



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 30 May 2008

9340/08

CRS/CRP 19

SUMMARY RECORD

**Subject : 2228th meeting of the PERMANENT REPRESENTATIVES COMMITTEE
held in Brussels on 13, 14 and 16 May 2008**

SUMMARY

Page

1. Adoption of the provisional agenda and items "I" 7

Coreper Part 2

I

2. Relations with Turkmenistan
 - Memorandum of Understanding on cooperation in the field of energy between the European Union and the Republic of Turkmenistan
3. MILEX 09 - Draft Exercise Specifications
4. Recommendation to the Council concerning the approval of a second party evaluated cryptographic device
5. Draft letter to the European Parliament as regards the draft Framework Decision amending Framework Decision against terrorism
6. Draft Council Decision authorising certain Member States to ratify, or accede to, in the interest of the European Community, the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law
7. Case before the Court of First Instance
 - Case T-3/08 (Coedo Suarez v. Council)
8. Committee of the Regions
 - Appointment of two members and one alternate member (IT)
9. Anti-dumping
 - Proposal for a Council Regulation amending Council Regulation (EC) No 1371/2005 imposing a definitive anti-dumping duty on imports of grain oriented flat-rolled products of silicon-electrical steel originating in the United States of America and Russia and repealing the anti-dumping duties imposed by Regulation (EC) No 1371/2005 on imports of grain oriented flat-rolled products of silicon-electrical steel originating in Russia
10. Draft Decision of the ACP-EC Committee of Ambassadors appointing the members of the Executive Board of the Technical Centre for Agricultural and Rural Cooperation (CTA)
11. Proposal for transfer of appropriations No. DEC10/2008 within Section III - Commission - of the general budget for 2008 (NCE)

II

12. Preparation of the Council meeting (General Affairs and External Relations) on 26/27 May 2008
 - A. General Affairs
 - Other items in connection with the Council meeting8
 - B. External Relations
 - 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 dimensions8
 - Other items in connection with the Council meeting8
13. Presentation of the agenda for the Council meeting (Economic and Financial Affairs) on 3 June 20088
14. Presentation of the agenda for the Council meeting (Justice and Home Affairs) on 5/6 June 20089

I

17. Replies to written questions put to the Council by Members of the European Parliament
 - (a) n° E-0754/08 put by Marco Cappato
"Discriminatory selection procedure for traineeships at the European institutions"
 - (b) n° E-1081/08 put by Koenraad Dillen - "Political prisoners in Cuba"
 - (c) n° P-1332/08 put by Reimer Böge - "Illegal cod catches in the Baltic"
 - (d) n° E-1587/08 put by Antolín Sánchez Presedo
"Social rights of seamen who worked under the Norwegian flag prior to 1994"
 - (e) n° E-1601/08 put by Frank Vanhecke, E-1744/08 and E-1745/08 put by Francisco José Millán Mon
"Visit to Cuba by Commissioner Louis Michel"
"Visit by Louis Michel (Commissioner) to Cuba"
"Joint communiqué issued at the end of the visit by Louis Michel (Commissioner) to Cuba"
 - (f) n° E-1761/08 put by Mikel Trujo Amezaga - "Czech citizen denied entry to Greece"
 - (g) n° E-1881/08 put by Fiona Hall - "European Code of Conduct on Arms Exports"
 - (h) n° E-1902/08 put by Mario Borghezio
"Call for the EU to cast light on the crimes committed by Kosovar militias"
 - (i) n° E-2196/08 put by Vincent Peillon
"Human rights in the People's Republic of China and the Olympic Games"
 - (j) n° E-2224/08 put by Daniel Varela Suanzes-Carpegna
"Galician cultural centres and EU external policy"
18. Draft agenda for the forthcoming part-session of the European Parliament in Strasbourg from 19 to 22 May 2008
19. Draft minutes of Council meetings
 - (a) 2826th (Environment) of 30 October 2007
 - (b) 2829th (Education, Youth and Culture) of 15–16 November 2007
 - (c) 2837th (Employment, Social Policy, Health and Consumers Affairs) of 5–6 December 2007
20. Proposal for a Directive of the European Parliament and of the Council establishing a framework for Community action to achieve the sustainable use of pesticides (First reading)
 - Adoption
 - (a) of the common position
 - (b) of the statement of the Council's reasons
21. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movements of pet animals as regards the extension of the transitional period (First reading)

22. Restrictive measures against Iran
 - (a) Draft Council Common Position amending Common Position 2007/140/CFSP concerning restrictive measures against Iran
 - (b) Draft Council Decision implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran

