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European Commission
Secretariat-General
1049 Brussels
BELGIUM
Tel. +32 22957930

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References in the text

References to other parts of the same issue of the Bulletin are given in parentheses in text, thus (point 2.1.53).

Abbreviations

Publications cited in this Bulletin

Bull.	Bulletin of the European Union
Supplement — Bull.	Supplement to the Bulletin of the European Union
General Report	General Report on the Activities of the European Union

Summary

Part One	Activities in November 2008	
	News in brief	6
	Main reports	7
1	Institutional questions	8
2	Better lawmaking	9
3	Sustainable development	10
4	Lisbon strategy	11
5	Information and communication	12
6	Human rights and democracy	13
7	Economic and monetary policy	14
8	Statistical system	17
9	Employment and social policy	20
10	Equal opportunities for women and men	23
11	The internal market	24
12	Competition	30
13	Enterprise	32
14	Research and technology	36
15	Information society and the media	38
16	Economic and social cohesion	44
17	Outermost regions	47
18	Trans-uropean networks	48
19	Agriculture and rural development	49
20	Fisheries and maritime affairs	52
21	Area of freedom, security and justice	56
22	Education and culture	71
23	Environment	79
24	Transport	86
25	Energy	90
26	Health and consumer protection	98
27	Enlargement	105
28	Common foreign and security policy	107
29	International organisations and conferences	111
30	Common commercial policy	114
31	Development cooperation	118

32	Humanitarian aid	120
33	European neighbourhood policy	121
34	European Economic Area (EEA), European Free Trade Association (EFTA)	122
35	Relations with third countries and regional groupings	123
	Southern Mediterranean	123
	Gulf countries	126
	Eastern Europe	128
	Caucasus	128
	Central Asia	129
	Russia	129
	Arctic policy	131
	United States, Japan and other industrialised countries	131
	Asia	131
	Latin America	132
	African, Caribbean and Pacific (ACP) States and overseas countries and territories (OCTs)	133
36	Financing Community activities, resource management, protection of financial interests	142
	Budgets	142
	Financial operations	144
	Protection of the Communities' financial interests and the fight against fraud	145
37	Community law	146
	Monitoring the application of Community law	146
	Decisions by the Court of Justice and other courts	146
38	Community institutions	153
	European Parliament	153
	Council	157
	Commission	161
	Community Courts	161
	Court of Auditors	162
	European Investment Bank	162
	Committee of the Regions	165

Part Two Documentation

1	Additional references in the Official Journal	170
2	Index	171

PART ONE

ACTIVITIES IN NOVEMBER 2008

News in brief

- **Lisbon Treaty:** ratification by Sweden (point 1.1.1).
- **Medium-term financial assistance for balance of payments:** decision providing EU medium-term financial assistance for Hungary (point 1.7.2).
- **Financial crisis:** informal meeting of EU Heads of State or Government (point 1.7.4); meeting of G20 (point 1.7.5); communication on a European economic recovery plan (point 1.7.6).
- **Information society services:** communication on an action plan on e-signatures and e-identification to facilitate the provision of cross-border public services in the Single Market (point 1.11.7).
- **European research infrastructure:** proposal for a regulation on the Community legal framework for a European research infrastructure (point 1.14.4); communication on joint programming research: working together to tackle common challenges more effectively (point 1.14.4).
- **Maritime policy:** communication on a roadmap for maritime spatial planning (point 1.20.12).
- **Criminal justice:** communication on the proceeds of organised crime (point 1.21.30).
- **Animal protection:** proposal for a directive on the protection of animals used for scientific purposes (point 1.23.1).
- **Waste:** EU strategy for better ship dismantling (point 1.23.9).
- **Waste directive:** directive on waste (point 1.23.8).
- **Environment and criminal law:** directive on the protection of the environment through criminal law (point 1.23.18).
- **Energy package:** second EU strategic energy review (point 1.25.1).
- **Nuclear safety:** proposal for a directive setting up a Community framework for nuclear safety (point 1.25.16).
- **Public health:** communication on rare diseases (point 1.26.12); proposal for a recommendation in this field (point 1.26.13).
- **Enlargement:** communication on the enlargement strategy and main challenges — 2008–09 (point 1.27.1).
- **Russia:** communication reviewing EU–Russia relations (point 1.35.24); EU–Russia summit (point 1.35.26).
- **Draft budget for 2008:** second reading by the Council (point 1.36.1).
- **Commission:** legislative and work programme — 2009 (point 1.38.12).

Main reports

Council

- Report on the setting up of a common frame of reference for European contract law — 2007 (point 1.21.22).
- Report on the frame of reference for European contract law (point 1.26.22).

Commission

- Report on employment in Europe — 2008 (point 1.9.2).
- Mid-term progress report on the roadmap for equality between women and men (2006–10) (point 1.10.2).
- Report on VAT collection and control procedures (point 1.11.11).
- Report on the State aid scoreboard — autumn 2008 update (point 1.12.10).
- European competitiveness report — 2008 (point 1.13.1).
- Report on the financial instruments of the multiannual programme for enterprise and entrepreneurship (point 1.13.2).
- Progress report on the development of the second generation Schengen information system (SIS II) — January 2008 — June 2008 (point 1.21.7).
- Report on the development of the visa information system — 2007 (point 1.21.8).
- Report on the Cohesion Fund — 2007 (point 1.16.1).
- Report on the EU Solidarity Fund — 2007 (point 1.16.2).
- Report on monitoring the application of Community law — 2007 (point 1.37.2).

Court of Auditors

- Report on the annual accounts of the European Schools — 2007 (point 1.38.14).
- Special report on conditionality (point 1.38.15).
- Special report on effectiveness of EU support in the fields of freedom, security and justice for Belarus, Moldova and Ukraine (point 1.38.16).
- Special report relating to the development aid provided by the EC to health services in sub-Saharan Africa (point 1.38.17).
- Special report relating to the management of the aid provided by the EU for the operations related to public storage of cereals (point 1.38.18).

1. Institutional questions

Treaty of Lisbon

1.1.1. Ratification by Sweden.

Approved by the parliamentary method on 20 November.

Transparency

1.1.2. European Parliament resolution on the special report by the European Ombudsman following the draft recommendation to the Council of the European Union in complaint 1487/2005/GG (point 1.21.2).

Implementing powers conferred on the Commission

1.1.3. Directive 2008/102/EC of the European Parliament and of the Council amending Council Directive 79/409/EEC on the conservation of wild birds, as regards the implementing powers conferred on the Commission (point 1.23.7).

1.1.4. Proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2223/96 on the European system of national and regional accounts in the Community as regards the implementing powers conferred on the Commission — Adaptation to the regulatory procedure with scrutiny (point 1.8.4).

2. Better lawmaking

1.2.1. There is no selected information under this heading of the current Bulletin.

3. Sustainable development

1.3.1. Council conclusions on architecture: culture's contribution to sustainable development (point 1.22.16).

4. Lisbon strategy

1.4.1. Committee of the Regions outlook opinion on the Lisbon growth and jobs strategy.

References:

European Council conclusions: Bull. 3-2005, point 1.4

Committee of the Regions opinion on the Commission communication — ‘Implementing the Community Lisbon programme: social services of general interest in the European Union’: OJ C 57, 10.3.2007; Bull. 12-2006, point 1.8.2

Committee of the Regions opinion on the Commission communication — ‘Implementing the Community Lisbon programme: financing SME growth — Adding European value’: OJ C 146, 30.6.2007; Bull. 1/2-2007, point 1.12.7

Committee of the Regions own-initiative opinion on ‘The future of the single market and stocktaking of European society’: OJ C 156, 7.7.2007; Bull. 3-2007, point 1.10.2

Committee of the Regions opinion on flexicurity: OJ C 105, 25.4.2008; Bull. 1/2-2008, point 1.9.2

Adopted by the Committee of the Regions on its session of 26 and 27 November. The Committee noted that the strategy for growth and jobs relaunched in 2005 by the spring European Council has not succeeded in involving, to the necessary extent the institutional players with a key role to play in its implementation. It pointed out a ‘Lisbon paradox’: local and regional authorities play a major role in the growth and jobs strategy, but do not perceive this to be part of the Lisbon strategy. This deficit is at the root of the failure to convert the Lisbon objectives into integrated policies at all levels of government. The Committee stressed the need for a better coordination of growth and jobs policies at different levels of governance. Moreover, it called on the Commission and the institutions at all levels to step up communication endeavours to inform local and regional authorities about policies and programmes developed. Finally, the Committee called for a broad reflection on the priorities of the strategy, the most effective and efficient procedures and the strategy’s costs.

5. Information and communication

1.5.1. There is no selected information under this heading of the current Bulletin.

6. Human rights and democracy

Actions outside the European Union

General

1.6.1. Council conclusions on human rights consultations with Argentina, Brazil, Chile, Colombia and Mexico.

Adopted by the Council on 27 November. The Council welcomed the analysis of the current state of relations, as regards human rights, with Argentina, Brazil, Chile, Colombia and Mexico. It endorsed the initiation of human rights consultations with Argentina, Brazil and Colombia and the enhancement of human rights consultations with Mexico and Chile.

Nigeria

1.6.2. European Parliament resolution on the death penalty in Nigeria.

Adopted by the European Parliament on 20 November. Parliament called on the Federal Government of Nigeria and the state governments to abolish the death penalty. It also called on them, pending abolition, to declare an immediate moratorium on all executions as provided for by UN General Assembly Resolution 62/149, and to commute without delay all death sentences to terms of imprisonment. Furthermore, Parliament called for support for the activities of the working group on the death penalty of the African Commission on Human and Peoples' Rights in drafting a protocol to the African Charter banning the death penalty and making its reinstatement impossible.

7. Economic and monetary policy

Economic and monetary union

Progression of the economic situation

1.7.1. European Parliament resolution on the EMU@10: the first 10 years of economic and monetary union and future challenges.

References:

Commission communication — ‘EMU at 10: successes and challenges after 10 years of economic and monetary union’: COM(2008) 238; Bull. 5-2008, point 1.7.2

Commission communication — ‘Public finances in EMU — 2008: the role of quality of public finances in the EU governance framework’: COM(2008) 387; Bull. 6-2008, point 1.7.12

Commission communication — ‘From financial crisis to recovery: a European framework for action’: COM(2008) 706; Bull. 10-2008, point 1.7.8

Adopted by the European Parliament on 18 November. Parliament welcomed the fact that the euro has brought stability and fostered economic integration in the euro area. It also welcomed the stabilising effects of the euro on world currency markets, especially in times of crisis. Nevertheless, it noted that internal economic divergences had not yet diminished as expected and productivity had not developed satisfactorily in all parts of the euro area. It therefore underlined that there is more to be done to reap the full benefits of the EMU and proposed elements and concrete measures for an EMU roadmap. Concerning economic divergence, structural reforms and public finances, Parliament believes that streamlined and more coherent, multi-supportive economic reforms, coordinated on the basis of the integrated guidelines for growth and jobs and a policy-mix approach of the Lisbon strategy could decrease economic divergences and be a great help towards economic recovery. As far as monetary policy is concerned, Parliament recalled its support for the independence of the ECB. It is of the view that the ECB should move towards a direct inflation targeting regime. On integration and supervision of financial markets, Parliament considers that much remains to be done in the area of the clearing and settlement

of cross-border securities transactions, where no real integration exists to date. More integration is also needed with regard to retail services. Concerning the enlargement of the euro area, Parliament stressed the need for equal treatment between euro Member States and those seeking to join. It also insisted that joining the euro requires full adherence to all the Maastricht criteria. Finally, on the international role of the euro and external representation, Parliament regretted that in spite of the growing global role of the euro, attempts to improve the external representation of the euro area on financial and monetary matters had not made much progress. It also recalled that the most effective way for the euro area to align its influence with its economic weight is by developing common positions and consolidating its representation, ultimately obtaining a single seat in the relevant international financial institutions and forums.

Coordination of economic policies

Medium-term financial assistance for balance of payments

1.7.2. Council decision providing EU medium-term financial assistance for Hungary.

Reference: Council Regulation (EC) No 332/2002 establishing a single facility providing medium-term financial assistance for Member States’ balances of payments: OJ L 53, 23.2.2002; Bull. 1/2-2002, point 1.3.24

Commission proposal: COM(2008) 716; Bull. 10-2008, point 1.7.3

Adopted by the Council on 4 November. This decision granted a EUR 6.5 billion loan to Hungary to enable it to deal with the financial crisis which it is currently facing. The EU support for Hungary will be part of a bigger financing package in which the IMF provides a loan of EUR 12.5 billion and the World Bank a loan of EUR 1 billion, in order to support Hungary’s balance of payments in the medium term. In return, the Hungarian authorities promised to apply a programme of accompanying measures which will be included in an

update of Hungary's convergence programme. Authorities also pledged to accelerate the consolidation of the national budget this year and in 2009 and to reform budgetary governance. In addition, measures have been taken, with support from the ECB, to improve liquidity on the markets and strengthen financial stability.

1.7.3. Proposal for a Council regulation amending Regulation (EC) No 332/2002 establishing a facility providing medium-term financial assistance for Member States' balances of payments.

Regulation to be amended: Council Regulation (EC) No 332/2002: OJ L 53, 23.2.2002; Bull. 1/2-2002, point 1.3.24

Commission proposal: COM(2008) 717; Bull. 10-2008, point 1.7.4

Endorsed by the European Parliament on 20 November; subject to certain amendments. Parliament insisted on its role, that of Member States within the Council and the Commission's to act speedily and ensure that market confidence is not undermined in the event of exceptional situations. It also asked that the Council examine, every two years, whether the financial assistance facility established is still suitable.

International economic, monetary and financial matters

International financial crisis

1.7.4. Informal meeting of Heads of State or Government.

Meeting held in Brussels on 7 November. The Heads of State or Government of the EU met ahead of the international summit on the financial crisis held on 15 November in Washington. They once again expressed the unity of Member States as they confront the crisis and agreed on a number of specific principles and approaches:

- no financial institution, market sector or jurisdiction should escape proportionate and adequate regulation or at least supervision;
- the new international financial system must be based on principles of accountability and transparency;
- this new system must be capable of measuring risks in order to prevent crises;

give the IMF a central role in a more efficient financial architecture.

1.7.5. Meeting of G20 Heads of State or Government.

Meeting held in Washington on 14 and 15 November. The G20 countries, joined by Spain and the Netherlands, in the presence of Mr Barroso, President of the Commission, pledged to do all they could to fight the global economic slowdown. They agreed on a joint declaration setting out general principles and a detailed action plan to reform the financial markets in the short to medium term. Strongly rejecting protectionism, they called for the resumption of multilateral trade talks, wanting developing countries and emerging economies to suffer as little as possible from a crisis caused by the rich countries. According to the G20, reform of the financial markets will take a four-pronged approach:

- strengthening transparency and accountability;
- enhancing sound regulation;
- strengthening international cooperation;
- reforming the international financial institutions.

1.7.6. Communication from the Commission to the European Council on a European economic recovery plan.

References:

Council conclusions on a coordinated EU response to the economic slowdown: Bull. 10-2008, point 1.7.6

Commission communication — 'From financial crisis to recovery: a European framework for action': COM(2008) 706; Bull. 10-2008, point 1.7.8

Meeting of G20 Heads of State or Government: point 1.7.5 of this Bulletin

Adopted by the Commission on 26 November. The Commission set up a European economic recovery plan to respond to the current economic situation. Given the scale of the crisis, the EU needs a coordinated approach, big and ambitious enough to restore consumer and business confidence. This plan must bring together all the policy levers available at EU and national levels. According to the Commission, all Member States will need to take action to deal with the crisis. Indeed, properly coordinated national efforts can target different goals in parallel and cushion the blow of recession in the short term. They can also promote the structural reforms needed to help

the EU emerge stronger from the crisis, without undermining longer term fiscal sustainability. The strategic aims of the recovery plan are to:

- swiftly stimulate demand and boost consumer confidence;
- lessen the human cost of the economic downturn and its impact on the most vulnerable;
- help Europe prepare to take advantage for when growth returns so that the European economy is in tune with the demands of competitiveness and the needs of the future, as outlined in the Lisbon strategy for growth and jobs. That means pursuing the necessary structural reforms, supporting innovation, and building a knowledge-based economy;
- speed up the shift towards a low carbon economy in order for the EU to be able to apply its strategy for limiting climate change and promoting energy security.

In pursuing these aims, the European economic recovery plan is designed to exploit synergies and avoid negative spill-over effects through coordinated action; draw on all available policy

levers; ensure full coherence between immediate actions and medium- to longer-term objectives; take full account of the global nature of the problem and shape the EU's contribution to international responses. This plan, anchored in the Stability and Growth Pact and the Lisbon strategy for growth and jobs consists of an immediate budgetary stimulus amounting to EUR 200 billion (1.5 % EU GDP), made up of a budgetary expansion by Member States of EUR 170 billion and EU funding in support of immediate actions in the order of EUR 30 billion. The plan also comprises a number of priority actions, grounded in the Lisbon strategy, designed to adapt the European economies to long-term challenges, whilst continuing to implement structural reforms aimed at raising potential growth.

COM(2008) 800

Macro-financial assistance

1.7.7. Assistance for Georgia (point 1.35.20).

8. Statistical system

Policy aspects

1.8.1. Proposal for a regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95.

Regulation to be repealed: Council Regulation (EC) No 1172/95: OJ L 118, 25.5.1995; Bull. 5-1995, point 1.7.1, as amended by Council Regulation (EC) No 374/98: OJ L 48, 19.2.1998; Bull. 1/2-1998, point 1.7.2

Commission proposal: OJ C 9, 15.1.2008; COM(2007) 653; Bull. 10-2007, point 1.7.8

European Central Bank opinion: OJ C 70, 15.3.2008

Parliament opinion (first reading): Bull. 9-2008, point 1.8.2

Council agreement on a common position on 4 November: The Council reached a political agreement on a proposal for a regulation aiming to improve the system of Community statistics on external trade with third countries, and to satisfy new user requirements.

1.8.2. Council conclusions on EU statistics.

References:

Council Regulation (EC) No 2533/98 concerning the collection of statistical information by the European Central Bank: OJ L 318, 27.11.1998; Bull. 11-1998, point 1.2.8

Commission communication on eurozone statistics 'Towards improved methodologies for eurozone statistics and indicators': COM(2002) 661; Bull. 11-2002, point 1.3.4

Council conclusions on EU statistical governance: Bull. 11-2005, point 1.3.8

Council conclusions on reducing statistical burden: Bull. 11-2006, point 1.7.8

Council conclusions on EU statistics: Bull. 11-2007, point 1.7.5

Adopted by the Council on 4 November. The Council adopted conclusions on the following:

□ *2008 Economic and Financial Committee (EFC) report:* the Council endorsed the 2008 EFC status report on information requirements in the EMU. It welcomed the progress achieved on the principal European economic indicators

(PEEIs) and the consolidation of the results in term of timeliness and coverage, matching most of the targets fixed by the 2002 communication;

□ *reduction of statistical burden:* the Council welcomed the report on the implementation of the communication on reduction of response burden, simplification, and priority-setting providing an update of the commitments given and the ongoing actions since 2007. It stressed the need to continue the efforts in these areas without jeopardising the quality and availability of essential data for policymaking in the EU;

□ *statistical governance:* the Council welcomed the report on the implementation of the code of practice. It noted that concerning impartial dissemination of statistics, limited, controlled and publicised ministerial pre-release access to statistical releases is warranted. It looked forward to the swift establishment of the European statistical governance advisory board (ESGAB). The Council took note of the ECB recommendation for a Council regulation amending Regulation (EC) No 2533/98 concerning the collection of statistical information by the ECB. In particular the sub-committee looks forward to the amended regulation that will appropriately mirror the compromise proposal of the regulation on European statistics.

1.8.3. Proposal for a decision of the European Parliament and of the Council on a programme for the modernisation of European enterprise and trade statistics (MEETS).

References:

Commission communication — 'Better regulation for growth and jobs in the European Union': OJ C 123, 21.5.2005; COM(2005) 97; Bull. 3-2005, point 1.1.3

Commission communication on reduction of the response burden, simplification and priority-setting in the field of Community statistics: OJ C 78, 11.4.2007; COM(2006) 693; Bull. 11-2006, point 1.7.6

Commission proposal: OJ C 191, 17.8.2007; COM(2007) 433; Bull. 7/8-2007, point 1.7.7

Parliament opinion (first reading): Bull. 7/8-2008, point 1.8.1

Approved by the Council on 18 November. Now approved by both institutions, the proposed decision established a programme for the modernisation of MEETS for the period 2009–13.

The programme aims to:

- review priorities and develop target sets of indicators for new areas;
- achieve a streamlined framework for business-related statistics;
- support the implementation of a more efficient way of producing enterprise and trade statistics;
- modernise the data collection system on trade in goods between Member States.

1.8.4. Proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 2223/96 on the European system of national and regional accounts in the Community as regards the implementing powers conferred on the Commission — Adaptation to the regulatory procedure with scrutiny.

Regulation to be amended: Council Regulation (EC) No 2223/96: OJ L 310, 30.11.1996; Bull. 6-1996, point 1.7.1, as amended by Regulation (EC) No 1267/2003 of the European Parliament and of the Council: OJ L 180, 18.7.2003; Bull. 6-2003, point 1.3.11

Reference: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission: OJ L 184, 17.7.1999; Bull. 6-1999, point 1.8.3, as amended by Council Decision 2006/512/EC: OJ L 200, 22.7.2006; Bull. 7/8-2006, point 1.1.2

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 776; Bull. 12-2007, point 1.7.1.

Endorsed by the European Parliament (first reading) on 18 November.

1.8.5. Regulation (EC) No 1165/2008 of the European Parliament and of the Council concerning meat and livestock statistics.

Repealed directives: Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC on the statistical surveys to be carried out on pig, bovine animal and sheep and goat production: OJ L 149, 21.6.1993; Bull. 6-1993, point 1.2.43

References:

Commission communication on reduction of the response burden, simplification and priority-setting in the field of Community statistics: OJ C 78, 11.4.2007; COM(2006) 693; Bull. 11-2006, point 1.7.6

Commission communication — ‘Action programme for reducing administrative burdens in the European Union’: OJ C 138, 22.6.2007; COM (2007) 23; Bull. 1/2-2007, point 1.2.1

Commission proposal: OJ C 181, 3.8.2007; COM(2007) 129; Bull. 3-2007, point 1.7.4

Parliament opinion (first reading): Bull. 5-2008, point 1.8.2

Council approval: Bull. 10-2008, point 1.8.6

Signed by the European Parliament and the Council on 19 November.

OJ L 321, 1.12.2008

1.8.6. Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods and repealing Council Regulation (EEC) No 571/88.

Repealed regulation: Council Regulation (EEC) No 571/88 on the organisation of Community surveys on the structure of agricultural holdings between 1988 and 1997: OJ L 56, 2.3.1988, as amended by Regulation (EC) No 1890/2006 of the European Parliament and of the Council: OJ L 386, 29.12.2006; Bull. 12-2006, point 1.7.5

Commission proposal: OJ C 181, 3.8.2007; COM(2007) 245; Bull. 5-2007, point 1.7.1

Parliament opinion (first reading): Bull. 5-2008, point 1.8.3

Council approval: Bull. 10-2008, point 1.8.3

Signed by the European Parliament and the Council on 19 November.

OJ L 321, 1.12.2008

1.8.7. Proposal for a regulation of the European Parliament and of the Council on European statistics.

Commission proposal: OJ C 9, 15.1.2008; COM (2007) 625; Bull. 10-2007, point 1.7.2

European Central Bank opinion: OJ C 291, 5.12.2007

European Data Protection Supervisor opinion: OJ C 308, 3.12.2008

Endorsed by the European Parliament (first reading) on 19 November; subject to certain amendments on:

- Eurostat and its professional independence;
- national statistical institutes and other national authorities;
- the European statistical system committee;
- the European statistics code of practice;
- the European statistical programme;
- the European approach to statistics;
- confidential data.

1.8.8. Proposal for a regulation of the European Parliament and of the Council on Community statistics on public health and health and safety at work.

Commission proposal: OJ C 138, 22.6.2007; COM(2007) 46; Bull. 1/2-2007, point 1.7.3

European Data Protection Supervisor opinion: OJ C 295, 7.12.2007

European Economic and Social Committee opinion: OJ C 44, 16.2.2008; Bull. 10-2007, point 1.7.6

Parliament opinion (first reading): OJ C 282 E, 6.11.2008; Bull. 11-2007, point 1.7.4

Council agreement: Bull. 6-2008, point 1.8.1

Council common position: OJ C 280 E, 4.11.2008; Bull. 10-2008, point 1.8.1

Approved by the European Parliament on 19 November.

1.8.9. Proposal for a European Parliament and Council regulation concerning statistics on plant protection products.

References:

Council Regulation (EC) No 322/97 on Community statistics: OJ L 52, 22.2.1997; Bull. 1/2-1997, point 1.6.1

Commission communication — ‘A thematic strategy on the sustainable use of pesticides’; proposal for a directive of the European Parliament and of the Council establishing a framework for Community action to achieve a sustainable use of pesticides: OJ C 303, 13.12.2006; COM(2006) 372; COM(2006) 373; Bull. 7/8-2006, point 1.21.1

Proposal for a regulation of the European Parliament and of the Council concerning the placing of plant protection products on the market: OJ C 303, 13.12.2006; COM(2006) 388; Bull. 7/8-2006, point 1.24.7

Commission proposal: OJ C 126, 7.6.2007; COM(2006) 778; Bull. 12-2006, point 1.7.3

European Economic and Social Committee opinion: OJ C 256, 27.10.2007; Bull. 7/8-2007, point 1.7.4

Parliament opinion (first reading): Bull. 3-2008, point 1.8.5

Council agreement: Bull. 6-2008, point 1.8.7

Common position adopted by the Council on 20 November. This proposal aims to establish a common framework for the collection and analysis of Community statistics on the annual quantities of plant protection products placed on the market and used in the context of agricultural activity.

9. Employment and social policy

Employment

1.9.1. Decision 2008/916/EC of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the interinstitutional agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management.

References:

Interinstitutional agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management: OJ C 139, 14.6.2006; Bull. 5-2006, point 1.34.29

Regulation (EC) No 1927/2006 of the European Parliament and of the Council on establishing the European Globalisation Adjustment Fund: OJ L 406, 30.12.2006; Bull. 12-2006, point 1.8.5

Commission communication on applications EGF/2007/005 IT/Sardegna, EGF/2007/006 IT/Piemonte, EGF/2007/007 IT/Lombardia and EGF/2008/001 IT/Toscana: SEC(2008) 2414; Bull. 9-2008, point 1.9.2

Commission proposal: COM(2008) 609; Bull. 10-2008, point 1.9.1

Approved by the European Parliament on 18 November. Parliament approved the decision concerning the mobilisation of the European Globalisation Adjustment Fund in favour of Italy, for a total amount of EUR 35.2 million. It also requested the institutions involved to make the necessary efforts to accelerate the mobilisation of the fund in accordance with the joint declaration of 17 May 2006.

Signed by the European Parliament and the Council on 19 November.

OJ L 330, 9.12.2008

Approved by the Council on 21 November.

1.9.2. Communication from the Commission — ‘Key messages from the Employment in Europe 2008 Report’.

References:

Communication from the Commission on the key messages from the ‘Employment in Europe 2007 report’ — OJ C 55, 28.02.2008; COM (2007) 733; Bull. 11-2007, point 1.8.2

Commission communication concerning the report on the impact of free movement of workers in the context of EU enlargement: point 1.9.6 of this Bulletin

Adopted by the Commission on 18 November. This communication reiterates the main messages and policy implications as set out in the 20th annual report ‘Employment in Europe’. This communication addresses topics of great relevance to the Commission’s current policy priorities in the employment field, such as: third-country migrants arriving on EU labour markets; intra-EU labour market mobility; job quality in the EU and the relationship between education/training and jobs.

COM(2008) 758

1.9.3. Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1081/2006 on the European Social Fund (ESF) to extend the types of costs eligible for a contribution from the ESF (point 1.16.5).

1.9.4. Communication from the Commission to the European Parliament and the Council — ‘The raw materials initiative — meeting our critical needs for growth and jobs in Europe’ (point 1.13.3).

Social protection and social security

1.9.5. European Parliament resolution on the future of social security systems and pensions: their financing and the trend towards individualisation.

References:

Commission communication — ‘A roadmap for equality between women and men — 2006–10’: OJ C 104, 3.5.2006; COM(2006) 92; Bull. 3-2006, point 1.9.2

Commission communication — ‘The long-term sustainability of public finances in the EU’: COM (2006) 574; Bull.10-2006, point 1.6.6

Commission communication — ‘Social reality stocktaking — Interim report to the 2007 spring European Council’: OJ C 138, 22.6.2007; COM (2007) 63; Bull.1/2-2007, point 1.1.2

Commission communication ‘Promoting solidarity between the generations’: OJ C 191,

17.8.2007; COM(2007) 244, Bull. 5/2007, point 1.8.1

Commission communication — ‘Modernising social protection for greater social justice and economic cohesion: taking forward the active inclusion of people furthest from the labour market’: OJ C 4, 9.1.2008; COM(2007) 620; Bull. 10-2007, point 1.8.12

Adopted by the European Parliament on 20 November. Parliament urged Member States to make more progress in balancing social expenditure and social activation and furthermore, to attract and retain more people in quality, secure and mandatory social insurance employment. It called on the Commission to carry out more detailed research and studies concerning the impact of the individualisation of social rights on the equal treatment of women and men.

Concerning the workforce, Parliament believed that a decreasing workforce will lead to a decrease in the total number of hours worked. It recalled that higher employment rates are heavily dependent on the need to keep all groups active and to put into place active policies on the employment of women, young people and the elderly.

Concerning pensions, Parliament recognised the fact that public pension systems strengthen social solidarity and that safeguarding them should be a political priority. It called on Member States to take serious account of the need to redesign traditional pension systems.

Concerning financial sustainability, Parliament stressed the need for Member States to preserve adequate levels of funding for social security and pensions systems. It stressed the need to consider a phased transition from joint contribution-based to fund-based insurance-type pension schemes.

Concerning healthcare and long-term care, Parliament pointed out that special attention should be placed on persons needing expensive or long-term healthcare. Moreover, it called on Member States to avoid a purely financial approach when adopting reform policies of their respective national healthcare systems. According to it, the starting point for any reform should be a careful analysis of the existing health financing system.

Freedom of movement for workers

1.9.6. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘The impact of free movement of workers in the context of EU enlargement — Report on the first phase (1 January 2007 to 31 December 2008) of the transitional arrangements set out in the 2005 Accession Treaty and as requested according to the transitional arrangement set out in the 2003 Accession Treaty’.

References:

Commission communication — ‘Report on the functioning of the transitional arrangements set out in the 2003 Accession Treaty (period 1 May 2004 to 30 April 2006)’: OJ C 104, 3.5.2006; COM(2006) 48; Bull. 1/2-2006, point 1.7.11

Commission communication — ‘Key messages from the *Employment in Europe 2008*’ report: COM(2008) 758; point 1.9.2 of this Bulletin

Adopted by the Commission on 18 November. The Accession Treaties of 2003 and 2005 allow Member States to temporarily restrict the free access of workers from Member States that joined in 2004 and 2007. This communication aims at providing Member States with the necessary information to review their positions for the next phase of these transitional arrangements. It summarises the statistical and analytical material presented in the *Employment in Europe 2008* report. The Commission concludes that the overall impact of post-enlargement mobility had been positive.

COM(2008)765

Health and safety at work

1.9.7. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on the practical implementation of health and safety at work Directives 92/57/EEC (temporary and mobile sites) and 92/58/EEC (safety signs at work)

References:

Directive 92/57/EEC of the Council on the implementation of minimum safety and health requirements at temporary or mobile construction sites: OJ L 245, 26.8.1992

Directive 92/58/EEC of the Council on the minimum requirements for the provision of safety and/or health signs at work: OJ L 245, 26.8.1992

Commission communication — ‘Improving quality and productivity at work: Community

strategy 2007–12 on health and safety at work': OJ C 138, 22.6.2007; COM(2007) 62; Bull. 1/2-2007, point 1.8.17

Adopted by the Commission on 6 November. This communication follows the Commission's undertaking, as set out in the communication 'Improving quality and productivity at work: Community strategy 2007–12 on health and safety at work', to assess the implementation of the regulatory framework with a view to improving it. The assessment covers the transposition and implementation of two directives in the EU-15 countries only. In the Commission opinion, this evaluation will also be a source of precious information for the 12 new Member States in order to apply these two directives. The assessment of the implementation of Directive 92/57/EEC shows that, while the incidence rate and number of accidents at work was down, the figures are still unacceptable and construction is the sector

where workers are exposed to the greatest risks. According to the Commission, non-binding instruments are needed at European and/or national level to facilitate the practical application of Directive 92/57/EEC. It will develop a practical non-binding guide to help all players to meet their obligations effectively, and to clarify certain key concepts in the directive. The assessment of Directive 92/58/EEC indicates a very positive impact in terms of protecting the health and safety of workers and of third parties. It has enabled risk situations to be clearly identified, and has contributed decisively to implementing the free movement of workers.

COM(2008) 698

1.9.8. Proposal for a regulation of the European Parliament and of the Council on Community statistics on public health and health and safety at work (point 1.8.8).

10. Equal opportunities for women and men

1.10.1. European Parliament resolution with recommendations to the Commission on the application of the principle of equal pay for men and women.

References:

European Pact for Gender Equality: Bull. 3-2006, point 1.9.1

Directive 2006/54/EC of the European Parliament and of the Council on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast): OJ L 204, 26.7.2006; Bull. 7/8-2006, point 1.9.1

European Parliament resolution on a roadmap for equality between women and men (2006–10): OJ C 301 E, 13.12.2007; Bull. 3-2007, point 1.9.1

Commission communication — ‘Tackling the pay gap between women and men’: OJ C 246, 20.10.2007; COM(2007) 424; Bull. 7-8/2007, point 1.9.2

European Parliament resolution on equality between women and men — 2008: Bull. 9-2008, point 1.10.1

Adopted by the European Parliament on 18 November. Parliament requested the Commission to submit a legislative proposal on the revision of the existing legislation relating to the application of the principle of equal pay for men and women, by 31 December 2009. Moreover, Parliament was convinced that it is essential to ensure better and earlier implementation of the provisions of Directive 2006/54/EC, relating to equality organisations and social dialogue with a view to redressing differences in pay. It pointed out that collective negotiation and bargaining have an important role to play in combating discrimination and called on the European institutions to organise a European equal pay

day. Finally, it called on workers and employers organisations to jointly develop objective job evaluation instruments, in order to reduce the pay gap between men and women.

1.10.2. Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions — Mid-term progress report on the roadmap for equality between women and men (2006–10).

References:

European Council conclusions: Bull. 3-2006, point 1.6

Commission communication — ‘A roadmap for equality between women and men — 2006–10’: OJ C 104, 3.5.2006; COM(2006) 92; Bull. 3.2006, point 1.9.2

Commission communication — ‘Tackling the pay gap between women and men’: OJ C 246, 20.10.2007; COM(2007) 424; Bull. 7/8-2007, point 1.9.2

Report — ‘Equality between women and men — 2008’: OJ C 118, 15.5.2008; COM(2008) 10; Bull. 1/2.2008, point 1.10.2

Commission communication — ‘Non-discrimination and equal opportunities: a renewed commitment’: COM(2008) 420; Bull. 7/8-2008, point 1.9.13

Adopted by the Commission on 26 November. This mid-term report supplements the work programmes drawn up by the Commission services and shows how the actions carried out since March 2006 have contributed to achieving the roadmap objectives. It sets out the main areas of progress and actions to be carried out by 2010. A final evaluation of the roadmap is scheduled in 2010.

COM(2008) 760

11. The internal market

General

1.11.1. European Parliament resolution on the consumer markets scoreboard (point 1.26.18).

1.11.2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘Delivering the benefits of the single market through enhanced administrative cooperation’.

References:

Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications: OJ L 255, 30.9.2005; Bull. 9-2005, point 1.3.15

Commission communication to the spring European Council — ‘Time to deliver — The new partnership for growth and jobs’: OJ C 67, 18.3.2006; COM(2006) 30; Bull. 1/2-2006, point 1.2.5

Commission communication — ‘i2010 e-government action plan: accelerating e-government in Europe for the benefit of all’: OJ C 176, 28.7.2006; COM(2006) 173; Bull. 4-2006, point 1.14.4

Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market: OJ L 376, 27.12.2006; Bull. 12-2006, point 1.10.3

Commission communication — ‘A single market for 21st century Europe’: OJ C 55, 28.2.2008; COM(2007) 724; Bull. 11-2007, point 1.10.2

Adopted by the Commission on 6 November. In March 2006, Member States endorsed a proposal to develop the internal market information system (IMI). This decision was taken in light of the importance of administrative cooperation for a dynamic single market, as recognised in the Lisbon strategy. IMI has been designed as a tool to support administrative cooperation in the field of internal market legislation in general. This communication should be seen in the context of implementing the administrative cooperation provisions of Directive 2006/123/EC. Its aim is to mobilise political support and to invite Member States to make the necessary efforts (in particular training and awareness-raising) to

properly implement IMI by the transposition date. This communication takes stock of progress to date and describes the necessary steps in order for IMI to be fully operational in support of Directive 2006/123/EC by the end of 2009.

COM(2008) 703

Free movement of goods

Technical aspects

1.11.3. Proposal for a directive of the European Parliament and of the Council amending Council Directive 80/181/EEC on the approximation of the laws of the Member States relating to units of measurement.

Directive to be amended: Council Directive 80/181/EEC: OJ L 39, 15.2.1980; as amended by Directive 1999/103/EC: OJ L 34, 9.2.2000; Bull. 1/2-2000, point 1.3.32

Commission proposal: OJ C 4, 9.1.2008; COM (2007) 510; Bull. 9-2007, point 1.10.6

Parliament opinion (first reading): OJ C 297 E, 20.11.2008; Bull. 11-2007, point 1.10.6

European Economic and Social Committee opinion: OJ C 120, 16.5.2008

Council agreement: Bull. 7/8-2008, point. 1.11.7

Common position adopted by the Council on 18 November. The Council adopted a common position on a proposal for a directive improving the system of units of measurement within the EU. The common position proposes to amend Directive 80/181/EEC which is based on the international system of units (SI). The new provisions of the directive are intended to:

enable the UK and Ireland to continue to use the limited local exemptions concerning the pint, the mile and the troy ounce where they are still applied;

extend its scope to consumer and environmental protection;

extend the use of supplementary indications for an unlimited period. The importance of the use of supplementary indications lies, for

instance, in trade with economic partners which do not use the same units of measurement;

□ introduce three new SI derived units: the katal (kat), the radian (rad), the steradian (sr) as a unit for a solid angle (used in geometry and physics);

□ drop the acre as a land registration measurement unit.

Freedom to provide services and freedom of establishment

Financial services

1.11.4. Report from the Commission concerning the application of Directive 98/27/EC of the European Parliament and of the Council on injunctions for the protection of consumers' interest (point 1.26.20).

1.11.5. Proposal for a regulation of the European Parliament and of the Council on credit rating agencies.

References:

Directive 2003/6/EC of the European Parliament and of the Council on insider dealing and market manipulation (market abuse): OJ L 96, 12.4.2003; Bull. 12-2002, point 1.3.42

Commission communication on credit rating agencies: OJ C 59, 11.3.2006

Directive 2006/48/EC of the European Parliament and of the Council relating to the taking up and pursuit of the business of credit institutions: OJ L 177, 30.6.2006; Bull. 6-2006, point 1.10.2

Council conclusions for financial stability: Bull. 10-2007, point 1.10.4

European Parliament resolution on the role and methods of rating agencies: Bull. 1/2-2004, point 1.3.50

European Council conclusions: Bull. 3-2008, point 1.19

Code of conduct fundamentals for CRAs (revised in May 2008): <http://www.iosco.org/library/pubdocs/pdf/IOSCOPD271.pdf>

Adopted by the Commission on 12 November. This proposal lays down conditions for the issuance of credit ratings which are needed to restore market confidence and increase investor protection. It introduces a registration procedure for credit rating agencies in order to enable European supervisors to control the activities of rating agencies whose ratings are used by credit institutions, investment firms, insurance,

assurance and reinsurance undertakings, collective investment schemes and pension funds within the Community.

The proposal also includes an effective surveillance regime whereby European regulators will supervise credit rating agencies.

New rules include the following:

□ credit rating agencies may not provide advisory services;

□ they will not be allowed to rate financial instruments if they do not have sufficient quality information to base their ratings on;

□ they must disclose the models, methodologies and key assumptions on which they base their ratings;

□ they will be obliged to publish an annual transparency report;

□ they will have to create an internal function to review the quality of their ratings;

□ they should have at least three independent directors on their boards whose remuneration cannot depend on the business performance of the rating agency. They will be appointed for a single term of office which can be no longer than five years. They can only be dismissed in case of professional misconduct. At least one of them should be an expert in securitisation and structured finance.

COM(2008) 704

1.11.6. European Parliament resolution on protecting the consumer: improving consumer education and awareness on credit and finance.

References:

Green Paper on retail financial services in the single market: OJ C 181, 3.8.2007; COM(2007) 226; Bull. 4-2007, point 1.10.4

European Parliament resolution on financial services policy (2005–10) — White Paper: OJ C 175 E, 10.7.2008; Bull. 7/8-2007, point 1.10.8

Commission communication — 'Financial education': COM(2007) 808; Bull. 12-2007, point 1.10.8

Directive 2008/48/EC of the European Parliament and of the Council on credit agreements for consumers: OJ L 133, 22.5.2008; Bull. 4-2008, point 1.26.10

Adopted by the European Parliament on 18 November. Parliament welcomed the Commission initiatives in the field of financial education of consumers, in particular the recent setting-up of the expert group on financial education, and its intention to publish an online database of financial education schemes and research in the EU. Parliament highlighted that the objective of educating and raising the awareness of

consumers as regards finance and credit must be to improve their understanding of economic commitments and to avoid unnecessary risk, excessive debt and financial exclusion. Training and provision of information should allow consumers to take an independent approach, based on their own judgement, to the financial products that are offered to them or that they are considering using. Parliament recommended that financial education schemes focus on important life-planning aspects such as basic saving, debt, insurance and pensions. It stressed the need for an ongoing two-way educational process for both sides, that is to say financial advisors and consumers, so as to ensure the provision of accurate information.

Information society services

1.11.7. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — ‘Action plan on e-signatures and e-identification to facilitate the provision of cross-border public services in the single market’.

