIATION 105 NZ 3	RESTREINT UE

The Committee settled most of the outstanding issues and agreed to invite the TTE Council, at its meeting on 12/13 June 2008, to resolve the remaining outstanding issue in order to adopt the Decision authorising the Commission to open negotiations with New Zealand on a comprehensive air transport agreement.

21. Preparation of the Council meeting (Employment, Social Policy, Health and Consumer Affairs) on 9 and 10 June 2008

1. Setting of the provisional agenda

The Committee agrees the provisional agenda for the forthcoming Council meeting (Employment, Social Policy, Health and Consumer Affairs) as set out in document 10087/08 OJ CONS 34 SOC 324 SAN 108 CONSOM 61.

2. Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action

(a) Indicators in respect of the Girl Child

- **Adoption of Council conclusions**
9055/08 SOC 261 + COR 1 + ADD 1

The results of the Committee's work are to be found in docs. 9669/08 SOC 297 + ADD 1.

(b) Women in political decision-making

- **Adoption of Council conclusions**
9057/08 SOC 262 + ADD 1

The results of the Committee's work are to be found in docs. 9670/08 SOC 298 + ADD 1.

3. Elimination of gender stereotypes in society

- **Adoption of Council conclusions**
9058/08 SOC 263 + COR 1 REV 1

The results of the Committee's work are to be found in document 9671/08 SOC 299.

4. Antimicrobial resistance

- **Adoption of Council conclusions**
(Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency))
9392/08 SAN 77 DENLEG 48 VETER 5

The Committee agreed to transmit the draft conclusions as set out in the annex of document 9392/08 for adoption during the Council (EPSCO) meeting on 10 June 2008. The Presidency informed that it would propose a public debate on this item, pursuant to Article 8(3) of the Council's Rules of Procedure.

5. Implementation of the EU Health Strategy

- Adoption of Council conclusions

(Public debate, pursuant to Article 8(3) CRP (proposed by the Presidency))

14689/07 SAN 193

9393/08 SAN 78

The Committee agreed to transmit the draft conclusions as set out in the annex of document 9393/08 for adoption during the Council (EPSCO) meeting on 10 June 2008. The Presidency informed that it would propose a public debate on this item, pursuant to Article 8(3) of the Council's Rules of Procedure.

6. Commission Recommendation on enhanced administrative cooperation in the context of the posting of workers in the framework of the provision of services

- Adoption of Council conclusions

9081/08 SOC 281 COMPET 179

The results of the Committee's work are to be found in document 9935/08 SOC 316 COMPET 194 + Rev 1 (hu) and in Addendum 1 to the document containing a draft minutes statement by seven delegations (DE, BE, BG, FR, IT, NL and AT).

7. Proposal for a Regulation of the European Parliament and of the Council on novel foods and amending Regulation (EC) No xxx/xxxx

- Progress report

(Public deliberation, pursuant to Article 8(1) (c) CRP)

9278/08 DENLEG 47 CODEC 571

The Committee agreed with the progress report set out in document 9278/08 and decided to submit it to the EPSCO Council on 9/10 June 2008.

22. Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and 2000/60/EC (Second reading)

(a) Presidency briefing on the outcome of the informal trilogue

(b) Preparation of the next informal trilogue

11486/3/07 ENV 378 CODEC 757 REV 3

9488/08 ENV 298 CODEC 596

After hearing a report on the outcome of the first trilogue, the Committee mandated the Presidency to continue negotiations with the European Parliament on the basis of the third column of the table annexed to 9448/08, with the changes agreed during the meeting, with a view to securing a second-reading agreement.

- 23. Proposal for a Directive of the European Parliament and of the Council on waste and repealing certain Directives (Second reading)**
- **Preparation for the next informal trilogue meeting**
11406/4/07 ENV 368 CODEC 744 REV 4
9331/08 ENV 287 CODEC 584

The Committee agreed to a modification of the Presidency mandate in view of a second informal trilogue to reach a second-reading agreement on this Proposal.

24. Preparation of the Council meeting (Environment) on 5 June 2008

- 1. Proposal for a Council Decision establishing the position to be adopted on behalf of the European Community with regard to proposals for amendments to the Schedule of the International Convention on the Regulation of Whaling**
- **Adoption**
16833/07 ENV 733 PECHE 399
9358/08 ENV 289 PECHE 101

The Committee's deliberation is set out in 9818/08.

- 2. 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**
- **Progress report**
(Public deliberation, pursuant to Article 8(1)(c) CRP)
5089/08 ENV 4 ENT 1 CODEC 8
9343/08 ENV 288 ENT 96 CODEC 585

The Committee took note of the progress report by the Presidency (9343/08). The public debate at the Council (Environment) on the abovementioned issue will be organised around the identified outstanding issues.