II

23. Proposal for Regulation of the European Parliament and of the Council on the banning of exports and safe storage of metallic mercury (Second reading)10
24. Proposal for a Regulation of the European Parliament and of the Council establishing a European Training Foundation (recast) (First reading)10
25. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/55/EC concerning common rules for the internal market in natural gas10
26. Preparation for the Council meeting "Competitiveness" (Internal Market, Industry and Research) on 29 and 30 May 2008
 1. Communication from the Commission to the European Parliament, the Council, the European Social Committee and the Committee of the Regions "Second Strategic Review of Better Regulation in the European Union"11
 2. A fresh impetus for Competitiveness and Innovation of European Industry
 - (a) Communication from the Commission: A Lead Market Initiative for Europe
 - (b) Communication from the Commission on Pre-Commercial public procurement
 - (c) Communication from the Commission on removing the obstacles for cross-border investments (venture capital)
 - (d) Communication from the Commission on a strategy for a stronger European defence industry
 - (e) Communication from the Commission on the Competitiveness of the Metals industry
 - (f) Communication from the Commission on innovative and sustainable forest-based industries in the EU
 3. Communication from the Commission to the European Parliament and the Council "Enhancing the patent system in Europe"12
 4. Draft Council conclusions on "European Research Infrastructures and their regional dimension"13
 5. Draft Council conclusions on "Family-friendly Scientific Careers: towards an integrated model"13
 6. 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")13
 7. Draft Council conclusions on the launch of the Ljubljana Process - towards full realisation of ERA13

27.	Setting of the provisional agenda for the Council meeting (Transport, Telecommunications and Energy) on 6 June 2008	14
28.	Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions "Preparing Europe's digital future i2010 Mid Term Review"	14
29.	Setting of the provisional agenda for the Council meeting (Environment) on 5 June 2008 ...	14
30.	Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directive 2000/60/EC (Second reading)	14
31.	Food improvement agents package (Second reading)	
	(a) Proposal for a Regulation of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings	
	(b) Proposal for a Regulation of the European Parliament and of the Council on food additives	
	(c) Proposal for a Regulation of the European Parliament and of the Council on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 of the European Parliament and of the Council	
	(d) Proposal for a Regulation of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1576/89, Council Regulation (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive 2000/13/EC	15

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

doc. 9189/08 OJ/CRP1 18

9226/08 OJ/CRP2 18

The above mentioned agenda is approved with the following changes :

The following items are **added** :

(Coreper Part 2, under II)

15. Relations with Russia (restricted session)

- **Draft Council negotiating Directives for a new Agreement to provide a comprehensive framework for EU - Russia relations**

9263/08 PESC 548 COEST 92 NIS 75 JAI 234

WTO 88 ENER 134 RESTREINT UE

16. Preparation of the Extraordinary Council meeting (General Affairs and External Relations) on 13 May 2008

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

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

Coreper Part 2

II

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

A. General Affairs

- Other items in connection with the Council meeting

Le Comité fait le point de l'état de préparation des autres points figurant à l'ordre du jour provisoire de la session Affaires générales.

B. External Relations

- **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**
8322/08 DEVGEN 44 COHOM 35 PESC 404 RELEX 219 CONUN 38
SOC 210 JEUN 33 COSDP 287 ACP 50

NL recalled its wish to include a reference in the Conclusions to the need to study additional measures regarding the sale of products that have been produced using child labour. The Presidency invited NL, Commission and other interested parties to further seeking a compromise on this issue and announced that this item would be on the agenda of the Committee next week.

- Other items in connection with the Council meeting

Le Comité fait le point de l'état de préparation des autres points figurant à l'ordre du jour provisoire de la session Relations extérieures.

13. Presentation of the agenda for the Council meeting (Economic and Financial Affairs) on 3 June 2008

The Committee agreed the provisional agenda for this Council meeting.

14. Presentation of the agenda for the Council meeting (Justice and Home Affairs) on 5/6 June 2008

The Presidency presented the provisional agenda of the Justice and Home Affairs Council, which will take place in Luxembourg on 5 and 6 June 2008. Home Affairs items will be dealt with on 5 June and Justice items on 6 June.

15. Relations with Russia (restricted session)

- **Draft Council negotiating Directives for a new Agreement to provide a comprehensive framework for EU - Russia relations**

9263/08 PESC 548 COEST 92 NIS 75 JAI 234

WTO 88 ENER 134 RESTREINT UE

The Committee discussed this item on the basis of doc. 9263/08 RESTREINT UE. Some delegations proposed a number of changes, in particular to Annex VII. The Lithuanian delegation indicated that it was not in a position to accept these, and underlined that doc. 9263/08 RESTREINT UE represented the package for the adoption of the Negotiating Directives as Lithuania saw it.