References:

Directive 1999/93/EC of the European Parliament and of the Council on a Community framework for electronic signatures: OJ L 13, 19.1.2000; Bull. 12-1999, point 1.2.141

Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors; Directive 2004/18/EC of the European Parliament and of the Council on the coordination of procedures for the award of public supply contracts, public service contracts and public works contracts: OJ L 134, 30.4.2004; Bull. 3-2004, point 1.3.58

Commission communication — ‘i2010 e-government action plan: accelerating e-government in Europe for the benefit of all’: OJ C 176, 28.7.2006; COM(2006) 173; Bull. 4-2006, point 1.14.4

Directive 2006/123/EC of the European Parliament and of the Council on services in the internal market: OJ L 376, 27.12.2006; Bull. 12-2006, point 1.10.3

Commission communication — ‘A single market for 21st century Europe’: OJ C 55, 28.2.2008; COM(2007) 724; Bull. 11-2007, point 1.10.2

European Council conclusions: Bull. 3-2008, point I.7

Adopted by the Commission on 28 November. This action plan is one of the actions announced in the single market review. The rationale behind this action is the need to enhance cross-border access to online services offered by public authorities. Governments across Europe have started to offer public services by electronic means (‘e-services’), but implementation has been focusing too much on national needs and means. According to the Commission, this approach creates new ‘e-barriers’ to cross-border markets, by restricting access to those public services for enterprises and individuals from other Member States and by hampering the functioning of the single market. The action plan seeks an EU-wide solution to cross-border use of online public services, proposing a comprehensive approach and committing to quick delivery dates. The Commission notes that the achievement of interoperable e-signatures and e-identification will simplify access for enterprises and citizens to cross-border electronic public services.

COM(2008) 798

Taxation

General

1.11.8. Proposal for a Council directive on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (codified version).

Directive to be codified: Council Directive 90/435/EEC: OJ L 225, 20.8.1990

Adopted by the Commission on 6 November. This proposal aims to proceed at the codification of Council Directive 90/435/EEC on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States. The new directive will supersede the various acts incorporated in it; their content is fully preserved, and they are brought together with only such formal amendments as are required by the codification exercise itself.

COM(2008) 691

Direct taxation

1.11.9. Proposal for a Council directive amending Directive 2003/48/EC on taxation of savings income in the form of interest payments.

Directive to be amended: Council Directive 2003/48/EC: OJ L 157, 26.6.2003; Bull. 6-2003, point 1.3.36

References:

Feira European Council conclusions: Bull. 6-2000, point 1.34

Council conclusions on taxation of savings: Bull. 5-2008, point 1.11.10

Commission report on taxation of savings income in the form of interest payments: COM(2008) 552; Bull. 9-2008, point 1.11.9

Adopted by the Commission on 13 November.

On the basis of the conclusions of the report submitted by the Commission in September, this proposal for a Council directive aims at amending Council Directive 2003/48/EC. The most important amendments proposed are designed to close loopholes in the current system and to clarify administrative obligations for paying agents. They relate to:

□ the definition of interest payment for the purpose of the directive;

□ the coverage, under certain conditions, of interest payments transited by some entities and legal arrangements established outside the EU, when the paying agent in the EU has evidence that the beneficial owner of any of these entities or arrangements is an individual resident in the EU;

□ a clearer definition of those entities and arrangements inside the EU which are given paying agent responsibilities upon receipt of an interest payment;

□ a number of other technical improvements whose need became evident following the consultations led by Commission services with EU economic operators (represented in an expert group) and with the tax administrations of Member States.

New annexes are added to the directive in order to make these amendments operational.

COM(2008) 727

Indirect taxation

1.11.10. Proposal for a Council directive amending Directive 2006/112/EC on the common system of value added tax to combat tax evasion connected with intra-Community transactions; proposal for a Council regulation amending Regulation (EC) No 1798/2003 to combat tax evasion connected with intra-Community transactions.

Regulation to be amended: Council Regulation (EC) No 1798/2003: OJ L 264, 15.10.2003; Bull. 10-2003, point 1.3.36

Directive to be amended: Council Directive 2006/112/EC: OJ L 347, 11.12.2006; Bull. 11-2006, point 1.10.23, as amended by Council Directive 2007/75/EC: OJ L 346, 29.12.2007; Bull. 12-2007, point 1.10.20

References:

Commission communication concerning the need to develop a coordinated strategy to improve the fight against fiscal fraud: OJ C 184, 8.8.2006; COM(2006) 254; Bull. 5-2006, point 1.10.7

Commission communication on measures to change the VAT system to fight fraud: OJ C 207, 14.8.2008; COM(2008) 109; Bull. 1/2-2008, point 1.11.29

Council conclusions on fight against tax fraud: Bull. 10-2008, point 1.11.10

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 147; Bull. 3-2008, point 1.11.9

European Economic and Social Committee opinion: Bull. 10-2008, point 1.11.16

Agreed by the Council on 4 November. Waiting for Parliament opinion, the Council reached agreement in principle on a general approach on proposals for a directive and a regulation to strengthen the fight against VAT fraud. According to the Council, the fight against VAT fraud represents a major challenge both for the EU and for national budgets. Every year, this type of fraud costs Member States billions of euro. It most often takes the form of fraud circuits known as ‘VAT carousels’, which target cross-border transactions. These proposals provide for a reduction in the statutory time limits imposed on operators for the declaration of transactions for VAT purposes, together with a reduction in the time limits for transmission of such information between Member States, while avoiding any increase in the administrative burden on undertakings, especially SMEs.

1.11.11. Sixth report under Article 12 of Regulation (EEC, Euratom) No 1553/89 on VAT collection and control procedures.

Previous report: OJ C 55, 4.3.2005; COM(2004) 855; Bull. 1/2-2005, point 1.3.68

Reference: Council Regulation (EEC, Euratom) No 1553/89 on the definitive uniform arrangements for the collection of own resources accruing from value added tax: OJ L 155, 7.6.1989

Adopted by the Commission on 11 November. The Commission considers that the Article 12 reports should be a driver for change. This change might be achieved by precipitating debate in Parliament and in the Council or by

triggering change in Member States as a result of a recommendation made in the reports. This report summarises the findings of how successful the reporting process has been when measured against these two yardsticks. According to the Commission, the results are not encouraging. A survey of all Member States asking about the activity they had initiated under Article 12 reports did not provide extensive or convincing evidence that any specific action had been made as a result of these reports. The absence of reaction from the budgetary authority puts into question whether there is any continuing requirement for the report beyond simply fulfilling a regulatory obligation and the Commission has numerous other opportunities to enhance VAT collection and to contribute to reducing VAT fraud. Nonetheless, the Commission considers it important that the debate on VAT control, collection and management continue at all relevant levels. The Commission will therefore continue to use the Article 12 arrangements to provide an impetus for reflection and change in Member States by providing a platform for discussions, exchange of ideas and for pooling experiences in the VAT field among Member States and between Member States and the Commission.

COM(2008) 719

1.11.12. Proposal for a Council decision authorising the Czech Republic and the Federal Republic of Germany to apply measures derogating from Article 5 of Council Directive 2006/112/EC on the common system of value added tax.

Reference: Council Directive 2006/112/EC: OJ L 347, 11.12.2006; Bull. 11-2006, point 1.10.23

Adopted by the Commission on 17 November. This proposal aims to authorise the Czech Republic and the Germany to apply measures derogating from Directive 2006/112/EC in relation to the construction and subsequent maintenance of one border bridge, and the maintenance of 22 existing border bridges. These works are partly on the territory of the Czech Republic and partly on the territory of the Germany.

COM(2008) 753

1.11.13. Proposal for a Council directive concerning the general arrangements for excise duty.

Directive to be amended: Council Directive 92/12/EEC: OJ L 76, 23.3.1992, as amended by Council Directive 2004/106/EC: OJ L 359, 4.12.2004; Bull. 11-2004, point 1.3.19

References:

Decision No 1152/2003/EC of the European Parliament and of the Council on computerising the movement and surveillance of excisable products: OJ L 162, 1.7.2003; Bull. 6-2003, point 1.3.39

Commission report on the application of Articles 7 to 10 of Directive 92/12/EEC: OJ C 122, 30.4.2004; COM(2004) 227; Bull. 4-2004, point 1.3.45

Commission proposal: OJ C 207, 14.8.2008; COM(2008) 78; Bull. 1/2-2008, point 1.11.27

European Economic and Social Committee opinion: Bull. 10-2008, point 1.11.15

Endorsed by the European Parliament (first reading) on 18 November; subject to certain amendments concerning:

- the incurrence of excise duty, notably to clarify the circumstances applicable to the importation of excise goods;
- exemptions: Parliament proposed that excise goods be exempted from payment of excise duty where they are intended for delivery to an approved research and development facility, laboratory, government department or other approved party for the purpose of quality testing, pre-market introductory examination and verification for possible counterfeiting, provided that the goods involved are not deemed to be in commercial quantities;
- duty-free shops;
- tobacco and alcohol imports;
- fuels;
- distance selling.

Finally, a new recital states that further efforts should be made to come to a gradual harmonisation of excise duty within the EU, while taking into account matters such as public health, protection of the environment and budgetary considerations.

Company law, corporate governance and the fight against financial crime

1.11.14. Proposal for a directive of the European Parliament and of the Council in the area of company law on single-member private limited-liability companies (codified version).

Directive to be codified: Directive 89/667/EEC: OJ L 395, 30.12.1989

Commission proposal: COM(2008) 344; Bull. 6-2008, point 1.11.14

European Economic and Social Committee opinion: Bull. 9-2008, point 1.11.15

Endorsed by the European Parliament on 18 November.

1.11.15. Proposal for a directive of the European Parliament and of the Council amending Council Directives 68/151/EEC and 89/666/EEC as regards publication and translation obligations of certain types of companies.

Directives to be amended:

Council Directive 68/151/EEC on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the EC Treaty, with a view to making such safeguards

equivalent throughout the Community: OJ L 65, 14.3.1968

Council Directive 89/666/EEC concerning disclosure requirements in respect of branches opened in a Member State by certain types of company governed by the law of another State: OJ L 395, 30.12.1989

Commission proposal: COM(2008) 194; Bull. 4-2008, point 1.11.6

European Economic and Social Committee opinion: Bull. 9-2008, point 1.11.17

Endorsed by the European Parliament (first reading) on 19 November, subject to certain minor amendments.

12. Competition

Merger control

Individual cases

1.12.1. Commission decision on 10 November.
ILOG/IBM.

IP/08/1671

1.12.2. Commission decision on 11 November.
Invitrogen/Applied Biosystems.

IP/08/1683

1.12.3. Commission decision on 18 November.
DP World/Conti 7/Rickmers/DP World break-
bulk/JV.

IP/08/1731

1.12.4. Commission decision on 19 November.
Terex Corporation/Fantuzzi Group.

IP/08/1738

1.12.5. Commission decision on 25 November.
RCA/MAV Cargo.

IP/08/1769

1.12.6. Commission decision on 25 November.
Ericsson/STM/JV.

IP/08/1770

1.12.7. Commission decision on 26 November.
BHP Billiton/Rio Tinto.

IP/08/1798

Respective practices and abuses of dominant positions; Articles 81 and 82 of the EC treaty

Individual cases

1.12.8. Commission decision on 12 November.
The Commission fined car glass producers over
EUR 1.3 billion for market sharing cartel.

IP/08/1685

Liberalisation

Individual cases

1.12.9. Commission decision on 26 November.
The Commission opened the German electricity
market to competition.

IP/08/1774

State system aid schemes

General rules

1.12.10. Report from the Commission — State
aid scoreboard — Autumn 2008 update.

Previous report: COM(2008) 304; Bull. 5-2008,
point 1.12.1

Adopted by the Commission on 17 November.
This latest state aid scoreboard shows that
Member States are increasingly using the
possibilities offered by the EU State aid rules to
better target their aid. Member States awarded
on average 80 % of their aid to horizontal
objectives in 2007, compared with around 50 %
in the mid-1990s with increased spending on
R & D and environmental aid. Faced with the
current financial crisis, coordinated action by
Member States and the Commission has ensured
that support schemes for the financial sector
could be implemented quickly in compliance
with EU State aid rules.

COM(2008) 751; IP/08/1725

Individual cases

Belgium

1.12.11. Commission decision on 19 November.
The Commission approved a joint aid from
Belgium, France and Luxembourg to rescue
Dexia.

IP/08/1745

1.12.12. Commission decision on 19 November.
The Commission approved a Belgian State guarantee for Fortis Bank.

IP/08/1746

Denmark

1.12.13. Commission decision on 5 November.
The Commission approved a Danish liquidation aid for Roskilde Bank.

IP/08/1633

Germany

1.12.14. Commission decision on 5 November.
The Commission approved a EUR 45 million aid to increase broadband availability in rural Germany.

IP/08/1662

Greece

1.12.15. Commission decision on 19 November.
The Commission authorised a support package for Greek credit institutions.

IP/08/1742

Spain

1.12.16. Commission decision on 4 November.
The Commission approved a Spanish fund for acquisition of financial assets from financial institutions.

IP/08/1630

France

1.12.17. Commission decision on 12 November.
The Commission found that La Banque Postale in France did not receive aid as part of retirement pension financing reform for La Poste's State-payroll employees.

IP/08/1686

Italy

1.12.18. Commission decision on 13 November.
The Commission authorised an Italian scheme for refinancing credit institutions.

IP/08/1706

Latvia

1.12.19. Commission decision on 24 November.
The Commission approved a Latvian state support for JSC Parex Banka.

IP/08/1766

Netherlands

1.12.20. Commission decision on 12 November.
The Commission approved a Dutch emergency recapitalisation of ING.

IP/08/1699

1.12.21. Commission decision on 27 November.
The Commission approved a Dutch emergency recapitalisation of Aegon.

IP/08/1822

Poland

1.12.22. Commission decision on 6 November.
The Commission agreed on terms for recovery of an aid granted to Polish shipyards in Gdynia and Szczecin and on conditions for viable future activities.

IP/08/1642

1.12.23. Commission decision on 12 November.
The Commission extended the scope of an in-depth inquiry into a proposed restructuring aid to PZL Hydral of Poland.

IP/08/1688

Finland

1.12.24. Commission decision on 13 November.
The Commission approved a Finnish support scheme for financial institutions.

IP/08/1705

1.12.25. Commission decision on 26 November.
The Commission authorised a EUR 116 million Finnish film support scheme.

IP/08/1807

13. Enterprise

Competitiveness

1.13.1. Commission communication on the European competitiveness report 2008.

Previous report: Commission communication — ‘Raising productivity growth: key messages from the European competitiveness report 2007’: OJ C 9, 15.1.2008; COM(2007) 666; Bull. 10-2007, point 1.12.1

Reference: Commission communication — ‘Working together for growth and jobs — A new start for the Lisbon strategy’: OJ C 64, 16.3.2005; COM(2005) 24; Bull. 1/2-2005, point 1.1.4

Adopted by the Commission on 28 November. This communication presents the key findings and messages from the Commission’s 2008 European competitiveness report. The report underlines the need for Europe to further enhance its adaptation capacity to external shocks by keeping momentum in the growth and jobs strategy and to boost competitiveness. The report analyses different factors that have an impact on competitiveness, such as the openness in trade and foreign direct investment and corporate social responsibility as well as the sustainable industrial policy. The key conclusion of the report is that well-designed and implemented policies in some specific areas such as trade, innovation and entrepreneurship or energy can contribute to the strengthening of the competitiveness of the EU economy. Concerning the external dimension of competitiveness, trade policies should target the reduction of behind-the-border costs.

COM(2008) 774

Competitiveness and innovation framework programme (CIP)

1.13.2. Report from the Commission to the Council and the European Parliament on the financial instruments of the multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001–06); end report as at 31.12.2006 (including key results as at 31.12.2007) (pursuant to Article 5(1) of Council

Decision 2000/819/EC, as amended by Decisions 593/2004/EC and 1776/2005/EC of the European Parliament and of the Council).

Previous report: COM(2007) 235; Bull. 5-2007, point 1.12.3

References:

Council Decision 98/347/EC on measures of financial assistance for innovative and job-creating small and medium-sized enterprises (SMEs) — the growth and employment initiative: OJ L 155, 29.5.1998; Bull. 5-1998, point 1.2.86

Council Decision 2000/819/EC on a multi-annual programme for enterprise and entrepreneurship, in particular for small and medium-sized enterprises (SMEs) (2001–05): OJ L 333, 29.12.2000; Bull. 12-2000, point 1.3.70, as amended by Decision 1776/2005/EC of the European Parliament and of the Council: OJ L 289, 3.11.2005; Bull. 7/8-2005, point 1.3.68

Adopted by the Commission on 7 November. This report gives an overview of the implementation of the financial instruments of the multiannual programme (MAP) for enterprise and entrepreneurship, and in particular for SMEs for the period 2001–06, including figures covering the entire availability period running until the end of 2007 for some of the instruments. Globally, the Commission concludes that the financial instruments under MAP have helped to address some gaps and failures in capital markets for start-up companies and SMEs. In general, MAP financial instruments reached the objective of improving the financial environment for European business, especially for SMEs. They were implemented in an appropriate and effective way, via the high leverage effect and they leveraged a significant amount of additional money.

COM(2008) 708

Industry and services

Primary industries

1.13.3. Communication from the Commission to the European Parliament and the Council on the raw materials initiative — meeting our critical needs for growth and jobs in Europe.

References:

Commission communication — ‘Thematic strategy on the sustainable use of natural resources’: OJ C 49, 28.2.2006; COM(2005) 670; Bull. 12-2005, point 1.4.49

Commission communication — ‘Implementing the partnership for growth and jobs: making Europe a pole of excellence on corporate social responsibility’: OJ C 151, 29.6.2006; COM (2006) 136; Bull. 3-2006, point 1.12.7

Commission communication — ‘Governance in the European consensus on development — Towards a harmonised approach within the European Union’: COM(2006) 421; Bull. 7/8-2006, point 1.29.3

Council conclusions on the industrial policy: Bull. 5-2007, point 1.12.2

Adopted by the Commission on 4 November. This communication assesses the risks related to security of supply of non-energy raw materials to EU industries and proposes an integrated strategy in order to proactively address the complex challenges. The three pillars of the proposed strategy aim to ensure a level playing field in access to resources in third countries, better framework conditions for extracting raw materials within the EU and a reduced consumption of primary raw materials by increasing resource efficiency and promoting recycling. The communication proposes 10 main actions for securing a sustainable supply of raw materials. Furthermore, the Commission recommends that an integrated European strategy should define critical raw materials for the EU, as a priority action.

COM(2008) 699

Capital goods industry

Aerospace

1.13.4. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘Global monitoring for environment and security (GMES): we care for a safer planet’.

References:

Council resolution on European space policy: OJ C 136, 20.6.2007; Bull. 5-2007, point 1.13.2

Council resolution on European space policy: Bull. 9-2008, point 1.14.6

Adopted by the Commission on 12 November. The objective of GMES is to provide services allowing access to accurate environmental and security data and information, tailored to the needs of a wide range of users such as European and national policymakers, scientists, companies, environmental agencies, NGOs and citizens. The objective of this communication, which replies to a Council request, is to address the issues of governance and funding that need to be clarified in order to ensure the operational implementation of GMES within a reasonable time frame.

COM(2008) 748

Consumer goods industry

Motor vehicles

1.13.5. Proposal for a directive of the European Parliament and of the Council on certain components and characteristics of wheeled agricultural or forestry tractors (codified version).

Directive to be codified: Council Directive 89/173/EEC on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors: OJ L 67, 10.3.1989

Adopted by the Commission on 17 November. The purpose of this proposal is to undertake a codification of Council Directive 89/173/EEC on the approximation of the laws of Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors. The future directive will supersede the various acts incorporated in it; their content is fully preserved, and they are brought together with only such formal amendments as are required by the codification exercise itself.

COM(2008) 690

1.13.6. Proposal for a directive of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the driver’s seat on wheeled agricultural or forestry tractors (codified version).

Directive to be codified: Council Directive 78/764/EEC: OJ L 255, 18.9.1978

Commission proposal: COM(2008) 351; Bull. 6-2008, point 1.13.8

European Economic and Social Committee opinion: Bull. 9-2008, point 1.13.7

Endorsed by the European Parliament (first reading) on 18 November.

1.13.7. Proposal for a directive of the European Parliament and of the Council on statutory markings for two- or three-wheel motor vehicles (codified version).

Directive to be codified: Council Directive 93/34/EEC: OJ L 188, 29.7.1993

Commission proposal: COM(2008) 318; Bull. 5-2008, point 1.13.9

European Economic and Social Committee opinion: Bull. 9-2008, point 1.13.8

Endorsed by the European Parliament (first reading) on 18 November.

Dangerous substances

1.13.8. Proposal for a decision of the European Parliament and of the Council amending Council Directive 76/769/EEC as regards restrictions on the marketing and use of certain dangerous substances and preparations 2-(2-methoxyethoxy)ethanol, 2-(2-butoxyethoxy)ethanol, methylenediphenyl diisocyanate, cyclohexane and ammonium nitrate.

Directive to be amended: Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations: OJ L 262, 27.9.1976, as amended by Directive 2005/84/EC of the European Parliament and of the Council: OJ L 344, 27.12.2005; Bull. 12-2005, point 1.4.88

References:

Council Directive 98/24/EC on the protection of the health and safety of workers from the risks related to chemical agents at work: OJ L 131, 5.5.1998; Bull. 4-1998, point 1.2.14

Council declaration on solidarity against terrorism: Bull. 3-2004, points I.28 to I.49

Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC: OJ L 396, 30.12.2006; Bull. 12-2006, point 1.12.17

Commission proposal: OJ C 4, 9.1.2008; COM (2007) 559; Bull. 10-2007, point 1.12.18

European Economic and Social Committee opinion: OJ C 204, 9.8.2008; Bull. 3-2008, point 1.13.7

Parliament opinion (first reading): Bull.7/8-2008, point 1.13.20

Approved by the Council on 18 November. Now approved by both institutions, the proposed decision aims to restrict the marketing of five chemicals that are potentially harmful to health. It will impose restrictions on the conditions for use and sale to the public in specific applications for: 2-(2-methoxyethoxy)ethanol, also known as 'DEGME'; 2-(2-butoxyethoxy)ethanol, also known as 'DEGBE'; methylenediphenyl diisocyanate, also known as 'MDI'; cyclohexane and ammonium nitrate.

Chemicals

1.13.9. Proposal for a regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006.

Directive to be amended: Council Directive 67/548/EEC on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances: OJ L 196, 16.8.1967

Regulation to be amended: Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the registration, evaluation, authorisation and restriction of chemicals (REACH), establishing a European Chemicals Agency: OJ L 396, 30.12.2006; Bull. 12-2006, point 1.12.17

Commission proposal: OJ C 191, 17.8.2007; COM(2007) 355; Bull. 6-2007, point 1.12.9

European Economic and Social Committee opinion: OJ C 204, 9.8.2008; Bull. 3-2008, point 1.13.8

Parliament opinion (first reading): Bull. 9-2008, point 1.13.11

Approved by the Council on 28 November. Now approved by both institutions, this regulation aims to ensure a high level of human health and environment protection, along with freedom of movement of the substances and of mixtures falling within the scope of the regulation. It ensures the harmonisation of classification and labelling of hazardous substances and mixtures within the Community.

1.13.10. Proposal for a decision of the European Parliament and of the Council amending Council Directives 76/768/EEC, 88/378/EEC and 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC in order to adapt them to the regulation on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006.

Directives to be amended:

Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products: OJ L 262, 27.9.1976, as amended by Directive 2003/15/EC of the European Parliament and of the Council: OJ L 66, 11.3.2003; Bull. 1/2-2003, point 1.3.122

Council Directive 88/378/EEC on the approximation of the laws of the Member States concerning the safety of toys: OJ L 187, 16.7.1988; Bull. 5-1988, point 2.1.115, as amended by Council Directive 93/68/EEC: OJ L 220, 30.8.1993

Council Directive 1999/13/EC on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations: OJ L 85, 29.3.1999; Bull. 3-1999, point 1.3.117, as amended by Directive 2004/42/EC of the European Parliament and of the Council: OJ L 143, 30.4.2004; Bull. 4-2004, point 1.4.75

Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles: OJ L 269, 21.10.2000; Bull. 9-2000, point 1.4.31, as amended by Council Decision 2005/673/EC: OJ L 254, 30.9.2005; Bull. 9-2005, point 1.4.21

Directive 2002/96/EC of the European Parliament and of the Council on waste electrical and electronic equipment: OJ L 37, 13.2.2003; Bull. 1/2-2003, point 1.4.43, as amended by Council Decision 2004/486/EC granting Cyprus, Malta and Poland certain temporary derogations: OJ L 162, 30.4.2004; Bull. 4-2004, point 1.4.63

References:

Commission proposal for a regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006: point 1.13.9 of this Bulletin

Commission proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 in order to adapt it to regulation on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006: point 1.13.9 of this Bulletin

Commission proposal: OJ C 4, 9.1.2008; COM (2007) 611; Bull. 10-2007, point 1.12.19

European Economic and Social Committee opinion: OJ C 120, 16.5.2008; Bull. 12-2007, point 1.12.19

Parliament opinion (first reading): Bull. 9-2008, point 1.13.12

Approved by the Council on 28 November. Now approved by both institutions, this decision makes changes to six existing directives in order to adapt them to the classification and labelling criteria as defined in the new regulation on classification, labelling and packaging of substances and mixtures.

1.13.11. Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 in order to adapt it to regulation on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006.

Regulation to be amended: Regulation (EC) No 648/2004 of the European Parliament and of the Council on detergents: OJ L 104, 8.4.2004; Bull. 3-2004, point 1.3.92

References:

Commission proposal for a regulation of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006: point 1.13.9 of this Bulletin

Commission proposal for a decision of the European Parliament and of the Council amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2000/53/EC, 2002/96/EC and 2004/42/EC in order to adapt them to Regulation (EC) No... on classification, labelling and packaging of substances and mixtures, and amending Directive 67/548/EEC and Regulation (EC) No 1907/2006: point 1.13.10 of this Bulletin

Commission proposal: OJ C 4, 9.1.2008; COM (2007) 613, Bull. 10-2007, point 1.12.20

European Economic and Social Committee opinion: OJ C 120, 16.5.2008; Bull. 12-2007, point 1.12.20

Parliament opinion (first reading): Bull. 9-2008, point 1.13.13

Approved by the Council on 28 November. Now approved by both institutions, this regulation amends Regulation (EC) No 648/2004 by aligning itself with the provisions of the new regulation on classification, labelling and packaging of substances and mixtures.

14. Research and technology

International cooperation

1.14.1. Draft agreement aimed at renewing the agreement on cooperation in science and technology between the European Community and the Government of the Russian Federation.

Agreement to be modified: OJ L 299, 28.11.2000; Bull. 11-2000, point 1.3.79

References:

Council Decision 2003/798/EC concerning the conclusion of an agreement aimed at renewing the agreement on cooperation in science and technology between the European Community and the Government of the Russian Federation: OJ L 299, 18.11.2003; Bull. 6-2003, point 1.3.74

EU–Russia summit: Bull. 6-2008, point 1.35.24

Proposal for a decision on the conclusion adopted by the Commission on 11 November. According to the Commission it is in the interest of the Community to renew this agreement in order to continue to facilitate cooperation with Russia in common scientific and technical cooperation (S & T) priority areas leading to socioeconomic benefits for both parties. The content of the renewed agreement will be identical to the content of the agreement which expires on 20 February 2009.

The draft agreement is based on the principles laid down in its predecessor, particularly with regard to mutual benefit, reciprocity, exchange of information and protection of intellectual property rights.

COM(2008) 728

European research area

1.14.2. Draft agreement between Euratom and the Department of Energy of the United States of America (USDOE) in the field of nuclear security research and development.

Commission recommendation and proposal: COM(2008) 507; Bull. 7/8-2008, point 1.14.4

Negotiating directives adopted by the Council on 4 November.

1.14.3. European Parliament resolution on European space policy: how to bring space down to earth.

References:

Council resolution on European space policy: OJ C 136, 20.6.2007; Bull. 5-2007, point 1.13.2

Commission communication — ‘European space policy’: OJ C 181, 3.8.2007, COM(2007) 212; Bull. 4-2007, point 1.13.3

Adopted by the European Parliament on 20 November. This Parliament resolution stated that a strong European space policy will contribute to the EU’s societal, cultural, economic and scientific influence and help develop its industrial and scientific base. It will contribute to its growth and employment and will ensure its political and technological autonomy in a coherent and realistic manner. Parliament insisted on the decisive role of the GMES/Copernicus programme as a user-driven initiative. It requested an action plan covering the following aspects:

- GMES/Copernicus governance, including the role of EU and non-EU bodies;
- funding of the GMES/Copernicus programme;
- an implementation plan;
- the role of similar but complementary initiatives, both intergovernmental and multi-lateral;
- the international aspects of the GMES/Copernicus programme, and hence the necessary cooperation.

1.14.4. Proposal for a Council regulation on the Community legal framework for a European research infrastructure (ERI); Commission communication — ‘Towards joint programming research: working together to tackle common challenges more effectively’.

References:

Proposal for a regulation: COM(2008) 467; Bull. 7/8-2008, point 1.14.3

Commission communication: COM(2008) 468; Bull. 7/8-2008 point 1.14.1

Committee of the Regions opinion on 27 November. The Committee highlighted the importance of the regional and local authorities

in promoting joint research programmes as they are more in touch with the specific local situation in terms of science, technology and the economy, and therefore know when cooperation on areas of strategic importance is required. In fact some regions in Europe are already successfully leading or are involved in coordination and collaboration instruments for research programmes, as in the case of the ERA-NET projects. The Committee stressed that regional authorities as well as Member States should be involved in promoting cooperation agreements in the framework of joint programming. It stated, however, that implementing this programme ought not to impose any additional burden on Member States and the regions and therefore suggested that it be supported by the Commission, both in terms of facilitating agreements and through the commitment of financial resources. The Committee suggested that the Commission set

up a separate fund to support this initiative. It suggested that, before launching new programmes, both the EU and Member States should try all possible ways of achieving synergies between existing transnational policies and cooperation instruments and establishing the mechanisms which will ensure that existing coordination programmes are used to the full. It recognised the importance of setting up initiatives focused on achieving coordination and cooperation between the stakeholders involved in European research, development and innovation, in order to achieve the objective set out in the Lisbon strategy of turning Europe into the most competitive and dynamic economy in the world. The Committee suggested, however, that the process of coordination should be organised from the bottom up, taking into account the principles of variable geometry and subsidiarity.

15. Information society and the media

Electronic communications policy and network security

Regulatory framework

1.15.1. Proposal for a directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and services, and 2002/20/EC on the authorisation of electronic communications networks and services.

Directives to be amended:

Directive 2002/19/EC of the European Parliament and of the Council (access directive): OJ L 108, 24.4.2002; Bull. 1/2-2002, point 1.3.140

Directive 2002/20/EC of the European Parliament and of the Council (authorisation directive): OJ L 108, 24.4.2002; Bull. 1/2-2002, point 1.3.141

Council Directive 2002/21/EC (framework directive): OJ L 108, 24.4.2002; Bull. 1/2-2002, point 1.3.139

References:

Proposal for a directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on consumer protection cooperation: point 1.15.2 of this Bulletin

Proposal for a regulation of the European Parliament and of the Council establishing the European Electronic Communications Market Authority: point 1.15.3 of this Bulletin

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 697; Bull. 11-2007, point 1.14.2

European Economic and Social Committee opinion: OJ C 224, 30.8.2008; Bull. 5-2008, point 1.15.3

Committee of the Regions opinion: OJ C 257, 9.10.2008; Bull. 6-2008, point 1.15.3

Parliament opinion (first reading): Bull. 9-2008, point 1.15.4

Amended proposal adopted by the Commission on 6 November. This amended proposal adapts the original proposal on a number of points as suggested by the Parliament. The main modifications concern:

- the application of more consistent solutions in the EU telecommunications market;
- the coordination of the radio spectrum policy.

COM(2008) 724

Agreed by the Council on 27 November. The detailed discussions focused in particular on the provisions on national regulatory authorities, consolidating the internal market for electronic communications (Article 7 procedure), strategic planning, coordination of radio spectrum policy and the management of radio frequencies.

1.15.2. Proposal for a directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on consumer protection cooperation.

Directives to be amended:

Directive 2002/22/EC of the European Parliament and of the Council (universal service directive): OJ L 108, 24.4.2002; Bull. 1/2-2002, point 1.3.142

Directive 2002/58/EC of the European Parliament and of the Council (directive on privacy and electronic communications): OJ L 201, 31.7.2002; Bull. 7/8-2002, point 1.3.90

Regulation to be amended: Regulation (EC) No 2006/2004 of the European Parliament and of the Council on cooperation between national authorities responsible for the enforcement of consumer protection laws (the regulation on consumer protection cooperation): OJ L 364, 9.12.2004; Bull. 10-2004, point 1.4.62

References:

Proposal for a directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory

framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and services, and 2002/20/EC on the authorisation of electronic communications networks and services: point 1.15.1 of this Bulletin

Proposal for a regulation of the European Parliament and of the Council establishing the European Electronic Communications Market Authority: point 1.15.3 of this Bulletin

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 698; Bull. 11-2007, point 1.14.3

European Economic and Social Committee opinion: Bull. 5-2008, point 1.15.4; OJ C 222, 30.8.2008

Committee of the Regions opinion: Bull. 6-2008, point 1.15.4; OJ C 257, 9.10.2008

Parliament opinion (first reading): Bull. 9-2008, point 1.15.5

Amended proposal adopted by the Commission on 6 November. This amended proposal adapts the original proposal on a number of points as suggested by the European Parliament. The main modifications concern:

- the right of consumers;
- data security.

COM(2008) 723

Agreed by the Council on 27 November. Members States focused in particular on the provisions concerning the definition of publicly available telephone service and the information contained in consumer contracts.

1.15.3. Proposal for a regulation of the European Parliament and of the Council establishing the European Electronic Communications Market Authority.

References:

Proposal for a directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and services, and 2002/20/EC on the authorisation of electronic communications networks and services: point 1.15.1 of this Bulletin

Proposal for a directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on consumer

protection cooperation: point 1.15.2 of this Bulletin

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 699; Bull. 11-2007, point 1.14.4

European Economic and Social Committee opinion: OJ C 224, 30.8.2008; Bull. 5-2008, point 1.15.5

Committee of the Regions opinion: OJ C 257, 9.10.2008; Bull. 6-2008, point 1.15.5

Parliament opinion (first reading): Bull. 9-2008, point 1.15.6

Amended proposal adopted by the Commission on 6 November. This amended proposal adapts the original proposal on a number of points as suggested by the European Parliament. The main modifications concern the competences and the statute of the authority.

COM(2008) 720

Agreed by the Council on 27 November. Ministers approved a compromise proposal which gives formal status to the European regulators group in the Community regulation. The principal aim of the group will be to contribute to ensuring consistent application of the regulatory framework in the internal market in electronic communications networks and services by improving its functioning in this way. In addition, it will encourage cooperation between national regulatory authorities and between them and the Commission, and will advise the Parliament, the Council and the Commission. The group will be composed of heads or senior representatives of the national regulatory authorities set up in each Member State and comprise one member per Member State.

Radio spectrum policy

1.15.4. Proposal for a directive of the European Parliament and of the Council amending Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community.

Directive to be amended: Directive 87/372/EEC: OJ L 196, 17.7.1987; Bull. 6-1987, point 2.1.53

References:

Decision No 676/2002/EC of the European Parliament and of the Council on a regulatory framework for radio spectrum policy in the European Community (radio spectrum decision): OJ L 108, 24.4.2002; Bull. 1/2-2002, point 1.3.143

Commission communication — ‘i2010 — A European information society for growth and employment’: OJ C 236, 24.9.2005; COM(2005) 229; Bull. 6-2005, point 1.3.74

Commission communication — ‘Rapid access to spectrum for wireless electronic communications services through more flexibility’: OJ C 138, 22.6.2007; COM(2007) 50; Bull. 1/2-2007, point 1.14.3

Proposal for a directive of the European Parliament and of the Council repealing Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community: OJ C 191, 17.8.2007; COM(2007) 367

Adopted by the Commission on 19 November. This draft proposal will allow for the adoption of a more flexible regulatory approach to the use of the 900 MHz band (890-915 and 935-960 MHz), currently limited to GSM, to meet current needs of the Community internal market and to contribute to the objectives of the i2010 initiative. In view of technological developments since the adoption of the GSM directive 20 years ago, the aim of this proposal is to allow a wider choice from among the services and technologies that have now become available, and thereby maximise competition in the use of the bands so far covered by the directive, while ensuring that services remain coordinated and safeguarding the continued operation of GSM. To this end, the Commission considers that the use of this spectrum should also be allowed for pan-European electronic communication services other than GSM. As a first step, this would include the universal mobile telecommunications system (UMTS). The amendment of the GSM directive offers important opportunities for the entire wireless communications industry, which together with national regulatory authorities is pushing for the opening of the 900 MHz bands. Furthermore, the draft proposal responds to the concerns raised by Parliament, which is against the repeal of the GSM directive, as initially proposed by the Commission in July 2007. Consequently an amending directive is now proposed by the Commission, while the previous one is withdrawn.

COM(2008) 762

Development and stability of the Internet

1.15.5. Council conclusions on the development of legal offers online of cultural and creative content and the prevention and combating of piracy in the digital environment.

References:

Directive 2000/31/EC of the European Parliament and of the Council on certain legal aspects of information society services, in particular electronic commerce, in the internal market (electronic commerce directive): OJ L 178, 17.7.2000; Bull. 6-2000, point 1.3.37

Charter of Fundamental Rights for citizens of the European Union: OJ C 364, 18.12.2000; Bull. 12-2000, point 1.2.2

Directive 2001/29/EC of the European Parliament and of the Council on the harmonisation of certain aspects of copyright and related rights in the information society: OJ L 167, 22.6.2001; Bull. 4-2001, point 1.3.34

Council Decision 2006/515/EC on the conclusion of the Convention on the protection and promotion of the diversity of cultural expressions: OJ L 201, 25.7.2006; Bull. 5-2006, point 1.20.8

Directive 2007/65/EC of the European Parliament and of the Council on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities: OJ L 332, 18.12.2007; Bull. 12-2007, point 1.14.2

Adopted by the Council during its session of 20 and 21 November. The Council believes the development of a legal offer online which is diverse, of high quality, accessible, easy to use and consumer friendly, on the one hand, and preventing and combating piracy, on the other, are necessary for the development of the information and communication society and the promotion of cultural diversity in the digital world. It considers that in pursuing these objectives account should be taken of:

- the need to ensure a fair balance between the various fundamental rights, particularly the right to personal data protection, freedom of expression and information and the protection of intellectual property;
- consumers’ expectations in terms of access and the ease of use of services;
- the diversity and transformation of the business models of enterprises in this sector, particularly SMEs, and the constant rapid evolution of technologies;
- the variety of developments in digital economies, the situation of legal offers online

and the extent of the problem of piracy in the Member States, as well as the legal traditions of each of them;

□ the need to promote cultural diversity in Europe, in particular by encouraging online services to help develop European cultural and creative content.

The Council also invited the parties concerned to launch consultations or to join them, in a constructive spirit, with a view to:

□ finding concrete, effective and fair solutions promoting the development of legal offers online and the prevention and combating of piracy;

□ promoting interoperability and ensuring the transparency of technical measures to manage and protect rights.

1.15.6. Council conclusions on networks of the future and the Internet.

References:

Commission communication — ‘Advancing the Internet: action plan for the deployment of Internet protocol version 6 (IPv6) in Europe’: COM(2008) 313; Bull. 5-2008, point 1.15.6

Council conclusions on i2010 mid-term review: Bull. 6-2008, point 1.15.10

Commission communication on the second periodic review of the scope of universal service in electronic communications networks and services in accordance with Article 15 of Directive 2002/22/EC: COM(2008) 572; Bull. 9-2008, point 1.15.8

Commission communication on networks of the future and the Internet: COM(2008) 594; Bull. 9-2008, point 1.15.12

Adopted by the Council on 27 November. The Council underlined that the deployment of high-speed fixed and mobile networks has a strategic importance; European competitiveness, a strong innovation capacity and the development of next generation services depend on it. It added that a proper balance between stimulation of competition and innovation and encouragement of private investment, taking into account the costs of civil engineering works, will also contribute to this goal. The Council recalled that, when it comes to mobile very high-speed networks, Europe’s position is currently strong with respect to equipment and terminal manufacturers and first-tier operators, and that in such a context, the development of mobile very high-speed broadband is a European growth vector. With respect to the Internet of the future, it invited Member States and the Commission to initiate ambitious research programmes that will allow Europe to take an

active part in the Internet’s transformation and breakthrough changes. The Council also invited Member States to increase their cooperation, within the high-level group devoted to Internet governance, in order to improve their mutual understanding of issues of safety, privacy, resilience and governance. Furthermore, it encouraged all stakeholders to participate in coordination efforts by public and private sector stakeholders in order to achieve the level of security and trust in the Internet that is indispensable to its development and to enhancing measures to limit the risks linked to critical infrastructures.

Information and communication technologies (ICT) use

General

1.15.7. Committee of the Regions opinion on ‘Addressing the challenge of energy efficiency through information and communication technologies’.

Commission proposal: COM(2008) 241; Bull. 5-2008, point 1.15.9

References:

Committee of the Regions opinion on Commission communication ‘i2010 — A European information society for growth and employment’: OJ C 192, 16.8.2006; Bull. 1/2-2006, point 1.13.5

Committee of the Regions opinion on the Green Paper ‘On energy efficiency or doing more with less’: OJ C 192, 16.8.2006; Bull. 1/2-2006, point 1.22.3

Committee of the Regions opinion on the ‘energy package’: OJ C 305, 15.12.2007; Bull. 10-2007, point 1.24.1

Committee of the Regions opinion on pre-commercial procurement: driving innovation to ensure sustainable high-quality public services in Europe: Bull. 10-2008, point 1.13.3

Committee of the Regions opinion on the proposal for a directive of the European Parliament and of the Council amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading system of the Community: Bull. 10-2008, point 1.23.2

Adopted by the Committee of the Regions on 27 November. The Committee believes that energy efficiency and increased use of renewable energy must be a key element of European energy policy. According to it, stepping up investment in information and communication

technologies (ICT) that boost energy efficiency enables local and regional authorities to manage climate change, to increase distributed energy generation and to reduce energy consumption and offers new business opportunities for local companies. The Committee added that as part of their joint responsibility for the environment, local and regional authorities could, with the support of the EU and Member States, act as a pioneer and set examples for others by using ICTs to improve energy efficiency. It considers that this pioneering role would include establishing a new partnership with ICT companies and energy producers, making public buildings energy-smart, introducing smart lighting in public places and increasing energy efficiency in administration and service provision. Furthermore, the Committee attached great importance to the Commission's plans to draw on the experience of urban communities in validating and testing ideas and to work together with them and existing networks of local and regional authorities. According to it, because of their many roles (such as regulator, consumer, service provider, energy user and supplier, initiator, expert and provider of guidelines), local and regional authorities have many reasons to wholeheartedly support the full exploitation of ICT in efforts to increase energy efficiency. The Committee will endeavour to use all the means at its disposal to raise awareness of these opportunities among urban communities and networks of local and regional authorities and will encourage them to take part in the partnership process.