25. Preparation of the Council meeting (Transport, Telecommunications and Energy) on 6 June 2008

1. Internal Energy Market Legislative Package
9512/08 ENER 148 CODEC 608

- (a) Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/54 concerning common rules for the internal market in electricity**
 - **General approach**
(Public deliberation, pursuant to Article 8(1) (c) CRP)
9355/08 ENER 139 CODEC 587 + COR 1
- (b) Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/55 concerning common rules for the internal market in natural gas**
 - **General approach**
(Public deliberation, pursuant to Article 8(1) (c) CRP)
9354/08 ENER 138 CODEC 586 + COR 1
- (c) Proposal for a Regulation of the European Parliament and of the Council establishing an Agency for the Cooperation of Energy Regulators**
 - **General approach**
(Public deliberation, pursuant to Article 8(1) (c) CRP)
5193/4/08 ENER 7 CODEC 22 REV 4
- (d) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1228/03 on conditions for access to the network for cross-border exchanges in electricity**
 - **General approach**
(Public deliberation, pursuant to Article 8(1) (c) CRP)
6989/3/08 ENER 62 CODEC 268 REV 3
- (e) Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1775/05 on conditions for access to the natural gas transmission networks**
 - **General approach**
(Public deliberation, pursuant to Article 8(1) (c) CRP)
8098/08 ENER 98 ENV 198 TRANS 109 AGRI 92 CODEC 428

Le Comité a procédé a un échange de vues sur la base du doc. 9512/08. Au terme de cet échange le groupe de travail sur l'énergie a été chargé de revoir un certain nombre de questions concernant les propositions sur le secteur du gaz, la certification et l'actionnariat minoritaire.

Les délégations concernées et la Commission ont été invitées à finaliser la rédaction des dispositions concernant la coopération régionale et diverses dérogations.

Le Comité reprendra ce dossier lors de sa session du 28 mai.

2. **International relations in the field of energy**
 - (a) **OPEC**
 - (b) **Energy efficiency**
 - (c) **Energy Community**
 - (d) **Other initiatives**
 - **Information from the Presidency / Commission**
9408/08 ENER 142 ENV 293 RELEX 309

Le Comité a pris note du doc. 9408/08. Le représentant de la Commission a confirmé que le Commissaire Piebalgs fournirait des informations sur les points couverts par ce document. Des demandes d'informations additionnelles ont également été présentées en ce qui concerne la Charte de l'énergie, le partenariat énergétique avec l'Afrique et les protocoles d'accord avec l'Algérie et l'Egypte.

26. **Preparation for the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 29 and 30 May 2008**

1. **Proposal for a Council Regulation setting up the Fuel Cells and Hydrogen Joint Undertaking**
 - **Adoption**
8244/08 RECH 117 ENER 102
9074/08 RECH 165 ENER 149

The Committee endorsed the text as set out in document 8541/08, with a view to its adoption by the Competitiveness Council meeting on 29/30 May 2008. The text in document 8541/08 contains the General Approach agreed by the Competitiveness Council on 25 February 2008 and the subsequently agreed amendments, taking into account concerns of the European Parliament. The vote in the ITRE Committee took place on 8 April 2008, and the Opinion by the European Parliament was received on 20 May 2008.

2. **Commission Recommendation on the management of intellectual property in knowledge transfer activities and Code of Practice for universities and other public research organisations ("IP Charter Initiative")**
 - **Adoption of Council Resolution**
8513/08 RECH 131 EDUC 112 COMPET 134 MI 124 PI 18
9073/1/08 RECH 164 EDUC 141 COMPET 171 REV 1

The Committee endorsed the text of the Council Resolution as set out in document 9073/1/08 REV 1, with a view to its adoption by the Competitiveness Council meeting on 29/30 May 2008. Notably, the Committee agreed on the revised wording of footnote 14, with the German delegation announcing its intention to make a declaration to the Council minutes.

Coreper Part 2

II

66. Preparation of the Council meeting (Justice and Home Affairs), on 5/6 June 2008

- a) **Proposal for a Directive of the European Parliament and of the Council on the protection of the environment through criminal law (First Reading)**
 - = **Approval of the final compromise text with a view to a first reading agreement with the European Parliament**
9271/1/08 REV 1 DROIPEN 44 ENV 282 CODEC 570

The Committee approved the final compromise text as set out in 9271/1/08 DROIPEN 44 ENV 282 CODEC 570 REV 1 with a view to a first reading agreement with the European Parliament.

- b) **Proposal for a Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals**
8812/08 MIGR 34 CODEC 510 COMIX 339

The Committee took note that the Presidency would inform Parliament on the outcome of the discussion in Mixed Committee.