16. Preparation of the Extraordinary Council meeting (General Affairs and External Relations) on 13 May 2008

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

Le Comité a discuté le projet de conclusions en vue de la session extraordinaire du CAGRE.

Coreper Part 1

II

23. **Proposal for Regulation of the European Parliament and of the Council on the banning of exports and safe storage of metallic mercury (Second reading)**
– **Approval of the final compromise text**
9269/08 ENV 281 COMER 89 SAN 76 CODEC 569

The Committee approved the final compromise text set out in 9269/08 and mandated its Chair to confirm the Council position by the letter to the Chair of the EP's ENVI Committee.

24. **Proposal for a Regulation of the European Parliament and of the Council establishing a European Training Foundation (recast) (First reading)**
– **Presidency briefing on the outcome of the informal trilogue**
9218/08 EDUC 154 MED 32 SOC 277 PECOS 14 CODEC 565

The Committee was informed of the outcome of the informal trilogue meeting held the previous day with a view to reaching a first reading agreement on the above proposed Regulation.

With regard to the sole outstanding issue concerning EP representation on the Foundation's Governing Board, the Committee agreed to accept one final compromise text (see doc. 9218/08) in an endeavour to secure a first reading deal.

Believing that it had amply demonstrated its willingness to achieve a balanced compromise between the three main institutions, the Presidency notified the Committee that it would forward the customary letter of intent to the Chair of the EP's Employment Committee in time for the Parliament's first-reading vote in plenary.

25. **Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/55/EC concerning common rules for the internal market in natural gas**
– **Presentation of Presidency/Commission non-paper**

Following the Chair's introduction and a detailed outline of the non-paper by the Commission representative most delegations intervened. On the basis of these interventions the Chair could conclude that:

- the non-paper appeared to be a good basis to start negotiations towards a general approach at the June Council;
- all options should lead to meeting the requirements set out by the 2007 Spring European Council in both sectors while due account should be taken of the sectors' different characteristics;
- it was the Presidency's understanding that the third option should apply to both sectors;
- the negotiation will take place in the framework of an overall package, where Member States' specific issues of interest will have to be addressed;
- the non-paper will be integrated in both Directives and examined further by the WP on Energy, starting the 15 May.

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

- 1. Communication from the Commission to the European Parliament, the Council, the European Social Committee and the Committee of the Regions "Second Strategic Review of Better Regulation in the European Union"**
 - **Presentation by the Commission**
 - **Adoption of Council conclusions**
6077/08 COMPET 44
8994/08 COMPET 164

The Committee examined the text of the draft conclusions as set out in 8994/08, approved some suggested amendments to it and agreed to forward the text, as amended, to the Council for adoption.

2. **A fresh impetus for Competitiveness and Innovation of European Industry**
 - (a) **Communication from the Commission: A Lead Market Initiative for Europe**
 - (b) **Communication from the Commission on Pre-Commercial public procurement**
 - (c) **Communication from the Commission on removing the obstacles for cross-border investments (venture capital)**
 - (d) **Communication from the Commission on a strategy for a stronger European defence industry**
 - (e) **Communication from the Commission on the Competitiveness of the Metals industry**
 - (f) **Communication from the Commission on innovative and sustainable forest-based industries in the EU**
 - **Policy debate**
 - **Adoption of Council conclusions**
- 9030/08 COMPET 169 RECH 162 IND 36 EDUC 136 ECOFIN 156 SOC 259
 ENV 262 SAN 70 ENER 129 FORETS 21 ECO 54 MI 137 POLARM 9
 COARM 38 SID 11

The Committee achieved agreement on the text set out in 9072/08 COMPET 170 RECH 163 IND 38 EDUC 140 ECOFIN 160 SOC 265 ENV 268 SAN 71 ENER 131 FORETS 22 ECO 55 MI 138 POLARM 10 COARM 39 SID 13, subject to the lifting of the remaining scrutiny reservations set out in this document, with a view to its adoption by the 29/30 May Competitiveness Council, following a policy debate.

The remaining scrutiny reservations are as follows: Italy maintains a general scrutiny reservation on the text. Sweden maintains a scrutiny reservation on parts 3.1. and 3.2. of the text. The Czech Republic maintain a scrutiny reservation on point 3.2.5. of the text. Belgium and the United Kingdom maintain a scrutiny reservation about the insertion of the word "generally" in point 3.2.5. of the text. Bulgaria maintains a scrutiny reservation on point 3.2.8. of the text due to the removal of the reference to third countries from the text.