Coordination of the i2010 strategic initiative

1.15.8. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on telemedicine for the benefit of patients, healthcare systems and society.

References:

Commission communication entitled 'E-health — making healthcare better for European citizens — An action plan for a European e-health area': COM(2004) 356; Bull. 4-2004, point 1.3.86

Commission communication — 'i2010 — A European information society for growth and employment': OJ C 236, 24.9.2005; COM(2005) 229; Bull. 6-2005, point 1.3.74

White Paper 'Together for health: a strategic approach for the EU 2008–13': OJ C 55,

28.2.2008; COM(2007) 630; Bull. 10-2007, point 1.25.14

Commission communication — 'A lead market initiative for Europe': OJ C 194, 31.7.2008; COM (2007) 860; Bull. 12-2007, point 1.12.2

Commission communication — 'Renewed social agenda: opportunities, access and solidarity in 21st century Europe': COM(2008) 412; Bull. 7/8-2008, point 1.9.1

Adopted by the Commission on 4 November.

The purpose of this communication is to enable the wider deployment of telemedicine. It identifies the main barriers hindering the wider use of telemedicine and defines a set of actions to be taken by Member States, the Commission and the broader stakeholders' community to achieve the desired objective. To support Member States in this challenging endeavour and to enhance the deployment of these types of services, this communication also sets out actions to address the main barriers to deployment, with a focus on:

- building confidence and acceptance of telemedicine services by encouraging provision and dissemination of scientific evidence on the effectiveness and cost efficiency of telemedicine services;

- bringing legal clarity by citing the most relevant EU legislation applicable to telemedicine services and encouraging Member States to assess their legal framework so as to enable provision of telemedicine services;

- facilitating market development by encouraging industry and relevant stakeholders to contribute to the development of standards and suitable conditions for telemedicine to achieve its potential.

COM(2008) 689

1.15.9. Council conclusions on the European digital library Europeana.

References:

European Parliament resolution on 'i2010: towards a European digital library': Bull. 9-2007, point 1.14.4

Commission communication on creative content online in the single market: OJ C 106, 26.4.2008; COM(2007) 836; Bull. 1/2-2008, point 1.15.4

Commission communication — 'Europe's cultural heritage at the click of a mouse: progress on the digitisation and online accessibility of cultural material and digital preservation across the EU': COM(2008) 513; Bull. 7/8-2008, point 1.15.3

Adopted by the Council on 20 November. The Council noted with satisfaction the progressive establishment of the Europeana European digital library, reflected in the creation of the Dutch

law foundation entitled ‘European digital library’ on 8 November 2007, and the launch of the prototype on 20 November 2008. It believes that the success and sustainability of Europeana and, more generally, the digitisation and online accessibility of cultural material, and digital preservation processes under way in the Member States will require:

□ active sustained support for digitisation and the online accessibility of cultural material and digital preservation, so as to ensure that a diverse and high-quality range of material is available which represents the cultural and linguistic diversity and the richness of intellectual heritage of the Union;

□ pursuing the elaboration of concerted practical solutions respecting copyright and related rights, with a view to contributing to the online accessibility of the widest range of cultural material;

□ the development of technologies to ensure long-term digital preservation, interoperability of the access systems to content, multilingual navigation and availability of content, and diverse and high-quality services to the public;

□ the definition of a sustainable economic model for Europeana, and sustained support by all the parties involved — cultural institutions, professionals, Member States and the Commission.

The Council also invited the European Digital Library Foundation to work closely with Member States, the Commission and the cultural institutions, while respecting their various responsibilities, with a view to defining an economic and governance model ensuring the success and sustainability of Europeana.

16. Economic and social cohesion

Cohesion policy

Convergence (ERDF, ESF, Cohesion Fund)

1.16.1. Annual report from the Commission on the Cohesion Fund (2007).

Previous report: OJ C 9, 15.1.2008; COM(2007) 678; Bull. 11-2007, point 1.15.3

References:

Council Regulation (EC) No 1164/1994: OJ L 130, 25.5.1994; Bull. 5-1994, point 1.2.89

Council Regulation (EC) No 1264/1999: OJ L 161, 26.6.1999;

Commission Regulation (EC) No 2168/2005: OJ L 345, 28.12.2005; Bull. 12-2005

Adopted by the Commission on 14 November. This report describes the implementation in 2007 of projects cofinanced by the Cohesion Fund for 2000–06, in particular:

- the level of the execution of Cohesion Fund resources;
- the closure of projects;
- compliance with the conditionality principle;
- the number and focus of inspections carried out;
- the number of irregularities;
- evaluation and publicity activities relating to the Cohesion Fund.

COM(2008) 752

1.16.2. Annual report from the Commission on the European Union Solidarity Fund (2007).

Previous report: OJ C 9, 15.1.2008; COM(2007) 632; Bull. 10-2007, point 1.15.5

References:

Council Regulation (EC) No 2012/2002 establishing the European Union Solidarity Fund: OJ L 311, 14.11.2002; Bull. 11-2002, point 1.4.44

Preliminary draft amending budget No 6 to the budget for 2007 — Statement of expenditure by section: Section III — Commission: OJ C 4, 9.1.2008; COM(2007) 527; Bull. 9-2007, point 1.35.4

Preliminary draft amending budget No 1 to the budget for 2008 — Statement of expenditure by section: Section III — Commission: OJ C 18,

15.5.2008; COM(2008) 15; Bull. 1/2-2008, point 1.36.1

Preliminary draft amending budget No 3 to the general budget 2008 — Statement of expenditure: Section III Commission; Section VI — Economic and Social Committee: OJ C 202, 8.8.2008; COM (2008)201; Bull. 4-2008 point 1.36.4

Preliminary draft amending budget No 7 to the general budget 2008 — Statement of expenditure: Section III — Commission: COM(2008)556; Bull. 9-2008 point 1.36.3

Adopted by the Commission on 12 November. Article 12 of Council Regulation (EC) No 2012/2002 provides that the Commission presents a report on the activity of the Fund in the previous year to the Parliament and to the Council. This report presented the activities of the Fund in 2007 covering the treatment of new applications, the monitoring of the ongoing implementation of grants, and the assessment of the implementation reports with a view to preparing these for closure. In 2007 the Commission finalised the assessment of the three applications received during the preceding year and received a total of 19 new applications, the highest number of applications in one year since the Fund was set up. Nine of these applications (relating to forest fires in different Italian regions) had to be declared inadmissible as they were presented outside the 10-week application period laid down in the regulation. Four ‘regional disaster’ applications for forest fires and flooding in Spain and Cyprus were rejected as they were found not to meet the criteria. Four other applications from Greece, France, Slovenia and the UK were pending at the end of 2007. The final reports received tended to confirm the significant impact and added value that the assistance from the Fund has had in the countries concerned. This relates both to the physical operations carried out on the ground and to the political benefits of solidarity among Member States in cases of real need.

COM(2008) 722

1.16.3. Proposal for a Council regulation amending Regulation (EC) No 1083/2006 on the European Regional Development Fund, the

European Social Fund and the Cohesion Fund concerning certain provisions relating to financial management.

Regulation to be amended: Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund: OJ L 210, 31.7.2006; Bull. 7/8-2006, point 1.15.6, as amended by Council Regulation (EC) No 1989/2006: OJ L 411, 30.12.2006; Bull 12-2006, point 1.15.2

Adopted by the Commission on 26 November: In light of the current financial crisis the Commission has examined together with Member States, the possibility of accelerating investment projects and payments to Member States. An accelerated implementation of programmes would represent an effective contribution towards a quicker return to normal economic conditions as and when the crisis begins to recede. The proposed amendments are concentrated on four principal areas:

□ a clarification of Article 44 relating to financial engineering instruments concerning the intervention of the EIB and EIF in support of Member States for the preparation and implementation of operational programmes;

□ an amendment to Article 56 relating to the eligibility of expenditure by extending the possibility of payment of general expenses on the basis of lump-sum rates to Structural Funds and to introduce the possibility of benefits-in-kind being considered as eligible expenditure at the time of establishing — or contributing to — funds;

□ a modification of the dispositions relating to expenditure declarations: for major projects on the removal of the prohibition against including incurred expenditures for such projects on interim payment requests before approval by the Commission; for State aid within the meaning of Article 87 of the Treaty through the removal of the 35 % limit hitherto attached to advances paid to beneficiaries by the body granting the aid, thus permitting advance payments of up to 100 %, other conditions remaining unchanged;

□ an increase in the third pre-financing instalment (2009) of 2 % for the Structural Funds for those Member States that acceded to the EU on or after 1 May 2004; the creation of a third instalment (2009) of 2.5 % for all Funds for all those Member States which had acceded to the EU as constituted before 1 May 2004.

COM(2008) 803

Other regional operations

1.16.4. Committee of the Regions opinion on the fifth progress report on economic and social cohesion, growing regions, growing Europe.

Report: COM(2008) 371, Bull. 6-2008, point 1.16.2

Adopted by the Committee of the Regions on 27 November: The Committee maintained that the EU must acknowledge and boost the territorial dimension of cohesion policy in order to make possible economic and social development that is not only balanced and sustainable between the various regions, but also polycentric and harmonious in the regions themselves. It stressed that cohesion remains an important challenge, since the large discrepancies in economic and social development between the various regions and within them remain and, indeed, have been exacerbated by the EU's latest enlargement.

The Committee also highlighted the fact that if the desire is for cohesion policy to play an important role in buttressing a new economic and social balance, it must have the appropriate resources and means, whereas the current level of funding is no more than the minimum needed to carry out this function. It noted that cohesion must maintain a European dimension and rebuff any attempt to renationalise the Community effort, whose added value lies not least in being a wide-ranging common policy with clear strategic objectives that can respond to the continental and global challenges and adapt itself to regional and local needs. The Committee called for new financial instruments to be applied which could contribute in a more simple and effective way to investment, especially in regions which need restructuring and innovation and particularly to sustain the role and development of SMEs. Finally the Committee noted that, in keeping with the subsidiarity principle, local and regional authorities need to be involved at all stages, from planning to evaluation, because they are the tier of government nearest to the end recipients as well as those primarily responsible for implementation of cohesion policy.

1.16.5. Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1081/2006 on the European Social Fund (ESF) to extend the types of costs eligible for a contribution from the ESF.

Regulation to be amended: Regulation (EC) No 1081/2006 of the European Parliament and of the Council: OJ L 210, 31.7.2006; Bull. 7/8-2006, point 1.15.8

References:

Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund: OJ L 210, 31.7.2006; Bull. 7/8-2006, 1.15.5

Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund: OJ L 210, 31.7.2006; Bull. 7/8-2006, 1.15.6

Adopted by the Commission on 26 November. This proposal aims to add a further, simpler method of spending the EFS, so that its contribution to addressing the economic and social challenges facing Europe can be faster and more effective. The simplification would be achieved by amending Regulation (EC) No 1081/2006. In parallel to this proposal, the Commission is proposing amendments to the global rules governing cohesion policy. Changes in Council Regulation (EC) No 1083/2006 would further strengthen the contribution cohesion policy can bring to the real economy.

COM(2008) 813

Convergence (ERDF, ESF, Cohesion Fund)

1.16.6. Proposal for a decision of the European Parliament and of the Council on the mobilisation of the European Union Solidarity Fund.

Reference: Council Regulation (EC) No 2012/2002 establishing the European Union Solidarity Fund: OJ L 311, 14.11.2002; Bull. 11-2002, points 1.4.44

Adopted by the Commission on 7 November. Following the drought in Cyprus in April 2008 the Commission proposed mobilising the ESF for a total amount of EUR 7 605 445, to be allocated under heading 3b of the financial framework. The Commission will present a preliminary draft amending budget (PDAB) in order to enter in the 2008 budget specific commitment and payment appropriations, broken down by beneficiary country, as requested in Point 26 of the interinstitutional agreement of 17 May 2006.

COM(2008) 732

1.16.7. Council conclusions on local authorities as actors for development (point 1.31.1).

17. Outermost regions

General

1.17.1. Regulation (EC) No 1207/2008 of the Council amending Council Regulation (EC) No 639/2004 on the management of fishing fleets registered in the Community outermost regions (point 1.20.8).

18. Trans-European networks

1.18.1. The point relevant to this heading is treated under the 'Energy' section (point 1.25.4).

19. Agriculture and rural development

General

1.19.1. Proposal for a Council regulation laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (codified version).

Regulation to be codified: Council Regulation (EC) No 3448/93: OJ L 318, 20.12.1993

References:

Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code: OJ L 253, 11.10.1993, as amended by Commission Regulation (EC) No 1335/2003: OJ L 187, 26.7.2003

Commission communication on codification of the *acquis communautaire*: COM(2001) 645; Bull. 11-2001, point 1.1.10

Council Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO regulation): OJ L 299, 16.11.2007; Bull. 10-2007, point 1.18.7, as amended by Regulation (EC) No 361/2008: OJ L 121, 7.5.2008; Bull. 4-2008, point 1.19.2

Adopted by the Commission on 27 November. The new regulation will supersede the various acts incorporated in it; their content is fully preserved, and they are brought together with only such formal amendments as are required by the codification exercise itself.

COM(2008) 796

1.19.2. Regulation (EC) No 1166/2008 of the European Parliament and of the Council on farm structure surveys and the survey on agricultural production methods and repealing Council Regulation (EEC) No 571/88 (point 1.8.6).

1.19.3. Regulation (EC) No 1165/2008 of the European Parliament and of the Council concerning meat and livestock statistics (point 1.8.5).

Content of the common agricultural policy (CAP)

1.19.4. Proposal for a Council regulation establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers; proposal for a Council regulation on modifications to the common agricultural policy by amending Regulations (EC) No 320/2006, (EC) No 1234/2007, (EC) No 3/2008 and (EC) No [...]2008; proposal for a Council regulation amending Regulation (EC) No 1698/2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD); proposal for a Council decision amending Decision 2006/144/EC on the Community strategic guidelines for rural development (programming period 2007–13).

Regulation to be amended:

Council Regulation (EC) No 1698/2005: OJ L 277, 21.10.2005; Bull. 9-2005, point 1.3.62

Council Regulation (EC) No 320/2006 establishing a temporary scheme for the restructuring of the sugar industry in the Community: OJ L 58, 28.2.2006; Bull. 1/2-2006, point 1.16.11

Council Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO regulation): OJ L 299, 16.11.2007; Bull. 10-2007, point 1.18.7, as amended by Regulation (EC) No 361/2008: OJ L 121, 7.5.2008; Bull. 4-2008, point 1.19.2

Council Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries: OJ L 3, 5.1.2008; Bull. 12-2007, point 1.18.4

Decision to be amended: Council Decision 2006/144/EC: OJ L 55, 25.2.2006; Bull. 1/2-2006, point 1.16.5

Commission proposal: COM(2008) 306; Bull. 5-2008, point 1.19.2

Committee of the Regions opinion: Bull. 10-2008, point 1.19.3

European Economic and Social Committee opinion: Bull. 10-2008, point 1.19.3

Agreed by the Council on 18 November. The Council reached political agreement on this dossier, which pursues three essential objectives: to improve the single payment scheme; to modernise agricultural market management tools; to respond to new challenges such as climate change, bioenergy production, water management and the preservation of biodiversity.

Endorsed by the European Parliament on 19 November. Subject to certain amendments concerning inter alia:

- the market organisations of milk, pig meat, flax and hemp;
- the management of the agricultural budget;
- the modalities of support for rural development by the EAFRD and the participation of the Structural Funds;
- biofuel processing;
- the definition of the beneficiaries and the modalities of the support schemes for farmers under the CAP.

Market organisations

General

1.19.5. Proposal for a Council regulation amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO regulation).

Regulation to be amended: Council Regulation (EC) No 1234/2007: OJ L 299, 16.11.2007; Bull. 10-2007, point 1.18.7, as amended by Regulation (EC) No 361/2008: OJ L 121, 7.5.2008; Bull. 4-2008, point 1.19.2

Commission proposal: COM(2008) 489; Bull. 7/8-2008, point 1.19.8

Endorsed by the European Parliament on 20 November.

Fruit and vegetables

1.19.6. Proposal for a Council regulation amending Regulations (EC) No 1290/2005 on the financing of the common agricultural policy and (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO regulation) in order to set up a school fruit scheme.

Regulations to be amended:

Council Regulation (EC) No 1290/2005: OJ L 209, 11.8.2005; Bull. 6-2005, point 1.3.82

Council Regulation (EC) No 1234/2007: OJ L 299, 16.11.2007; Bull. 10-2007, point 1.18.7, as amended by Regulation (EC) No 361/2008: OJ L 121, 7.5.2008; Bull. 4-2008, point 1.19.2

References:

Commission White Paper on a strategy for Europe on nutrition, overweight and obesity-related health issues: OJ C 191, 17.8.2007; COM (2007) 279; Bull. 5-2007, point 1.25.11

Council Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries: OJ L 3, 5.1.2008; Bull. 12-2007, point 1.18.4

Commission proposal: COM(2008) 442; Bull. 7/8-2008, point 1.19.6

Agreed by the Council on 18 November. The Council reached political agreement on a proposal to allow the co-financing of programmes to supply fruit and vegetables in schools. The programme is intended to encourage a lasting increase in the proportion of fruit and vegetables in children's diets, at the age when they are developing their eating habits, and thus to contribute to the fight against obesity.

Endorsed by the European Parliament on 18 November. Subject to certain amendments concerning inter alia:

- the definition, financing and implementation of the school fruit scheme;
- the launch of a multiannual EU-wide information and promotion campaign over several years to inform schools about the merits of organic farming and to increase consumer awareness and recognition of organic products, including recognition of the EU logo;
- the requirements of quality and sustainability of the products covered by the scheme: they should meet the highest standards and should, preferably, be seasonal and produced locally where possible, or within the EU.

Honey

1.19.7. European Parliament resolution on the situation in the beekeeping sector.

Adopted by the European Parliament on 20 November. Parliament considers that it is essential to respond without delay to the crisis in bee health in an appropriate manner and with effective tools. It called on the Council and the

Commission to introduce measures under the CAP health check encouraging the creation of ecological compensation areas (such as apicultural set-aside areas) especially in large areas of arable cultivation. Furthermore, Parliament called on the Commission to immediately step up further research into the decimating of the bee population by parasites and diseases and to make further budgetary resources available for research into potential causes such as erosion of genetic diversity and cultivation of genetically modified crops. It called on the Council and the Commission to give due consideration to the health of bees, the possibilities for marketing bee products and the economic impact on the beekeeping sector in all discussions and future legislative steps concerning the cultivation of genetically modified crops in the EU. Parliament also called on the Commission to undertake research into the link which exists between bee mortality and the use of pesticides such as thiamethoxam, imidacloprid, clothianidin and fipronil so that it can take appropriate measures as regards authorisation of such products.

External aspects

1.19.8. Draft agreements concerning the guaranteed prices applicable in the 2008/09 delivery period of cane sugar originating in the ACP countries and in India.

References:

Agreement between the European Economic Community and the Republic of India on cane sugar: OJ L 190, 23.7.1975

Partnership agreement between the African, Caribbean and Pacific States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as

amended by the agreement amending the partnership agreement: OJ L 209, 11.8.2005; Bull. 6-2005, point 1.6.73

Negotiating directives: Bull. 4-2008, point 1.19.4

Commission proposal: COM(2008) 622; Bull. 10-2008, point 1.19.11

Council decision on the conclusion adopted on 28 November. The Council adopted a decision on the conclusion of an agreement between the EC and the States referred to in Protocol 3 on ACP sugar and the conclusions of an agreement between the EC and the Republic of India on the guaranteed prices for sugar cane for the delivery periods 2006/07, 2007/08 and 2008/09.

1.19.9. Draft agreement between the European Community and Australia on trade in wine.

Agreement to be amended: Agreement between the European Community and Australia on trade in wine: OJ L 86, 31.3.1994; Bull. 1/2-1994, point 1.2.131

References:

Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine: OJ L 179, 14.7.1999; Bull. 5-1999, point I.14

Council conclusions on the bilateral agreements on wine: Bull. 10-2000, point 1.3.114

Initialled: Bull. 6-2007, point 1.34.26

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 712; Bull. 11-2007, point 1.18.11

Amended Commission proposal: COM(2008) 653; Bull. 10-2008, point 1.19.12

Council decision on the conclusion adopted on 28 November. The Council adopted a decision on the conclusion of a new agreement between the EC and Australia on trade in wine. The aim of the agreement is to facilitate and promote trade in wine originating in the Community and Australia on a basis of non-discrimination and reciprocity.

20. Fisheries and maritime affairs

Content of the fisheries policy

1.20.1. Communication from the Commission to the Council and the European Parliament — ‘Reports from Member States on behaviours which seriously infringed the rules of the common fisheries policy in 2006’.

References:

Council Regulation (EC) No 1447/1999 establishing a list of types of behaviour which seriously infringe the rules of the common fisheries policy: OJ L 167, 2.7.1999; Bull. 6-1999, point 1.2.131

Commission Regulation (EC) No 2740/1999 laying down detailed rules for the application of Council Regulation (EC) No 1447/1999 establishing a list of types of behaviour which seriously infringe the rules of the common fisheries policy: OJ L 328, 22.12.1999

Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy: OJ L 358, 31.12.2002; Bull. 12-2002, point 1.3.111, as amended by Council Regulation (EC) No 865/2007: OJ L 192, 24.7.2007; Bull. 7/8-2007, point 1.19.1

Previous report: OJ C 246, 20.10.2007; COM (2007) 448; Bull. 7/8-2007, point 1.19.2

Adopted by the Commission on 4 November.

The content of the present communication may be summarised as follows:

□ Member States have notified the Commission of 10 362 cases of ‘serious infringements’ detected in 2006. The number is less than 1 % lower than in 2005 which has to be read in conjunction with the 10 % decrease in the overall number of active EU vessels;

□ the most frequent ‘serious infringements’ relate to (i) storing, processing, placing for sale and transporting fishery products not meeting the marketing standards in force, and (ii) unauthorised fishing;

□ different procedures, criminal or administrative, are applied across the EU to sanction infringements. In the majority of cases, an administrative procedure was launched;

□ the financial sanction imposed for the same type of ‘serious infringement’ varies significantly across Member States.

COM(2008) 670

1.20.2. Proposal for a Council regulation fixing for 2009 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required.

References:

Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy: OJ L 358, 31.12.2002; Bull. 12-2002, point 1.3.111, as amended by Council Regulation (EC) No 865/2007: OJ L 192, 24.7.2007; Bull. 7/8-2007, point 1.19.1

Council Regulation (EC) No 423/2004 establishing measures for the recovery of cod stocks: OJ L 70, 9.3.2004; Bull. 1/2-2004, point 1.3.163

Council Regulation (EC) No 811/2004 establishing measures for the recovery of the northern hake stock: OJ L 150, 30.4.2004; Bull. 4-2004, point 1.3.107

Council Regulation (EC) No 2166/2005 establishing measures for the recovery of the southern hake and Norway lobster stocks in the Cantabrian Sea and western Iberian peninsula: OJ L 345, 28.12.2005; Bull. 12-2005, point 1.3.134

Council Regulation (EC) No 388/2006 establishing a multiannual plan for the sustainable exploitation of the stock of sole in the Bay of Biscay: OJ L 65, 7.3.2006; Bull. 1/2-2006, point 1.17.5

Council Regulation (EC) No 509/2007 establishing a multiannual plan for the sustainable exploitation of the stock of sole in the western Channel: OJ L 122, 11.5.2007; Bull. 5-2007, point 1.19.1

Council Regulation (EC) No 676/2007 establishing a multiannual plan for fisheries exploiting stocks of plaice and sole in the North Sea: OJ L 157, 19.6.2007; Bull. 6-2007, point 1.19.10

Commission communication — ‘Fishing opportunities for 2009: policy statement from the European Commission’: COM(2008) 331; Bull. 5-2008, point 1.20.3

Adopted by the Commission on 7 November. In accordance with Council Regulation (EC) No 2371/2002, the CFP shall ensure exploitation of living aquatic resources that provides sustainable economic, environmental and social conditions. An important tool to achieve these objectives is the annual fixing of the fisheries opportunities in the form of TACs, quotas and fishing effort limits. In this regard the Commission submitted a detailed proposal to the Council relating to the application of the process for 2009.

COM(2008) 709

1.20.3. Communication from the Commission to the European Parliament and the Council on the proposal for a Council regulation establishing a Community control system for ensuring compliance with the rules of the common fisheries policy; proposal for a Council regulation establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.

References:

Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy: OJ L 358, 31.12.2002; Bull. 12-2002, point 1.3.111, as amended by Council Regulation (EC) No 865/2007: OJ L 192, 24.7.2007; Bull. 7/8-2007, point 1.19.1

Commission communication — ‘Implementing the Community Lisbon programme: a strategy for the simplification of the regulatory environment’: OJ C 49, 28.2.2006; COM(2005) 535; Bull. 10-2005, point 1.1.13

Report from the Commission on the monitoring of the Member States’ implementation of the common fisheries policy 2003–05: OJ C 181, 3.8.2007; COM(2007) 167; Bull. 4-2007, point 1.19.1

Court of Auditors Special Report No 7/2007: OJ C 317, 28.12.2007; Bull. 10-2007, point 1.37.11

Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing: OJ L 286, 29.10.2008; Bull. 9-2008, point 1.20.3

Adopted by the Commission on 14 November. Despite some progress, the control system continues to suffer from substantial shortcomings identified by both the Commission and the Court of Auditors. Accordingly, the Commission proposed a substantial reform of the control system underpinning the CFP. This communication accompanies the proposal establishing a Community system for inspection, monitoring, control, surveillance and enforce-

ment with a global and integrated approach so as to ensure compliance with all rules of the CFP in order to provide for the sustainable exploitation of living aquatic resources by covering all aspects of the policy. The current problems arising from non-compliance, the damage it has caused to fish stocks and the lack of economic and social stability have been recognised by both Member States and by the fishing sector itself, who both broadly favour a reform of the current system.

COM(2008) 718; COM(2008) 721

Conservation and management of resources

Internal aspects

1.20.4. Preparation for the 16th ICCAT annual meeting.

Legal basis: Article 300(2) of the EC Treaty

Council political agreement: Bull. 10-2008, point 1.20.5

Adopted by the Council on 10 November. The Council adopted a decision establishing the position that the Community should adopt in the International Commission for the Conservation of Atlantic Tunas.

1.20.5. Council Regulation (EC) No 1139/2008 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2009.

References:

Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy: OJ L 358, 31.12.2002; Bull. 12-2002, point 1.3.111, as amended by Council Regulation (EC) No 865/2007: OJ L 192, 24.7.2007; Bull. 7/8-2007, point 1.19.1

Commission communication — Fishing opportunities for 2009: policy statement from the European Commission: COM(2008) 331; Bull. 5-2008, point 1.20.3

Commission proposal: COM(2008) 613; Bull. 10-2008, point 1.20.2

Council political agreement: Bull. 10-2008, point 1.20.2

Formally adopted by the Council on 10 November.

OJ L 308, 19.11.2008

1.20.6. Proposal for a Council regulation amending Regulation (EC) No 423/2004 as regards the recovery of cod stocks and amending Regulation (EEC) No 2847/93.

Regulations to be amended:

Council Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy: OJ L 261, 20.10.1993; Bull. 10-1993, point 1.2.153, as amended by Regulation (EC) No 1006/2008 concerning authorisations for fishing activities of Community fishing vessels outside Community waters and the access of third-country vessels to Community waters: OJ L 286, 29.10.2008; Bull. 9-2008, point 1.20.2

Council Regulation (EC) No 423/2004 establishing measures for the recovery of cod stocks: OJ L 70, 9.3.2004; Bull. 1/2-2004, point 1.3.163

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 162; Bull. 4-2008, point 1.20.3

Parliament opinion (first reading): Bull. 10-2008, point 1.20.4

Agreed by the Council on 18 November. The Council reached a political agreement on a draft regulation revising the recovery plan for cod stocks so as to ensure the sustainable exploitation of those stocks on the basis of maximum sustainable yield. The plan covers four stocks: those in the Kattegat; the Skagerrak, the North Sea and the eastern Channel; the west of Scotland; the Irish Sea.

1.20.7. Proposal for a Council regulation amending Regulation (EC) No 1579/2007 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks and groups of fish stocks applicable in the Black Sea for 2008.

Regulation to be amended: Council Regulation (EC) No 1579/2007: OJ L 346, 29.12.2007; Bull. 12-2007, point 1.19.2

References:

Proposal for a Council regulation fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2009: COM(2008) 613; Bull. 10-2008, point 1.20.2

Council Regulation (EC) No 1139/2008 fixing the fishing opportunities and the conditions relating thereto for certain fish stocks applicable in the Black Sea for 2009: OJ L 308, 19.11.2008, point 1.20.5 of this Bulletin

Adopted by the Commission on 28 November. As part of the political agreement concluded in the Fisheries Council on 27 October 2008 on the fishing possibilities for 2009 in the Black Sea it was agreed to apply the flexibility

included for 2009 to the current year as well. This flexibility means that Member States may request to exceed their annual turbot quota by up to 10 %. The excess quantity will be deducted from their quota in the following year. In practical terms, this allows the Member State having made this request, Bulgaria, to exceed its 2008 turbot quota of 50 tonnes by up to five tonnes. This quantity must be deducted from the 2009 quota which will be fixed definitively in mid-2009.

COM(2008) 806

1.20.8. Regulation (EC) No 1207/2008 of the Council amending Council Regulation (EC) No 639/2004 on the management of fishing fleets registered in the Community outermost regions.

Amended regulation: Council Regulation (EC) No 639/2004: OJ L 102, 7.4.2004; Bull. 3-2004, point 1.3.130

Reference: Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the common fisheries policy: OJ L 358, 31.12.2002; Bull. 12-2002, point 1.3.111, as amended by Council Regulation (EC) No 865/2007: OJ L 192, 24.7.2007; Bull. 7/8-2007, point 1.19.1

Commission proposal: COM(2008) 444; Bull. 7/8-2008, point 1.20.3

Parliament opinion: Bull. 10-2008, point 1.20.3

Formally adopted by the Council on 28 November. The Council adopted a regulation extending until 2011 the period allowed to the outermost regions of the EU countries to add extra fleet capacity using public funds. The deadline is being extended owing to the late adoption of the legal instrument allowing the Member States concerned to grant this aid and the limited capacity of the shipyards.

OJ L 327, 5.12.2008

1.20.9. Regulation (EC) No 1322/2008 of the Council fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2009.

Commission proposal: COM(2008) 539; Bull. 9-2008, point 1.20.4

Council agreement: Bull. 10-2008, point 1.20.6

Formally adopted by the Council on 28 November. This regulation fixes for 2009 the TAC levels and quotas for certain stocks in the Baltic Sea, the related fishing effort for Baltic cod stocks and certain restrictions on fishing for

flounder and turbot. It mainly concerns TACs and fishing quotas for Member States bordering the Baltic Sea.

OJ L 345, 23.12.2008

1.20.10. Council Regulation (EC) No 1359/2008 fixing for 2009 and 2010 the fishing opportunities for Community fishing vessels for certain deep-sea fish stocks.

Commission proposal: COM(2008) 595; Bull. 10-2008, point 1.20.1

Council political agreement: Bull. 10-2008, point 1.20.1

Formally adopted by the Council on 28 November.

OJ L 352, 31.12.2008

Market organisation

1.20.11. Proposal for a Council regulation fixing for the 2009 fishing year the guide prices and Community producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000.

Reference: Council Regulation (EC) No 104/2000 on the common organisation of the markets in fishery and aquaculture products: OJ L 17, 21.1.2000; Bull. 12-1999, point 1.2.197, as amended by Regulation (EC) No 1759/2006: OJ L 335, 1.12.2006; Bull. 11-2006, point 1.18.15

Adopted by the Commission on 24 November. Under the procedure for fixing prices for the 2009 fishing year, the Commission presented a proposal for the guide prices and Community producer prices for the fishery products listed in Annexes I, II and III to Regulation (EC) No 104/2000.

COM(2008) 784

Maritime affairs

1.20.12. Communication from the Commission — ‘Roadmap for maritime spatial planning: achieving common principles in the EU’.

References:

Green Paper — ‘Towards a future maritime policy for the Union: a European vision for the oceans and seas’: COM(2006) 275; Bull. 6-2006, point 1.21.2

Commission communication — ‘Conclusions from the consultation on a European maritime policy’: OJ C 55, 28.2.2008; COM(2007) 574; Bull. 10-2007, point 1.19.1

Commission communication — ‘An integrated maritime policy for the European Union’: OJ C 55, 28.2.2008; COM(2007) 575; Bull. 10-2007, point 1.19.2

Commission communication — ‘Guidelines for an integrated approach to maritime policy: towards best practice in integrated maritime governance and stakeholder consultation’: COM (2008) 395; Bull. 6-2008, point 1.20.13

Adopted by the Commission on 25 November.

This communication outlines the present state of affairs with regard to maritime spatial planning in the EU, identifies common approaches including at the international level, and makes the case for the development of maritime spatial planning in the EU. According to the Commission, maritime spatial planning tools and a common approach to their development provide benefits for the EU’s maritime economy, and ongoing work on the protection of the marine environment and to combat climate change and its impacts. This communication thus links the work on maritime spatial planning to overarching EU policy, notably the European strategy for growth and jobs (Lisbon strategy) and the sustainable development strategy (Gothenburg strategy). This communication also points out the benefits of developing integrated administrative approaches for the management of maritime spaces, in line with the proposals made by the Commission for integrated maritime governance in June of this year. Furthermore, it proceeds to derive common principles that could form the basis for a common approach to maritime spatial planning. It proposes to launch a debate on these principles to take place during 2009.

COM(2008) 791

21. Area of freedom, security and justice

Union citizenship

Freedom of movement and right of residence

1.21.1. Council conclusions on the abuse and misuse of the right to free movement of persons (point 1.21.46).

Right of petition and right of access to the Ombudsman

1.21.2. European Parliament resolution on the special report by the European Ombudsman following the draft recommendation to the Council of the European Union in Complaint 1487/2005/GG.

Reference: Decision 94/262/ECSC, EC, Euratom of the European Parliament on the regulations and general conditions governing the performance of the Ombudsman's duties: OJ L 113, 4.5.1994; Bull. 3-1994, point 1.1.2

Adopted by the European Parliament on 20 November. Parliament endorsed the conclusions of the Ombudsman, namely that:

- the Council is, in the first instance, itself responsible for the websites of its presidency and the languages used thereon;
- the practices followed in the Council cannot be pursued in a way which is completely isolated from uniform implementation by the institutions and their formations;
- the information on these websites should ideally be made available in good time in all official languages of the Community;
- if the number of languages is to be limited, the choice of the languages to be used must be based on criteria of objectivity, reasonableness, transparency and manageability;
- the Council's refusal to address the substance of the complainant's request constitutes an instance of maladministration.

Parliament regretted that the Council, unlike other institutions, has so far completely avoided addressing in a substantive way the question of

the language options of the websites of its presidencies. It welcomed the fact that, in contrast to the practice of past presidencies, the French Council Presidency publishes its official website in the most widely spoken official languages of the EU. Finally, it invited the Council to conduct a comprehensive review of the question of expanding the language options of the websites of its presidencies so as to ensure that as large a section as possible of the population of the EU has easy and direct access to information on its activities.

Visas, crossing external borders and internal movement

1.21.3. Council Decision 2008/859/EC amending Annex 3, Part I, to the common consular instructions on third-country nationals subject to airport visa requirements.

Reference: Council Regulation (EC) No 789/2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications: OJ L 116, 26.4.2001; Bull. 4-2001, point 1.4.2

Initiative of France: OJ L 303, 14.11.2008; JAI (2008) 8

Adopted by the Council on 4 November. The annex in question contains the joint list of third countries whose nationals are subject to airport transit visa requirements by all Member States. In response to a request by France, it has been amended in order to limit, as regards Ghanaian and Nigerian nationals, the airport transit visa requirement to persons who do not hold a valid visa issued by Member States or valid for a State party to the agreement on the EEA, Canada, Japan, Switzerland or the USA.

OJ L 303, 14.11.2008

1.21.4. Proposal for a Council regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

Regulation to be codified: Council Regulation (EC) No 539/2001 determining the list of third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement: OJ L 81, 21.3.2001; Bull. 3-2001, point 1.4.1, as amended by Council Regulation (EC) No 1932/2006: OJ L 405, 30.12.2006; Bull. 12-2006, point 1.19.14

Reference: Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission: OJ L 184, 17.7.1999; Bull. 6-1999, point 1.8.3, as amended by Council Decision 2006/512/EC: OJ L 200, 22.7.2006; Bull. 7/8-2006, point 1.1.2

Adopted by the Commission on 28 November. The purpose of this proposal is to undertake a codification of Council Regulation (EC) No 539/2001. The new regulation will supersede the various acts incorporated in it; this proposal fully preserves the content of the acts being codified and hence does no more than bringing them together with only such formal amendments as are required by the codification exercise itself.

COM(2008) 761

1.21.5. Agreement between the European Community and Georgia on the facilitation of issuance of short-stay visas.

Negotiating directives adopted by the Council at its session of 27 and 28 November. This decision authorises the Commission to open negotiations for the conclusion of an agreement between the European Community and Georgia on the facilitation of issuance of short-stay visas.

1.21.6. Council Decision 2008/905/EC amending Annex 13 to the common consular instructions on filling in visa stickers.

Reference: Council Decision 2008/903/EC on the full application of the provisions of the Schengen *acquis* in the Swiss Confederation: point 1.21.11 of this Bulletin

Initiative of the Republic of France: JAI(2008) 7

Adopted by the Council on 27 November. This decision amends Annex 13 to the common consular instructions on filling in visa stickers in order to reflect the full application of the provisions of the Schengen *acquis* in Switzerland.

OJ L 327, 5.12.2008

Schengen

1.21.7. Report from the Commission to the Council and the European Parliament on the development of the second generation Schengen information system (SIS II) — Progress report January–June 2008.

Previous report: COM(2008) 239; Bull. 5-2008, point 1.21.4

Reference: Council Regulation (EC) No 2424/2001 on the development of the second generation Schengen information system: OJ L 328, 13.12.2001; Bull. 12-2001, point 1.4.20, as amended by Regulation (EC) No 1988/2006: OJ L 411, 30.12.2006 (corrigendum OJ L 27, 2.2.2007); Bull. 12-2006, point 1.19.16

Adopted by the Commission on 10 November. This progress report describes the work carried out by the Commission in the first semester of 2008 on the development of the second generation Schengen information system (SIS II). The SIS II project is divided into three phases. Phase 1 was concerned with system design and was completed prior to this reporting period. Phase 2 deals with development and testing of the central system which is a significant part of the current work load, and is likely to be completed by the end of 2008. Phase 3 addresses final test and migration activities from the currently used SIS 1+ to SIS II. The preparatory work for migration has started. In order to provide a complete picture of the range of activities associated with the SIS II project, this report also addresses potential risks, financial, operational and project management.

COM(2008) 710

1.21.8. Report from the Commission to the Council and the European Parliament on the development of the visa information system (VIS) in 2007 (submitted in response to the obligation under Article 6 of Council Decision No 2004/512/EC of 8 June 2004).

References:

Council Decision 2004/512/EC establishing the visa information system (VIS): OJ L 213, 15.6.2004; Bull. 6-2004, point 1.4.3

Proposal for a European Parliament and Council regulation concerning the visa information system (VIS) and the exchange of data between Member States on short-stay visas: OJ C 52, 2.3.2005; COM(2004) 835; Bull. 12-2004, point 1.4.8

Adopted by the Commission on 10 November. According to the report, 2007 was characterised by the political agreement on the legal framework in June allowing the rescheduling of the project and clarification of the development

work needed for incorporation of the biometric matching system into the VIS. By the end of 2007, the project remained on track with the revised schedule finalised in September of that year. With regard to financial matters, certain commitments were suspended in the first half of the year. From June, efforts were made to move ahead as efficiently and effectively as possible with financial implementation. This resulted in positive year-end figures for both commitments and payments.

COM(2008) 714

1.21.9. Council Decision 2008/910/EC amending Parts 1 and 2 of the Schengen consultation network (technical specifications).

Initiative of the Republic of Slovenia: JAI(2008) 1

Adopted by the Council on 27 November. This decision, amending Parts 1 and 2 of the Schengen consultation network (technical specifications), aims to avoid overburdening the network and to improve and simplify the consultation procedure.

OJ L 328, 6.12.2008

1.21.10. Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 562/2006 as regards the use of the visa information system (VIS) under the Schengen borders code.

Regulation to be amended: Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community code on the rules governing the movement of persons across borders (Schengen borders code): OJ L 105, 13.4.2006; Bull. 3-2006, point 1.19.4

References:

Council Decision 2004/512/EC establishing the visa information system (VIS): OJ L 213, 15.6.2004; Bull. 6-2004, point 1.4.3

Regulation (EC) No 767/2008 of the European Parliament and of the Council concerning the visa information system (VIS) and the exchange of data between Member States on short-stay visas (VIS regulation): OJ L 218, 13.8.2008; Bull. 7/8/2008, point 1.21.4

Commission proposal: OJ C 207, 14.8.2008; COM(2008) 101; Bull. 1/2-2008, point 1.21.17

Parliament opinion: Bull. 9-2008, point 1.21.4

Approved by the Council on 27 November. Now approved by both institutions, the objective of the regulation is to introduce the required amendments to the Schengen borders code in order to ensure efficient use of the visa

information system at external borders, with a view, inter alia, to further developing integrated management of borders in the EU.

*1.21.11. Council Decision 2008/903/EC on the full application of the provisions of the Schengen *acquis* in the Swiss Confederation.*

References:

Council Decision 2008/421/EC on the application of the provisions of the Schengen *acquis* relating to the Schengen information system in the Swiss Confederation: OJ L 149, 7.6.2008; Bull. 6-2008, point 1.21.14

Council Decision 2008/905/EC amending Annex 13 to the common consular instructions on filling in visa stickers: OJ L 327, 5.12.2008; point 1.21.6 of this Bulletin

Adopted by the Council at its session of 27 and 28 November. The Council decided to lift land border controls between Switzerland and the EU from 12 December 2008. The lifting of air border controls is foreseen for 29 March 2009, the date corresponding to the switch to summer time, provided that the complementary evaluation visits of the Swiss airports scheduled for February 2009 bring positive results.