- c) **Other items in connection with the Council meeting**
 - i) **e-Justice**
 - **Report by the Council Working Party on Legal Data Processing**
8955/08 JURINFO 31 JAI 213 JUSTCIV 87 COPEN 82

The Committee took note that :

- a) this report would be submitted to the JHA Council;
- b) the Council would have an exchange of views on the work achieved and future priorities.

ii) Draft Council Decision on the implementation of Decision 2008/.../JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime

- General approach

9320/08 CRIMORG 73 ENFOPOL 91

9152/08 CRIMORG 59 ENFOPOL 87 + ADD 1

The draft Council decision is forwarded to the Council for general approach.

d) Counter-Terrorism Session (restricted session)

- Presentation by the Director of Slovenian Intelligence and Security Agency on current developments in counter-terrorism fields

- Report by the Counter-Terrorism Coordinator

= Progress report on the implementation of the Strategy and Action Plan to Combat Terrorism

9416/08 JAI 242 ECOFIN 178 TRANS 148 RELEX 310 ECO 57

PESC 564 COTER 29 COSDP 384 PROCIV 64 ENER 143

ATO 40 DATAPROTECT 24 TELECOM 70 + ADD 1

= Follow up of the CTC discussion paper on the implementation of the EU Counter-terrorism strategy

9417/08 JAI 243 ECOFIN 179 TRANS 149 RELEX 311 ECO 58

PESC 565 COTER 30 COSDP 385 PROCIV 65 ENER 144

ATO 41 DATAPROTECT 25 TELECOM 71

The chairman of the CTG group, made a presentation on the group's main areas of work mentioning the main threats and current trends.

The CTC presented follow up of his discussion paper on the implementation of the EU Counter-Terrorism Strategy highlighting 3 issues: sharing of information; radicalisation and recruitment; and technical assistance to third countries. He was mandated to report on the implementation of the EU CT Strategy on 6-monthly basis.

- e) **Draft Agreement between the European Union and Australia on the processing and transfer of European Union sourced passenger name record data by air carriers**

9127/1/08 REV 1 JAI 222 AUS 6 RELEX 281 DATAPROTECT 21 RESTREINT UE
+ REV 1 COR 1 RESTREINT UE
9508/08 JAI 249 AUS 8 RELEX 320 DATAPROTECT 26 RESTREINT UE

Delegations welcomed the draft agreement which was submitted by the Presidency. Many delegations congratulated the Presidency on the negotiation of this agreement. There was some discussion on the procedures to be followed. The Chairman concluded that a consensus had been reached and that the draft agreement would be submitted to the June JHA Council meeting. Following the finalisation of the lawyer-linguist scrutiny process, the decision authorising the Presidency to sign would be submitted to the Council in order to allow for the signing of the Agreement in June.

67. Preparation of the Council meeting (General Affairs and External Relations), on 26/27 May 2008

A. General Affairs

- a) **Preparation of the European Council on 19/20 June 2008**
- **Annotated Draft agenda**
9410/08 POLGEN 46

The Committee took note of the Annotated Draft Agenda to be submitted to the General Affairs and External Relations Council on 26 May. The Chair took note of delegations' comments.

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) **Draft Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the promotion and protection of the rights of the child in the European Union's external action - the development and humanitarian dimensions**
9176/08 DEVGEN 56 COHOM 46 PESC 532 RELEX 284 CONUN 44
SOC 270 JEUN 55 COSDP 362 ACP 64 JAI 246

The outcome of the Committee's proceedings is set out in 9643/08 EXT 1 LIMITE.

- b) **Draft Conclusions of the Council and of the Representatives of the Governments of the Member States meeting within the Council on the EU as a global partner for development : Speeding up progress towards the Millennium Development Goals (MDGs)**

9177/1/08 REV 1 DEVGEN 57 POLGEN 44 RELEX 285 ACP 65 WTO 83
ENV 274 PESC 533 AGRI 121 PECHE 95 SOC 271 ASIM 37
RECH 171 TELECOM 65 TRANS 139 ENER 132 ONU 32

Delegations reached an agreement on conclusions. These are set out in 9178/08 + COR 1.

- c) **Draft Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the Economic Partnership Agreements**

9179/08 ACP 63 WTO 82 PTOM 10 DEVGEN 59 RELEX 283

The work of the Committee is set out in the report to the Council (doc. 9239/08).

- d) **Western Balkans**

- **Draft Council conclusions**
9463/08 COWEB 138 COSDP 389 PESC 574
- **Draft Council conclusions on Bosnia and Herzegovina**

The Committee approved draft Council conclusions concerning Serbia as set out in documents ST 9463/1/08 REV 1 COWEB 138 COSDP 389 PESC 574 and concerning Bosnia and Herzegovina as set out in document ST 9888/1/08 REV 1 COWEB 148 COSDP 446 PESC 654 and sent them to the Council with view to adoption.