3. **Communication from the Commission to the European Parliament and the Council "Enhancing the patent system in Europe"**
 - **Progress report**
 - **Exchange of views**
- 8302/07 PI 11
 8992/08 PI 23

The Committee had an exchange of views on the contents of the Presidency progress report contained in 8992/08. It took note of the Presidency's intention to submit this report to the Council (Competitiveness) at its next meeting on 29/30 May 2008 with a view to informing the Council of the Presidency's assessment as regards progress achieved so far in this field.

4. Draft Council conclusions on "European Research Infrastructures and their regional dimension"

– **Adoption**

9025/08 RECH 158 COMPET 165

The Committee achieved agreement on the text set out in 9025/08 RECH 158 COMPET 165, with a view to its adoption by the 29/30 May 2008 Competitiveness Council; the last remaining general scrutiny reservation by the Spanish delegation was lifted.

5. Draft Council conclusions on "Family-friendly Scientific Careers: towards an integrated model"

– **Adoption**

9026/08 RECH 159 COMPET 166 SOC 258

The Committee achieved agreement on the text set out in 9026/1/08 RECH 159 COMPET 166 SOC 258 REV 1, with a view to its adoption by the 29/30 May 2008 Competitiveness Council, subject to the lifting of the last remaining general scrutiny reservation by Italy.

6. 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

9028/08 RECH 160 EDUC 135 COMPET 167

The Committee achieved agreement on the text set out in 9073/08 RECH 164 EDUC 141 COMPET 171, with a view to its adoption by the 29/30 May 2008 Competitiveness Council, subject to the lifting of the last remaining general scrutiny reservations by France and Italy.

7. Draft Council conclusions on the launch of the Ljubljana Process - towards full realisation of ERA

– **Adoption**

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

9029/1/08 RECH 161 COMPET 168 REV 1

The Committee achieved agreement on the text set out in 9076/08 RECH 167 COMPET 174, with a view to its adoption by the 29/30 May 2008 Competitiveness Council, subject to the lifting of the last remaining general scrutiny reservations by Italy and Portugal.

The Committee also endorsed the text of the two leading questions proposed by the Presidency with a view to structuring the exchange of views of Ministers foreseen on this subject, as set out in Annex I to document 9076/08.

27. Setting of the provisional agenda for the Council meeting (Transport, Telecommunications and Energy) on 6 June 2008

Le Comité a marqué son accord sur l'ordre du jour provisoire (doc. 10085/08).

**28. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions
"Preparing Europe's digital future i2010 Mid Term Review"**

– **Adoption of Council conclusions**

8696/08 TELECOM 52 MI 129 RECH 141 SOC 236 CONSOM 42 SAN 63 AUDIO 25

9109/08 TELECOM 62 MI 141 RECH 169 SOC 267 CONSOM 48 SAN 74 AUDIO 35

+ COR 1

The results of the work of the Committee are set out in the document 9598/08.

29. Setting of the provisional agenda for the Council meeting (Environment) on 5 June 2008

The Committee approved the provisional agenda as set out in 10083/08.

30. Proposal for a Directive of the European Parliament and of the Council on environmental quality standards in the field of water policy and amending Directive 2000/60/EC (Second reading)

– **Preparation for the informal trilogue**

11816/06 ENV 415 CODEC 782

9145/08 ENV 270 CODEC 552

The Committee mandated the Presidency to commence negotiations with the European Parliament on the basis of the third column of the table annexed to 9145/08, focussing on the three key issues identified in that document, and to report back to one of its subsequent meetings.

31. Food improvement agents package (Second reading)

- (a) Proposal for a Regulation of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings**
- (b) Proposal for a Regulation of the European Parliament and of the Council on food additives**
- (c) Proposal for a Regulation of the European Parliament and of the Council on food enzymes and amending Council Directive 83/417/EEC, Council Regulation (EC) No 1493/1999, Directive 2000/13/EC, Council Directive 2001/112/EC and Regulation (EC) No 258/97 of the European Parliament and of the Council**
- (d) Proposal for a Regulation of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1576/89, Council Regulation (EEC) No 1601/91, Regulation (EC) No 2232/96 and Directive 2000/13/EC**
- Consideration of the European Parliament's amendments in preparation for an informal trilogue**
 - 9169/08 DENLEG 43 CODEC 559
 - 9170/08 DENLEG 44 CODEC 560
 - 9171/08 DENLEG 45 CODEC 561
 - 9172/08 DENLEG 46 CODEC 562

The Committee agreed with the positions proposed by the Presidency as outlined in the third and fourth columns of documents 9169/08, 9170/08, 9171/08, 9172/08 as a basis for the informal trialogue with the European Parliament with a view to a second reading agreement.

The Commission informed that it will further consider amendments 20 and 27 of the European Parliament on a proposal for a Regulation on food additives (doc. 9170/08).