OJ L 327, 5.12.2008

Asylum and immigration

1.21.12. Proposal for a Council directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment.

References:

Tampere European Council: Bull. 10-1999, point I.4-I.5

Proposal for a Council directive on the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities: OJ C 332 E, 27.11.2001; COM(2001) 386; Bull. 7/8-2001, point 1.4.3

European Economic and Social Committee own-initiative opinion on immigration in the European Union and integration policies: cooperation between regional and local governments and civil society organisations: OJ C 318, 23.12.2006; Bull. 9-2006, point 1.19.4

Proposal for a Council directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State: OJ C 55, 28.2.2008; COM (2007) 638; Bull. 10-2007, point 1.20.19

Council conclusions on mobility partnerships and circular migration: Bull. 12-2007, point 1.20.7

Commission proposal: OJ C 106, 26.4.2008; COM(2007) 637; Bull. 10-2007, point 1.20.18

Committee of the Regions opinion: OJ C 257, 9.10.2008; Bull. 6-2008, point 1.21.21

European Economic and Social Committee opinion: Bull. 7/8-2008, point 1.21.11

Endorsed by the European Parliament on 20 November; subject to certain amendments, mainly concerning:

□ definitions: Parliament stressed that ‘higher professional qualifications’ meant qualifications attested by evidence of at least five years of professional experience of a level comparable to higher education qualifications, including at least two years in a senior position;

□ scope: Parliament more precisely defined to whom the proposed directive will apply, including third-country nationals already legally resident under other schemes in a Member State;

□ other admission conditions: Parliament added other admission conditions, including: level of pay, health insurance, public policy;

□ brain drain: Parliament added a new clause stating Member States may reject an application for an EU blue card in order to avoid a brain drain in sectors suffering from a lack of qualified personnel in the countries of origin.

1.21.13. Proposal for a Council directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State.

References:

Tampere European Council: Bull. 10-1999, point I.4-I.5

Proposal for a Council directive on the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities: OJ C 332 E, 27.11.2001; COM(2001) 386; Bull. 7/8-2001, point 1.4.3

Green Paper on an EU approach to managing economic migration: OJ C 125, 22.5.2008; COM(2004) 811; Bull. 1/2-2005, point 1.4.7

European Economic and Social Committee opinion on the Commission communication — ‘The Hague programme: 10 priorities for the next five years — The partnership for European renewal in the field of freedom, security and justice’: OJ C 65, 17.3.2006; Bull. 12-2005, point 1.4.3

Proposal for a Council directive on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment: OJ C 106, 26.4.2008; COM(2007) 637; Bull. 10-2007, point 1.20.18

Council conclusions on mobility partnerships and circular migration: Bull. 12-2007, point 1.20.7

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 638; Bull. 10-2007, point 1.20.19

Committee of the Regions opinion: OJ C 257, 9.10.2008; Bull. 6-2008, point 1.21.21

European Economic and Social Committee opinion: Bull. 7/8-2008, point 1.21.10

Endorsed by the European Parliament on 20 November; subject to certain amendments, mainly concerning:

□ scope: Parliament stated that the proposal should not apply to seasonal workers, nor for workers entering the EU for a period not exceeding six months;

□ the common set of rights must apply to all nationals admitted to the territory for employment purposes, and also to all those who were initially admitted for other reasons but who obtained the right to work on the basis of national or Community law;

□ equal treatment: third-country workers must enjoy equal treatment with nationals at least with regard to: working conditions, including pay; holidays; working time; dismissal; health and safety; education in the broad sense of the term and vocational training; portability of pensions or annuities in respect of old age, death or invalidity; information and counselling services offered by employment offices;

□ the period of validity of the single permit will be as determined by each Member State.

1.21.14. Committee of the Regions opinion on a common immigration policy for Europe.

References:

Tampere European Council: Bull. 10-1999, point I.1

Commission communication — ‘Towards a common immigration policy’: OJ C 106, 26.5.2008; COM(2007) 780; Bull. 12-2007, point 1.20.6

Commission communication — ‘A common immigration policy for Europe: principles, actions and tools’: COM(2008) 359; Bull. 6-2008, point 1.21.17

Adopted by the Committee of Regions on 26 November. The Committee emphasised that local and regional authorities are first to be significantly affected by a common immigration

policy, being particularly affected by the difficulties of illegal immigration, and also responsible for providing immigrants with a range of services as part of the local integration process. It considers respect for human rights, the principles of the rule of law, and the promotion of democracy to be key aspects of any immigration policy.

Concerning prosperity and immigration, the Committee pointed to the high priority given to legal migration under the future immigration policy as a contribution to the socioeconomic development of the EU. It considers clear and transparent rules to be urgently needed for reasons of legal certainty and the fair treatment of third-country nationals.

Concerning integration, the Committee noted the importance of local and regional authorities playing an active role in the integration of immigrants.

Concerning solidarity, the Committee stressed the relationship between illegal and legal immigration and that combating illegal immigration is of key importance for framing a policy on legal migration.

Concerning an efficient and coherent use of available resources, the Committee called for comprehensive information to be provided about the relevant EU funds and assistance programmes so that all local and regional stakeholders can make use of existing funds and programmes.

Concerning partnership with third countries, the Committee pointed out that under the future EU immigration policy the key importance of promoting dialogue and cooperating with countries of origin and transit countries must be borne in mind.

Concerning security, the Committee believes that the focus must be on the need for practicable, coordinated measures to combat people trafficking and criminal organisations.

Finally, concerning illegal immigration and human trafficking, the Committee urgently backed EU measures to prevent illegal immigration, which often encourages exploitation, especially of women and children.

1.21.15. Council conclusions on the evaluation of the global approach to migration and on the partnership with countries of origin and transit.

References:

European Council conclusions: Bull. 6-2008, point I.4, and Bull.10-2008, point I.14

Commission communication — ‘Strengthening the global approach to migration: increasing coordination, coherence and synergies’: COM (2008) 611; Bull. 10-2008, point 1.21.6

Adopted by the Council at its session of 27 and 28 November. The Council reaffirmed that the global approach remains wholly relevant and that the guidelines identified in the European Council conclusions remain valid, particularly as regards the three components of the approach and the need for their balanced implementation: good organisation of legal migration; the effective prevention of and fight against illegal immigration; the strengthening of the relationship between migration and development. It underlined the importance of coordination in the implementation of the tools of the global approach — mobility partnerships, EU migration missions, cooperation platforms, migration profiles, bilateral agreements — so as to promote synergies between them. The Council also recalled the importance of the three components of the global approach:

- organising legal migration and promoting mobility;
- fighting illegal immigration, including through the effective return of illegal immigrants and readmission agreements;
- enhancing synergies between migration and development, including the transfer of remittances.

Finally, the Council believes that for the above guidelines to be implemented effectively, support for administrative capacity-building in third countries and regional organisations is a priority.

1.21.16. Council conclusions on integration policies in the European Union.

References:

The Hague programme: strengthening freedom, security and justice in the European Union: OJ C 53, 3.3.2005; Bull. 11-2004, point I.4

Council conclusions on enhancing the global approach to migration: Bull. 6-2008, point 1.21.18

European Council conclusions on the European pact on immigration and asylum: Bull. 10-2008, point I.4

Commission report on the application of Directive 2003/86/EC on the right to family reunification: COM(2008) 610; Bull. 10-2008, point 1.21.5

Adopted by the Council at its session of 27 and 28 November. Following the third Conference on Integration held at Vichy on 3 and 4 November, the Council stressed the importance that the EU attaches to the development of a

coherent policy as regards integration. It identified a series of priority subjects for future action:

- the promotion of European values, including the importance of the values of freedom of expression and freedom of religion;
- the integration process;
- access to employment, a decisive step in the integration process;
- women's integration and children's education;
- intercultural dialogue;
- integration policy governance: the development of organisations and tools for dialogue and for exchanges of best practices, at both European level and within each Member State.

1.21.17. Draft agreement between the European Community and Georgia on readmission.

Negotiating directives adopted by the Council at its session of 27 and 28 November. This decision authorises the Commission to negotiate with Georgia a readmission agreement between the EC and Georgia.

Judicial cooperation in civil and commercial matters

1.21.18. Commission opinion on the request from the United Kingdom to accept Regulation (EC) No 593/2008 of the European Parliament and the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I).

Reference: Regulation (EC) No 593/2008 of the European Parliament and of the Council on the law applicable to contractual obligations (Rome I): OJ L 177, 4.7.2008; Bull. 6-2008, point 1.21.23

Adopted by the Commission on 7 November. On 17 June 2008 Regulation (EC) No 593/2008 was adopted, which from 17 December 2009 will replace the Rome Convention on the same subject, to which all Member States, including the UK, are party. The UK chose not to take part, although it did have an opt-in. By letter of 24 July, the UK notified the Commission and the Council of its intention to accept the Rome I regulation. By means of this opinion, the Commission proposes that the UK's request be approved.

COM(2008) 730

1.21.19. Council decision concerning the conclusion of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

References:

1968 Brussels Convention on jurisdiction and the enforcement of judgments in civil and commercial matters: OJ L 299, 31.12.1972

1988 Lugano Convention with the Republic of Iceland, the Kingdom of Norway, and the Swiss Confederation on jurisdiction and the enforcement of judgments in civil and commercial matters: OJ L 319, 25.11.1988

Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: OJ L 12, 16.1.2001; Bull. 12-2000, point 1.4.7

Proposal for a Council decision concerning the signing of the Convention between the European Community and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: OJ C 191, 17.8.2007; Bull. 7/8-2007, point 1.20.8

Council Decision 2007/712/EC 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: OJ L 339, 21.12.2007; Bull. 10-2007, point 1.20.21

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 116; Bull. 1/2-2008, point 1.21.30

European Parliament assent given on 18 November.

Adopted by the Council on 27 November. This decision approves the conclusion of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, which will replace the Lugano Convention of 16 September 1988.

1.21.20. Proposal for a decision of the European Parliament and of the Council amending Council Decision 2001/470/EC establishing a European judicial network in civil and commercial matters.

Decision to be amended: Council Decision 2001/470/EC: OJ L 174, 27.6.2001; Bull. 5-2001, point 1.4.9

References:

Council and Commission action plan implementing the Hague programme on strengthening freedom, security and justice in the European Union: OJ C 198, 12.8.2005; Bull. 6-2005, point 1.4.2

Commission report on the application of Council Decision 2001/470/EC establishing a European judicial network in civil and commercial

matters: OJ C 184, 8.8.2006; COM(2006) 203; Bull. 5-2006, point 1.19.9

Commission proposal: COM(2008) 380; Bull. 6-2008, point 1.21.26

Agreed by the Council on 27 November. This future decision aims to modernise the network and strengthen the means of the contact points. It opens the network, under certain conditions, to the participation of the legal professions and adapts the missions of the network to the development of Community law in order to facilitate application of it.

1.21.21. Proposal for a Council regulation on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.

Reference: Commission Green Paper on maintenance obligations: OJ C 122, 30.4.2004; COM(2004) 254; Bull. 4-2004, point 1.4.20

Commission proposal: OJ C 49, 28.2.2006; COM(2005) 649; Bull. 12-2005, point 1.4.16

European Economic and Social Committee opinion: OJ C 185, 8.8.2006; Bull. 4-2006, point 1.19.17

Parliament opinion: Bull. 12-2007, point 1.20.14

Council political agreement: Bull. 10-2008, point 1.21.8

Agreed by the Council at its session of 27 and 28 November. The Council reached political agreement on the recitals and annexes of this regulation. The purpose of the regulation is to ensure that a maintenance creditor is easily able to obtain a decision in one Member State which will be automatically enforceable in another Member State with no further formalities. To that end, a Community instrument in matters relating to maintenance obligations is to be created which will bring together provisions on jurisdiction, conflict of laws, recognition and enforceability, enforcement, legal aid and cooperation between central authorities.

1.21.22. Report to the Council on the setting up of a common frame of reference for European contract law.

References:

Commission communication — ‘European contract law and the revision of the *acquis*: the way forward’: OJ C 14, 20.1.2005; COM(2004) 651; Bull. 10-2004, point 1.4.63

Second progress report from the Commission on the common frame of reference: OJ C 191, 17.8.2007; COM(2007) 447; Bull. 7/8-2007, point 1.25.17

European Parliament resolution on European contract law: Bull.12-2007, point 1.25.26

Approved by the Council at its session of 27 and 28 November. This report defines the broad outline which should direct the Commission’s work on the future common framework of reference for European contract law. It aims to specify its structure and its scope and calls for the respect of legal diversity. Finally, the Council stated its wish to be associated alongside Parliament and the Commission with the development of the future common framework of reference.

1.21.23. Council resolution on the establishment of a network for legislative cooperation between the Ministries of Justice of the Member States of the European Union.

Adopted by the Council at its session of 27 and 28 November. The network in question will enable the justice ministries to quickly exchange, in a reliable and flexible way, information on their legislation, their legal systems and current reforms, by means of correspondents and of the creation of a common database. This tool will concretely contribute to the creation of a European area of justice. By allowing better comprehension of the legislation of other Member States, it will strengthen mutual confidence and will encourage mutual recognition.

Police and customs cooperation

1.21.24. Draft agreement on cooperation between Eurojust and the former Yugoslav Republic of Macedonia.

Reference: Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime: OJ L 63, 6.3.2002; Bull. 1/2-2002, point 1.4.13

Approved by the Council at its session of 27 and 28 November. The Council approved an agreement on cooperation between Eurojust and the former Yugoslav Republic of Macedonia designed to reinforce the fight against serious international crime including terrorism.

1.21.25. European Police College-Interpol cooperation agreement.

Reference: Council Decision 2005/681/JHA establishing the European Police College (CEPOL) as a European Union body: OJ L 256, 1.10.2005; COM(2004) 623; Bull. 9-2005, point 1.4.11

Approved by the Council at its session of 27 and 28 November. The purpose of the agreement is to enhance the training of senior police

officers, in particular through cooperation in the organisation of courses, seminars and conferences and in the development and implementation of common curricula and course material.

1.21.26. European Police College work programme 2009.

Reference: Council Decision 2005/681/JHA establishing the European Police College (CEPOL) as a European Union body: OJ L 256, 1.10.2005; COM(2004) 623; Bull. 9-2005, point 1.4.11

Approved by the Council at its session of 27 and 28 November.

1.21.27. Council conclusions on possible cooperation mechanisms between civilian ESDP missions and Europol as regards the mutual exchange of information.

References:

Council conclusions setting the EU priorities for the fight against organised crime based on the 2007 organised crime threat: Bull. 6-2007, point 1.20.52

Council conclusions on possible cooperation mechanisms between civilian ESDP missions and Europol as regards the mutual exchange of information: Bull. 6-2008, point 1.21.29

Adopted by the Council at its session of 27 and 28 November. The Council underlined that it is in the interest of ESDP civilian missions to have access to relevant personal information held by Europol and of Member States to have access via Europol to any information which civilian missions could make available to them. It considers that such exchanges of information, which ensure continuity in the fight against organised crime, can help to reinforce security and stability, both in the areas where ESDP missions are deployed and in the EU. The Council called on Member States to implement an information exchange mechanism for the EULEX Kosovo Mission without delay via the national units in accordance with the proposals by Europol and the General Secretariat of the Council (GSC). It invited the GSC and Europol to conduct a joint evaluation of the implementation of the mechanism before June 2009. Finally, the Council asked Member States, in the light of the outcome of the joint evaluation, to consider in due course whether the mechanism should be amended and/or extended to other civilian ESDP missions.

1.21.28. Guidelines on simplifying the exchange of information between law-enforcement authorities.

Reference: Council Framework Decision 2006/960/JHA on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union: OJ L 386, 29.12.2006; Bull. 12-2006, point 1.19.18

Approved by the Council at its session of 27 and 28 November. The Council approved guidelines for the implementation of Framework Decision 2006/960/JHA. The guidelines will be adapted in the light of experience acquired over time. Framework Decision 2006/960/JHA aims to enhance the effective and expeditious exchange of information and intelligence between law enforcement authorities.

1.21.29. Council conclusions on the coordination of police action on road safety (point 1.24.3).

Criminal justice

1.21.30. Communication from the Commission to the European Parliament and the Council — Proceeds of organised crime: Ensuring that ‘crime does not pay’.

References:

Council Framework Decision 2001/500/JHA on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime: OJ L 182, 5.7.2001; Bull. 6-2001, point 1.4.12

Council Framework Decision 2003/577/JHA on the execution in the European Union of orders freezing property or evidence: OJ L 196, 2.8.2003; Bull. 7/8-2003, point 1.4.7

Council Framework Decision 2005/212/JHA on confiscation of crime-related proceeds, instrumentalities and property: OJ L 68, 15.3.2005; Bull. 1/2-2005, point 1.4.16

Council Framework Decision 2006/783/JHA on the application of the principle of mutual recognition of confiscation orders: OJ L 328, 24.11.2006; Bull. 10-2006, point 1.19.16

Council Decision 2007/845/JHA concerning cooperation between asset recovery offices of the Member States in the field of tracing and identification of proceeds from, or other property related to, crime: OJ L 332, 18.12.2007; Bull. 12-2007, point 1.20.22

Adopted by the Commission on 20 November. This communication focuses on policies to strengthen the legislative framework and procedures for the confiscation and recovery of the proceeds of crime in the EU. The confiscation and recovery of the proceeds of crime targets criminals’ resources and is an essential part of the wider EU financial crime

strategy. The communication calls for a recasting of the existing EU legal framework to improve its clarity and coherence, as well as further extend existing legal concepts and introduce new provisions to overcome current obstacles to effective confiscation. It foresees initiatives for increased cooperation among EU asset recovery offices and for new tools related to the identification and tracing of assets. It makes the case for a strengthened role for Eurojust in facilitating cooperation at judicial level and promoting mutual recognition in confiscation matters, as well as facilitating the interaction between asset recovery offices and judicial authorities. The communication calls for the development of a common EU training programme for financial investigators to be implemented as a priority, and for comparable statistics on assets frozen, confiscated and recovered to be developed within an EU framework. The communication further addresses the need for a European register including inter alia outstanding freezing and confiscation orders.

COM(2008) 766

1.21.31. Council Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union.

References:

Tampere European Council: Bull. 10-1999, point I.1

The Hague programme: strengthening freedom, security and justice in the European Union: OJ C 53, 3.3.2005; Bull. 11-2004, point I.4

Initiative of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden: OJ C 150, 21.6.2005

Parliament opinion: OJ C 300 E, 9.12.2006; Bull. 6-2006, point 1.19.24

Parliament opinion: Bull. 10-2007, point 1.20.27

Adopted by the Council on 27 November. This framework decision will enable sentenced persons to be transferred to another Member State for the enforcement of their sentences, bearing in mind the possibility of their social rehabilitation.

OJ L 327, 5.12.2008

1.21.32. Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions.

Initiative of the Federal Republic of Germany and of the French Republic: OJ C 147, 30.6.2007; JAI(2007) 4

Parliament opinion: OJ C 263 E, 16.10.2008; Bull. 10-2007, point 1.20.26

Adopted by the Council on 27 November. Based on the principle of mutual recognition, this framework decision aims at facilitating the social rehabilitation of sentenced persons, improving the protection of victims and of the general public, and fostering the application of suitable probation measures and alternative sanctions in the case of offenders who do not live in the State of conviction. It sets rules under which a Member State, other than the Member State in which the person concerned has been sentenced, recognises judgments and probation decisions and supervises probation measures imposed on the basis of a judgment, or alternative sanctions contained in such a judgment, and takes — unless otherwise provided in the framework decision — all other decisions relating to that judgment. Member States will have three years after the entry into force of this framework decision to take the necessary measures to comply with its provisions. It will enter into force on the day of its publication in the *Official Journal of the European Union*, that is to say 5 December 2008.

OJ L 337, 16.12.2008

1.21.33. European e-justice action plan.

References:

Council conclusions on e-justice: Bull. 6-2007, point 1.20.42

Commission communication — ‘Towards a European e-justice strategy’: COM(2008) 329; Bull. 5-2008, point 1.21.9

European Council conclusions: Bull. 6-2008, point I.7

Adopted by the Council at its session of 27 and 28 November. This action plan aims to structure work in the field of e-justice by entrusting realisation of a European ‘e-justice’ portal and the management of horizontal questions (such as technical standards and safety) and by fixing realisation priorities to the Commission. The portal will facilitate access to information and to the European procedures. In addition, several concrete initiatives will be carried out in the medium term to set up electronic communica-

tions between jurisdictions, to dematerialise certain European procedures, or to encourage recourse to videoconference. E-justice will encourage access to justice and to improving cross-border judicial proceedings, reduce the lengths of judicial procedures and operation costs, for the benefit of citizens, companies, legal practitioners and justice administration in general.

1.21.34. Directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law (point 1.23.18).

Combating terrorism

1.21.35. Proposal for a Council framework decision on the use of passenger name records (PNRs) for law enforcement purposes.

Reference: Commission communication — ‘Transfer of air passenger name record (PNR) data: a global EU approach’: OJ C 122, 30.4.2004; COM(2003) 826; Bull. 12-2003, point 1.3.59

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 654; Bull. 11-2007, point 1.20.33

European Data Protection Supervisor opinion: OJ C 110, 1.5.2008

Resolution adopted by the European Parliament on 20 November. Concerning procedural aspects, Parliament took the view that law enforcement authorities should be provided with all the tools they need to adequately carry out their tasks, including access to data. However, it emphasised that since such measures have a considerable impact on the personal life of EU citizens, their justification in terms of necessity, proportionality and usefulness in achieving their stated objectives needs to be convincingly substantiated. It therefore regretted the formulation, justification and lack of legal certainty of the proposal.

Concerning subsidiarity, Parliament noted with concern that the need for Community action has not yet been sufficiently demonstrated. It questioned the Commission’s claim that the aim of the proposal is harmonisation of national schemes, when only a few Member States have a system for the use of PNR data. Parliament considered that the proposal does not harmonise national systems (as they are non-existent), but merely creates the obligation for all Member States to set up such a system.

Concerning proportionality, Parliament recalled that Article 8 of the ECHR and Article 52 of the Charter of Fundamental Rights require that such an infringement of the right to the protection of personal data be legitimate and proportionate to the end pursued. Accordingly, it deplored the fact that the proposal is not limited to issues such as combating terrorism and organised crime.

Concerning purpose limitation, Parliament deplored the lack of precise purpose limitation which is an essential safeguard in the imposition of restrictive measures.

Concerning protection of personal data, Parliament stressed that the adoption of an adequate data protection framework under the third pillar is an absolute precondition for any EU PNR scheme.

1.21.36. Council Framework Decision 2008/919/JHA amending Framework Decision 2002/475/JHA on combating terrorism.

Framework decision to be amended: Council Framework Decision 2002/475/JHA: OJ L 164, 22.6.2002; Bull. 6-2002, point 1.4.8

References:

EU strategy for combating radicalisation and recruitment to terrorism: Bull. 12-2005, point 1.4.19

Commission report based on Article 11 of the Council framework decision of 13 June 2002 on combating terrorism: OJ C 321, 28.12.2004; COM(2004) 409; Bull. 6-2004, point 1.4.19

European Council conclusions: Bull. 6-2006, point 1.3

Committee of the Regions own-initiative opinion on stepping up the fight against terrorism: involvement of regional and local authorities: Bull. 10-2008, point 1.21.16

Commission proposal: OJ C 55, 28.2.2008; COM(2007) 650; Bull. 11-2007, point 1.20.32

Parliament opinion: Bull. 9-2008, point 1.21.11

Committee of the Regions opinion: Bull. 10-2008, point 1.21.16

Adopted by the Council on 28 November. The purpose of the framework decision is to include three new offences in EU legislation, namely:

- public provocation to commit a terrorist offence;
- recruitment for terrorism;
- training for terrorism.

Including these offences will provide a more integrated institutional framework at EU level. Thus there will be rules on the type and level of criminal penalties, and on the mandatory rules

on jurisdiction which will be applicable to these offences. EU cooperation mechanisms will also be triggered.

OJ L 330, 9.12.2008

1.21.37. Council conclusions on passenger name records (PNR).

Adopted by the Council at its session of 27 and 28 November. On the basis of a presidency report assessing the work carried out on PNR, the Council concluded that:

□ the method followed led to increasingly precise perception of the useful scope and the essential characteristics that a possible European PNR system could cover to reconcile operational effectiveness with respect of citizens' fundamental rights in general, and of the right to the protection of their personal data in particular;

□ the preparatory authorities in the Council will study in greater detail all outstanding questions, whether legal or operational, from the report and from all the *acquis* of work already carried out, with a view to possible future decisions;

□ in parallel, dialogue with Parliament and national parliaments and the relevant economic actors will be pursued;

□ the preparatory authorities will regularly submit a report to Coreper or the Council on the progress achieved in work and the consultations.

1.21.38. Council conclusions on the fight against terrorism.

References:

EU counter-terrorism strategy: Bull. 12-2005, point I.7

Council Decision 2005/671/JHA on the exchange of information and cooperation concerning terrorist offences: OJ L 253, 29.9.2005; Bull. 9-2005, point 1.4.13

Commission communication on enhancing the security of explosives: OJ C 55, 28.2.2008; COM (2007) 651; Bull. 11-2007, point 1.20.34

Council conclusions on an 'Action plan to enhance the security of explosives': Bull. 4-2008, point 1.21.17

Adopted by the Council at its session of 27 and 28 November. The Council invited Member States to pursue ongoing work in the field of radicalisation and implement the EU's action plan to counter radicalisation and recruitment, in particular through the 'Check the web' project. It invited Member States to consider the need for the early detection of individuals suspected of terrorist activities or organised crime during the visa application procedure. The Council

advised Member States to continue to implement the European action plan on enhancing the security of explosives, and keep Europol and Eurojust supplied with information on investigations and proceedings concerning terrorism in accordance with the arrangements laid down in Decision 2005/671/JHA. It invited the Commission to continue to play its role, in particular by encouraging the exchange of good practice continuing work and support for new research on the financing of terrorism, and developing its package of chemical, biological, radiological, and nuclear (CBRN) measures, the adoption of which is scheduled for June 2009. Likewise and finally, the Council invited Europol to continue its work, especially concerning explosives including CBRN, demining and the 'Check the web' project.

1.21.39. EU strategy for combating radicalisation and recruitment to terrorism (updated version).

Reference: EU strategy for combating radicalisation and recruitment to terrorism: Bull. 12-2005, point 1.4.19

Adopted by the Council at its session of 27 and 28 November. The Council adopted an updated version of the EU strategy for combating radicalisation and recruitment to terrorism and the associated action plan.

1.21.40. Council conclusions on the creation of a nuclear, radiological, biological and chemical (NRBC) database.

References:

European Union counter-terrorism strategy: Bull. 12-2005, point 1.4.24

Council conclusions on addressing chemical, biological, radiological and nuclear risks and on bio-preparedness: Bull. 12-2007, point 1.20.20

Adopted by the Council at its session of 27 and 28 November. The Council stressed that measures to combat the NRBC terrorist threat should be consolidated by facilitating exchange of information in the NRBC field. Accordingly, it considers that in the interests of convergence, the relevant agencies should be encouraged to engage in closer operational cooperation, thereby increasing the sharing of experience and simple, secure exchange of information on NRBC matters. It invited Europol with the support of the Commission, to develop and to host the European NRBC database in the European bomb data system. The NRBC database will gather and centralise technical information on NRBC terrorism-related events and NRBC products and materials which may

be used with malicious intent. Finally, the Council invited Member States to take the necessary measures to supply the European NRBC database.

1.21.41. Council conclusions on early warning of threats linked to terrorism and organised crime.

References:

Action plan on the Hague programme: strengthening freedom, security and justice in the European Union: OJ C 198, 12.8.2005; Bull. 6-2005, point 1.4.2

Council Decision 2007/533/JHA on the establishment, operation and use of the second-generation Schengen information system (SIS II): OJ L 205, 7.8.2007; Bull. 6-2007, point 1.20.12

Adopted by the Council at its session of 27 and 28 November. The Council concluded that there is a need for Member States to consider putting in place an early-warning mechanism for suspects linked to terrorism and organised crime in order to facilitate their early detection by consulting the SIS for every visa application. In the event of an alert, the Sirene bureau of the Member State which issued that alert shall be informed. The Council noted that it is necessary to assess whether amendments to existing legal instruments are needed in order to make the application of this mechanism legally binding. This evaluation, taking as a base the principle of proportionality and the need for the protection of fundamental rights, should cover the legal, technical as well as financial impact of the mechanism.

1.21.42. Council conclusions calling for civil protection capabilities to be enhanced by a European mutual assistance system building on the civil protection modular approach (point 1.23.15).

1.21.43. Council conclusions on a European training on disaster crisis management (point 1.23.16).

1.21.44. Council conclusions on enhancing relations between the EU and the United Nations as regards disaster response capacity (point 1.23.17).

Combating crime

1.21.45. Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law.

Reference: Council conclusions on combating racism, antisemitism and xenophobia: Bull. 4-2002, point 1.2.4

Commission proposal: OJ C 75 E, 26.3.2002; COM(2001) 664; Bull. 11-2001, point 1.4.18

Parliament opinion: OJ C 271 E, 12.11.2003; Bull. 7/8-2002, point 1.4.5

Parliament opinion: OJ C 297 E, 20.11.2008; Bull. 11-2007, point 1.20.30

Adopted by the Council on 27 November. The decision makes punishable the following intentional acts in all Member States:

□ public incitement to violence or to hatred, even by the diffusion or distribution of written material, of images or of other supports, against a group of persons or a member of such a group, defined by reference to race, colour, religion, ancestry, national or ethnic origin;

□ public apology, the negation or coarse trivialising of:

genocide crimes, crimes against humanity and war crimes, as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, against a group of persons or a member of such a group defined by reference to race, colour, religion, ancestry, national or ethnic origin;

crimes defined by the Nuremberg Court against a group of persons or a member of such a group defined by reference to race, colour, religion, ancestry, national or ethnic origin.

Member States will ensure that these acts are punishable by a maximum sentence of at least one to three years imprisonment. Member States have a two-year deadline to comply with the framework decision.

OJ L 328, 6.12.2008

1.21.46. Council conclusions on the abuse and misuse of the right to free movement of persons.

References:

Joint proclamation, in conjunction with the Nice European Council, by the Presidents of the Council, the European Parliament and the Commission, of the Charter of Fundamental Rights of the European Union: OJ C 364, 18.12.2000; Bull. 12-2000, point 1.2.2

Directive 2004/38/EC of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States: OJ L 158, 30.4.2004; Bull. 4-2004, point 1.4.14

Adopted by the Council at its session of 27 and 28 November. The Council recalled that the right to free movement in the EU is one of the fundamental principles on which the EU is built. This is a fundamental right for EU citizens and is accompanied by responsibilities, amongst which figures respect for the law of the state in which one is resident. The Council considers that strong and proportioned efforts have to be taken against citizens who transgress the law in a criminal manner. The Council noted in this respect the relevant provisions of Directive 2004/38/EC, in particular those in Chapter VI. It is pleased that the Commission intends to submit an evaluation report on the application of Directive 2004/38/EC between now and the mid-December. Finally, the Council called on the Commission to publish guidelines for the interpretation of this directive at the beginning of 2009 and to consider all other proposals as well as suitable and necessary actions.

1.21.47. Council conclusions on national missing child alert systems.

References:

Council resolution on the contribution of civil society in finding missing or sexually exploited children: OJ C 283, 9.10.2001; Bull. 9-2001, point 1.4.22

Commission communication — ‘Towards an EU strategy on the rights of the child’: COM (2006) 367; Bull. 7/8-2006, point 1.19.1

Declaration of the European Parliament on emergency cooperation in recovering missing children: Bull. 9-2008, point 1.21.12

Adopted by the Council at its session of 27 and 28 November. The Council called on Member States to achieve the following objectives:

- set up and develop a national missing child alert system alerting the public in the event of a child abduction;
- to define the implementing arrangements at national level for cross-border alerts to be triggered quickly in the event of an abduction;
- in introducing and developing such arrangements, to take as a basis the good practices established by the Commission.

1.21.48. Council conclusions on preventing and combating illicit trafficking in cultural goods.

References:

Europol Convention: OJ C 316, 27.11.1995; Bull. 7/8-1995, point 1.5.2

Council Decision 2002/187/JHA setting up Eurojust with a view to reinforcing the fight against serious crime: OJ L 63, 6.3.2002; Bull. 1/2-2002, point 1.4.13

Adopted by the Council at its session of 27 and 28 November. The Council emphasised the importance of close cooperation between Member States’ departments specialising in combating the illicit trafficking of cultural goods, as well as the value of exchanging good practice and experience, for instance, through the designation of contact points in all Member States. It called upon the Commission to compile and report on an inventory of legislative, normative and operational instruments relating to the handling of cultural goods stolen in the EU by 31 December 2010. Finally, the Council called on the Commission to involve Interpol in the aforementioned work and to encourage the development of partnerships between the relevant private and public players.

1.21.49. Council conclusions on combating the criminal misuse and anonymous use of electronic communications.

References:

Council Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services (framework directive): OJ L 108, 24.4.2002; Bull. 1/2-2002, point 1.3.139

Directive 2002/58/EC of the European Parliament and of the Council concerning the processing of personal data and the protection of privacy in the electronic communications sector (directive on privacy and electronic communications): OJ L 201, 31.7.2002; Bull. 7/8-2002, point 1.3.90, as amended by Directive 2006/24/EC: OJ L 105, 13.4.2006; Bull. 3-2006, point 1.19.10

Council conclusions on the tracing of the use of prepaid mobile telephone cards, in order to facilitate criminal investigations: Bull. 5-2003, point 1.4.10

Regulation (EC) No 717/2007 of the European Parliament and of the Council on roaming on public mobile telephone networks within the Community: OJ L 171, 29.6.2007; Bull. 6-2007, point 1.14.4

Adopted by the Council at its session of 27 and 28 November. The Council drew attention to the fact that organised criminal groups take advantage of the implementation of the principle of free movement of persons and the development of electronic (and especially mobile) communications to conduct their criminal activities in the territory of the EU. It invited Member States to supply all relevant information on legislative and non-legislative measures or technical solutions implemented to identify users of communications media, and their degree of operational effectiveness. The Council invited the Commission to inform it, by 15 September 2010, of measures or technical

solutions notified by the Member States and, on that basis, to propose non-legislative and technical solutions to help the services and authorities responsible for compliance with the law to better identify users of electronic communications services, and propose legislative measures if necessary.

1.21.50. Council conclusions on a concerted work strategy and practical measures against cybercrime.

References:

Tampere European Council: Bull. 10-1999, point I.1

Council Framework Decision 2005/222/JHA on attacks against information systems: OJ L 69, 16.3.2005; Bull. 1/2-2005, point 1.4.21

Directive 2006/24/EC of the European Parliament and of the Council on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks: OJ L 105, 13.4.2006; Bull. 3-2006, point 1.19.10

Commission communication — ‘Towards a general policy on the fight against cybercrime’: OJ C 191, 17.8.2007; COM(2007) 267; Bull. 5-2007, point 1.20.11

Council conclusions on cybercrime: Bull. 11-2007, point 1.20.39, and Bull. 10-2008, point 1.21.21

Adopted by the Council at its session of 27 and 28 November. The Council considers that it is important to combat the various elements of cybercrime and to invite Member States and the Commission to determine a joint working strategy, taking into account the content of the Council of Europe Convention on cybercrime. The purpose of this strategy should be to make it possible to cope even more effectively with the multiple crimes committed by means of electronic networks. It underlined the need for horizontal measure such as:

- strengthening the partnership between public authorities and the private sector;
- improving knowledge and training among stakeholders;
- reinforcing technical and international cooperation with third countries.

The Council invited Member States and the Commission to:

- in the short term:
 - set up a European platform aimed at reporting criminal acts committed on the Internet;
 - draft, in consultation with private operators, a European agreement model for cooperation

between law enforcement agencies and private operators;

- find a description of what is meant by identity fraud on the Internet, in compliance with domestic laws;
- set up national frameworks and exchange best practice regarding ‘cyberpatrols’;
- set up joint investigation and enquiry teams;
- find a solution to the problems caused by electronic networks roaming and by the anonymous character of prepaid telecommunication products.
- in the medium term:
 - exchange mechanisms for blocking and/or closing down child pornography sites in Member States;
 - facilitate remote searches;
 - develop temporary definitions of categories of offences and statistical indicators to encourage the collection of comparable statistics on the various forms of cybercrime.

Combating drugs

1.21.51. Council conclusions designed to reinforce the law enforcement action of EU Member States in the fight against drug trafficking in west Africa.

References:

Council conclusions on the European Union drugs strategy (2000–04): Bull. 12-1999, point 1.5.12

EU drugs action plan (2005–08): OJ C 168, 8.7.2005; Bull. 6-2005, point 1.4.27

Council conclusions on drug trafficking along the cocaine route: Bull. 12-2007, point 1.20.23

Economic Community of West African States (Ecowas)–EU ministerial troika meeting: Bull. 4-2008, point 1.35.58

Commission communication on an EU drugs action plan for 2009–12: COM(2008) 567; Bull. 9-2008, point 1.21.15

Adopted by the Council at its session of 27 and 28 November. The Council agreed to:

- consider the most appropriate way of working to ensure the consistency of the actions carried out by the operational law enforcement agencies of Member States, especially with the aim of involving the agencies and bodies of the EU;
- make an inventory of current actions contributing to the fight against drug trafficking in west Africa;

- identify new operational measures that can be set up and activated at short notice;
- enhance dialogue with the countries of the region, conducted individually as well as collectively and also with the relevant regional organisations, especially Ecowas.

1.21.52. Draft agreement between the European Community and the Government of the People's Republic of China on drug precursors and substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances (point 1.35.38).

Data protection

1.21.53. Council Framework Decision 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters.

Reference: Commission communication — 'The Hague programme: 10 priorities for the next five years — Partnership for European renewal in the field of freedom, security and justice': OJ C 236, 24.9.2005; COM(2005) 184; Bull. 5-2005, point 1.4.1

Commission proposal: OJ C 49, 28.2.2006; COM(2005) 475; Bull. 10-2005, point 1.4.16

European Data Protection Supervisor opinion: OJ C 47, 25.2.2006

Parliament opinion: OJ C 300 E, 9.12.2006; Bull. 6-2006, point 1.19.14, and OJ C 306 E, 15.12.2006; Bull. 9-2006, point 1.19.10

European Data Protection Supervisor opinion: OJ C 91, 26.4.2007

Parliament opinion: OJ C 125 E, 22.5.2008; Bull. 6-2007, point 1.20.59, and Bull. 9-2008, point 1.21.16

Adopted by the Council at its session of 27 and 28 November. The purpose of framework decision is to ensure a high level of protection for the basic rights and freedoms, and in particular the privacy, of individuals, while guaranteeing a high level of public safety when exchanging personal data. Under the framework decision the exchange of personal data in the context of police and judicial cooperation in criminal matters will be underpinned by clear binding rules enhancing mutual trust between the competent authorities. The relevant information will be protected so as to prevent any obstruction to Member States' cooperation, while fully respecting the fundamental rights of individuals, in particular their right to privacy and to the protection of their personal data. Common standards on the confidentiality and security of the processing, on liability and on the obligation to lay down penalties for unlawful use will contribute to achieving both those aims. The framework decision defines, among other things, the right of access to data, the right to rectification, erasure or blocking, the right to compensation and the right to seek judicial remedies. It does not preclude Member States from providing higher-level safeguards for protecting personal data than those established in the framework decision. Member States will have two years from the date of adoption in which to comply with the framework decision's provisions.

OJ L 350, 30.12.2008

22. Education and culture

Education and vocational training

Policy objectives

1.22.1. Council resolution and of the representatives of the governments of the Member States, meeting within the Council, on better integrating lifelong guidance into lifelong learning strategies.

References:

Resolution of the Council and the representatives of the governments of the Member States, meeting within the Council, on guidance throughout life in Europe: Bull. 5-2004, point 1.4.6

Recommendation 2006/962/EC of the European Parliament and of the Council on key competences for lifelong learning: OJ L 394, 30.12.2006; Bull. 12-2006, point 1.20.5

Council conclusions on a coherent framework of indicators and benchmarks for monitoring progress towards the Lisbon objectives in education and training: OJ C 311, 21.12.2007; Bull. 5-2007, point 1.21.1

Council resolution on 'New skills for new jobs': OJ C 290, 4.12.2007; Bull. 11-2007, point 1.12.2

Proposal for a recommendation of the European Parliament and of the Council on the establishment of a European quality assurance reference framework for vocational education and training: OJ C 202, 8.8.2008; COM(2008) 179; Bull. 4-2008, point 1.22.1

Council conclusions on adult learning: OJ C 140, 6.6.2008; Bull. 5-2008, point 1.22.2

Adopted by the Council at its session of 20 and 21 November. The Council and the representatives of the governments of the Member States invited Member States to:

□ strengthen the role of lifelong guidance within national lifelong learning strategies in line with the Lisbon strategy and with the strategic framework for European cooperation in education and training;

□ where appropriate, carry out reviews of guidance policies and practices at national level;

□ make use of the following guiding principles, in accordance with national contexts and

legislation and with a view to supporting the lifelong career transitions of citizens:

encourage the lifelong acquisition of career management skills;

facilitate access by all citizens to guidance services;

develop the quality assurance of guidance provision;

encourage coordination and cooperation among the various national, regional and local stakeholders;

□ use the opportunities provided under the lifelong learning programme and the European Structural Funds, in accordance with Member States' priorities.

1.22.2. Conclusions of the Council and of the representatives of the governments of the Member States, meeting within the Council, on the future priorities for enhanced European cooperation in vocational education and training (VET).

References:

Council resolution on the promotion of enhanced European cooperation in vocational education and training: OJ C 13, 18.1.2003; Bull. 11-2002, point 1.4.30

Ministerial conference on European cooperation in vocational training and education: Bull. 11-2002, point 1.4.31

Recommendation 2006/962/EC of the European Parliament and of the Council on key competences for lifelong learning: OJ L 394, 30.12.2006; Bull. 12-2006, point 1.20.5

Council conclusions on a coherent framework of indicators and benchmarks for monitoring progress towards the Lisbon objectives in education and training: OJ C 311, 21.12.2007; Bull. 5-2007, point 1.21.1

Council resolution on 'New skills for new jobs': OJ C 290, 4.12.2007; Bull. 11-2007, point 1.12.2

Council conclusions on adult learning: OJ C 140, 6.6.2008; COM(2008) 179; Bull. 5-2008, point 1.22.2

Conclusions of the Council and of the representatives of the governments of the Member States meeting within the Council on promoting creativity and innovation through education and

training: OJ C 141, 7.6.2008; Bull. 5-2008, point 1.22.3

Adopted by the Council at its session of 20 and 21 November. The Council and representatives of the governments of the Member States recalled that vocational education and training (VET) is an essential part of lifelong learning which covers all relevant levels of qualification and which should be closely linked to general education and higher education. It noticed that priorities and guidelines established under the Copenhagen process since 2002 remain valid. The Council stated it is necessary to pursue their implementation, and to address the following four priority areas for the period 2008–10:

- implementing the tools and schemes for promoting cooperation in the field of vocational education and training at national and European level;
- heightening the quality and attractiveness of vocational education and training systems;
- improving the links between vocational education and training and the labour market;
- strengthening European cooperation arrangements.

1.22.3. Council conclusions — ‘Preparing young people for the 21st century: an agenda for European cooperation on schools’.