- e) **Afghanistan**

- **Draft Council conclusions**
9708/08 PESC 620 COASI 93 CIVCOM 255 COSDP 423 COPOL 39
RELEX 340

The Committee endorsed the draft Council conclusions on Afghanistan (9708/08) and forwarded them to the Council for approval.

- f) **Africa**

- **Somalia**
 - **Draft Council conclusions**
9585/08 PESC 596 COAFR 155 ACP 72

The work of the Committee is contained in document 9585/1/08 REV 1.

- **Zimbabwe**
- **Draft Council conclusions**
9586/08 PESC 597 COAFR 156 ACP 73

The work of the Committee is contained in document 9586/08.

- g) **Iraq**
- **Draft Council conclusions**
9659/08 COMEM 88 PESC 608

Le Comité a approuvé le projet de conclusions concernant l'Irak (doc. 9659/08 COMEM 88 PESC 608) et l'a transmis au Conseil pour l'adoption.

- h) **Georgia**
- **Draft Council conclusions**
9685/08 PESC 614 COEST 107

The Committee discussed this item on the basis of document 9685/08. One delegation proposed changes to the text, but it was agreed that Ministers will discuss draft Council conclusions on the basis of the same document (doc. 9685/08).

- i) **Middle East**
- **Draft Council conclusions**
9674/08 COMEP 22 PESC 610

Le Comité a approuvé le projet de Conclusions du Conseil sur le Processus de Paix au Moyen-Orient (doc. 9674/08 COMEP 22 PESC 610).

- **Draft Council conclusions on Lebanon**
9692/08 COMAG 13 COMEP 23 PESC 617

Le Comité a approuvé le projet de Conclusions du Conseil sur le Liban (doc. 9692/08 COMAG 13 COMEP 23 PESC 617).

j) **ESDP**

- **Draft Council conclusions**

9516/08 COSDP 400 PESC 586 CIVCOM 239 COPOL 34 RELEX 322

The Committee :

- agreed the draft Council conclusions on ESDP as set out in 9516/08 and agreed to submit them to the Council for approval, on the understanding that the texts between brackets in paragraphs 22, 36, 39 a), 39 c), 57 and 62 are subject to the outcome of the Steering Board of the European Defence Agency and the Council on 26 May.

k) **Other items in connection with the Council meeting**

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

- **Report by the Head of the European Defence Agency to the Council**

9378/08 COSDP 382 POLARM 12 IND 40 RECH 174 ECO 56

The Committee :

- took note of the report by the Head of the Agency as set out in 9378/08 and agreed to submit it to the Council for notation.
- **General review of the Implementation of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations**
9734/08 COSDP 425 COPOL 40 CIVCOM 258 COHOM 56
DEVGEN 84 PESC 624 RELEX 345 CONUN 53

The Committee reached agreement on the text of the draft "General Review of the Implementation of the Checklist for the Integration of the Protection of Children affected by Armed Conflict into ESDP Operations", in view of its approval by the Council on Monday 26 May.

l) Burma/Myanmar

The Committee discussed the Presidency draft for Council Conclusions on Burma/Myanmar and reached an agreement on the text. The draft Council Conclusions were forwarded to the GAERC for adoption on 26 May 2008 (doc. 9754/08).

68. Preparation of the EU-US Summit

9464/08 USA 24 PESC 575 RELEX 315 ECOFIN 181 ENER 145 TRANS 151 JAI 247
ENV 297 DEVGEN 73 POLGEN 48 RESTREINT UE

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

69. Preparation of the EU-South Africa Summit

9468/08 PESC 577 COAFR 151 ACP 68

The work of the Committee is contained in document 9468/08.

71. Follow up to the Council meeting (Economic and Financial Affairs), on 14 May 2008

The Committee took note of the proceedings of the ECOFIN Council of 14 May 2008.

72. Preparation of the Council meeting (Economic and Financial Affairs), on 3 June 2008
- Other items in connection with the Council meeting

The Committee reviewed the state of readiness of the agenda items listed.

- Any other business

= Follow-up to the Agriculture/Fisheries Council on 19 May 2008 (requested by the FR delegation)

Se référant à l'examen de ce dossier par le dernier Conseil "Agriculture/Pêche" du 19 mai 2008, la délégation française a tenu à préciser que sa position sur ce dossier n'avait pas variée depuis la réunion du Comité ayant préparé cet examen.

= **Follow up to the Second Meeting of the Transatlantic Economic Council (TEC) of the 13 May 2008**

At the request of the French Delegation, the Committee agreed on the need to improve the organisation of the TEC, in particular by increasing the involvement of Member States in the preparations of TEC meetings.

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