References:

Decision No 1720/2006/EC of the European Parliament and of the Council establishing an integrated action programme in the field of lifelong learning: OJ L 327, 24.11.2006; Bull. 11-2006, point 1.20.3

Recommendation 2006/962/EC of the European Parliament and of the Council on key competences for lifelong learning: OJ L 394, 30.12.2006; Bull. 12-2006, point 1.20.5

Council resolution — ‘New skills for new jobs’: OJ C 290, 4.12.2007; Bull. 11-2007, point 1.12.2

Council conclusions on improving the quality of teacher education: OJ C 300, 12.12.2007; Bull. 11-2007, point 1.21.5

Conclusions of the Council and of the representatives of the governments of the Member States meeting within the Council on promoting creativity and innovation through education and training: OJ C 141, 7.6.2008; Bull. 5-2008, point 1.22.3

Commission communication — ‘Improving competences for the 21st century: an agenda for European cooperation on schools’: COM(2008) 425; Bull. 7/8-2008, point 1.22.2

Adopted by the Council on 21 November. The Council welcomed the Commission communication on European cooperation on schools programme. It reaffirmed that free compulsory education is a fundamental right for all citizens, that must be guaranteed by public authorities and that its organisation must remain the responsibility of Member States. It stated that schools have a duty to provide their pupils an education which will enable them to adapt to an increasingly globalised, competitive, diversified and complex environment, in which creativity, the ability to innovate, a sense of initiative, entrepreneurship and a commitment to continue learning are just as important as the specific knowledge of a given subject. It recalled that on average there is still insufficient progress towards the three European benchmarks adopted by the Council for 2010, which relate directly to school education: early school leavers, reading literacy and the completion of upper secondary education. In this regard, the Council set three priorities for European cooperation on schools:

- guarantee and improve the acquisition of key competences, in particular literacy and numeracy;
- enhance the essential role which schools play in promoting inclusive societies and strengthening social cohesion, by ensuring high-quality education for all pupils in accordance with the principle of equity;
- promote teaching as a profession and to improve initial and in-service training for teaching staff and school leaders.

1.22.4. Committee of the Regions opinion on the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘Improving competences for the 21st century: an agenda for European cooperation on schools’.

Commission communication: COM(2008) 425; Bull. 7/8-2008, point 1.22.2

Adopted by the Committee of the Regions on 26 November. The Committee welcomed this communication. However, it lamented the Commission’s failure to mention the contribution that local and regional authorities can make given — their diverse responsibilities in the education sector and their detailed knowledge of the local and regional circumstances, to better tackle the questions raised:

- *concerning competences:* the Committee considers it important that schools have a coherent concept of education so that pupils understand how the education they receive is

structured and what is expected of them. It considers that promoting reading skills is one of the school's core tasks;

□ *concerning high-quality learning for every student*: the Committee recalled that pre-school facilities were important foundations for subsequent successful learning throughout the school career. It is aware that in many instances pupils from migrant backgrounds face very complex problems and therefore require particular attention. In addition, the Committee felt that fixing overall measures concerning education provision for pupils with special educational needs is inappropriate;

□ *concerning teachers and school staff*: the Committee noted that teachers are crucial to achieving the Lisbon goals. It considers that priority must be given to high-quality pedagogical and technical initial teacher-training that includes periods of teaching practice.

'Education' programmes

1.22.5. Proposal for a decision of the European Parliament and of the Council amending Decision No 1720/2006/EC establishing an action programme in the field of lifelong learning.

Decision to be amended: Decision No 1720/2006/EC of the European Parliament and of the Council: OJ L 327, 24.11.2006; Bull. 11-2006, point 1.20.3

Commission proposal: OJ C 118, 15.5.2008; COM(2008) 61; Bull. 1/2-2008, point 1.22.9

European Economic and Social Committee opinion: OJ C 224, 30.8.2008; Bull. 5-2008, point 1.22.9

Parliament opinion (first reading): Bull. 9-2008, point 1.22.4.

Approved by the Council at its session of 20 and 21 November. Now approved by both institutions, the proposed decision aims to implement the selection decisions for the projects to fund faster and more effectively under the action programme.

Cooperation programmes with third countries

1.22.6. Proposal for a regulation of the European Parliament and of the Council establishing a European Training Foundation (recast).

Regulation to be amended: Regulation (EEC) No 1360/90: OJ L 131, 23.5.1990; Bull. 5-1990, point 1.3.2, as amended by Regulation (EC) No 1648/2003: OJ L 245, 29.9.2003

Reference: Commission communication — 'European Training Foundation': OJ C 126, 7.6.2007; COM(2006) 832; Bull. 12-2006, point 1.20.6

Commission proposal: OJ C 106, 26.4.2008; COM(2007) 443; Bull. 7/8-2007, point 1.21.5

Parliament opinion (first reading): Bull. 5-2008, point 1.22.5

European Economic and Social Committee opinion: Bull. 10-2008, point 1.22.5

Common position adopted by the Council on 18 November. This proposal aims to extend the European Training Foundation's (ETF) reach beyond education and training to include human capital development and to open the ETF to the participation of third countries.

Multilingualism

1.22.7. Council resolution on a European strategy for multilingualism.

References:

Council resolution on the promotion of linguistic diversity and language learning in the framework of the European Year of Languages: OJ C 50, 23.2.2002; Bull. 1/2-2002, point 1.4.33

Conclusions of the Barcelona European Council: Bull. 3-2002, point I.36

Council conclusions on the European indicator of language competence: OJ C 172, 25.7.2006; Bull. 5-2006, point 1.20.4

Decision No 1983/2006/EC of the European Parliament and of the Council concerning the European Year of Intercultural Dialogue (2008): OJ L 412, 30.12.2006; Bull. 12-2006, point 1.20.11

Council conclusions on multilingualism: OJ C 140, 6.6.2008; Bull. 5-2008, point 1.22.6

Conclusions of the Council and of the representatives of the governments of the Member States, meeting within the Council, on the work plan for culture 2008–10: OJ C 143, 10.6.2008; Bull. 5-2008, point 1.22.12

Council conclusions on intercultural competences: OJ C 141, 7.6.2008; Bull. 5-2008, point 1.22.13

Green Paper — 'Migration and mobility: challenges and opportunities for EU education systems': COM(2008) 423; Bull. 7/8-2008, point 1.22.1

Commission communication — 'Multilingualism: an asset for Europe and a shared commitment': COM(2008) 566; Bull. 9-2008, point 1.22.5

Adopted by the Council at its session of 20 and 21 November. The Council invited Member States and the Commission, within their respective spheres of competence to promote:

- multilingualism with a view to strengthening social cohesion, intercultural dialogue and European construction;
- lifelong language learning;
- multilingualism as a factor in the European economy's competitiveness and people's mobility and employability;
- linguistic diversity and intercultural dialogue by stepping up assistance for translation, in order to encourage the circulation of works and the dissemination of ideas and knowledge in Europe and across the world.

Youth and sport

Youth

Policy objectives

1.22.8. Council recommendation on the mobility of young volunteers across the European Union.

References:

Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community: OJ L 149, 5.7.1971, as amended by Regulation (EC) No 1290/97: OJ L 176, 4.7.1997; Bull. 6-1997, point 1.3.260

Recommendation 2001/613/EC of the European Parliament and of the Council on mobility within the Community for students, persons undergoing training, volunteers, teachers and trainers: OJ L 215, 9.8.2001; Bull. 7/8-2001, point 1.4.13

Council Directive 2004/114/EC on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service: OJ L 375, 23.12.2004; Bull. 12-2004, point 1.4.11

Recommendation 2006/961/EC of the European Parliament and of the Council on transnational mobility within the Community for education and training purposes: European quality charter for mobility: OJ L 394, 30.12.2006; Bull. 12-2006, point 1.20.4

Resolution of the Council and the representatives of the governments of the Member States, meeting within the Council, on implementing the common objectives for voluntary activities of young people: OJ C 241, 20.9.2008; Bull. 11-2007, point 1.21.12

Commission proposal: COM(2008) 424; Bull. 7/8-2008, point 1.22.4

Formally adopted by the Council at its session of 20 and 21 November. The Council recalled that cross-border voluntary activities are characterised as follows: open to all young people, undertaken by their own free will in the general interest, for a sustained period, within a clear framework and in a country other than the country of residence, unpaid or with token payment and/or coverage of expenses. It stated that cross-border mobility in Europe can be an important tool to promote education, employment and regional and social cohesion, and to help improve mutual understanding and active participation in society. This is particularly the case for young people in a labour market which increasingly values adaptability and flexibility. The Council mainly recommended Member States to:

- raise awareness on voluntary activities within their national territories;
- make information available to all the relevant actors on the rights and opportunities that arise from existing provisions at European and national level on cross-border voluntary activities;
- increase awareness on the importance of intercultural competences and language learning among young people in order to reduce barriers to their cross-border mobility.

1.22.9. Resolution of the Council and the representatives of the governments of the Member States on the health and well-being of young people.

References:

White Paper: 'A new impetus for European youth': COM(2001) 681; Bull. 11-2001, point 1.4.26

Council resolution on European cooperation in the field of youth: OJ C 168, 13.7.2002; Bull. 6-2002, point 1.4.25

European Council conclusions: Bull. 3-2005, point I.7

Commission communication — 'Promoting young people's full participation in education, employment and society': OJ C 4, 9.1.2008; COM(2007) 498; Bull. 9-2007, point 1.21.8

Council conclusions on the EU health strategy: Bull. 12-2007, point 1.25.19

Council resolution on the participation of young people with fewer opportunities: OJ C 141, 7.6.2008; Bull. 5-2008, point 1.22.7

Adopted by the Council on 20 November. The Council recalled that although the health of young people in Europe is globally satisfactory, certain fields are of particular concern such as nutrition, physical activity, alcohol abuse, sexual and mental health. It noted that the health and

well-being of young people should be addressed by a comprehensive and cross-sectoral approach encompassing all appropriate areas, in particular the public health system, formal and informal learning, employment and social inclusion, childhood and family, sport, cultural activities, research, the environment, the media and consumer protection. The Council highlighted that special attention should be paid to young people's mental health, particularly promoting good mental health especially through schools and youth work, and to the prevention of self-harm and suicide. Finally, it specified that health policy in its youth dimension should involve the local, regional, national and European levels of public policy and be based on a broad partnership between those involved in formal, non-formal and informal learning, healthcare professionals, economic and social partners, especially youth associations, and the media. The Council invited Member States and the Commission to act in this direction.

1.22.10. Committee of the Regions opinion on the proposal for a Council recommendation on mobility of young volunteers across Europe.

Reference: point 1.22.8 of this Bulletin

Adopted by the Committee of the Regions on 26 November. The Committee appreciates the Commission's creativity in its search for a way to facilitate youth volunteering in another Member State. It called upon the Commission to support the promotion of cooperation between voluntary organisations by developing not only a European youth volunteer portal, but also a database of best practices, projects, opportunities and detailed information. The Committee emphasised the role of local and regional authorities with regard to volunteering and in particular the involvement of young people with fewer opportunities. It deplored the fact that there are still socioeconomic and administrative obstacles which hinder young volunteer's mobility. It therefore proposed to take the lead by drawing up a list of these obstacles in the context of a broad review of volunteering. The Committee stressed the importance of reducing linguistic barriers in Europe by encouraging language learning by volunteers. Finally, it emphasised the importance of recognising skills acquired by the volunteer, so that they may be used later in his or her career (work or study).

'Youth' programme

1.22.11. Proposal for a decision of the European Parliament and of the Council amending Decision No 1719/2006/EC establishing the youth in action programme for the period 2007–13.

Decision to be amended: Decision No 1719/2006/EC of the European Parliament and of the Council: OJ L 327, 24.11.2006; Bull. 11-2006, point 1.20.8

Commission proposal: OJ C 118, 15.5.2008; COM(2008) 56; Bull. 1/2-2008, point 1.22.13

European Economic and Social Committee opinion: OJ C 224, 30.8.2008; Bull. 5-2008, point 1.22.8

Parliament opinion (first reading): Bull. 9-2008, point 1.22.8

Approved by the Council on 20 November. Now approved by both institutions, the proposed decision aims to simplify the award process of grants by limiting the delay of decision-making.

Culture

Policy objectives

1.22.12. Council conclusions on the European digital library Europeana (point 1.15.9).

1.22.13. Council conclusions on preventing and combating illicit trafficking in cultural goods (point 1.21.48).

1.22.14. Proposal for a decision of the European Parliament and of the Council amending Decision No 1855/2006/EC establishing the Culture programme (2007–13).

Decision to be amended: Decision No 1855/2006/EC of the European Parliament and of the Council: OJ L 372, 27.12.2006; Bull. 12-2006, point 1.20.12

Commission proposal: OJ C 118, 15.5.2008; COM(2008) 57; Bull. 1/2-2008, point 1.22.19

Parliament opinion (first reading): Bull. 9-2008, point 1.22.9

Approved by the Council on 20 November. Now approved by both institutions, the proposed decision aims to implement the selection decisions for the projects funded under the Culture programme faster and more effectively.

1.22.15. Conclusions of the Council and of the representatives of the governments of Member States, meeting within the Council, on the

promotion of cultural diversity and intercultural dialogue in the external relations of the EU and its Member States.

References:

Council Decision 2006/515/EC on the conclusion of the Convention on the protection and promotion of the diversity of cultural expressions: OJ L 201, 25.7.2006; Bull. 5-2006, point 1.20.8

Decision No 1983/2006/EC of the European Parliament and of the Council concerning the European Year of Intercultural Dialogue (2008): OJ L 412, 30.12.2006; Bull. 12-2006, point 1.20.11

Commission communication on a European agenda for culture in a globalising world: OJ C 181, 3.8.2007; COM(2007) 242; Bull. 5-2007, point 1.21.5

Council resolution on a European agenda for culture: OJ C 287, 29.11.2007; Bull. 11-2007, point 1.21.14

Conclusions of the Council and of the representatives of the governments of the Member States meeting within the Council on the work plan for culture 2008–10: OJ C 143, 10.6.2008; Bull. 5-2008, point 1.22.12

Council conclusions on intercultural competences: OJ C 141, 7.6.2008; Bull. 5-2008, point 1.22.13

European Council conclusions: Bull. 6-2008, point 1.28

Adopted by the Council at its session of 20 and 21 November: The Council and the representatives of the governments of Member States called on Member States and on the Commission to pursue the following policy objectives:

□ strengthening the place and the role of culture in the policies and programmes conducted within the framework of external relations and promoting cooperation with third countries and international organisations with responsibility in the field of culture, in particular Unesco and the Council of Europe, in order to improve the quality and diversity of the cultural activities carried out, and, more generally, contribute to the attainment of external policy objectives and to sustainable development;

□ promoting the Unesco Convention on the protection and promotion of the diversity of cultural expressions;

□ promoting intercultural dialogue through the pursuit of specific projects, awareness-raising activities and exchanges of good practice carried out successfully in Member States and outside the EU in the framework of the European Year of Intercultural Dialogue (2008), in particular in

the light of the stock-taking exercise on that year that will be carried out by the Commission; □ define comprehensive and consistent approaches to drawing up a European strategy for incorporating culture consistently and systematically in the external relations of the EU and contributing to the complementarity of the EU's activities with those of its Member States.

1.22.16. Council conclusions on architecture: culture's contribution to sustainable development.

References:

Council resolution on architectural quality in urban and rural environments: OJ C 73, 6.3.2001; Bull. 1/2-2001, point 1.4.23

European Council conclusions: Bull. 6-2006, point 1.4

Council conclusions on a coherent framework of indicators and benchmarks for monitoring progress towards the Lisbon objectives in education and training: OJ C 311, 21.12.2007; Bull. 5-2007, point 1.21.1

Commission communication on a European agenda for culture in a globalising world: OJ C 181, 3.8.2007; COM(2007) 242; Bull. 5-2007, point 1.21.5

Council resolution on a European agenda for culture: OJ C 287, 29.11.2007; Bull. 11-2007, point 1.21.14

Adopted by the Council at its session of 20 and 21 November: The Council welcomed the work of the European architectural policy forum on issues of architectural quality and sustainable development. It underlined that Europe's towns and cities today face major challenges: demographic change and its implications for urbanisation, environmental issues and climate change mitigation, maintaining social cohesion, particularly against a background of economic and cultural change, and the protection and development of architectural and cultural heritage. The Council stated that the way to respond to those challenges is by means of sustainable urban development, a creative, integrated approach under which culture, economics, social affairs and the environment each play an equally important part. Moreover, it recalled that architecture can play an integrating and innovative role in implementing sustainable urban development, in particular by reconciling the sometimes differing requirements of building and landscape conservation and contemporary creation or of inhabitants' legitimate aspirations and controlling urbanisation. The Council noted with interest the initiatives by many European towns and cities,

in particular as European cultural capitals, to use culture and especially architecture as a major means of regeneration. Finally, it observed that the emergence of creative towns and cities, whose sustainable urban development is based on new competitive factors, including urban infrastructure quality and interaction between culture and industry.

1.22.17. Council conclusions on the creation of a European heritage label by the European Union.

References:

Commission communication on a European agenda for culture in a globalising world: OJ C 181, 3.8.2007; COM(2007) 242; Bull. 5-2007, point 1.21.5

Council resolution on a European agenda for culture: OJ C 287, 29.11.2007; Bull. 11-2007, point 1.21.14

European Parliament resolution on a European agenda for culture in a globalising world: Bull. 4-2008, point 1.22.6

Conclusions of the Council and of the representatives of the governments of the Member States meeting within the Council on the work plan for culture 2008–10: OJ C 143, 10.6.2008; Bull. 5-2008, point 1.22.12

Adopted by the Council on 20 November. The Council considers that the creation of a European heritage label by the EU, which would aim to emphasise Europe's common history in a concrete way by enhancing the European dimension of its cultural heritage, could contribute to:

- enhancing the value and raising the profile of Member States' heritage as well as the shared cultural heritage;
- increasing knowledge and appreciation among citizens of their history and their shared and diverse cultural heritage.

Finally, the Council considers that the EU's European heritage label should be awarded on the basis of common, clear and transparent criteria.

1.22.18. Committee of the Regions opinion on integration policy and intercultural dialogue.

References:

Decision No 1983/2006/EC of the European Parliament and of the Council concerning the European Year of Intercultural Dialogue (2008): OJ L 412, 30.12.2006; Bull. 12-2006, point 1.20.11

European Year of Intercultural Dialogue 2008: Bull. 12-2007, point 1.21.4

Council conclusions on intercultural competences: OJ C 141, 7.6.2008; Bull. 5-2008, point 1.22.13

Adopted by the Committee of Regions on 26 November. The Committee's opinion focuses on:

□ *the principle of multicultural dialogue:* the Committee believes that the basic principle underlying the process of European integration is respect for, and the promotion of, cultural diversity. In this sense, intercultural dialogue is a key instrument in promoting understanding of cultural diversity and strengthening and uniting people in a multilingual, multicultural Europe. It is convinced that dialogue between different religions and world views is one of the prime instruments for sustainable intercultural dialogue;

□ *the role of local and regional authorities in intercultural dialogue:* the Committee believes that local and regional authorities could use their position to raise awareness of the present complex situation and the co-existence of various cultural identities and belief systems;

□ *intercultural dialogue as a key condition for integration policy:* the Committee called for adequate resources to be provided for integration measures at local and regional level while existing programmes are explored. It suggested that local and regional authorities make efforts to improve access for immigrants to work and to fight discrimination in the labour market. The Committee also called for greater attention to be paid to the cultural, linguistic and intellectual potential of immigrants, which are of great importance to the EU in the globalising world. It encouraged local and regional authorities to make use of existing EU funding possibilities to helping migrants, asylum-seekers and refugees to gain access to social, health and housing services;

□ *strengthening cooperation with the media:* the Committee considers that local media have an important role to play in informing people as objectively as possible about the situation and reality of Europe's multi-cultural societies.

Relations, partnerships and communication with civil society

'Europe for citizens' programme

1.22.19. Proposal for a decision of the European Parliament and of the Council amending Decision No 1904/2006/EC establishing for the

period 2007–13 the ‘Europe for citizens’ programme to promote active European citizenship.

Decision to be amended: Decision No 1904/2006/EC of the European Parliament and of the Council: OJ L 378, 27.12.2006; Bull. 12-2006, point 1.20.14

Commission proposal: OJ C 118, 15.5.2008; COM(2008) 59; Bull. 1/2-2008, point 1.22.22

Parliament opinion (first reading): Bull. 9-2008, point 1.22.10

Approved by the Council on 20 November. Now approved by both institutions, the proposed decision aims to implement the selection decisions for the projects to fund faster and more effectively under the programme.

Special events

1.22.20. Proposal for a decision of the European Parliament and of the Council concerning the European Year of Creativity and Innovation (2009).

References:

Lisbon European Council conclusions: Bull. 3-2000, point 1.13

Commission communication — ‘Making a European area of lifelong learning a reality’: COM(2001) 678; Bull. 11-2001, point 1.4.23

Council resolution on lifelong learning: OJ C 163, 9.7.2002; Bull. 6-2002, point 1.4.24

Recommendation 2006/962/EC of the European Parliament and of the Council on key

competences for lifelong learning: OJ L 394, 30.12.2006; Bull. 12-2006, point 1.20.5

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 159; Bull. 3-2008, point 1.22.6

Committee of the Regions opinion: OJ C 257, 9.10.2008; Bull. 6-2008, point 1.22.9

European Economic and Social Committee opinion: Bull. 7/8-2008, point 1.22.5

Parliament opinion (first reading): Bull. 9-2008, point 1.22.11

Approved by the Council on 20 November. Now approved by both institutions, the proposed decision aims to support Member States’ efforts to promote creativity, through education and continued vocational training, as a driver of innovation and an essential factor in the development of vocational and entrepreneurial skills.

In the context of existing programmes, the EU will contribute to the funding of European, national, regional or local measures which contribute to these objectives, including:

- conferences, events and initiatives designed to raise awareness of the importance of creativity and a capacity for innovation;
- information and promotion campaigns to disseminate key messages;
- identification of examples of good practice and dissemination of information about promoting creativity and a capacity for innovation;
- surveys and studies on a Community or national scale.

23. Environment

General

1.23.1. Proposal for a directive of the European Parliament and of the Council on the protection of animals used for scientific purposes.

Directive to be amended: Council Directive 86/609/EEC on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes — OJ L 358, 18.12.1986, as amended by Directive 2003/65/EC of the European Parliament and of the Council — OJ L 230, 16.9.2003; Bull. 7/8-2003, point 1.4.72

Reference: Commission communication on a Community action plan on the protection and welfare of animals 2006–10: OJ C 49, 28.2.2006; COM(2006) 13; Bull. 1/2-2006, point 1.23.2

Adopted by the Commission on 5 November. This proposal aims at harmonising and levelling the practices for the breeding, keeping and use of animals in scientific procedures in the EU. According to the Commission, the disparity of measures between Member States, due to issues not being adequately covered by Directive 86/609/EEC, must be rectified. This directive shall apply where animals are used or intended to be used in procedures, or where they are bred specifically so that their organs or tissues may be used for scientific purposes. It provides a solid basis for a full implementation of the principles of the ‘three Rs’; replacement, reduction and refinement of the use animals in scientific procedures. Having regard to the fact that with current scientific knowledge, a complete phase-out of animal use is unfortunately not yet achievable, the Commission believes that the most pragmatic approach to reducing the number of animals in scientific procedures is through the introduction of alternative methods. The proposed directive lays down rules on the following:

- the replacement and reduction of the use of animals in procedures and the refinement of the breeding, accommodation, care and use of animals in procedures;
- the origin, breeding, marking, care and accommodation of animals;

- the functioning of breeding, supplying or user establishments;
- the evaluation and authorisation of projects involving the use of animals in procedures.

COM(2008) 543

Taking environment into account in other policies

1.23.2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘Global monitoring for environment and security (GMES): we care for a safer planet’ (point 1.13.4).

Quality of the environment and the management of resources

Protection of water and coastal zones

1.23.3. Communication from the Commission — ‘Roadmap for maritime spatial planning: achieving common principles in the EU’ (point 1.20.12).

Protection of nature and biodiversity, forests

1.23.4. Proposal for a Council decision establishing the position to be adopted on behalf of the European Community with regard to proposals for amending Appendices I and II to the Convention on the conservation of migratory species of wild animals at the ninth meeting of the Conference of the Parties.

References:

Bonn Convention on the conservation of migratory wild animals: OJ L 210, 19.7.1982

Council decision relating to the amendment of the Bonn Convention: point 1.23.5 of this Bulletin

Adopted by the Commission on 3 November. The proposal is intended to establish the position to be adopted by the Commission on behalf of the Community at the voting on the proposals amending Appendices I and II to the convention, at the ninth meeting of the Conference of the Parties to the convention. These amendments aim at extending the convention to several non-protected species. None of the proposals for amendments tabled by parties would require any change in Community law.

COM(2008) 695

1.23.5. Council decision relating to the amendment of the Bonn Convention on the conservation of migratory wild animals.

References:

Bonn Convention on the conservation of migratory wild animals: OJ L 210, 19.7.1982

Proposal for a Council decision establishing the position to be adopted on behalf of the European Community with regard to proposals for amending Appendices I and II to the Convention on the conservation of migratory species of wild animals at the ninth meeting of the Conference of the Parties: point 1.23.4 of this Bulletin

Adopted by the Council on 21 November. The Council adopted a decision in favour of the inclusion of several species in the convention, in order to better ensure their protection. The next session of the Conference of the Parties to the convention will take place in Rome from 1 to 5 December 2008.

1.23.6. 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 international convention on the regulation of whaling and its schedule.

References:

Council recommendation authorising the Commission to negotiate, on behalf of the Community, a protocol amending the international convention on the regulation of whaling, Washington, 2 December 1946: COM(1992) 316

Commission communication on Community action in relation to whaling: OJ C 106, 26.4.2008; COM(2007) 823: Bull. 12-2007, point 1.22.9

Adopted by the Commission on 6 November. The next annual meeting of the international convention on the regulation of whaling (IWC) will take place in June 2009 in Funchal, Portugal. It will be preceded by an important inter-session meeting on the future of the IWC in February/March 2009. The Commission

therefore proposes to establish the Community position for IWC meetings in 2009 and in the future.

COM(2008) 711

1.23.7. Directive 2008/102/EC of the European Parliament and of the Council amending Council Directive 79/409/EEC on the conservation of wild birds, as regards the implementing powers conferred on the Commission.

Amended directive: Council Directive 79/409/EEC: OJ L 103, 25.4.1979, as amended by Directive 97/49/EC: OJ L 223, 13.8.1997; Bull. 7/8-1997, point 1.3.179

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 105; Bull. 1/2-2008, point 1.23.12

European Economic and Social Committee opinion: OJ C 211, 19.8.2008

Parliament opinion (first reading): Bull. 7/8-2008, point 1.23.7

Council approval: Bull. 10-2008, point 1.23.10

Signed by the European Parliament and the Council on 19 November.

OJ L 323, 3.12.2008

Sustainable use of resources: consumption and waste

1.23.8. Directive 2008/98/EC of the European Parliament and of the Council on waste.

Repealed directives:

Council Directive 75/439/EEC on the disposal of waste oils: OJ L 194, 25.7.1975

Council Directive 91/689/EEC on hazardous waste: OJ L 377, 31.12.1991

European Parliament and Council Directive 2006/12/EC on waste (consolidated version): OJ L 114, 27.4.2006; Bull. 4-2006, point 1.21.5

Commission proposal: OJ C 70, 22.3.2006; COM(2005) 667; Bull. 12-2005, point 1.4.48

European Economic and Social Committee opinion: OJ C 309, 16.12.2006; Bull. 7/8-2006, point 1.21.6

Parliament opinion (first reading): OJ C 287 E, 29.11.2007; Bull. 1/2-2007, point 1.22.10

Council political agreement on a common position: Bull. 6-2007, point 1.22.8

Council common position: OJ C 71 E, 18.3.2008; Bull. 12-2007 1.22.11

Parliament opinion (second reading): Bull. 6-2008, point 1.23.7

Council approval: Bull. 10-2008, point 1.23.11

Signed by the European Parliament and the Council on 19 November.

OJ L 312, 22.11.2008

1.23.9. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘An EU strategy for better ship dismantling’.

References:

Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste: OJ L 190, 12.7.2006; Bull. 5-2006, point 1.21.5

Green Paper on better ship dismantling: OJ C 191, 17.8.2007; COM(2007) 269; Bull. 5-2007, point 1.23.15

European Parliament resolution on the Green Paper on better ship dismantling: Bull. 5-2008, point 1.24.8

Adopted by the Commission on 19 November.

Following the Green Paper and the consultation linked to it on ship dismantling, this communication proposes to adopt an EU strategy on ship dismantling. The general objective of this strategy is to ensure that ships with a strong link to the EU, in terms of flag or ownership, are dismantled only in safe and environmentally sound facilities worldwide. It also includes a specific objective: to prevent, in line with the waste shipment regulation, the export of hazardous end-of-life ships from the EU to developing countries. It aims at reducing significantly and in a sustainable way the negative impacts of ship dismantling on human health and the environment without creating unnecessary economic burdens, especially in south Asia.

In order to reach these aims, the following operational objectives are proposed:

provide the necessary encouragement and guidance for the implementation of EC waste shipment law with regard to end-of-life ships;

work toward effective and early transposition of the forthcoming international ship recycling convention in the EU;

assess the need to supplement the ship recycling convention with the necessary measures to address negative impacts of ship dismantling that are not covered by the convention and to promote its practical effectiveness.

COM(2008) 767

Climate change

Adaptation

1.23.10. Committee of the Regions outlook opinion — ‘How regions contribute to achieving European climate change and energy goals, with a special focus on the covenant of mayors’.

Reference: Commission communications — ‘Supporting early demonstration of sustainable power generation from fossil fuels’ and ‘20 20 by 2020: Europe’s climate change opportunity’; proposal for a decision of the European Parliament and of the Council on the effort of Member States to reduce their greenhouse gas emissions to meet the Community’s greenhouse gas emission reduction commitments up to 2020; proposal for a directive of the European Parliament and of the Council on the promotion of the use of energy from renewable sources; proposal for a directive of the European Parliament and of the Council on the geological storage of carbon dioxide and amending Council Directives 85/337/EEC, 96/61/EC, Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC and Regulation (EC) No 1013/2006; proposal for a directive of the European Parliament and of the Council amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading system of the Community: OJ C 118, 15.5.2008; COM(2008) 13; COM(2008) 30; COM(2008) 17; COM(2008) 19; COM(2008) 18; COM(2008) 16; Bull. 1/2-2008, point 1.23.1

Adopted by the Committee of the Regions on 26 November. The Committee recalled that local action is a key determinant of individual changes in behaviour which is crucial to meeting the 20 % energy efficiency targets. According to it, regions, like towns and cities, are key players in the field of energy having responsibilities in numerous activities which deal with planning, permitting, investment, procurement, production and consumption. The Committee was of the view that there should be a direct link between national energy action plans and those of the regions. It reiterated its support for the objectives of the covenant of mayors and the scope of its activities, including reducing energy demand and consumption, developing a sustainable and secure energy supply through the promotion of renewable energy sources and improving the energy efficiency of products. The Committee welcomed the positive start to the covenant and the high level of political commitment from European municipalities who have signed up to achieving more than 20 % energy savings. As

further suggestions for the covenant, it called for clear guidance on how emissions data is going to be reported and measured. Finally, the Committee called for EU funding and financing to be adapted in order to prioritise actions to promote the use of sustainable energy.

Environment and health

Chemicals, industrial substances, pesticides, nanotechnologies

1.23.11. Proposal for a decision of the European Parliament and of the Council amending Council Directive 76/769/EEC as regards restrictions on the marketing and use of certain dangerous substances and preparations 2-(2-methoxyethoxy)ethanol, 2-(2-butoxyethoxy)ethanol, methylenediphenyl diisocyanate, cyclohexane and ammonium nitrate (point 1.13.8).

Biotechnologies

1.23.12. Proposal for a Council decision concerning the placing on the market, in accordance with Directive 2001/18/EC of the European Parliament and of the Council, of a carnation (*Dianthus caryophyllus* L., line 123.8.12) genetically modified for flower colour.

Reference: Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms: OJ L 106, 17.4.2001; Bull. 3-2001, point 1.4.28, as amended by Directive 2008/27/EC of the European Parliament and of the Council: OJ L 81, 20.3.2008; Bull. 3-2008, point 1.26.11

Adopted by the Commission on 18 November: A notification concerning the placing on the market of a carnation genetically modified for flower colour was submitted by Florigene Ltd, Melbourne, Australia, to the competent authority of the Netherlands in October 2006. In February 2007 the latter forwarded its assessment report of the notification to the Commission, who forwarded it to Member States. The report concluded that the genetically modified carnation may be placed on the market for its intended uses. However, the competent authorities of some Member States raised and maintained objections to the placing on the market of the products, referring to the monitoring plan, allergenicity and toxicity, and detection of the product. In the light of these

objections, the European Food Safety Authority (EFSA) was consulted and issued a favourable opinion in March 2008 concluding, from all evidence provided, that cut flowers of these genetically modified carnations are unlikely to have an adverse effect on human and animal health or the environment in the context of its proposed ornamental use. EFSA also found that the scope of the monitoring plan provided by the consent holder is in line with the intended use of the carnation. Consequently, the Commission proposes that genetically modified carnation (*Dianthus caryophyllus* L., line 123.8.12) may be placed on the market under certain conditions. In addition, the product may be put to ornamental use only and cultivation is not allowed.

COM(2008) 754

Global environment and international dimension

General

1.23.13. Communication from the Commission to the European Parliament and the Council: the European Union and the Arctic region (point 1.35.28).

Protection of the ozone layer

1.23.14. Draft amendment and adjustment of the Montreal Protocol on substances that deplete the ozone layer.

References:

Vienna Convention for the protection of the ozone layer and Montreal Protocol on substances that deplete the ozone layer: OJ L 297, 31.10.1988

Regulation (EC) No 2037/2000 of the European Parliament and of the Council on substances that deplete the ozone layer: OJ L 244, 29.9.2000; Bull. 6-2000, point 1.4.38, as amended by Council Regulation (EC) No 1791/2006: OJ L 363, 20.12.2006; Bull. 11-2006, point 1.25.9

Proposal for a regulation of the European Parliament and of the Council on substances that deplete the ozone layer: COM(2008) 505; Bull. 7/8-2008, point 1.23.18

Negotiating directives adopted by the Council on 4 November: The Council adopted negotiating directives on the adjustments and amendments to the Montreal Protocol on

substances that deplete the ozone layer. The negotiation meetings will be held in Doha (Qatar) from 16 to 20 November 2008.

Civil protection, environmental accidents

1.23.15. Council conclusions calling for civil protection capabilities to be enhanced by a European mutual assistance system building on the civil protection modular approach.

References:

European Council conclusions: Bull. 6-2005, point II

Council Decision 2007/162/EC, Euratom establishing a civil protection financial instrument: OJ L 71, 10.3.2007; Bull. 3-2007, point 1.22.8

Council conclusions on enhancing the coordination capacity of the Monitoring and Information Centre (MIC) within the Community civil protection mechanism: Bull. 6-2007, point 1.22.13

Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism (recast): OJ L 314, 1.12.2007; Bull. 11-2007, point 1.22.9

Commission communication on reinforcing the Union's disaster response capacity: OJ C 202, 8.8.2008; COM(2008) 130; Bull. 3-2008, point 1.23.8

Adopted by the Council at its session of 27 and 28 November. The Council stressed the importance, in the event of a major disaster, of accelerating the deployment of experts in evaluation and coordination on the disaster site, inter alia by creating a core pool of experts, and of reinforcing the Monitoring and Information Centre, inter alia with national experts during major emergencies. It welcomed the progress in the modular approach and invited Member States to make available further modules in categories not yet or partially covered, for instance through the implementation of multinational modules, and to enhance the availability of modules for interventions of the Community civil protection mechanism.

1.23.16. Council conclusions on a European training on disaster crisis management.

References:

European Council conclusions: Bull. 6-2005, point II

Council Decision 2007/162/EC, Euratom establishing a civil protection financial instrument: OJ L 71, 10.3.2007; Bull. 3-2007, point 1.22.8

Council conclusions on enhancing the coordination capacity of the Monitoring and

Information Centre (MIC) within the Community civil protection mechanism: Bull. 6-2007, point 1.22.13

Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism (recast): OJ L 314, 1.12.2007; Bull. 11-2007, point 1.22.9

Communication from the Commission on reinforcing the Union's disaster response capacity: OJ C 202, 8.8.2008; COM(2008) 130; Bull. 3-2008, point 1.23.8

Adopted by the Council at its session of 27 and 28 November. The Council noted that the existing trainings in the field of the Community civil protection mechanism have yielded excellent results. It called on the Commission to develop a European disaster management training arrangements that aim at:

□ reinforcing and diversifying Community training;

□ creating a network between the training centres to favour convergence between national trainings.

The Commission was invited to present proposals before the end of 2009.

1.23.17. Council conclusions on enhancing relations between the EU and the United Nations as regards disaster response capacity.

References:

European Council conclusions: Bull. 6-2005, point II

Council Decision 2007/162/EC, Euratom establishing a civil protection financial instrument: OJ L 71, 10.3.2007; Bull. 3-2007, point 1.22.8

Council conclusions on enhancing the coordination capacity of the Monitoring and Information Centre (MIC) within the Community civil protection mechanism: Bull. 6-2007, point 1.22.13

Council Decision 2007/779/EC, Euratom establishing a Community civil protection mechanism (recast): OJ L 314, 1.12.2007; Bull. 11-2007, point 1.22.9

Commission communication on reinforcing the Union's disaster response capacity: OJ C 202, 8.8.2008; COM(2008) 130; Bull. 3-2008, point 1.23.8

Adopted by the Council at its session of 27 and 28 November. The Council welcomed the progress achieved in the cooperation between the UN Office for the Coordination of Humanitarian Affairs (OCHA) and the Commission, whilst mandating the Commission to further improve this cooperation.

Environmental crime

1.23.18. Directive 2008/99/EC of the European Parliament and of the Council on the protection of the environment through criminal law.

References:

Council Framework Decision 2003/80/JHA on the protection of the environment through criminal law: OJ L 29, 5.2.2003; Bull. 1/2-2003, point 1.4.54

Commission communication on the implications of the Court's judgment of 13 September 2005 (Case C-176/03 *Commission v Council*): OJ C 49, 28.2.2006; COM(2005) 583; Bull. 11-2005, point 1.4.11

Parliament resolution on the consequences of the judgment of the Court of 13 September 2005: Bull. 6-2006, point 1.19.16

Commission proposal: OJ C 138, 22.6.2007; COM(2007) 51; Bull. 1/2-2007, point 1.22.20

European Economic and Social Committee opinion: OJ C 10, 15.1.2008; Bull. 9-2007, point 1.22.6

Parliament opinion (first reading): Bull. 5-2008, point 1.23.12

Council approval: Bull. 10-2008, point 1.23.24

Signed by the European Parliament and the Council on 19 November.

OJ L 328, 6.12.2008

Respect and implementation of Community legislation

1.23.19. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on implementing European Community environmental law.

References:

Decision No 1600/2002/EC of the European Parliament and of the Council laying down the sixth Community environment action programme: OJ L 242, 10.9.2002; Bull. 7/8-2002, point 1.4.12

Commission communication on the mid-term review of the sixth Community environment action programme: OJ C 181, 3.8.2007; COM (2007) 225

Commission communication — 'A Europe of results — applying Community law': OJ C 4, 9.1.2008; COM(2007) 502; Bull. 9-2007, point 1.36.1

Adopted by the Commission on 18 November. The aim of this communication is to show how the new approaches set out in the communication 'A Europe of results — applying Community law' will be applied in the

area of environment. It identifies the challenges of implementing EC environmental law and outlines the specific means of promoting and achieving compliance more efficiently and rapidly. These are divided between:

□ measures to prevent breaches by improving the quality of new EC environmental legislation and ensuring good-quality national implementation;

□ measures to respond to the specific concerns of the European public, including by way of the improved problem-solving mechanism and an enhanced Commission presence in Member States;

□ criteria for identifying those breaches which call for an especially high level of attention;

□ proposals for enhanced dialogue with Parliament, the public and interested parties.

The communication reflects the increased priority attached to implementation, especially as expressed in the sixth environment action programme and its mid-term review, and responds to Parliament's long-standing interest for this matter.

COM(2008) 773

Environmental instruments

1.23.20. European Parliament resolution on the review of Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States.

References:

Recommendation 2001/331/EC of the European Parliament and of the Council: OJ L 118, 27.4.2001; Bull. 4-2001, point 1.4.18

Commission communication on the review of Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States: OJ C 55, 28.2.2008; COM (2007) 707; Bull. 11-2007, point 1.22.13

Adopted by the European Parliament on 20 November. Recommendation 2001/331/EC contains non-binding criteria for planning, carrying out and the follow up of environmental inspections. It aims at strengthening compliance with Community environmental law and to contribute to its more consistent implementation and enforcement in all Member States. Parliament voiced its concern at the Commission's conclusion that the full implementation of environmental legislation in the Community cannot be ensured, since this leads not only to continuing damage to the environment but also

to distortions of competition. It disapproved of the Commission's intention to deal with the problem only through a non-binding recommendation and through the insertion of specific legally binding requirements in sectoral legislation. Parliament urged the Commission to come forward with a proposal for a directive on environmental inspections, before the end of 2009, which would clarify the definitions and

criteria set out in Recommendation 2001/331/EC and extend its scope. Parliament considers it essential to strengthen the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) and urged the Commission to report, before the end of 2009, on possible ways of doing so, and in particular to establish a Community environmental inspection force.

24. Transport

Internal market of transport

Social dimension

1.24.1. Directive 2008/106/EC of the European Parliament and of the Council on the minimum level of training of seafarers (recast).

Repealed directive: Directive 2001/25/EC of the European Parliament and of the Council on the minimum level of training of seafarers: OJ L 136, 18.5.2001; Bull. 3-2001, point 1.4.51, as amended by Directive 2005/45/EC: OJ L 255, 30.9.2005; Bull. 9-2005, point 1.4.33

Commission proposal: OJ C 4, 9.1.2008; COM (2007) 610; Bull. 10-2007, point 1.23.8

European Economic and Social Committee opinion: OJ C 151, 17.6.2008; Bull. 1/2-2008 point 1.24.10

Parliament opinion (first reading): Bull. 6-2008, point 1.24.9

Council approval: Bull. 10-2008, point 1.24.8

Signed by the European Parliament and the Council on 19 November.

OJ L 323, 3.12.2008

Safety and security of transport

Road safety

1.24.2. Directive 2008/96/EC of the European Parliament and of the Council on road infrastructure safety management.

Commission proposal: OJ C 332, 30.12.2006; COM(2006) 569; Bull. 10-2006, point 1.22.9

European Economic and Social Committee opinion: OJ C 168, 20.7.2007; Bull. 4-2007, point 1.23.8

Parliament opinion (first reading): Bull. 6-2008, point 1.24.15

Council approval: Bull. 10-2008, point 1.24.9

Signed by the European Parliament and the Council on 19 November.

OJ L 319, 29.11.2008

1.24.3. Council conclusions on the coordination of police action on road safety.

References:

Commission White Paper ‘European transport policy for 2010: time to decide’: COM(2001) 370; Bull. 9-2001, point 1.4.43

Commission communication — ‘European road safety action programme — halving the number of road accident victims in the European Union by 2010: a shared responsibility’: OJ C 76, 25.3.2004; COM(2003) 311; Bull. 6-2003, point 1.4.70

Commission Recommendation 2004/345/EC on enforcement in the field of road safety: OJ L 111, 17.4.2004

Commission communication — ‘European road safety action programme — mid-term review’: COM(2006) 74; Bull. 1/2-2006, point 1.21.16

Adopted by the Council on 28 November. The Council affirmed the need to create the conditions required for a genuine European coordination of police action to make the roads safer. It stressed that this coordination must involve officers, equipment and techniques, as well as joint actions. The Council confirmed its determination to launch the necessary initiatives to improve strategic and operational cooperation to improve road safety, particularly by:

- including road safety in the police cooperation handbook currently under revision;
- regularly gathering representatives of the competent authorities to devise concerted strategic guidelines with regard to road safety;
- promoting exchanges between national contact points in charge of preventing and controlling traffic offences, for the purpose of sharing views and good practice, coordinating methods of action and seeking interoperability of procedures and equipment;
- combating trans-national illegal races of motor vehicles on European public roads on the basis of gathered intelligence and improved mechanisms for operational police coordination in this field.

Maritime safety and security

1.24.4. 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); proposal for a regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (recast).

Directive to be amended: Council Directive 94/57/EC: OJ L 319, 12.12.1994; Bull. 11-1994, point 1.2.104

Commission proposal: OJ C 49, 28.2.2006; COM(2005) 587; Bull. 11-2005, point 1.4.42

Committee of the Regions opinion: OJ C 229, 22.9.2006; Bull. 6-2006, point 1.22.15

European Economic and Social Committee opinion: OJ C 318, 23.12.2006; Bull. 9-2006, point 1.22.11

Parliament opinion (first reading): OJ C 74 E, 20.3.2008

Council agreement on a common position: Bull. 11-2007, point 1.23.14

Council common positions: OJ C 184 E, 22.7.2008; OJ C 190 E, 29.7.2008; Bull. 6-2008, point 1.24.17

Parliament amendments (second reading): Bull. 9-2008, point 1.24.9

Convocation of the conciliation committee by the Council at its session of 27 and 28 November.

1.24.5. Proposal for a directive of the European Parliament and of the Council on port State control (recast).

Directive to be repealed: Council Directive 95/21/EC: OJ L 157, 7.7.1995; Bull. 6-1995, point 1.3.129

Commission proposal: OJ C 49, 28.2.2006; COM(2005) 588; Bull. 11-2005, point 1.4.43

Committee of the Regions opinion: OJ C 229, 22.9.2006; Bull. 6-2006, point 1.22.15

European Economic and Social Committee: OJ C 318, 23.12.2006; Bull. 9-2006, point 1.22.11

Parliament opinion (first reading): OJ C 74 E, 20.3.2008; Bull. 4-2007, point 1.23.10

Council agreement on a common position: Bull. 6-2007, point 1.23.8

Council common position: OJ C 198 E, 5.8.2008; Bull. 6-2008, point 1.24.18

Parliament amendments (second reading): Bull. 9-2008, point 1.24.10

Convocation of the conciliation committee by the Council at its session of 27 and 28 November.

1.24.6. Proposal for a directive of the European Parliament and of the Council directive amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system.

Directive to be amended: Directive 2002/59/EC of the European Parliament and of the Council: OJ L 208, 5.8.2002; Bull. 6-2002, point 1.4.54

Commission proposal: COM(2005) 589; Bull. 11-2005, point 1.4.44

Committee of the Regions opinion: OJ C 229, 22.9.2006; Bull. 6-2006, point 1.22.15

European Economic and Social Committee opinion: OJ C 318, 23.12.2006; Bull. 9-2006, point 1.22.11

Parliament opinion (first reading): OJ C 74 E, 20.3.2008; Bull. 4-2007, point 1.23.11

Council agreement on a common position: Bull. 6-2007, point 1.23.9

Council common position: OJ C 184 E, 22.7.2008; Bull. 6-2008, point 1.24.20

Parliament amendments (second reading): Bull. 9-2008, point 1.24.11

Convocation of the conciliation committee by the Council at its session of 27 and 28 November.

1.24.7. 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.

Directives to be amended:

Council Directive 1999/35/EC on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services: OJ L 138, 1.6.1999; Bull. 4-1999, point 1.3.108

Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC: OJ L 208, 5.8.2002; Bull. 6-2002, point 1.4.54

Commission proposal: OJ C 70, 22.3.2006; COM(2005) 590; Bull. 11-2005, point 1.4.45

Committee of the Regions opinion: OJ C 229, 22.9.2006; Bull. 6-2006, point 1.22.15

European Economic and Social Committee opinion: OJ C 318, 23.12.2006; Bull. 9-2006, point 1.22.11

Parliament opinion (first reading): OJ C 74 E, 20.3.2008; Bull. 4-2007, point 1.23.12

Council agreement on a common position: Bull. 6-2007, point 1.23.10

Council common position: OJ C 184 E, 22.7.2008; Bull. 6-2008, point 1.24.19

Parliament amendments (second reading): Bull. 9-2008, point 1.24.12

Convocation of the conciliation committee by the Council at its session of 27 and 28 November.

1.24.8. Proposal for a regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea and inland waterways in the event of accidents.

Reference: Council Directive 98/18/EC on safety rules and standards for passenger ships: OJ L 144, 15.5.1998; Bull. 3-1998, point 1.2.124, as amended by Directive 2003/24/EC of the European Parliament and of the Council: OJ L 123, 17.5.2003; Bull. 4-2003, point 1.4.46

Commission proposal: OJ C 70, 22.3.2006; COM(2005) 592; Bull. 11-2005, point 1.4.46

Committee of the Regions opinion: OJ C 229, 22.9.2006; Bull. 6-2006, point 1.22.15

European Economic and Social Committee opinion: OJ C 318, 23.12.2006; Bull. 9-2006, point 1.22.11

Parliament opinion (first reading): OJ C 74 E, 20.3.2008; Bull. 4-2007, point 1.23.13

Amended Commission proposal: OJ C 196, 2.8.2008; COM(2007) 645; Bull. 10-2007, point 1.23.13

Council agreement on a common position: Bull. 11-2007, point 1.23.13

Council common position: OJ C 190 E, 29.7.2008; Bull. 6-2008, point 1.24.21

Parliament amendments (second reading): Bull. 9-2008, point 1.24.13

Convocation of the conciliation committee by the Council at its session of 27 and 28 November.

Aviation security and safety

1.24.9. Communication from the Commission to the Council and to the European Parliament on the air traffic management master plan (the ATM master plan).

References:

Council Regulation (EC) No 219/2007 on the establishment of a joint undertaking to develop the new generation European air traffic management system (SESAR): OJ L 64, 2.3.2007; Bull. 1/2-2007, point 1.23.14

Council resolution on the formal establishment of the SESAR joint undertaking: Bull. 6-2007, point 1.23.11

Commission communication — ‘Single European sky II: towards more sustainable and better performing aviation’: COM(2008) 389; Bull. 6-2008, point 1.24.12

Proposal for a Council regulation amending Council Regulation (EC) No 219/2007 on the establishment of a joint undertaking to develop the new generation European air traffic management system (SESAR): COM(2008) 483; Bull. 7/8-2008, point 1.24.16

Council resolution on the launch of the development phase joint undertaking to develop the new generation European air traffic management system (SESAR): Bull. 10-2008, point 1.24.14

Adopted by the Council on 14 November. The ATM master plan provides the roadmap for the development and deployment phases of the programme for the establishment of a joint undertaking to develop the new generation European air traffic management system (SESAR) which constitutes the technological pillar of the single European sky policy. SESAR’s objective is to ensure safety and efficiency of air transport throughout the EU over the next 30 years. This communication aims at supporting the Council’s endorsement of the SESAR master plan as the initial ATM master plan. It includes an assessment of the SESAR master plan with a specific focus on environment and risk management. The ATM master plan being an evolving document, this communication presents the process for updating it. This process confirms the pivotal role of the SESAR joint undertaking and its administrative board in managing the ATM master plan. It also ensures that any significant change follows a formal process through which Member States will continue to exercise their control.

COM(2008) 750

1.24.10. Proposal for a Council regulation amending Council Regulation (EC) No 219/2007 on the establishment of a joint undertaking to develop the new generation European air traffic management system (SESAR).

Regulation to be amended: Council Regulation (EC) No 219/2007: OJ L 64, 2.3.2007; Bull. 1/2-2007, point 1.23.14

References:

Commission communication — ‘State of progress with the project to implement the new generation European air traffic management system (SESAR): OJ L 64, 2.3.2007; Bull. 1/2-2007, point 1.23.14

system (SESAR)’: OJ C 181, 3.8.2007; COM (2007) 103; Bull. 3-2007, point 1.23.14

Council resolution on the formal establishment of the SESAR joint undertaking: Bull. 6-2007, point 1.23.11

Council resolution on the launch of the development phase joint undertaking to develop the new generation European air traffic management system (SESAR): Bull. 10-2008, point 1.24.14

Commission proposal: COM(2008) 483; Bull. 7/8-2008, point 1.24.16

Endorsed by the European Parliament on 18 November.

The external component of transport

Relations with third countries and international organisations in the field of transport

1.24.11. Proposal for a Council decision on the signing of the Amending Protocol to the Convention regarding the regime of navigation on the Danube of 18 August 1948 (Belgrade Convention).

Negotiating directives: Bull. 6-2007, point 1.23.13

Adopted by the Council on 6 November. The purpose of the revision of the Belgrade Convention through the conclusion of an amending protocol is to bear out the accession of the EC to it. The revision also aims to modernise the Danube Commission by strengthening its regulatory and operational capacities, the ultimate objective being the promotion of inland waterway transport on the Danube, the potential of which is under-developed. In addition, the membership of the EC in the Danube Commission will facilitate the adoption of harmonised rules with regard to inland waterway transport on the Danube.

COM(2008) 700

China

1.24.12. Draft protocol amending the agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People’s Republic of China, of the other part.

Agreement to be amended: agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People’s Republic of China, of the other part: OJ L 46, 21.2.2008; Bull. 1/2-2008, point 1.24.16

Reference: Council Decision 2008/143/EC concerning the conclusion of the agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People’s Republic of China, of the other part: OJ L 46, 21.2.2008; Bull. 1/2-2008, point 1.24.16

Council decision on the signature and the conclusion adopted on 4 November. The protocol amends the agreement on maritime transport with China, to take account of the accession of Bulgaria and Romania to the EU in January 2007. The agreement was signed in Brussels in December 2002 and entered into force in March 2008.

Armenia

1.24.13. Draft agreement between the European Community and the Republic of Armenia on certain aspects of air services.

References:

Commission communication on the consequences of the Court judgments of 5 November 2002 for European air transport policy: COM (2002) 649; Bull. 11-2002, point 1.4.78

Commission communication on relations between the Community and third countries in the field of air transport: OJ C 76, 25.3.2004; COM (2003) 94; Bull. 1/2-2003, point 1.4.68

Initialled: 7 September 2007

Commission proposals on the signing, the provisional application and the conclusion: OJ C 55, 28.2.2008; COM(2007) 729; Bull. 11-2007, point 1.23.17

Council decision on the signing and the provisional application: Bull. 3-2008, point 1.24.14

Council decision on the signing adopted on 27 November. The Council adopted a renewed decision following the new amending projects to the agreement presented by the Armenian government, after its adoption in March 2008.

Tunisia

1.24.14. Visit by Mr Tajani, Member of the Commission, to Tunis on 17 November (point 1.35.7).

25. Energy

General

1.25.1. Second EU strategic energy review.

The Commission adopted a wide-ranging energy package which gives a new boost to energy security in Europe on 13 November. This package includes:

- a new strategy to build up energy solidarity among Member States and a new policy on energy networks to stimulate investment in more efficient, low-carbon energy networks (points 1.25.2 to 1.25.13);
- an EU energy, security and solidarity action plan which sets out five areas where more action is needed to secure sustainable energy supplies (point 1.25.8);
- an explanatory communication and a package of energy efficiency proposals which aim to contribute to energy savings in key areas, such as buildings, energy-using products and cogeneration (points 1.25.9 to 1.25.13).

1.25.2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — ‘Offshore wind energy: action needed to deliver on the energy policy objectives for 2020 and beyond’.

References:

Directive 2001/77/EC of the European Parliament and of the Council on the promotion of electricity produced from renewable energy sources in the internal electricity market: OJ L 283, 27.10.2001; Bull. 9-2001, point 1.4.40

Directive 2003/87/EC of the European Parliament and of the Council concerning the establishment of a scheme for greenhouse gas emission allowance trading in the Community: OJ L 275, 25.10.2003; Bull. 10-2003, point 1.4.41

Commission communication on an energy policy for Europe: OJ C 138, 22.6.2007; COM (2007) 1; Bull. 1/2-2007, point 1.24.1

Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission on 13 November. Wind energy will play an essential role in meeting the EU’s target for 20 % renewable energy by 2020 and achieving a secure, environmentally friendly and affordable supply

of energy for European citizens and businesses. This communication identifies the challenges that need to be tackled to exploit Europe’s potential for offshore wind energy, and how EU action can help in meeting these challenges. Key themes include the need for more cross-border cooperation to share experiences and coordinate better in fields such as electricity grid and maritime spatial planning, regulatory practices regarding interconnector investments, and environmental impact assessments of wind farms.

COM(2008) 768

1.25.3. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Directive 2004/67/EC of 26 April 2004 concerning measures to safeguard security of natural gas supply.

References:

Council Directive 2004/67/EC concerning measures to safeguard security of natural gas supply: OJ L 127, 29.4.2004; Bull. 4-2004, point 1.4.86

Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission, on 13 November. This communication aims to evaluate the implementation of Directive 2004/67/EC, to examine which elements of the directive could be further developed and to propose ways for the EU to address more efficiently the question of security of gas supply, now and in the future. The communication focuses principally on short-term security of supply. Currently there is no defined EU emergency plan to deal with short-term supply shortages or disruptions beyond the level at which market mechanisms, industry and national emergency measures are insufficient. Furthermore, the implementation of Directive 2004/67/EC in Member States has led to substantial inconsistencies in the general level of security of gas supply. The communication intends to open a period of public debate in view of the review of Directive 2004/67/EC. Thus, it puts forward a number of options for each element which needs improvement. These options concern:

- the scope and the better implementation of security of supply standards at national level;
- Community mechanism and solidarity;
- transparency (reporting obligations);
- the security of supply margin both in terms of gas availability and transmission infrastructures;
- strategic storage.

However, taking into account the high costs and the limits of favourable geological condition, no EU-level obligations are proposed.

COM(2008) 769

1.25.4. Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation of the trans-European energy networks programme in the period 2002–06, pursuant to Article 16 of Regulation (EC) No 2236/95.

References:

Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks: OJ L 228, 23.9.1995; Bull. 9-1995, point 1.3.61

Decision No 1364/2006/EC of the European Parliament and of the Council laying down guidelines for trans-European energy networks: OJ L 262, 22.9.2006; Bull. 9-2006, point 1.23.2

Commission communication on a priority interconnection plan: OJ C 138, 22.6.2007; COM (2006) 846; Bull. 1/2-2007, point 1.24.6

Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission on 13 November. This report addresses the TEN-energy projects co-financed under the TEN-energy budget in the period 2002–06 (studies and works). It examines the state of progress of the specific TEN-energy projects during this period and addresses the financing of these projects. The report also presents the results of the mid-term evaluation of the programme and reports on the evolutions at the international level relating to the TEN-energy. Finally, it addresses the developments in other EU policies concerning TEN-energy.

COM(2008) 770

1.25.5. Proposal for a Council directive imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products.

Decision to be repealed:

Council Decision 68/416/EEC on the conclusion and implementation of individual agreements

between governments relating to the obligation of Member States to maintain minimum stocks of crude oil and/or petroleum products: OJ L 308, 23.12.1968

Directives to be repealed:

Council Directive 73/238/EEC on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products: OJ L 228, 16.8.1973

Council Directive 2006/67/EC imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products: OJ L 217, 8.8.2006; Bull. 7/8-2006 point 1.23.5

Reference: Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission on 13 November. This proposal aims at improving the present legislation that imposes an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products in order to compensate or at least decrease the negative effects of potential supply shortages. The analysis of the current system reveals flaws which might prevent it from functioning suitably in the event of an actual supply disruption. Its revision aims to further strengthen the system while at the same time optimise the administrative obligations on Member States. Initially, the Commission wished to impose on the Member States to hold an obligatory portion of emergency stocks in the form of government- or agency-owned stocks ('dedicated' stocks). However, for the moment, the constitution of dedicated stocks remains to be decided by Member States. The proposed legislation will also create more flexibility for Member States in choosing the specific arrangements for complying with the stock-holding obligations.

COM(2008) 775

1.25.6. Communication from the Commission to the European Parliament, the Council and the European Economic and Social Committee on the update of the nuclear illustrative programme in the context of the second strategic energy review.

References:

Commission communication on the nuclear illustrative programme: COM(2007) 565; Bull. 10-2007, point 1.24.4

Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission on 13 November. This communication presents an update of the 2007 nuclear illustrative programme. The Commission proposes particularly that future

nuclear constructions use the most recent technologies, to ensure the highest standards of nuclear safety as well as to simplify and harmonise the currently differing licensing requirements and procedures in Member States. In addition, the update addresses the following issues:

- the link between nuclear energy and security of supply, with a special focus on the investment needs (replacement/life extension of ageing power plants) and security of supply for nuclear fuels;
- the role of public authorities with emphasis in the EU on nuclear safety and waste management (outside the EU on security/non-proliferation);
- the importance of public acceptance of nuclear energy and factors influencing it.

According to the Commission, nuclear energy plays an important role in the transition to a low carbon economy and reduces the EU's dependency towards external supply. If strategic investment decisions on power generation capacities concerning nuclear and renewable energy are taken rapidly, nearly two thirds of the EU's electricity generation could be low carbon in the early 2020s. Nevertheless, it remains for each Member State to decide whether or not to include nuclear energy in the energy mix remains.

COM(2008) 776; MEMO/08/702

1.25.7. Green Paper — 'Towards a secure, sustainable and competitive European energy network'.

Reference: Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission on 13 November. This Green Paper seeks views on how the EU can better promote the new energy networks which Europe needs, using all the instruments at its disposal, notably but not only TEN-E. In order to strengthen solidarity and security of supply it suggests a strategy which is based on three pillars: first to make sure that energy networks help rather than hinder the switch to more renewable, efficient and low carbon energy; second to promote a fully interconnected network, including cross-border and regional links and integrating decentralised generation into the wider picture; third to make the best possible use of the EU funding which is available. The Green Paper presents six examples of major initiatives which would involve clustering many individual network projects involving several countries. These are:

- a Baltic interconnection plan to fully interlink EU countries around the Baltic and North Seas;
- a North Sea offshore grid for wind energy;
- a Mediterranean energy network or 'ring' to develop and share the renewable energy resources and gas reserves in north Africa;
- a southern corridor to bring gas from the Caspian area into the EU;
- the integration of gas and electricity systems in central and south-eastern Europe;
- a strategy for liquefied natural gas.

In practice, these projects would bring together and give a new push to initiatives and projects which could help reform and modernise Europe's energy network. The Green Paper is open to consultation for four months from its adoption.

COM(2008) 782

1.25.8. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — 'Second strategic energy review: an EU energy security and solidarity action plan'.

References:

European Council conclusions: Bull. 3-2007, point I.11

Proposal for a directive of the European Parliament and of the Council amending Directive 2003/54/EC concerning common rules for the internal market in electricity: OJ C 4, 9.1.2008; COM(2007) 528; Bull. 9-2007, point 1.24.1

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: OJ C 4, 9.1.2008; COM(2007) 529; Bull. 9-2007, point 1.24.1

Proposal for a regulation of the European Parliament and of the Council establishing an Agency for the Cooperation of Energy Regulators: OJ C 4, 9.1.2008; COM(2007) 530; Bull. 9-2007, point 1.24.1

Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1228/2003 on conditions for access to the network for cross-border exchanges in electricity: OJ C 4, 9.1.2008; COM(2007) 531; Bull. 9-2007, point 1.24.1

Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1775/2005 on conditions for access to the natural gas transmission networks: OJ C 4, 9.1.2008; COM(2007) 532; Bull. 9-2007, point 1.24.1

Commission communication — '20 20 by 2020 Europe's climate change opportunity': OJ C 118,

15.5.2008; COM(2008) 30; Bull.1/2-2008, point 1.23.1

European Council conclusions: Bull. 10-2008, point 1.13

Second strategic energy review: point 1.25.1 of this Bulletin

Adopted by the Commission on 13 November. In this second strategic energy review, the Commission observes that the full implementation of the EU's new energy and environment policy agreed by the European Council in March 2007 is the first essential element of any energy security policy for Europe. The '20-20-20' measures alone will however not be sufficient to meet the EU's energy security needs. Accordingly, the EU needs to identify infrastructure of major importance to its energy security and then ensure its construction, intensify its efforts in developing an effective external energy policy, speak with one voice, and act coherently to deepen its partnerships with key energy suppliers, transit countries and consumers. It also needs to pursue the efforts in matter of energy efficiency and tap the full potential of renewable energy sources, including the potential offered by oceans and seas for energy generation. Furthermore, while each Member State is responsible for its own security, the EU must reinforce the solidarity between Member States as well as strategies to share and spread risk. In order to reach this objective, the Commission proposes a five-point EU energy security and solidarity action plan, focusing on:

- infrastructure needs and the diversification of energy supplies;
- external energy relations;
- oil and gas stocks and crisis response mechanisms;
- energy efficiency;
- making the best use of the EU's indigenous energy resources.

Furthermore, this strategic energy review takes the first steps towards the next stage of a European energy policy, considering the challenges likely to be faced between 2020 and 2050 and beginning the process of defining an EU response to these longer-term challenges.

COM(2008) 781

1.25.9. Communication from the Commission — 'Energy efficiency: delivering the 20 % target'.

References:

Commission communication — 'Action plan for energy efficiency: realising the potential': OJ

C 78, 11.4.2007; COM(2006) 545; Bull. 10-2006, point 1.23.5

European Council conclusions: Bull. 3-2007, point 1.11

Commission communication on 'A European strategic energy plan (SET-plan): towards a low carbon future': OJ C 55, 28.2 2008; COM(2007) 723; Bull. 11-2007, point 1.24.1

Second strategic energy review: point 1.25.1 of this Bulletin

Commission communication — 'Europe can save more energy by combined heat and power generation': point 1.25.10 of this Bulletin

Proposal for a directive of the European Parliament and of the Council on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast): point 1.25.11 of this Bulletin

Proposal for a directive of the European Parliament and of the Council on labelling of tyres with respect to fuel efficiency and other essential parameters: point 1.25.12 of this Bulletin

Proposal for a directive of the European Parliament and of the Council on the energy performance of buildings (recast): point 1.25.13 of this Bulletin

Adopted by the Commission on 13 November. This explanatory communication complements the pack of measures relating to energy efficiency proposed by the Commission, within the framework of the second strategic energy review. European leaders committed themselves to reduce 20 % of the EU's primary energy consumption by 2020 compared to projections for that year. In order to meet this target, Community legislation aims to considerably improve energy efficiency in key energy-consuming sectors. However, current energy efficiency legislation alone will not deliver sufficient energy savings to meet the 20 % saving objective. The main obstacles to energy efficiency improvements are the poor implementation of existing legislation, the lack of consumer awareness and the absence of adequate structures to trigger essential investments in energy efficient buildings, products and services. Consequently, the Commission announces a number of flanking policy actions and proposes to reinforce the key energy efficiency legislation on buildings, energy-using products and cogeneration with:

- a proposal for the recast of the directive on the energy performance of buildings;
- a proposal on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products;

- a proposal for a new directive containing a labelling scheme for tyres;
- a communication on cogeneration;
- a Commission decision establishing guidelines clarifying the calculation of the amount of electricity from cogeneration.

COM(2008) 772

1.25.10. Communication from the Commission to the European Parliament and the Council — ‘Europe can save more energy by combined heat and power generation’

References:

Directive 2004/8/EC of the European Parliament and of the Council on the promotion of cogeneration based on a useful heat demand in the internal energy market: OJ L 52, 21.2.2004; Bull. 1/2-2004, point 1.4.70

Second strategic energy review: point 1.25.1 of this Bulletin

Communication from the Commission — ‘Energy efficiency: delivering the 20 % target’: point 1.25.9 of this Bulletin

Adopted by the Commission on 13 November. This communication reports on the current status of the combined heat and power generation (CHP or cogeneration), and presents possibilities for its development. In doing so, the Commission also meets the reporting obligations of Directive 2004/8/EC on cogeneration, notably on cogeneration potential and progress in Member States. The report presents the CHP directive as a significant tool in contributing to Europe’s answers to the energy challenges. Cogeneration is a proven tool to increase energy efficiency, achieve savings and reduce CO₂ emissions and network losses. Furthermore, CHP can enhance competitiveness through development of high efficiency cogeneration technologies with export potential and contribute to economic development, creating growth and jobs. As monitoring of the implementation continues, the Commission acknowledges the administrative and non-administrative barriers hampering the development of cogeneration. Some of these barriers have been addressed by the Commission, such as the set-up of harmonised efficiency reference values and the adoption of Community detailed guidelines for the calculation of electricity produced from cogeneration. However, Member States could also enhance their efforts to ensure development of cogeneration. The Commission will continue to monitor the process and will present further proposals if appropriate to foster cogeneration.

COM(2008) 771

1.25.11. Proposal for a directive of the European Parliament and of the Council on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast).

Directive to be amended: Council Directive 92/75/EEC on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances: OJ L 297, 13.10.1992

References:

Commission communication — ‘Action plan for energy efficiency: realising the potential’: OJ C 78, 11.4.2007; COM(2006) 545; Bull. 10-2006, point 1.23.5

Commission communication — ‘20 20 by 2020 Europe’s climate change opportunity’: OJ C 118, 15.5.2008; COM(2008) 30; Bull. 1/2-2008, point 1.23.1

Second strategic energy review: point 1.25.1 of this Bulletin

Commission communication — ‘Energy efficiency: delivering the 20 % target’: point 1.25.9 of this Bulletin

Adopted by the Commission on 13 November. The aim of the recast of Council Directive 92/75/EEC is to extend its scope, currently restricted to household appliances, to allow for the labelling of all energy-related products including the household, commercial and industrial sectors and some non-energy-using products such as windows which have a significant potential to save energy once in use or installed (means of transport are excluded). The resulting framework directive on labelling which also includes provisions relating to public procurement and incentives will be an essential building block for an integrated sustainable environmental product policy, promoting and stimulating the demand for better products and helping consumers to make better choices.

COM(2008) 778

1.25.12. Proposal for a directive of the European Parliament and of the Council on labelling of tyres with respect to fuel efficiency and other essential parameters.

References:

Commission communication — ‘Action plan for energy efficiency: realising the potential’: OJ C 78, 11.4.2007; COM(2006) 545; Bull. 10-2006, point 1.23.5

Commission communication on a competitive automotive regulatory framework for the 21st century: OJ C 138, 22.6.2007; COM(2007) 22; Bull. 1/2-2007, point 1.12.13

Commission communication on the results of the review of the Community strategy to reduce CO₂ emissions from passenger cars and light-

commercial vehicles: OJ C 138, 22.6.2007; COM (2007) 19; Bull. 1/2-2007, point 1.12.19

Commission communication on greening transport: COM(2008) 433; Bull. 7/8-2008, point 1.24.4

Second strategic energy review: point 1.25.1 of this Bulletin

Commission communication — ‘Energy efficiency: delivering the 20 % target’: point 1.25.9 of this Bulletin

Adopted by the Commission on 13 November. With as much as 23 % of total CO₂ emissions coming from road transport, reducing vehicles’ energy intensity and emissions is a major challenge for the EU. Tyres can play a significant role since they account for 20–30 % of vehicles’ total fuel consumption, due to rolling resistance. New technologies may reduce this resistance, making it possible to reach a difference of up to 10 % in fuel consumption between the worst- and the best-performing tyre set. The objective of the proposal is to promote the market transformation towards fuel-efficient tyres, also called low rolling resistance tyres. Accordingly, it proposes to create a labelling scheme for tyre parameters including fuel efficiency, wet grip and external rolling noise. The proposal addresses tyres fitted on passenger cars, light- and heavy-duty vehicles. This system will provide harmonised and easy-to-understand information to consumers, companies and retailers by grading tyre performance characteristics. The information shall be made available to end-users via different media (e.g. electronic, catalogues, stickers).

COM(2008) 779

1.25.13. Proposal for a directive of the European Parliament and of the Council on the energy performance of buildings (recast).

Directive to be amended: Directive 2002/91/EC of the European Parliament and of the Council on the energy performance of buildings: OJ L 1, 4.1.2003; Bull. 12-2002, point 1.4.65

References:

Second strategic energy review: point 1.25.1 of this Bulletin

Commission communication — ‘Energy efficiency: delivering the 20 % target’: point 1.25.9 of this Bulletin

Adopted by the Commission on 13 November. The aim of this recast is to clarify, strengthen and simplify certain provisions as well as extend the scope of Directive 2002/91/EC by:

- clarifying the wording of certain provisions;
- requiring Member States to set up minimum energy performance requirements for all sizes of

existing buildings when a major renovation is to be carried out;

□ reinforcing the provisions on energy performance certificates, inspections of heating and air-conditioning systems;

□ reinforcing provisions relating to energy performance requirements for buildings, the provision of information and independent experts;

□ providing Member States and interested parties with a benchmarking calculation instrument, which allows to compare the nationally/regionally determined minimum energy performance requirements with cost-optimal ones;

□ encouraging Member States to develop frameworks for further market entry of low or zero energy and carbon buildings;

□ encouraging a more active involvement of the public sector to provide a leading example.

COM(2008) 780

General policy

External relations

1.25.14. Proposal for a Council decision on establishing the European Community position within the Ministerial Council of the Energy Community (Tirana, 11 December 2008).

References:

Regulation (EC) No 1228/2003 of the European Parliament and of the Council on conditions for access to the network for cross-border exchanges in electricity: OJ L 176, 15.7.2003; Bull. 6-2003, point 1.4.65

Energy Community Treaty: OJ L 198, 20.7.2006; Bull. 5-2006, point 1.23.4

Adopted by the Commission on 21 November. This proposal defines the EC position within the Ministerial Council of the Energy Community, which will be held in Tirana on 11 December 2008, concerning the following points of the agenda:

□ the location of the coordinated auction office;

□ the procedural act relating to the establishment, the composition and the functioning of a coordination group on security supply;

□ the decision concerning the extension of certain provisions of the Energy Community Treaty to the oil sector and the establishment of an annual oil forum;

- treaty implementation;
- social dimension;
- energy efficiency.

COM(2008) 783

1.25.15. Ministerial meeting of the EC and Brazil on energy policy (point 1.35.41).

Sectoral policies

Nuclear energy

1.25.16. Proposal for a Council directive (Euratom) setting up a Community framework for nuclear safety.

Reference: proposal for a Council directive setting out basic obligations and general principles on the safety of nuclear installations: OJ C 311, 20.12.2003; COM(2003) 32

Adopted by the Commission on 26 November. This proposal aims at restarting the process of establishing a common EU framework on nuclear safety, by updating and replacing the Commission proposal for a Council (Euratom) directive setting out basic obligations and general principles on the safety of nuclear installations. The general objective of the proposal is to achieve, maintain and continuously improve nuclear safety in the Community and to enhance the role of regulatory bodies. Its scope encompasses the design, siting, construction, maintenance, operation and decommissioning of nuclear installations. The right of each Member State to decide to use nuclear energy is recognised and fully respected. The more specific objectives of the proposal are namely: enhancing the role of national regulators; prime responsibility of the licence holder for safety under the control of the regulatory body; reinforcing the independence of the regulatory body; ensuring a high level of transparency on issues related to the safety of nuclear installations; implementation of management systems; regular safety supervision; availability of nuclear safety expertise; and priority to safety.

COM(2008) 790

Sustainable energy policies

Energy efficiency

1.25.17. European Parliament resolution on supporting early demonstration of sustainable power generation from fossil fuels.

References:

Commission communication on an energy policy for Europe: OJ C 138, 22.6.2007; COM (2007) 1; Bull. 1/2-2007, point 1.24.1

Commission communication on a European strategic energy plan (SET-plan): towards a low carbon future: OJ C 55, 28.2.2008; COM(2007) 723; Bull. 11-2007, point 1.24.1

Commission communication — ‘Supporting early demonstration of sustainable power generation from fossil fuels’: OJ C 118, 15.5.2008; COM(2008) 13; Bull. 1/2-2008, point 1.23.1

Commission communication — ‘20 20 by 2020: Europe’s climate change opportunity’: OJ C 118, 15.5.2008; COM(2008) 30; Bull. 1/2-2008, point 1.23.1

Proposal for a directive of the European Parliament and of the Council amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading system of the Community: OJ C 118, 15.5.2008; COM(2008) 16; Bull. 1/2-2008, point 1.23.1

Proposal for a directive of the European Parliament and of the Council on the geological storage of carbon dioxide: OJ C 118, 15.5.2008; COM(2008) 18; Bull. 1/2-2008, point 1.23.1

Adopted by the European Parliament on 18 November. Parliament underlined the importance of the early demonstration of sustainable power generation from fossil fuels. It endorsed the view that the construction of at least 12 demonstration facilities within the EU is necessary in order to achieve the desired use of carbon capture and storage (CCS) technologies in power stations and to secure CO₂ storage from 2020. Parliament noted that the demonstration of CCS processes in the CO₂ capture, transport, and storage phases needs to establish whether CCS technologies can be used safely and whether they are a cost-effective solution to the problem of climate change. It took the view that the measures unveiled by the Commission are not sufficient to provide the desired incentives for constructing at least 12 demonstration facilities by 2015. Furthermore, Parliament considers that incentives for CCS technology production should be increased by

allocating allowances within the EU emission trading scheme (EU ETS) for anticipated CCS technology production with an increase of at least 25 % from 2013.

1.25.18. Committee of the Regions opinion on 'Addressing the challenge of energy efficiency through information and communication technologies' (point 1.15.7).

26. Health and consumer protection

Food safety, animal health, animal welfare and plant health

Food safety

1.26.1. Amended proposal for Regulation (EC) No .../2008 of the European Parliament and of the Council establishing a common authorisation procedure for food additives, food enzymes and food flavourings.

Commission proposal: COM(2006) 423; Bull. 7/8-2006, point 1.24.1

European Economic and Social Committee opinion: OJ C 168, 20.7.2007; Bull. 4-2007, point 1.25.2

Parliament opinion (first reading): OJ C 175 E, 10.7.2008; Bull. 7/8-2007, point 1.25.2

Amended Commission proposal: OJ C 196, 2.8.2008; COM(2007) 672; Bull. 10-2007, point 1.25.3

Council agreement on a common position: Bull. 12-2007, point 1.25.3

Council common position: OJ C 111 E, 6.5.2008; Bull. 3-2008, point 1.26.1

Parliament opinion (second reading): Bull. 7/8-2008, point 1.26.1

Commission opinion incorporating an amended proposal: COM(2008) 605; Bull. 10-2008, point 1.26.1

Approved by the Council on 18 November. Now approved by both institutions, the new legislative act establishes a common authorisation procedure which is intended to be effective, short and transparent, based on an assessment of safety in terms of human health carried out by the EFSA and a risk management exercise in which the Commission and Member States are involved in the context of a regulatory committee procedure with a right of scrutiny by Parliament. The Commission must draw up, update and publish a positive list for each category of substance concerned (food additives, food enzymes and food flavourings).

1.26.2. Amended proposal for Regulation (EC) No .../2008 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.

Amended regulations:

Regulation (EC) No 258/97 of the European Parliament and of the Council concerning novel foods and novel food ingredients: OJ L 43, 14.2.1997; Bull. 1/2-1997, point 1.2.27

Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine: OJ L 179, 14.7.1999; Bull. 5-1999, point I.14

Amended directives:

Council Directive 83/417/EEC on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption: OJ L 237, 26.8.1983

Directive 2000/13/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs: OJ L 109, 6.5.2000; Bull. 3-2000, point 1.3.32, as amended by Directive 2003/89/EC of the European Parliament and of the Council: OJ L 308, 25.11.2003; Bull. 11-2003, point 1.4.82

Council Directive 2001/112/EC relating to fruit juices and certain similar products intended for human consumption: OJ L 10, 12.1.2002; Bull. 12-2001, point 1.3.44

Commission proposal: COM(2006) 425; Bull. 7/8-2006, point 1.24.2

European Economic and Social Committee opinion: OJ C 168, 20.7.2007; Bull. 4-2007, point 1.25.2

Parliament opinion (first reading): OJ C 175 E, 10.7.2008; Bull. 7/8-2007, point 1.25.4

Amended Commission proposal: OJ C 196, 2.8.2008; COM(2007) 670; Bull. 10-2007, point 1.25.1

Council agreement on a common position: Bull. 12-2007, point 1.25.5

Council common position: OJ C 111 E, 6.5.2008; Bull. 3-2008, point 1.26.2

Parliament opinion (second reading): Bull. 7/8-2008, point 1.26.2

Commission opinion incorporating an amended proposal: COM(2008) 607 Bull. 10-2008, point 1.26.3

Approved by the Council on 18 November. The Council approved a regulation on food enzymes following agreement reached with Parliament. The new legislative act will replace the current individual national legislations with Community rules to promote fair trade and protect human health. The regulation applies to enzymes which are added to food to perform a technological function in the manufacture, processing, preparation, treatment, packaging, transport or storage of such food. Food enzymes will not be authorised unless they are safe and do not mislead the consumer. The Commission will consider whether a food enzyme should be included on the positive list on the basis of a scientific assessment by the EFSA.

1.26.3. Amended proposal for Regulation (EC) No .../2008 of the European Parliament and of the Council on food additives.

Commission proposal: COM(2006) 428; Bull. 7/8-2006, point 1.24.4

European Economic and Social Committee opinion: OJ C 168, 20.7.2007; Bull. 4-2007, point 1.25.2

Parliament opinion (first reading): OJ C 175 E, 10.7.2008; Bull. 7/8-2007, point 1.25.3

Amended Commission proposal: OJ C 196, 2.8.2008; COM(2007) 673; Bull. 10-2007, point 1.25.4

Council agreement on a common position: Bull. 12-2007, point 1.25.7

Council common position: OJ C 111 E, 6.5.2008; Bull. 3-2008, point 1.26.4

Parliament amendments (second reading): Bull. 7/8-2008, point 1.26.4

Commission opinion incorporating an amended proposal: COM(2008) 608; Bull. 10-2008, point 1.26.4

Approved by the Council on 18 November. The Council approved a regulation on food additives following agreement reached with Parliament. Authorisation of individual food additives will be based on a scientific assessment by the European Food Safety Authority. Only additives that are safe, fulfil a technological need and are of benefit to the consumer will be authorised. The use of an additive must not mislead the consumer. The new legislative act simplifies the procedure for authorising food additives by enabling the Commission to amend the European positive list of food additives, under a

regulatory committee procedure with the favourable opinion of Member States and subject to a right of scrutiny by Parliament.

1.26.4. Amended proposal for Regulation (EC) No .../2008 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 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 of the European Parliament and of the Council and Directive 2000/13/EC of the European Parliament and of the Council.

Amended regulations:

Council Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails: OJ L 149, 14.6.1991; Bull. 6-1991, point 1.2.167, as amended by Regulation (EC) No 2061/96: OJ L 277, 30.10.1996; Bull. 10-1996, point 1.3.136

Regulation (EC) No 2232/96 of the European Parliament and the Council laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs: OJ L 299, 23.11.1996; Bull. 10-1996, point 1.3.24

Regulation (EC) No 110/2008 of the European Parliament and the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks: OJ L 39, 13.2.2008; Bull. 1/2-2008, point 1.19.8

Amended directive: Directive 2000/13/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs: OJ L 109, 6.5.2000; Bull. 3-2000, point 1.3.32, as amended by Directive 2003/89/EC: OJ L 308, 25.11.2003; Bull. 11-2003, point 1.4.82

Commission proposal: COM(2006) 427; Bull. 7/8-2006, point 1.24.3

European Economic and Social Committee opinion: OJ C 168, 20.7.2007; Bull. 4-2007, point 1.25.2

Parliament opinion (first reading): OJ C 175 E, 10.7.2008; Bull. 7/8-2007, point 1.25.5

Amended Commission proposal: OJ C 196, 2.8.2008; COM(2007) 671; Bull. 10-2007, point 1.25.2

Council agreement on a common position: Bull. 12-2007, point 1.25.6

Council Common position: OJ C 111 E, 6.5.2008; Bull. 3-2008, point 1.26.3

Parliament opinion (second reading): Bull. 7/8-2008, point 1.26.3

Commission opinion incorporating an amended proposal: COM(2008) 606; Bull. 10-2008, point 1.26.2

Approved by the Council on 18 November. The Council approved a regulation on flavourings and certain food ingredients with flavouring properties for use in and on foods, following agreement reached with the Parliament. The new legislative act provides for a Community list of flavourings to be drawn up, lays down the conditions for the use of flavouring and food ingredients and contains maximum levels for undesirable substances in food. The conditions for the use of the term 'natural' in describing flavourings are made stricter. The use of flavourings must not mislead the consumer, particularly as regards the nature, freshness, quality of ingredients used, the naturalness of a product or of the production process, or the nutritional quality of the product.

1.26.5. Directive 2008/97/EC 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 thyrostatic action and of beta-agonists.

Amended directive: Council Directive 96/22/EC: OJ L 125, 23.5.1996; Bull. 4-1996, point 1.3.109

Commission proposal: OJ C 191, 17.8.2007; COM(2007) 292; Bull. 6-2007, point 1.25.2

European Economic and Social Committee opinion: OJ C 10, 15.1.2008; Bull. 9-2007, point 1.25.2

Parliament opinion (first reading): Bull. 6-2008, point 1.26.3

Council approval: Bull. 10-2008, point 1.26.5

Signed by the European Parliament and the Council on 19 November.

OJ L 318, 28.11.2008

Animal health

1.26.6. Proposal for a Council directive laying down control rules and measures to combat African horse sickness (codified version).

Directive to be codified: Council Directive 92/35/EEC: OJ L 157, 10.6.1992

Adopted by the Commission on 20 November. The purpose of this proposal is to undertake a codification of Council Directive 92/35/EEC. The new directive will supersede the various acts incorporated in it; their content is fully

preserved and they are brought together with only such formal amendments as are required by the codification exercise itself.

COM(2008) 697

1.26.7. Proposal for a Council directive on animal health conditions governing the movement and importation from third countries of equidae (codified version).

Directive to be codified: Council Directive 90/426/EEC: OJ L 224, 18.8.1990

Adopted by the Commission on 21 November. The purpose of this proposal is to undertake a codification of Council Directive 90/426/EEC. The new directive will supersede the various acts incorporated in it; their content is fully preserved and they are brought together with only such formal amendments as are required by the codification exercise itself.

COM(2008) 715

Animal welfare

1.26.8. Proposal for a directive of the European Parliament and of the Council on the protection of animals used for scientific purposes (point 1.23.1).

Plant health

1.26.9. Council conclusions on the review of the EU plant health regime.

Adopted by the Council on 21 November. The Council underlined the importance of reasserting that the global aim of the Community plant health regime is to protect plant resources, food security, sustainable production, the environment and to contribute to the protection of human health, taking into account trade concerns. It stressed the importance of defining priorities and of categorising phytosanitary risks, by choosing management measures in accordance with defined priorities and adapting the level of control to phytosanitary risks. Finally, the Council highlighted the importance of considering, in the implementation of the Community plant health regime, the roles and responsibilities of Member States and of the EC and its institutions and bodies, such as the Commission (Directorate-General for Health and Consumers, Food and Veterinary Office), the Standing Committee on Plant Health, EFSA and how they connect to and interact with non-Community organisations. The Council therefore invited the Commission to proceed to an

evaluation of the current Community plant health regime and to consider possible modifications to the existing legal framework.

1.26.10. Proposal for a Council decision concerning the placing on the market, in accordance with Directive 2001/18/EC of the European Parliament and of the Council, of a carnation (*Dianthus caryophyllus* L., line 123.8.12) genetically modified for flower colour (point 1.23.10).

1.26.11. Proposal for a European Parliament and Council regulation concerning statistics on plant protection products (point 1.8.9).

Public health

General

1.26.12. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on rare diseases: Europe's challenges.

References:

Regulation (EC) No 141/2000 of the European Parliament and of the Council on orphan medicinal products: OJ L 18, 22.1.2000; Bull. 12-1999, point 1.2.23

White Paper — 'Together for health: a strategic approach for the EU 2008–13': OJ C 55, 28.2.2008; COM(2007) 630; Bull. 10-2007, point 1.25.14

Proposal for a Council recommendation on a European action in the field of rare diseases: COM(2008) 726; point 1.26.13 of this Bulletin

Adopted by the Commission on 11 November.

The objective of EU action in the field of rare diseases is to put together the necessary elements for an efficient overall strategy addressing the important issue of rare diseases in Europe. The strategic objective of EC intervention in this field is aimed at improving the chance for patients to get appropriate and timely diagnosis, information and care through European action that can act more effectively than Member States on their own. This requires:

□ making rare diseases more visible through developing proper identification and coding of rare diseases, many of which currently go unrecognised leading to inappropriate treatment for individuals and a lack of appropriate resources overall;

□ encouraging all Member States in developing national plans for rare diseases in their health

policies to ensure equal access and availability of prevention, diagnosis, treatment and rehabilitation for people with rare diseases. More initiatives in terms of public awareness-raising are needed in Member States. In addition to targeting public opinion, these efforts should also be directed at professionals in healthcare and social services, decision-makers, managers of health and social services and media;

□ providing European support and cooperation, such as ensuring that common policy guidelines are developed and shared everywhere in Europe: specific actions in areas such as research, centres of expertise, access to information, incentives for the development of orphan drugs and screening. Cooperation between existing European programmes focused around this issue also needs to be improved.

COM(2008) 679

1.26.13. Proposal for a Council recommendation on a European action in the field of rare diseases.

References:

Parliament and Council Decision No 1295/1999/EC adopting a programme of Community action on rare diseases within the framework for action in the field of public health (1999–2003): OJ L 155, 22.6.1999; Bull. 4-1999, point 1.3.179

Regulation (EC) No 141/2000 of the European Parliament and of the Council on orphan medicinal products: OJ L 18, 22.1.2000; Bull. 12-1999, point 1.2.23

White Paper — 'Together for health: a strategic approach for the EU 2008–13': OJ C 55, 28.2.2008; COM(2007) 630; Bull. 10-2007, point 1.25.14

Commission communication on rare diseases: Europe's challenges: COM(2008) 679, point 1.26.12 of this Bulletin

Adopted by the Commission on 11 November.

The Commission proposed that the Council recommend Member States establish national plans for rare diseases in order to ensure to patients with rare diseases universal access to high-quality care, including diagnostics, treatments and orphan drugs throughout their national territory on the basis of equity and solidarity throughout the EU, and in particular:

□ elaborate and adopt a comprehensive and integrated strategy, by the end of 2011, aimed at guiding and structuring all relevant actions in the field of rare diseases in the form of a national plan for rare diseases;

□ implement an EU common definition of rare diseases as those diseases affecting no more than five per 10 000 persons and ensure that rare diseases are adequately coded and traceable

in all health information systems, contributing to an adequate recognition of the disease in the national healthcare and reimbursement systems;

□ identify ongoing research projects and existing research resources in order to establish the state of the art area of rare diseases;

□ identify national or regional centres of expertise throughout their national territory by the end of 2011, and foster the creation of centres of expertise where they do not exist;

□ ensure mechanisms to gather national expertise on rare diseases and pool it together with European counterparts;

□ take action to ensure that patients and patients' representatives are duly consulted at all steps of the policy and decision-making processes in the field of rare diseases, including for the establishment and management of centres of expertise and of European reference networks and for the elaboration of national plans;

□ ensure through appropriate funding mechanisms the long-term sustainability of research infrastructures, such as biobanks, databases and registries, and of healthcare infrastructures such as centres of expertise, as well as European reference networks for rare diseases.

COM(2008) 726

1.26.14. Communication from the Commission to the European Parliament and the Council — 'The European Centre for Disease Prevention and Control activities on communicable diseases: the positive outcomes since the Centre's establishment and the planned activities and resource needs'.

References:

Regulation (EC) No 851/2004 of the European Parliament and of the Council establishing a European Centre for Disease Prevention and Control: OJ L 142, 30.4.2004

ECDC strategic multiannual programme 2007–13: http://ecdc.europa.eu/en/About_us/Key_documents/Documents/ECDC_MAS_.pdf

Adopted by the Commission on 13 November. This communication aims to present new targets and performance indicators necessary to update the initial financial statement of 2003 and guarantee adequacy between the resources needed and the future tasks under the current mandate of the European Centre for Disease Prevention and Control for the period 2008–13.

COM(2008) 741

1.26.15. Proposal for a regulation of the European Parliament and of the Council on Community statistics on public health and health and safety at work (point 1.8.8).

1.26.16. Resolution of the Council and the representatives of the governments of the Member States on the health and well-being of young people (point 1.22.9).

1.26.17. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on telemedicine for the benefit of patients, healthcare systems and society (point 1.15.8).

Consumer policy

General

1.26.18. European Parliament resolution on the consumer markets scoreboard.

References:

European Parliament resolution on the Green Paper on the review of the consumer *acquis*: OJ C 187 E, 24.7.2008; Bull. 9-2007, point 1.25.11

Commission communication — 'A single market for 21st century Europe': OJ C 55, 28.2.08; COM(2007) 724; Bull. 11-2007, point 1.10.2

Commission communication — 'Monitoring consumer outcomes in the single market: the consumer markets scoreboard': OJ C 207, 14.8.2008; COM(2008) 31; Bull. 1/2-2008, point 1.26.21

European Parliament resolution on the EU consumer policy strategy 2007–13: Bull. 5-2008, point 1.26.11

European Parliament resolution on the internal market scoreboard: Bull. 9-2008, point 1.11.2

Adopted by the European Parliament on 18 November. Parliament stressed the importance of enabling citizens to benefit fully from the benefits of the internal market, and sees the consumer markets scoreboard as an important tool to this end. It welcomed the five main indicators in the scoreboard in relation to complaints, price levels, satisfaction, switching and safety. It highlights a certain number of objectives:

□ *developing the indicators:* Parliament took the view that the total number of indicators should be limited to ensure a focused scoreboard. It believes that an indicator related to complaints is essential to understand consumer satisfaction and called on the

Commission and Member States to work towards a harmonisation of the complaint classification systems in Member States and at Community level and to establish an EU-wide database of consumer complaints;

□ *improving the information base*: Parliament underlined the importance of close cooperation between the statistical offices of Member States, Eurostat and other Commission services in ensuring the quality and completeness of figures and called on Member States to take steps to facilitate such cooperation;

□ *increased awareness*: Parliament called on the Commission and Member States to raise awareness of the scoreboard, inter alia by ensuring that it is easily accessible and visible on relevant websites, and to increase efforts to promote the scoreboard to the media, public authorities and consumer organisations;

□ *relationship to the internal market scoreboard*: Parliament holds the view that the internal market scoreboard and the consumer markets scoreboard both serve to promote an improved internal market for the benefit of citizens and consumers. Furthermore, it believes that a review of the indicators used as well as the relationship between the two scoreboards should be carried out on a regular basis in order to adapt them to developments in the internal market.

Safety of products and services

1.26.19. EU–China–US product safety summit.

Meeting held in Brussels on 17 November: During this first trilateral summit on product safety between the EU, China and the USA, the Commission was represented by Ms Kuneva and Ms Vassiliou, Members of the Commission. The Chinese delegation was led by Mr Chuanzhong, Chinese Vice-Minister of the General Administration of Quality Supervision, Inspection and Quarantine, and the US delegation by Ms Nord, US Chairman of the Consumer Product Safety Commission. During this meeting, the EU and China signed a renewed and extended memorandum of understanding on product and food safety and sanitary and phytosanitary issues, including many of the concrete improvements that were achieved between the EU and China made over the last couple of years through mutual cooperation. Discussions also addressed action to strengthen information exchange between the partners on alerts and recalls — in particular

using new US product safety legislation which will allow more open information exchange on product recalls and dangerous products.

Consumers' economic and legal interests

1.26.20. Report from the Commission concerning the application of Directive 98/27/EC of the European Parliament and of the Council on injunctions for the protection of consumers' interest.

Reference: Directive 98/27/EC of the European Parliament and of the Council: OJ L 166, 11.6.1998; Bull. 5-1998, point 1.2.199

Adopted by the Commission on 18 November: This report gives an overview of the transposition and the application of Directive 98/27/EC in Member States. It examines the three issues specifically identified in Article 6(2) of the directive, namely: if the scope of the directive shall be extended to include injunctions proceedings in the collective interests of companies; if new EU legislations shall be added to the annex of the directive; and if the prior consultation procedure between the party seeking an injunction and the trader shall be made mandatory. The report also points out the problems encountered by the entities using the injunctions procedure set by the directive, namely the cost of proceedings, the complexity and length of proceedings and the limited impact of the ruling. The report concludes that the main positive outcome of the directive was the introduction in Member States of a procedure for bringing injunctions in the collective interest of consumers. It also concludes that while it is necessary to continue examining the application of the directive, there is no reason to extend its scope to include injunctions in the collective interests of business or to generalise the requirement of prior consultation between the party seeking an injunction and the trader.

COM(2008) 756

1.26.21. Green Paper on consumer collective redress.

Reference: Commission communication — EU consumer policy strategy 2007–13: Empowering consumers, enhancing their welfare, effectively protecting them: OJ C 181, 3.8.2007; COM(2007) 99; Bull. 3-2007, point 1.25.6

Adopted by the Commission on 27 November: According to the Commission, the problem of access to easy and affordable redress for

consumers is becoming increasingly serious in the current mass economy where a trader can harm a large number of consumers with the same or similar practice. This makes it more urgent to address the need for redress of mass claims. Based on two studies launched by the Commission and consultations, it appears that both national tools and instruments at EU level, currently available for dealing with mass claims, are not completely satisfactory and that there is room for improvement. This Green Paper presents four options with an increasing degree of EU involvement, ranging from no action at EU level and enhanced cooperation among Member States, to a mix of policy instruments, including alternative dispute resolution and small claims procedures and up to an EU collective redress procedure. The Green Paper launches a three-month consultation.

COM(2008) 794

1.26.22. Council report on the frame of reference for European contract law.

References:

European Parliament resolution on the Commission communication entitled 'A more coherent European contract law — an action plan': OJ C 76 E, 25.3.2004; Bull. 9-2003, point 1.4.56

European Parliament resolution on 'European contract law and the revision of the *acquis*: the way forward': OJ C 292 E, 1.12.2006; Bull. 3-2006, point 1.24.4

European Parliament resolution on European contract law: OJ C 305 E, 14.12.2006; Bull. 9-2006, point 1.24.12

Second progress report from the Commission on the common frame of reference: OJ C 191, 17.8.2007; COM(2007) 447; Bull. 7/8-2007, point 1.25.17

European Parliament resolution on European contract law: Bull. 12-2007, point 1.25.26

European Parliament resolution on the common frame of reference for European contract law: Bull. 9-2008, point 1.26.18

Adopted by the Council during its session of 27 and 28 November. The Council adopted a report on the setting up of a common frame of reference (CFR) in the field of the European contract law which will be a non-binding instrument placed at the disposal of Community legislators. This report defines the broad outline which should direct, at this stage, the work of the Commission on the future CFR. It aims to specify its structure and its field of application and calls for the respect of legal diversity. Finally, it states the will of the Council to collaborate with Parliament and the Commission on the future CFR.

27. Enlargement

Pre-accession strategy and stabilisation and association process

Commission communication: OJ C 202, 8.8.2008; COM(2008)127; Bull. 3-2008, point 1.27.9

General

1.27.1. Communication from the Commission to the Council and the European Parliament — ‘Enlargement strategy and main challenges 2008–09’.

References:

Council conclusions on the western Balkans: Bull. 12-2006, point 1.25.10

Commission communication on the enlargement strategy and main challenges 2007–08: OJ C 106, 26.4.2008; COM(2007)663; Bull. 11-2007, point 1.26.1

Adopted by the Commission on 5 November: This communication describes the current enlargement agenda focusing on the western Balkans and Turkey. It follows up on the December 2006 European Council, which is based on the principles of consolidation of commitments, fair and rigorous conditionality and better communication with the public, combined with the EU’s capacity to integrate new members. The communication reviews the progress made in each of the candidate and potential candidate countries but it also points out that continued commitment is required if they are to overcome the major challenges that this year’s economic climate poses. The European perspective has contributed to peace and stability in the region and provides strong encouragement for political and economic reform. The Commission highlights that it is in the EU’s strategic interest to keep up the momentum of this process, on the basis of agreed principles and conditions.

COM(2008) 674

Accession and European partnerships

1.27.2. Committee of the Regions opinion on the western Balkans: Enhancing the European perspective.

Adopted by the Committee of the Regions on 27 November: The Committee welcomed the progress made by the countries of the western Balkans in moving towards the EU. It considers that the signature of a stabilisation and association agreement between the EU and Serbia as well as between the EU and Bosnia and Herzegovina is absolutely essential if the whole region is to have a future within the EU. The real prospect of Montenegro and Albania acquiring candidate status as well as the progress made in accession discussions with Croatia clearly demonstrate progress. The Committee recommended that the Commission does more to capitalise on the experience of the new Member States in both the process of accession and transformation. The views of the new Member States should be an added benefit when it comes to drafting EU policies, especially regarding the accession ambitions of the western Balkan countries. The Committee urged the western Balkan countries to lose no time in meeting the EU’s conditions for relaxing its visa policy. It underlined the importance of the processes launched in the western Balkan countries to decentralise and distribute State power. It pointed out that ethnicity must not be the sole or main factor in these processes, and considers it important to bolster central institutions that are crucial if the State is to function, while at the same time accepting the autonomy of regional and local institutions and authorities. The Committee also pointed out that recognition and protection of national minorities is one of the Copenhagen criteria. Finally, the Committee urged countries in the region to take measures to enhance women’s participation in political, social and economic life and to promote gender equality.

Financial and technical assistance

1.27.3. Communication from the Commission to the Council and the European Parliament — ‘Instrument for Pre-Accession Assistance (IPA) multiannual indicative financial framework for 2010–12’.

Reference: Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-Accession Assistance (IPA): OJ L 210, 31.7.2006; Bull 7/8-2006, point 1.25.2

Adopted by the Commission 5 November. The multiannual indicative financial framework for IPA is designed to provide information on the indicative breakdown of the overall IPA envelope proposed by the Commission in accordance with Article 5 of the IPA regulation. It acts as the link between the political framework within the enlargement package and the budgetary process.

COM(2008) 705

Bilateral relations

Bosnia and Herzegovina

1.27.4. Council conclusions on the western Balkans.

Reference: stabilisation and association agreement between the European Communities and its Member States and Bosnia and Herzegovina: Bull. 6-2008, point 1.27.2

Adopted by the Council on 10 November. The Council expressed its support for the high representative of the EU in Bosnia, Mr Lajčák, and his efforts to ensure compliance with the Dayton/Paris agreements and progress with reform. The Council stated that the signing in June of the stabilisation and association agreement constituted an important milestone in the relationship between Bosnia and Herzegovina and the EU. However, it voiced its deep concern at recent developments in the political situation in Bosnia and Herzegovina, particularly the use of nationalist rhetoric and the implementation of unilateral decisions by some leaders, thereby jeopardising power sharing and the foundations of the State. According to the Council, such words and deeds compromise the reforms required for the country’s future. While reaffirming Bosnia and Herzegovina’s European prospects, the Council called on the Bosnian authorities to shoulder their responsibilities, and to renew their efforts to push through the necessary reforms for Bosnia and Herzegovina to progress on the path towards the EU. The Council also noted with satisfaction the agreement along these lines between three of the main Bosnian parties. It called for these proposals to be rapidly put into concrete form and invited the Bosnian political forces to unite around this project.

1.27.5. Draft agreement on cooperation between Eurojust and the former Yugoslav Republic of Macedonia (point 1.21.24).

28. Common foreign and security policy

Common foreign and security policy (CFSP)

1.28.1. Council Joint Action 2008/858/CFSP in support of the Biological and Toxin Weapons Convention (BTWC), in the framework of the implementation of the EU strategy against the proliferation of weapons of mass destruction.

References:

Council conclusions on weapons of mass destruction: Bull. 12-2003, point 1.6.21

Council Joint Action 2006/184/CFSP in support of the Biological and Toxin Weapons Convention (BTWC), in the framework of the EU strategy against the proliferation of weapons of mass destruction: OJ L 65, 7.3.2006; Bull. 1/2-2006, point 1.25.23

Council Common Position 2006/242/CFSP relating to the 2006 review conference of the Biological and Toxin Weapons Convention (BTWC): OJ L 88, 25.3.2006; Bull. 3-2006, point 1.26.5

Adopted by the Council on 10 November. This joint action sets general objectives for the purpose of the immediate and practical implementation of certain elements of the EU strategy on weapons of mass destruction:

- promoting the universalisation of the BTWC;
- providing support for the implementation of the BTWC by the State parties to the convention;
- promoting the submission of confidence-building measures declarations by State parties;
- providing support for the BTWC inter-sessional process.

The projects to be supported by the EU shall have specific objectives such as providing States not yet party to the BTWC with the means to carry out such initiatives at national or sub-regional level; assisting the State parties in the implementation of the BTWC at national level; facilitating the regular submission of confidence-building measures declarations by State parties; promoting a focused discussion at regional level among government, universities, research institutes and industry representatives

on BTWC inter-sessional topics. This joint action settles the practical details of these projects' implementation.

OJ L 302, 13.11.2008

1.28.2. Council Common Position 2008/873/CFSP renewing the restrictive measures against Côte d'Ivoire (point 1.35.52).

1.28.3. Council Common Position 2008/843/CFSP amending and extending Common Position 2007/734/CFSP concerning restrictive measures against Uzbekistan (point 1.35.23).

1.28.4. Council Common Position 2008/844/CFSP of amending Common Position 2006/276/CFSP concerning restrictive measures against certain officials of Belarus (point 1.35.18).

1.28.5. Council Decision 2008/842/CFSP amending Annexes III and IV of Common Position 2007/140/CFSP concerning restrictive measures against Iran (point 1.35.13).

European security and defence policy (ESDP)

1.28.6. Council conclusions on the European security and defence policy.

Adopted by the Council during its session of 10 and 11 November. The Council conducted a broad review of recent developments and projects in the area of European security and defence policy and which mainly covered the following issues:

ESDP operations and missions:

the fight against piracy off the Somali coast: the Council noted with satisfaction that the EU NAVCO military coordination action had been established for the protection of some vessels and it recalled its resolve to use operation Atalanta to contribute to protection of the Somali coast;

EUFOR Tchad/Central African Republic operation: the Council particularly welcomed the EU's continuing provision of humanitarian aid and development and its programme for the stabilisation of the region;

EUSEC and EUPOL missions in Democratic Republic of the Congo (DRC): the Council expressed its grave concern at the serious developments which have recently occurred in the east of the DRC and reaffirmed the need to continue the efforts undertaken in support of the local authorities with respect to security sector reform (SSR);

EU SSR Guinea-Bissau mission: the Council reiterated its support for the EU SSR Guinea-Bissau mission in assisting the local authorities in the RSS process;

EUMM in Georgia: Council conclusions on the European Union monitoring mission in Georgia (EUMM Georgia) (point 1.35.19);

EUFOR Althea operation and the EU police mission (EUPM) in Bosnia and Herzegovina: the Council assessed operation Althea. It noted that despite a difficult political situation, the security situation remained stable. It also noted the efforts made by the EUPM to support the local authorities;

EU rule of law mission (EULEX Kosovo) in Kosovo: the Council welcomed the preparations made for this mission;

EUPOL Afghanistan mission: the Council reaffirmed its determination to make a significant contribution to the reform of the Afghan national police and welcomed the actual deployment of the EUPOL Afghanistan mission;

the integrated rule of law mission for Iraq (Eujust LEX): Council conclusions on Iraq and the 'EU integrated rule of law mission for Iraq', Eujust Lex (point 1.35.16);

EUPOL COPPS in the Palestinian territories: the Council took note of the current increase in the number of mission staff deployed and the continued activities by EUPOL COPPS in support of the Palestinian civilian police;

EUBAM Rafah mission: (point 1.35.11);

human rights issues in the planning and conduct of ESDP missions: the Council reiterated the need to mainstream these issues in the planning and conduct of ESDP missions;

capabilities:

civilian capabilities: the Council endorsed the ministerial commitments as regards the development of civilian capabilities and the progress report on the implementation of the new civilian headline goal 2010;

military capabilities (including capability projects developed in the European Defence Agency):

□ force projection: the Council noted with interest several projects which will enable the Member States concerned to improve the projection of their forces on external theatres;

□ space observation capability: the Council was pleased to note that the EU Satellite Centre was soon to benefit from government-source satellite images;

□ military maritime surveillance: the Council welcomed with interest the EDA's commitment to improving Europe's maritime surveillance capability;

□ communications and information systems for civilian-military: the Council noted the work in hand on the network-enabled capabilities project;

□ rapid response: the Council reiterated the importance of maintaining a high level of ambition with regard to rapid response;

European multinational forces: the Council noted the work in hand to facilitate the use of European multinational forces in ESDP operations;

evacuating nationals: the Council noted that consideration was being given to questions regarding the mobilisation of military assets;

the European Defence Agency: the Council noted the report by the Head of the EDA and the EDA's work in support of the ESDP. It also noted with satisfaction the establishment of a European long-term strategic framework;

the European Defence Technological and Industrial Base (EDTIB): the Council emphasised the need for the EU to pursue its efforts to secure a robust and competitive EDTIB;

the Council approved the launching of the European young officers exchange scheme, modelled on Erasmus.

1.28.7. Council decision 2008/884/ CFSP implementing Joint Action 2007/369/CFSP on the establishment of the European Union police mission in Afghanistan (EUPOL Afghanistan) (point 1.35.31).

1.28.8. Civilian ESDP missions — lessons learnt.

Approved by the Council on 10 November. The Council approved guidelines for the identification and implementation of lessons learned and

best practice in civilian missions in the framework of the European security and defence policy (ESDP). The aim of the guidelines is to improve civilian crisis management in the ESDP framework, and to constantly improve practice, reflecting a high level of political ambition.

1.28.9. European Parliament resolution on the Convention on Cluster Munitions (CCM).

References:

Council Joint Action 2007/528/CFSP in support of the Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, in the framework of the European security strategy: OJ L 194, 26.7.2007; Bull. 7/8-2007, point 1.27.1

European Parliament resolution — ‘Towards a global treaty to ban all cluster munitions’: OJ C 263 E, 16.10.2008; Bull. 10-2007, point 1.27.2

Adopted by the European Parliament on 20 November: Parliament welcomed the work of civil society against cluster munitions and called on all States to sign, ratify and implement the CCM at the earliest opportunity. It urged on all States to take steps at national level to begin implementing the CCM even before it is signed and ratified. It also called on all those Member States which have used cluster munitions to provide assistance to affected populations and on the Commission to increase financial assistance through all available instruments to communities affected by unexploded cluster munitions. Finally, it requested all those Member States which have used cluster munitions to provide technical and financial assistance for the clearance and destruction of

cluster munition remnants and the Commission to increase financial assistance for the same purpose through all available instruments.

1.28.10. Council conclusions on possible cooperation mechanisms between civilian ESDP missions and Europol as regards the mutual exchange of information (point 1.21.27).

European Defence Agency

1.28.11. European Defence Agency — Draft guidelines — 2009.

References:

Council Joint Action 2004/551/CFSP on the establishment of the European Defence Agency: OJ L 245, 17.7.2004; Bull. 7/8-2004, point 1.5.7, as amended by Council Joint Action 2008/299/CFSP: OJ L 102, 12.4.2008; Bull. 4-2008, point 1.28.7

Council guidelines on the European Defence Agency’s work programme for 2005: Bull. 11-2004, point 1.6.18.

Adopted by the Council on 10 November: The Council adopted draft guidelines for the activities of the EDA in 2009.

European Union statements and Presidency statements on behalf of the European Union

1.28.12. The following Presidency statements on behalf of the European Union were published in Brussels and in Paris (see Table 1).

Table 1 — *Declarations by the Presidency*

Country code	Country/region	Date	Subject	Reference — Source
BY	Belarus	14.11.2008	Restrictive measures against certain officials	15680/08 (Presse 329)
CN	China	28.11.2008	Execution of Mr Wo Weiha	16549/1/08 REV 1 (Presse 351)
IL	Israel	10.11.2008	Destruction of houses in East Jerusalem	15411/1/08 REV 1 (Presse 320)
IR	Iran	4.11.2008	Circular banning executions in Iran of persons who were minors at the time of the crime	15062/1/08 REV 1 (Presse 310)
		12.11.2008	Execution of Gholam-Reza H.	15688/08 (Presse 330)
KZ	Kazakhstan	6.11.2008	Conference: ‘Common world: Progress through diversity’	15263/08 (Presse 315)

Country code	Country/region	Date	Subject	Reference — Source
MV	Maldives	6.11.2008	Presidential elections in the Republic on 28.10.2008	15002/1/08 REV 1 (Presse 308)
SD	Sudan	18.11.2008	Situation in Darfur	15911/1/08 REV 1 (Presse 334)
		24.11.2008	ICC prosecutor's new request for arrest warrants in connection with the situation in Darfur	16119/08 (Presse 338)
SY	Syria	5.11.2008	Conviction of 12 signatories of the Damascus Declaration	14947/08 (Presse 307)
TW	Taiwan	12.11.2008	Taiwan	15365/1/08 REV 1 (Presse 316)
UZ	Uzbekistan	14.11.2008	Restrictive measures against Uzbekistan	15657/08 (Presse 328)
ZM	Zambia	10.11.2008	Presidential elections (30 October)	15488/08 (Presse 322)
	Western Balkans	28.11.2008	Deployment of EULEX	16482/1/08 REV 1 (Presse 348)
	All countries: Elimination of violence against women	25.11.2008	International Day for the Elimination of Violence Against Women	16281/08 (Presse 343)

1.28.13. Report of the EU–China summit.

Statement of the Council, on 26 November. The Council pointed out that Chinese authorities informed the EU of their decision to ask for the postponement of the 21st EU–China summit, to be held on 1 December, due to the Dalai Lama's visit to several EU countries at the same time.

The EU regrets this decision and intends to continue promoting the strategic partnership it has with China, particularly in the current context of the global economic and financial situation.

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/fr/er/104357.pdf

29. International organisations and conferences

European Bank for Reconstruction and Development (EBRD)

1.29.1. The latest financing operations approved by the Bank are listed in Table 2.

Table 2 — EBRD financing

Country code	Country	Operation	Sector	Loans	Equity
AL	Albania	WB LEF: Tirez Resources	Metal ore mining	14.16	0.00
AM	Armenia	Araratbank Equity Investment	Depository credit (banks)	15.00	0.00
BA	Bosnia and Herzegovina	Corridor Vc	Highway, street, bridge	5.29	0.00
		Western Balkans and Croatia Financing F/W — Partner II	Non-depository credit (non-bank)	180.00	0.00
BG	Bulgaria	GTC — Galeria Stara Zagora	Real estate	4.80	0.00
EE	Estonia	Iberdrola Estonia Wind	Electric power generation	6.42	0.00
GE	Georgia	Geo Steel	Primary metal manufacturing	4.72	0.00
MD	Moldova	Vitanta Brewery	Beverage manufacturing (includes bottle manufacturing)	15.73	0.00
MK (1)	Former Yugoslav Republic of Macedonia	WBLEF: Tikves	Beverage manufacturing (includes bottle manufacturing)	4.00	0.00
MN	Mongolia	DLF — MSM mixed-use development	Wholesale trade — durable goods	9.83	0.00
		MT Petrol Stations	Gasoline stations	3.50	0.00
		MT Petrol Stations — Magnai Trade LLC (equity)	Gasoline stations	15.00	0.00
PL	Poland	ENEA privatisation	Electric power distribution	3.00	0.00
RO	Romania	ProCredit Bank Romania — A/B loan	Depository credit (banks)	3.34	0.00
RS	Serbia	WBLEF: Tulltorija	Non-metallic mineral product	17.10	0.00
		Idea	Food and beverage stores	3.45	0.00

(million EUR)

(million EUR)

Country code	Country	Operation	Sector	Loans	Equity
RU	Russia	Taganrog District Heating Company debt	Steam and air conditioning supply	21.00	0.00
		Regional TFP — Master bank	Depository credit (banks)	0.90	0.00
		RSBF — Master bank	Depository credit (banks)	35.00	0.00
		Rasec Vostok	Fabricated metal product	48.26	0.00
		Kyiv city traffic management	Transit and ground passenger	6.00	0.00
UA	Ukraine	UKKEEP — OTP Bank	Depository credit (banks)	19.66	0.00
UZ	Uzbekistan	DLF — Tarleplast	Beverage manufacturing (includes bottle manufacturing)	2.67	0.00
	Regional	ARX private equity fund	Equity funds	11.01	0.00

(1) Provisional code which does not prejudice in any way the definitive nomenclature for the country, which will be agreed following the conclusion of negotiations currently taking place on this subject at the United Nations.

30. Common commercial policy

Operation of the customs union

1.30.1. Proposal for a Council regulation amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products.

Regulation to be amended: Council Regulation (EC) No 2505/96: OJ L 345, 31.12.1996, as amended by Council Regulation (EC) No 556/2008: OJ L 160, 19.6.2008; Bull. 4-2008, point 1.30.4

Adopted by the Commission on 26 November. This proposal aims to add certain products to the list given in Annex I to Regulation (EC) No 2505/96 and to increase other quotas for products listed in the annex, in response to requests from various Member States.

COM(2008) 797

Treaties, trade agreements and mutual recognition agreements

1.30.2. Draft agreement in the form of an exchange of letters between the European Community and Ukraine in relation to preservation of commitments on trade in services contained in the partnership and cooperation agreement.

Reference: Partnership and cooperation agreement between the European Communities and their Member States and Ukraine: OJ L 49, 19.2.1998; Bull. 3-1998, point 1.3.101

Negotiating directives: Bull. 4-2007, point 1.29.9

Initialed: 18 February 2008

Commission proposal on the conclusion: OJ C 202, 8.8.2008; COM(2008) 220; Bull. 4-2008, point 1.30.14

Commission proposal on the signing and the provisional application: OJ C 202, 8.8.2008; COM(2008) 222; Bull. 4-2008, point 1.30.15

Parliament opinion on the proposal for a decision on the conclusion: Bull. 10-2008, point 1.30.3

Council decision on the conclusion adopted on 10 November. This agreement with Ukraine aims at the preservation of commitments on trade in services contained in the partnership and cooperation agreement, taking account of the recent membership of this country to the WTO.

1.30.3. Draft agreement in the form of an exchange of letters between the European Community and the Republic of Belarus amending the agreement between the European Community and the Republic of Belarus on trade in textile products.

Agreement to be extended: agreement in the form of an exchange of letters between the European Community and the Republic of Belarus amending the agreement between the European Community and the Republic of Belarus on trade in textile products: OJ L 337, 21.12.2007; Bull. 12-2007, point 1.29.9

Reference: Council conclusions on Belarus: Bull. 10-2008, point 1.35.12

Negotiating directives: Bull. 7/8-2008, point 1.30.8

Proposal for a decision on the signing and the conclusion adopted by the Commission on 10 November. The bilateral agreement on trade in textile products between the EC and the Republic of Belarus will expire on 31 December 2008. This proposal provides for a one-year extension of the present textiles agreement until 31 December 2009, the elimination of 13 quotas that have been seldom used in the preceding years and the increase of the quota for one product category (flax yarns). Quotas for outward processing are increased at the standard yearly rate. This will reduce to 21 the textiles categories that will be subject to quotas from 1 January 2009.

COM(2008) 729

Individual sectors

Other products

1.30.4. Annual report (2007) on the application of Council Regulation (EC) No 953/2003 to avoid trade diversion into the European Union of certain key medicines.

References:

Commission communication on accelerated action targeted at major communicable diseases within the context of poverty reduction: COM(2000) 585; Bull. 9-2000, point 1.6.57

Council Regulation (EC) No 953/2003: OJ L 135, 3.6.2003; Bull. 5-2003, point 1.6.45

Commission communication — 'A European programme for action to confront HIV/AIDS, malaria and tuberculosis through external action (2007–11)': OJ C 236, 24.9.2005; COM(2005) 179; Bull. 4-2005, point 1.6.30

Adopted by the Commission on 20 November. Supplying poor and developing countries with medicines at sustainable low prices is one of the key objectives in the fight against HIV/AIDS, malaria and tuberculosis. In order to achieve this, the Commission has consistently advocated a policy of 'tiered pricing' for medicines; COMBined with market segmentation between rich and poor countries. The advantage of such a policy is that it encourages manufacturers to distribute the drugs in question in the target countries at the lowest possible ('tiered') price, while at the same time recouping their research and development expenditure with the higher prices charged in developed (OECD) countries. According to the Commission, this approach is designed to promote sustainable supplies and continuous distribution of life-saving medicines. This report covers the period from 1 January to 31 December 2007. It contains the following information:

- the volumes exported under tiered prices for each product registered in Annex I of the regulation;
- the sub-regions benefiting from these exports at tiered prices;

- the diseases treated with the products at question;
- an assessment of the application of the price formulae in Article 3 of the regulation in relation to each of the products concerned.

COM(2008) 764

Generalised scheme of preferences

1.30.5. Council Regulation (EC) No 1210/2008 amending Regulation (EC) No 55/2008 introducing autonomous trade preferences for the Republic of Moldova.

Amended regulation: Council Regulation (EC) No 55/2008 introducing autonomous trade preferences for the Republic of Moldova: OJ L 20, 24.1.2008; Bull. 1/2-2008, point 1.30.17

Reference: partnership and cooperation agreement between the European Communities and their Member States and Moldova: OJ L 181, 24.6.1998; Bull. 5-1998, point 1.3.88

Commission proposal: COM(2008) 540; Bull. 9-2008, point 1.30.6

Adopted by the Council on 20 November. Regulation (EC) No 55/2008, which has applied since 1 March 2008, gives all products originating Moldova free access to Community markets, except for certain agricultural products for which limited concessions have been given either in the form of exemption from customs duties within the limit of tariff quotas or of reductions of customs duties.

OJ L 328, 6.12.2008

Council and Commission anti-dumping activities

1.30.6. Council and Commission anti-dumping activities (see Table 3).

Basic reference: Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community: OJ L 56, 6.3.1996; Bull. 12-1995, point 1.4.23, as amended by Council Regulation (EC) No 2117/2005: OJ L 340, 23.12.2005; Bull. 12-2005, point 1.6.31

Table 3 — *Anti-dumping activities*

Country code	Country	Date	Product	Stage of procedure	Reference
BA	Bosnia and Herzegovina	18.11.2008	Imports of certain welded tubes and pipes of iron or non-alloy steel	Termination of the proceedings	Council Regulation (EC) No 1256/2008: OJ L 343, 19.12.2008
BY	Belarus	18.11.2008	Imports of certain welded tubes and pipes of iron or non-alloy steel	Definitive anti-dumping duty	Council Regulation (EC) No 1256/2008: OJ L 343, 19.12.2008
BY/ TR/ UA	Belarus/ Turkey/ Ukraine	12.11.2008	Imports of welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless	Notice of initiation of anti-dumping proceedings	OJ C 290, 13.11.2008
CN	China	4.11.2008	Imports of monosodium glutamate	Definitive anti-dumping duty	Council Regulation (EC) No 1187/2008: OJ L 322, 2.12.2008
		4.11.2008	Imports of citric acid	Definitive anti-dumping duty	Council Regulation (EC) No 1193/2008: OJ L 323, 3.12.2008
		14.11.2008	Imports of certain pre- and post-stressing wires and wire strands of non-alloy steel (PSC wires and strands)	Provisional anti-dumping duty	Commission Regulation (EC) No 1129/2008: OJ L 306, 15.11.2008
		14.11.2008	Imports of certain candles, tapers and the like	Provisional anti-dumping duty	Commission Regulation (EC) No 1130/2008: OJ L 306, 15.11.2008
		18.11.2008	Imports of certain welded tubes and pipes of iron or non-alloy steel	Definitive anti-dumping duty	Council Regulation (EC) No 1256/2008: OJ L 343, 19.12.2008
IN	India	17.11.2008	Imports of certain polyethylene terephthalate	Amendment of definitive anti-dumping duty	Council Regulation proposal (COM(2008) 757)
		25.11.2008	Imports of certain graphite electrode systems	Amendment of definitive anti-dumping duty	Council Regulation proposal (COM(2008) 793)

Country code	Country	Date	Product	Stage of procedure	Reference
MY	Malaysia	4.11.2008	Imports of certain polyethylene terephthalate	Initiation of a new exporter review	Commission Regulation (EC) No 1082/2008: OJ L 296, 5.11.2008
NO	Norway	20.11.2008	Imports of farmed salmon	Termination of the proceedings	OJ C 298, 21.11.2008
TH	Thailand	18.11.2008	Imports of certain welded tubes and pipes of iron or non-alloy steel	Definitive anti-dumping duty	Council Regulation (EC) No 1256/2008: OJ L 343, 19.12.2008
TR	Turkey	18.11.2008	Imports of certain welded tubes and pipes of iron or non-alloy steel	Termination of the proceedings	Council Regulation (EC) No 1256/2008: OJ L 343, 19.12.2008
UA	Ukraine	18.11.2008	Imports of certain welded tubes and pipes of iron or non-alloy steel	Definitive anti-dumping duty	Council Regulation (EC) No 1256/2008: OJ L 343, 19.12.2008

1.30.7. Council and Commission anti-subsidy activities (see Table 4).

Basic reference: Council Regulation (EC) No 2026/97 on protection against subsidised imports from countries not members of the European Community: OJ L 288, 21.10.1997; Bull. 10-1997, point 1.3.17, as amended by Council Regulation (EC) No 461/2004: OJ L 77, 13.3.2004; Bull. 3-2004, point 1.6.25

Table 4 — *Anti-subsidy activities*

Country code	Country	Date	Product	Stage of procedure	Reference
IN	India	17.11.2008	Imports of certain polyethylene terephthalate	Amendment of definitive countervailing duty	Council Regulation (EC) No 1286/2008: OL L 340, 19.12.2008
		25.11.2008	Imports of certain graphite electrode systems	Amendment of definitive countervailing duty	Council Regulation (EC) No 1354/2008: OL L 350, 30.12.2008
		25.11.2008	Imports of cotton-type bedlinen	Definitive countervailing duty	Council Regulation (EC) No 1353/2008: OL L 350, 30.12.2008
		27.11.2008	Imports of certain broad spectrum antibiotics	Amendment of definitive countervailing duty	OJ L 319, 29.11.2008

31. Development cooperation

General policy

1.31.1. Council conclusions on local authorities as actors for development.

Reference: Commission communication — ‘Local authorities: actors for development’: COM (2008) 626; Bull. 10-2008, point 1.31.1

Adopted by the Council on 10 November. The Council stressed the importance of the contribution made by local authorities to democratic local governance, to inclusive and equitable local development and to the provision of the basic services needed by the population, particularly by the poorest section of the population. With their local knowledge and closeness to citizens, local authorities can facilitate dialogue and partnerships between different types of development cooperation actors. The Council also welcomed the participatory process, which brought together various platforms of local authorities, NGOs, Member States, the Commission and the Committee of the Regions and culminated in the drawing up of a draft European charter on cooperation in support of local governance. The Council wished to see the partners follow-up this document by contributing to better harmonisation of development action in the field of local governance, linked as far as possible to other existing international initiatives.

Millennium development goals

1.31.2. Committee of the Regions opinion on ‘The EU — a global partner for development speeding up progress towards the millennium development goals’.

Commission proposal: COM(2008) 177; Bull.4-2008, point 1.31.2

References:

Committee of the Regions own-initiative opinion on decentralised cooperation in the reform of the EU’s development policy: OJ C 115, 16.5.2006; Bull. 11-2005, point 1.6.33

Committee of the Regions opinion on governance in the European consensus on development: OJ C 197, 24.8.2007; Bull. 6-2007, point 1.30.1

Adopted by the Committee of the Regions on 27 November. The Committee is concerned to note that the volume of European development aid has decreased for the second year running and that only a few countries (e.g. Denmark, the Netherlands and Sweden) are fulfilling the international commitment in relation to the amount of aid given. Recognising the importance of budgetary and sectoral aid, in particular for the poorest countries, it urged that a mechanism be created in relations between central government and civil society players whereby a new culture can be developed in the use of aid. In fact, it highlighted that many of the EU’s local and regional authorities have development-based links with their counterparts in the developing world, and thus acquired expertise, especially in such spheres as: education; municipal services (water and waste management); infrastructure; transport; communications; regional economic development; supporting the development of local bodies. Furthermore, the Committee is pleased about its fruitful cooperation with the Commission, which demonstrates that its role and the one of local and regional authorities in development policy is receiving increasing recognition.

Health, AIDS and population

1.31.3. Council conclusions on healthcare in developing countries.

References:

Council conclusions on an EU code of conduct on complementarity and division of labour in development policy: Bull. 5-2007, point 1.30.5

Council conclusions on a European programme for action to tackle the critical shortage of health workers in developing countries (2007–13): Bull. 5-2007, point 1.30.8

Council conclusions on promoting employment through EU development cooperation: Bull. 6-2007, point 1.30.4

Council conclusions on the millennium development goals: Bull. 5-2008, point 1.31.3

Adopted by the Council on 10 November. To ensure that there is eventually universal access to a high standard of healthcare, the Council considers that health systems in developing

countries must be strengthened in two areas: addressing the shortage of health workers and ensuring the long-term financing of health systems. Aware of the special role that the EU can and must play in this respect, the Council urged Member States and the Commission to focus their efforts more specifically on these areas.

1.31.4. European Parliament resolution on HIV/AIDS: early diagnosis and early care.

References:

Council conclusions on combating HIV/AIDS: Bull. 6-2005, point 1.6.31

Commission communication on combating HIV/AIDS within the European Union and in the neighbouring countries, 2006–09: OJ C 49, 28.7.2008; COM(2005) 654; Bull. 12-2005, point 1.4.96

Parliament resolution on HIV/AIDS: ‘Time to deliver’: OJ C 303 E, 13.12.2006; Bull. 7/8-2006, point 1.29.6

European Parliament resolution on AIDS: OJ C 316 E, 22.12.2006; Bull. 11-2006, point 1.29.6

European Parliament resolution on combating HIV/AIDS within the European Union and in the neighbouring countries, 2006–09: OJ C 47 E, 20.3.2008; Bull. 4-2007, point 1.25.6

Adopted by the Parliament on 20 November.
Parliament called on the Commission:

□ to ensure accurate monitoring and surveillance by the European Centre for Disease Prevention and Control, including more precise estimates (size, characteristics, etc.) of the undiagnosed population, respecting confidentiality and protecting personal data;

□ to commit substantial political, financial and human resources to support the implementation of such a strategy;

□ to establish an HIV/AIDS risk reduction strategy focusing on vulnerable groups and groups known to be at high risk.

Furthermore, it asked Member States:

□ to enact provisions which effectively outlaw discrimination against people living with HIV/AIDS, including restrictions that impact on their freedom of movement within their jurisdictions;

□ to step up information and education campaigns on the prevention, testing and treatment of HIV/AIDS.

Finally, Parliament called on the Council and the Commission to formulate a strategy on HIV to: promote early diagnosis and reduction of barriers to testing; ensure early care and communication of the benefits of earlier care.

32. Humanitarian aid

Humanitarian aid operations

1.32.1. Commission financing decisions.
Purpose: see Table 5.

Table 5 — *Humanitarian aid*

Country code	Country/region	Purpose	Amount
BD	Bangladesh	Emergency humanitarian assistance in favour of communities affected by floods and water logging in south-western Bangladesh	1 500 000
BO	Bolivia	Humanitarian assistance to victims of the cold wave	1 000 000
GT/ HN	Guatemala/ Honduras	Emergency humanitarian assistance to the victims of floods and landslides	1 170 000
HT	Haiti	Emergency humanitarian food and nutritional assistance to vulnerable populations	6 000 000
LK	Sri Lanka	Emergency humanitarian assistance for internally displaced people (IDP) and conflict-affected populations in the Vanni region	2 000 000
PY	Paraguay	Emergency humanitarian assistance and relief for victims of the drought	1 400 000
YE	Yemen	Emergency humanitarian assistance to the population of south-east Yemen affected by the October 2008 flooding	600 000
	Central and South America	Humanitarian aid to populations affected by small-scale disasters	1 000 000
	Latin America and Caribbean	Response to epidemics	1 000 000
	West African countries	Preparedness and response to epidemics	2 000 000

33. European neighbourhood policy

1.33.1. There is no selected information under this heading of the current Bulletin.

34. European Economic Area (EEA), European Free Trade Association (EFTA)

Relations with EFTA countries

1.34.1. 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.

References:

Bilateral sectoral agreements between the European Community and its Member States and Switzerland: OJ L 114, 30.4.2002; Bull. 6-1999, point 1.3.61

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 Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic

pursuant to their accession to the European Union: OJ L 89, 28.3.2006; Bull. 1/2-2006, point 1.31.7

Negotiating directives: Bull. 5-2006, point 1.32.2

Initialled: 29 February 2008

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 209; Bull. 4-2008, point 1.34.3

Council decision on the signing: Bull. 5-2008, point 1.34.2

Signature: Bull. 5-2008, point 1.34.2

Parliament assent: Bull. 10-2008, point 1.34.1

Council decision on the conclusion adopted on 27 November. The agreement between the EC and its Member States on the one hand and the Swiss Confederation on the other, needs to be amended to allow for the accession of Bulgaria and Romania as contracting parties.

1.34.2. Council Decision 2008/903/EC on the full application of the provisions of the Schengen *acquis* in the Swiss Confederation (point 1.21.11).

35. Relations with third countries and regional groupings

Southern Mediterranean

Regional cooperation

Euro-Mediterranean partnership

1.35.1. Euro-Mediterranean meeting of foreign ministers.

References:

Barcelona declaration and work programme: Bull. 11-1995, point 2.3.1

Euro-Mediterranean summit: Bull. 7/8-2008, point 1.35.1

Meeting held in Marseille on 3 and 4 November. During this meeting, it was decided that the 'Barcelona process: union for the Mediterranean' should now be called 'Union for the Mediterranean' (UfM). EuroMed foreign ministers adopted a declaration specifying the organisation of the institutional structure of the process and establishing a work programme for 2009. It was therefore decided that Barcelona will be the seat of the general secretariat of the UfM. The institutional structure is composed of a co-presidency, senior officials, a joint permanent committee, a secretariat and a parliamentary assembly. The institutions will implement the major principles adopted at the Paris summit for a more shared, balanced and lasting cooperation around the Mediterranean. Moreover, ministers reached unanimous agreement on the participation of the Arab League at all meetings and at all levels. The work programme for 2009 was also adopted. Meetings on various subjects were planned and fields of cooperation were identified (political and security dialogue; maritime safety; economic and financial partnership; social, human and cultural cooperation). In addition, ministers reviewed the progress made in implementing the priority projects selected in the declaration adopted during the Paris Euro-Mediterranean summit in July 2008. On the political front, an ambitious text was adopted.

The ministers reaffirmed the will shared by all for the UfM to contribute to peace, stability and development in the region. They affirmed the importance of the Arab peace initiative and reiterated their support for the Annapolis process and for the indirect dialogue between Israel and Syria. Finally, they welcomed the establishment of diplomatic relations between Syria and Lebanon.

1.35.2. Euro-Mediterranean meeting of ministers for industry.

References:

Barcelona declaration and work programme: Bull. 11-1995, point 2.3.1

Euro-Mediterranean summit: Bull. 7/8-2008, point 1.35.1

Meeting held in Nice on 5 and 6 November. EU ministers for industry met their counterparts from Albania, Algeria, Bosnia and Herzegovina, Croatia, Egypt, Israel, Jordan, Libya, Monaco, Montenegro, Morocco, Lebanon, Occupied Palestinian Territories, Syria, Tunisia and Turkey, in the presence of Mr Verheugen, Vice-President of the Commission. The aim of the meeting was to decide further measures to deepen Euro-Mediterranean cooperation on enterprise and industry policies for the next two years. The ministerial meeting agreed on increasing cooperation in the following six areas: improving the business environment; promoting investment; facilitation of the trade in industrial products; promoting innovation and technology transfer; promoting sustainable industrial development; and energy efficiency and dialogue on the future of the textile and clothing sector. They also welcomed the progress achieved in improving the business environment and boosting entrepreneurship in the Euromed region.

IP/08/1655

1.35.3. Euro-Mediterranean meeting of employment ministers.

References:

Barcelona declaration and work programme: Bull. 11-1995, point 2.3.1

Euro-Mediterranean summit: Bull. 7/8-2008, point 1.35.1

Meeting held in Marrakech on 9 and 10 November. The EU employment ministers and 16 Mediterranean partner States met for the first time, under the joint Franco-Egyptian presidency of the Union for the Mediterranean. Mr Špidla, Member of the Commission, also took part. The ministers took stock of the region's socio-economic situation and examined concrete proposals aimed at promoting job creation, labour market modernisation and the development of human resources. They also adopted a framework for action aimed at strengthening dialogue and joint measures at regional level. A follow-up mechanism will be set up to ensure exchange of information and data on national trends and on how policies develop.

1.35.4. Euro-Mediterranean meeting of health ministers.

References:

Barcelona declaration and work programme: Bull. 11-1995, point 2.3.1

Euro-Mediterranean summit: Bull. 7/8-2008, point 1.35.1

Meeting held in Cairo on 17 November. Euro-Mediterranean health ministers decided on an action plan to enhance health systems and increase exchanges and sharing of experiences in all related areas, from prevention to the treatment of various kinds of illness, including situations resulting from natural disasters. Health was considered as cross-disciplinary and should be an integral part of all initiatives, programmes, plans and social development activities within the Euro-Mediterranean area.

Maghreb

Morocco

1.35.5. Council decision concerning the Community position within the EU-Morocco Association Council on the implementation of Article 84 of the Euro-Mediterranean agreement between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, in order to set up a customs cooperation committee and amend the rules of procedure of certain subcommittees and working groups of the Association Committee.

References:

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: OJ L 70, 18.3.2000; Bull. 1/2-2000, point 1.6.93

Council decisions on the position to be adopted by the European Community and its Member States within the association councils established by the Euro-Mediterranean association agreements establishing an association between the European Communities and their Member States, of the one part, and, respectively, the Kingdom of Morocco, the State of Israel, the Republic of Tunisia, the Hashemite Kingdom of Jordan, of the other part, as regards the adoption of recommendations on implementing EU-Morocco, EU-Israel, EU-Tunisia and EU-Jordan action plans: Bull. 1/2-2005, point 1.6.52

Commission proposal: COM(2008) 476; Bull. 7/8-2008, point 1.35.2

Formally adopted by the Council on 4 November. The Council approved the position to be taken by the EU as regards the creation, under the EU-Morocco association agreement, of a customs cooperation committee and the amendment of the rules of procedure of certain subcommittees and working parties of the Association Committee.

Tunisia

1.35.6. EU-Tunisia Association Council.

References:

Euro-Mediterranean agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part: OJ L 97, 30.3.1998; Bull. 1/2-1998, point 1.4.92

EU-Morocco Association Council: Bull. 10-2008, point 1.35.5

Previous meeting: 19 November 2007

Seventh meeting held in Brussels on 11 November. During this meeting, an agreement was reached on strengthening the EU-Tunisia partnership. Careful consideration was given to cooperation between the two parties and to economic and trade relations. These relations are long-standing and important since Tunisia was the first southern Mediterranean country to form a free-trade area on industrial goods with the EU. The EU said that it would look favourably on the Tunisian proposal for an enhanced partnership along the lines of the 'advanced status' enjoyed by Morocco since October 2008. A working group will be set up to consider the issue. The meeting also provided

the opportunity to discuss political issues such as rule of law, governance, human rights, the union for the Mediterranean and combating terrorism. Finally, the EU declared its support for Tunisia's efforts to modernise and welcomed the new prospects offered by the current framework for cooperation between the two partners.

1.35.7. Visit by Mr Tajani, Member of the Commission, to Tunis on 17 November.

Mr Tajani gave a speech at the fifth Conference of Transport Ministers of western Mediterranean countries.

SPEECH/08/626

Near East

Israel

1.35.8. European Parliament resolution on the case of the al-Kurd family.

References:

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: OJ L 147, 21.6.2000; Bull. 4-2000, point 1.6.52

Parliament resolution on the situation in the Middle East: OJ C 253 E, 13.10.2005; Bull. 1/2-2005, point 1.6.66

Declaration by the Presidency on behalf of the European Union on the destruction of houses in East Jerusalem: point 1.28.12 of this Bulletin

Adopted by the European Parliament on 20 November: After the eviction of the al-Kurd family from their home and the recent destruction of the houses of Palestinian families by the Israeli authorities, in several areas of East Jerusalem on the basis of an order issued by the Israeli Supreme Court, Parliament expressed its deep concern at the possible serious consequences of these measures. It pointed out that these operations, which seriously affect the lives of the residents of these areas, contravene international law, and called on the Israeli authorities to put an end to them as soon as possible. Whilst acknowledging the independence of the Israeli judiciary within the internationally recognised borders of the State of Israel, Parliament underlined that, under international law, East Jerusalem is not subject to the jurisdiction of Israeli courts. It therefore called on the Council, the Commission and the international community, to make all possible efforts to protect Palestinian residents in the

Sheikh Jarrah neighbourhood and other areas of East Jerusalem. Parliament reiterated its call to the Israeli authorities to immediately halt any expansion of settlements and the building of the security fence beyond Israel's 1967 borders. It affirmed that such actions are contrary to international law and can only damage the chances of reaching a peace agreement between Palestinians and Israelis.

Jordan

1.35.9. EU–Jordan Association Council.

Reference: Euro-Mediterranean agreement establishing an association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part: OJ L 129, 15.5.2002; Bull. 5-2002, point 1.6.77

Previous meeting: 11 December 2007

Seventh meeting held in Brussels on 10 November. During this meeting, the EU welcomed Jordan's political announcements for greater openness and the guarantee of freedom to exercise rights, calling on the country to move to the phase of implementation, particularly regarding the press, political parties, local elections and public meetings. It also welcomed the fact that Jordan had completed the stages laid down in the EU–Jordan action plan and structured its cooperation. However the EU expressed its concerns regarding the law on civil society and stressed the need to reinforce the independence of the country's legal apparatus. The situation in the Middle East was also on the agenda, as were relations with Iran and Iraq and the fight against terrorism. The EU welcomed the fact that Jordan has decided to appoint an ambassador to Baghdad and congratulated the country on the constructive role it plays in the process involving the neighbouring countries of Iraq and other players. Economically, Jordan has obtained excellent results and is continuing its reforms in fields such as taxation and the management of public finances. The EU supports Jordan in these difficult reforms, which are vital to guarantee economic growth. However, it called upon Jordan to ensure that these economic advantages are more evenly spread through the Jordanian population.

Lebanon

1.35.10. Council conclusions on Lebanon.

References:

Euro-Mediterranean agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part: OJ L 143, 30.5.2006; Bull. 1/2-2006, point 1.32.6

European Parliament resolution on the situation in Lebanon: Bull. 5-2008, point 1.35.3

Council conclusions on Lebanon: Bull. 5-2008, point 1.35.4

Adopted by the Council on 10 November. The Council welcomed the return to normal functioning of the Lebanese institutions following the Doha agreement of 21 May and reaffirmed its full support for the Lebanese authorities. It encouraged all parties to engage in dialogue, in a spirit of consensus and compromise, in order to make progress on the question of the national defence strategy, in the interests of all Lebanese people. The Council welcomed the announcement of the establishment of diplomatic relations between Lebanon and Syria. It encouraged both parties to implement the other commitments referred to in the communiqué agreed upon last August by Presidents Assad and Sleiman, and in particular the demarcation and monitoring of the common border and the issue of prisoners and disappeared persons. According to the Council, the EU and its Member States are willing to lend their support, where necessary, to the development and implementation of the Lebanese national border management strategy. In addition, the EU is fully prepared to support the preparation, organisation of and the follow-up to the 2009 legislative elections, in order to ensure that they take place under transparent and fair conditions in accordance with international standards. It is also willing to envisage the deployment of an election observation mission, if requested to do so by the Lebanese authorities. The Council underlined the essential role played by the Lebanese State and its law enforcement authorities and in particular its armed forces, in combating terrorism. It solemnly reiterated its commitment to the principle of State monopoly on the legitimate use of force. In addition, the Council underlined the importance of implementing the economic, financial and commercial aspects of the EU–Lebanon action plan and of pursuing the reforms necessary for reviving the country’s economic activity. Finally, the Council reaffirmed its determination to reinforce Lebanon’s sovereignty, independence, territorial integrity, unity and stability and recalled its

commitment to the full implementation of UN Security Council Resolutions 1559 (2004), 1680 (2006), 1701 (2006) and 1757 (2007).

Palestinian Territories

1.35.11. Council Joint Action 2008/862/CFSP amending Joint Action 2005/889/CFSP on establishing a European Union border assistance mission for the Rafah Crossing Point (EUBAM Rafah).

Amended joint action: Joint Action 2005/889/CFSP: OJ L 327, 14.12.2005; Bull. 12-2005, point 1.6.59, as amended by Council Joint Action 2008/379/CFSP: OJ L 130, 20.5.2008; Bull. 5-2008, point 1.35.5

Adopted by the Council on 10 November. The Council extended the mandate of the EUBAM Rafah mission by a further year, until 24 November 2009. It pointed out that since the closure of the Rafah crossing point, the mission had maintained its operational capability and that the EU was determined and prepared to redeploy its personnel at the crossing point as soon as conditions permitted.

OJ L 306, 15.11.2008

1.35.12. European Parliament resolution on the case of the al-Kurd family (point 1.35.8).

Gulf countries

Middle East

Iran

1.35.13. Council Decision 2008/842/CFSP amending Annexes III and IV of Common Position 2007/140/CFSP concerning restrictive measures against Iran.

Amended common position: Council Common Position 2007/140/CFSP: OJ L 61, 28.2.2007; Bull. 1/2-2007, point 1.34.12, as amended by Council Common Position 2007/652/CFSP: OJ L 213, 8.8.2008; Bull. 7/8-2008, point 1.35.6

Reference: Council Regulation (EC) No 1110/2008 amending Regulation (EC) No 423/2007 concerning restrictive measures against Iran: OJ L 300, 11.11.2008; point 1.35.14 of this Bulletin

Adopted by the Council on 10 November. On 7 August 2008, the Council adopted Common Position 2008/652/CFSP amending Common

Position 2007/140/CFSP with a view to the implementation of United Nations Security Council Resolution 1803 (2008). Common Position 2008/652/CFSP provides, inter alia, that Member States shall exercise vigilance over the activities of financial institutions within their jurisdiction with all banks domiciled in Iran, and their branches and subsidiaries abroad, in order to avoid such activities contributing to proliferation-sensitive nuclear activities or to the development of nuclear weapon delivery systems. The Council has identified the branches and subsidiaries abroad of the banks domiciled in Iran to which the provisions on financial vigilance in Common Position 2008/652/CFSP apply. Annexes III and IV of Common Position 2007/140/CFSP have been amended accordingly.

OJ L 300, 11.11.2008

1.35.14. Council Regulation (EC) No 1110/2008 amending Regulation (EC) No 423/2007 concerning restrictive measures against Iran.

Amended regulation: Council Regulation (EC) No 423/2007: OJ L 103, 20.4.2007; Bull. 4-2007, point 1.34.9, as amended by Council Decision 2008/475/EC: OJ L 163, 24.6.2008; Bull. 6-2008, point 1.35.6

Reference: Council Common Position 2008/652/CFSP concerning restrictive measures against Iran: OJ L 213, 8.8.2008; Bull. 7/8-2008, point 1.35.6, as amended by Council Decision 2008/842/CFSP: OJ L 300, 11.11.2008; point 1.35.13 of this Bulletin

Commission proposal: COM(2008) 516; Bull. 7/8-2008, point 1.35.7

Adopted by the Council on 10 November. The purpose of this regulation is to implement in Community legislation some of the measures provided for in Common Position 2008/652/CFSP, so as to ensure that they are applied uniformly by economic operators in all Member States.

OJ L 300, 11.11.2008

Iraq

1.35.15. Council conclusions on Iraq.

References:

Council conclusions on Iraq: Bull. 5-2008, point 1.35.9

Council Joint Action 2005/190/CFSP on the 'European Union integrated rule of law mission for Iraq — Eujust Lex': OJ L 62, 9.3.2005; Bull. 3-2005, point 1.6.33, as amended by Council Joint Action 2008/304/CFSP: OJ L 105, 15.4.2008; Bull. 4-2008, point 1.35.9

Council conclusions on Iraq and the 'European Union integrated rule of law mission for Iraq — Eujust Lex': point 1.35.16 of this Bulletin

Adopted by the Council at its session of 10 and 11 November. The Council reaffirmed its desire for a secure, stable, democratic, prosperous and unified Iraq in which human rights are respected. It welcomed both the progress achieved in improving the security situation and the steps taken towards national reconciliation. The Council hoped that elections will be held at the beginning of 2009 as planned. It noted with satisfaction that a number of neighbours and partners in the region have honoured the commitments undertaken in the final communiqué of the Conference of the Neighbouring Countries of Iraq in Kuwait in April 2008 and have strengthened their representation in Baghdad. Constructive engagement of Iraq's neighbours and partners remains essential to peace and stability. The Council emphasised the importance of a renewed commitment by the EU on the rule of law, via Community assistance, the ESPD mission and Member States' own programmes. It welcomed the substantial progress achieved in negotiations on the trade and cooperation agreement and stated its determination to conclude the negotiations as speedily as possible. Finally, the EU remains committed to developing its partnership with Iraq in accordance with the principles of the International Compact with Iraq.

1.35.16. Council conclusions on Iraq and the 'European Union integrated rule of law mission for Iraq — Eujust Lex'.

References:

Council Joint Action 2005/190/CFSP the 'European Union integrated rule of law mission for Iraq — Eujust Lex': OJ L 62, 9.3.2005; Bull. 3-2005, point 1.6.33, as amended by Council Joint Action 2008/304/CFSP: OJ L 105, 15.4.2008; Bull. 4-2008, point 1.35.9

Council conclusions on Iraq: point 1.35.15 of this Bulletin

Adopted by the Council at its session of 10 and 11 November. The Council agreed to continue and strengthen the EU's engagement in reinforcing the rule of law in Iraq and promoting human rights, including via the 'integrated rule of law mission for Iraq', Eujust Lex, by extending its mandate from June 2009. This will enable the mission to carry out, progressively and on an experimental basis where security conditions permit, pilot activities in the area of the rule of law on Iraqi territory.

1.35.17. Council conclusions on the reception of Iraqi refugees.

References:

Council conclusions on Iraq; Bull. 7/8-2008, point 1.35.8

Council conclusions on the reception of Iraqi refugees in Member States of the European Union; Bull. 9-2008, point 1.35.7

Adopted by the Council at its session of 27 and 28 November. The Council took note of the Commission's mission to Jordan and Syria between 1 and 6 November in order to assess the situation of the most vulnerable Iraqi refugees in those countries, and to examine the possibilities for resettlement in Member States willing to receive them. It stressed that the principal objective is to create the conditions for the safe return of displaced persons in Iraq and of those displaced in neighbouring countries, while taking care to protect and defend human rights for all Iraqis. The Council recalled the financial and humanitarian aid delivered by the EU and Member States to the Iraqi refugees. Likewise, it was pleased that certain Member States already welcome Iraqi refugees, in particular under their resettlement programmes. Accordingly, the Council invited Member States to receive those Iraqi refugees in particularly vulnerable situations such as persons having specific medical needs, those traumatised or tortured, those from religious minorities or single women with children.

Eastern Europe

Bilateral relations

Belarus

1.35.18. Council Common Position 2008/844/CFSP of amending Common Position 2006/276/CFSP concerning restrictive measures against certain officials of Belarus.

Amended common position: Council Common Position 2006/276/CFSP: OJ L 101, 11.4.2006; Bull. 4-2006, point 1.33.11, as amended by Council Common Position 2007/173/CFSP: OJ L 79, 20.3.2007; Bull. 3-2007, point 1.34.14

Reference: Council conclusions on Belarus: Bull. 10-2008, point 1.35.13

Adopted by the Council on 10 November. This common position follows on from the conclusions adopted by the Council on 13 October 2008. It extends for a period of 12 months the restrictive measures provided for in Common Position 2006/276/CFSP and, for a renewable period of six months, suspends the travel restrictions on certain leading figures in Belarus, with the exception of those involved in the disappearances which occurred in 1999 and 2000 and of the President of the Central Electoral Commission.

OJ L 300, 11.11.2008

Caucasus

Bilateral relations

Georgia

1.35.19. Council conclusions on the European Union monitoring mission in Georgia (EUMM Georgia).

Reference: Council Joint Action 2008/736/CFSP on the European Union monitoring mission in Georgia, EUMM Georgia: OJ L 248, 17.9.2008; Bull. 9-2008, point 1.35.14, as amended by Council Joint Action 2008/759/CFSP: OJ L 259, 27.9.2008; Bull. 9-2008, point 1.35.15

Adopted by the Council at its session of 10 and 11 November. The Council welcomed the rapid and effective deployment, on 1 October, of the EUMM Georgia. It emphasised the quality of the work done to date and the need to maintain the same level of engagement over the coming months, and reaffirmed its determination that the mission would continue to fully implement its mandate in Georgia.

1.35.20. Assistance for Georgia.

Approved by the Council at its session of 18 to 20 November. The Council approved the Commission proposal to provide rapid assistance for Georgia following the crisis of summer 2008. A sum of EUR 50.7 million in commitment appropriations will be made available to fund measures to help displaced persons within Georgia. The measures will be funded from transfers within Heading 4 (EU as a global player), most of which (EUR 39.5 million) is drawn from the emergency aid reserve.

Central Asia

General

1.35.21. Council decision 2008/847/EC on the eligibility of Central Asian countries under Council Decision 2006/1016/EC granting a Community guarantee to the European Investment Bank against losses under loans and loan guarantees for projects outside the Community (point 1.36.7).

Kazakhstan

1.35.22. Draft protocol to the partnership and cooperation agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union.

Reference: partnership and cooperation agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part: OJ L 196, 28.7.1999; Bull. 3-1999, point 1.4.87

Negotiating directives: 23 October 2006

Commission proposal: OJ C 138, 22.6.2007; COM(2007) 105; Bull. 3-2007, point 1.34.20

European Parliament opinion on the proposal for a decision on the conclusion on 18 November. Parliament approved the conclusion of the protocol.

Uzbekistan

1.35.23. Council Common Position 2008/843/CFSP amending and extending Common Position 2007/734/CFSP concerning restrictive measures against Uzbekistan.

Amended common position: Council Common Position 2007/734/CFSP: OJ L 295, 14.11.2007; Bull. 11-2007, point 1.34.13

References:

Council conclusions on Uzbekistan: Bull. 10-2007, point 1.34.22; Bull. 4-2008, point 1.35.15; Bull. 10-2008, point 1.35.21

Adopted by the Council on 10 November. Further to the Council conclusions of October 2008, this common position renews the arms embargo imposed by Common Position 2007/734/PESC for a period of 12 months, i.e. until

13 November 2009. The Council welcomed the progress achieved by Uzbekistan in the last year with regard to respect for the rule of law and protection of human rights. Accordingly, it decided not to renew the travel restrictions applying to certain individuals referred to in Common Position 2007/734/PESC, which had been suspended in October 2007 and in April 2008.

OJ L 300, 11.11.2008

Russia

1.35.24. Communication from the Commission to the Council — Review of EU–Russia relations.

References:

Partnership and cooperation agreement between the European Communities and their Member States and the Russian Federation: OJ L 327, 28.11.1997; Bull. 12-1997, point 1.3.92

Draft agreement between the European Community on the one hand, and Russia on the other, on a new agreement to replace the partnership and cooperation agreement: Bull. 5-2008, point 1.35.21

Extraordinary European Council conclusions: Bull. 9-2008, points I.1 and I.2

Council conclusions on Georgia and Russia: Bull. 10-2008, point 1.35.19

Presidency declaration on the preparation for the EU–Russia summit: point 1.35.25 of this Bulletin

European Union–Russia summit: point 1.35.26 of this Bulletin

Adopted by the Commission on 5 November. The Extraordinary European Council requested the Council, with the Commission, to conduct a careful, in-depth examination of the various aspects of EU–Russia relations, to be discussed at the Council meeting of 10 November, and in the run-up to the EU–Russia summit scheduled for 14 November. Therefore this communication gives an overview of EU–Russia relations in the following areas: trade and investment; energy; external security; human rights; justice, freedom and security; research, education and culture; and financial assistance.

COM(2008) 740

1.35.25. Presidency declaration on the preparation for the EU–Russia summit.

References:

Partnership and cooperation agreement between the European Communities and their Member States and the Russian Federation: OJ L 327, 28.11.1997; Bull. 12-1997, point 1.3.92

Draft agreement between the European Community on the one hand, and Russia on the other, on a new agreement to replace the partnership and cooperation agreement: Bull. 5-2008, point 1.35.21

Extraordinary European Council conclusions: Bull. 9-2008, points I.1 and I.2

Council conclusions on Georgia and Russia: Bull. 10-2008, point 1.35.19

Commission communication — review of EU–Russia relations: COM(2008) 740; point 1.35.24 of this Bulletin

European Union–Russia summit: point 1.35.26 of this Bulletin

Adopted by the Council on 10 November. The Council discussed EU–Russia relations, with a view to the summit meeting in Nice on 14 November. On the conclusion of the discussion, the Presidency made the following statement:

‘1. The conflict in Georgia has affected the trust which is necessary for the partnership between the European Union and Russia. All points regarding the withdrawal of Russian troops from Georgia and the implementation of the agreements of 12 August and 8 September, as set out in the European Council conclusions of 1 September and 15 and 16 October, remain valid and relevant, including those concerning access to certain areas. Russia must continue to implement its commitments and enter constructively into the international discussions which have opened in Geneva. We continue fully to support the independence, sovereignty and territorial integrity of Georgia.

2. The Commission and the Council Secretariat have carried out an in-depth examination of relations between the EU and Russia, as requested by the European Council in its 1 September conclusions. That process will continue, in particular in the light of Russia’s actions. It will be taken into account in the further negotiations on the new agreement with Russia and in other aspects of EU–Russia relations; it forms part of a regular process which will be continued by the Council and the Commission after the Nice summit.

3. For the Union, dialogue and negotiation are the best means of pursuing its aims, furthering its principles and values, and resolutely defending its interests with a united front, in accordance with the negotiating mandate, which was adopted unanimously. Negotiation and dialogue on bases such as these in no way legitimise the status quo in Georgia, or Russian action contrary to our values and principles.

4. In accordance with the European Council conclusions of 1 September which reiterate what is at stake in relations between the European Union and Russia, we expect Russia to behave in a responsible manner, honouring all its commitments, in a way which will restore the necessary confidence; we will remain vigilant, in particular on common neighbourhood issues that are covered by the Union’s negotiating mandate.’

1.35.26. European Union–Russia summit.

Previous summit: Bull. 6-2008, point 1.35.24

References:

Partnership and cooperation agreement between the European Communities and their Member States and the Russian Federation: OJ L 327, 28.11.1997; Bull. 12-1997, point 1.3.92

Draft agreement between the European Community on the one hand, and Russia on the other, on a new agreement to replace the partnership and cooperation agreement: Bull. 5-2008, point 1.35.21

Extraordinary European Council conclusions: Bull. 9-2008, points I.1 and I.2

Council conclusions on Georgia and Russia: Bull. 10-2008, point 1.35.19

Presidency declaration on the preparation for the EU–Russia summit: point 1.35.25 of this Bulletin

Communication from the Commission — Review of EU–Russia relations: COM(2008) 740; point 1.35.24 of this Bulletin

Twenty-second meeting held in Nice, on 14 November. The Commission was represented by President Barroso, Ms Ferrero-Waldner and Ms Ashton, Members of the Commission. Following the Council meeting of 10 November, the summit confirmed the continuation of negotiations for a new EU–Russia agreement. It also underlined the importance of Russia’s WTO accession. Alongside topics such as the economic and financial crisis, energy security, and climate change, the summit also addressed the recent conflict in the Caucasus and other international issues such as Iran and proposals for a new European security architecture. In addition, the summit reviewed the state of play in the four ‘common spaces’.

1.35.27. Draft agreement aimed at renewing the agreement on cooperation in science and technology between the European Community and the Government of the Russian Federation (point 1.14.1).

Arctic policy

1.35.28. Communication from the Commission to the European Parliament and the Council: the European Union and the Arctic region.

References:

Commission communication — ‘An integrated maritime policy for the European Union’: OJ C 55, 28.2.2008; COM(2007) 575; Bull. 10-2007, point 1.19.2

European Parliament resolution on Arctic governance: Bull. 10-2008, point 1.35.23

Adopted by the Commission on 20 November. According to the Commission, the time has come for the EU to address Arctic challenges in a coordinated and systematic manner, in cooperation with Arctic States and communities. This communication provides a comprehensive review of EU interests in the Arctic region involving issues falling under the Community’s competence, whether individual or shared. It proposes action around three main policy objectives:

- protecting and preserving the Arctic;
- promoting sustainable use of resources;
- enhancing Arctic multilateral governance.

Consequently, this communication can be regarded as the first layer of an EU Arctic policy. It is also an important step forward in implementing the integrated maritime policy.

COM(2008) 763

United States, Japan and other industrialised countries

United States

1.35.29. Draft agreement between Euratom and the Department of Energy of the United States of America (USDOE) in the field of nuclear security research and development (point 1.14.2).

Asia

1.35.30. Presidency statements on behalf of the European Union concerning this geographical heading are covered under ‘Common foreign and security policy’ (point 1.28.12).

Bilateral relations

South-east Asia

Afghanistan

1.35.31. Council decision 2008/884/CFSP implementing Joint Action 2007/369/CFSP on the establishment of the European Union police mission in Afghanistan (EUPOL Afghanistan).

Reference: Council Joint Action 2007/369/CFSP: OJ L 139, 31.5.2007; Bull. 5-2007, point 1.34.24, as amended by Council Joint Action 2008/229/CFSP: OJ L 75, 18.3.2008; Bull. 3-2008, point 1.35.29

Adopted by the Council on 21 November. The Council adopted a decision setting at EUR 64 million the financial reference amount intended to cover expenditure relating to the EU police mission in Afghanistan (EUPOL Afghanistan) for the period from 1 December 2008 to 30 November 2009.

OJ L 316, 26.11.2008

India

1.35.32. Draft agreements concerning the guaranteed prices applicable in the 2008/09 delivery period of cane sugar originating in the ACP States and in India (point 1.19.8).

1.35.33. Council declaration on the attacks in Mumbai.

Adopted by the Council on 27 November. The Council reviewed the situation in Mumbai following the wave of terrorist attacks on 26 November. It strongly condemned the attacks, offered its condolences to the families and relatives of the victims and its sympathy to those injured, and expressed its solidarity, in these tragic circumstances, with the Indian authorities and the authorities of Maharashtra. The Council also discussed the measures put in place by Member States to provide assistance to all the victims and, in particular, to the European citizens affected. It recalled that these

tragic events underline the persistence of the terrorist threat and it continued to call for determined and coordinated action by the EU in order to prevent and combat such acts.

Myanmar (Burma)

1.35.34. Council conclusions on Myanmar (Burma).

References:

European Parliament resolution on the situation in Myanmar (Burma): Bull. 4-2008, point 1.35.31

Council conclusions on Myanmar (Burma): Bull. 4-2008, point 1.35.32

European Parliament resolution on the continued detention of political prisoners in Myanmar (Burma): Bull. 6-2008, point 1.35.35

ASEM summit: Bull. 10-2008, point 1.35.33

European Parliament resolution on the situation in Myanmar (Burma): Bull. 10-2008, point 1.35.35

Adopted by the Council on 10 November. The Council welcomed the Chair's statement adopted at the ASEM summit in Beijing on 24 and 25 October 2008, calling for the lifting of restrictions placed on political parties and early release of those under detention and encouraging the government to engage all stakeholders in an inclusive political process and to cooperate more closely with the United Nations. The Council also called upon the Myanmar (Burma) authorities to facilitate the issue of visas. However, the Council deplored the lack of progress made this year towards a genuine transition to democracy in Myanmar (Burma) since the violent repression of peaceful demonstrations by the military authorities. The Council reaffirmed its firm and unconditional support for the UN Secretary-General's mission of good offices and welcomed his renewed personal commitment to ending the current deadlock. It paid tribute to the work of Mr Piero Fassino, EU Special Envoy, in support of the UN's efforts.

Far East

China

1.35.35. Council conclusions on trilateral relations with Africa and China (point 1.35.44).

1.35.36. Report of the EU–China summit (point 1.28.13).

1.35.37. Draft protocol amending the agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part (point 1.24.12).

1.35.38. Draft agreement between the European Community and the Government of the People's Republic of China on drug precursors and substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances.

Negotiating directives: Bull. 6-2006, point 1.33.29

Initialled: 13 March 2008

Commission proposal: COM(2008) 437; Bull. 7/8-2008, point 1.35.29

Council decision on the signing and the conclusion formally adopted on 27 November. The agreement aims to step up administrative cooperation to prevent the misuse of drug precursors and substances used in the illicit manufacture of narcotic drugs or psychotropic substances.

Latin America

General

1.35.39. Council conclusions on human rights consultations with Argentina, Brazil, Chile, Colombia and Mexico (point 1.6.1).

Bilateral relations

Brazil

1.35.40. Visit by Mr Piebalgs, Member of the Commission, to Brazil from 17 to 21 November.

Mr Piebalgs participated in an international conference on biofuels in São Paulo. Fifty ministers including many from developing countries attended the conference at which Mr Piebalgs emphasised the potential benefits of international cooperation on biofuels.

IP/08/1755

1.35.41. Ministerial meeting of the European Community and Brazil on energy policy.

Reference: European Union–Brazil summit: Bull. 7/8. 2007, point 1.34.33

First meeting held in São Paulo (Brazil) on 20 November. Mr Piebalgs, Member of the Commission, and Mr Lobão, Minister of Mines and Energy of Brazil, met in São Paulo, to enhance bilateral energy cooperation in the frame of the EU–Brazil energy policy dialogue. This is the first meeting at ministerial level since the launch of the bilateral energy dialogue in Brussels in July 2007.

IP/08/1755

Cooperation measures

1.35.42. Draft agreement between the Andean Community and the EC on the political dialogue and cooperation.

Agreement to be amended: agreement on political dialogue and cooperation between the European Community and its Member States, of the one part, and the Andean Community and its member countries, the Republics of Bolivia, Colombia, Ecuador, Peru and the Bolivar Republic of Venezuela, of the other part: Bull. 12-2003, point 1.6.134

Negotiating directives adopted by the Council on 21 November. The Council authorised the Commission to negotiate the amendment of the political dialogue and cooperation agreement between the Andean Community and the European Community in order to take into account the withdrawal of Venezuela from the Andean Community.

African, Caribbean and Pacific (ACP) States and overseas countries and territories (OCTs)

Relations with ACP countries

Political dialogue

1.35.43. Council conclusions on the EU–Africa partnership.

References:

European Union–Africa summit: Bull. 12-2007, point 1.34.29

Commission communication — ‘One year after Lisbon: the Africa–EU partnership at work’: COM(2008) 617; Bull. 10-2008, point 1.35.43

Meeting between the EU ministerial troika and the African ministerial troika: point 1.35.49 of this Bulletin

Adopted by the Council on 10 November. Referring to the EU–Africa summit the Council regards the communication ‘One year after Lisbon: the EU–Africa partnership at work’ as a useful contribution to the work initiated by the EU on assessing progress and identifying the main challenges to be met. It took note of the priority activities proposed in the Commission working paper. The Council invited the European teams implementing the EU–Africa action plan to take those propositions into consideration in their discussions, in particular with a view to forthcoming meetings of the joint expert groups. It also asked Member States to continue and intensify their efforts in respect of the commitments taken at the Lisbon summit. Finally, it invited them to encourage the mobilisation of African partner countries and regions with a view to implementing the eight partnerships under the EU–Africa action plan.

1.35.44. Council conclusions on trilateral relations with Africa and China.

References:

European Union–China summit: Bull. 9-2006, point 1.33.29

European Union–Africa summit: Bull. 12-2007, point 1.34.29

Commission communication entitled ‘One year after Lisbon: the Africa–EU partnership at work’: COM(2008) 617; Bull. 10-2008, point 1.35.43

Adopted by the Council on 10 November. The Council considers that establishing a trilateral dialogue, following on from the initiatives taken since the 2006 EU–China summit, will strengthen the EU’s bilateral partnerships with both China and Africa, including the AU, by enabling common interests and areas for cooperation to be identified. According to it, this trilateral dialogue will support the efforts undertaken by Africa and by the international community to promote democratisation, political and economic integration, good governance and respect for human rights. The Council also considers that this cooperation should be developed within the framework of a joint approach and implemented by initiatives in the sectors of peace, security and sustainable economic and social development in Africa. Furthermore, it believes that particular attention should be given to cooperation in the area of peace and security, where the EU and China can

contribute together to the stability of the African countries and to strengthening African crisis management capabilities. In the interests of effectiveness, the Council wishes this trilateral cooperation to be developed progressively in the existing fora and within the framework of the structures established in the bilateral partnerships.

Trade and development

Economic partnership agreements

Central Africa

1.35.45. Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Central Africa, of the other part.

References:

Partnership agreement between the ACP States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain States which are part of the African, Caribbean and Pacific (ACP) group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements: OJ L 348, 31.12.2007; Bull. 12-2007, point 1.34.32

Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Côte d'Ivoire, of the other part: COM(2008) 438; COM (2008) 439; point 1.35.46 of this Bulletin

Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Ghana, of the other part; COM(2008) 440; COM(2008) 441; point 1.35.47 of this Bulletin

Negotiating directives: 12 June 2002

Initialled: 17 December 2007

Commission proposal: COM(2008) 445; COM (2008) 446; Bull. 7/8-2008, point 1.35.35

Council decision on the signing and provisional application adopted on 21 November. This stepping-stone agreement established an initial framework comprising commitments and negotiations, with the aim of incorporating additional elements in order to arrive at a full economic partnership agreement (EPA) in

accordance with the Cotonou Agreement. The general objectives of the stepping-stone agreements are to:

- contribute to the reduction and eradication of poverty by establishing a consistent trade partnership;
- promote a regional economy that is more competitive and diversified, and stronger growth;
- foster regional integration, economic cooperation and good governance;
- promote the gradual integration of the African party into the global economy;
- improve capacities in terms of trade policy and trade-related issues;
- establish and implement an effective, predictable and transparent regulatory framework for trade and investment in the region;
- strengthen existing relations between the parties on the basis of solidarity and mutual interest;
- promote private-sector development and employment growth.

West Africa

1.35.46. Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Côte d'Ivoire, of the other part.

References:

Partnership agreement between the African, Caribbean and Pacific States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain States which are part of the African, Caribbean and Pacific (ACP) group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements: OJ L 348, 31.12.2007; Bull. 12-2007, point 1.34.32

Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Ghana, of the other part: point 1.35.47 of this Bulletin

Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Central Africa, of the other part: point 1.35.45 of this Bulletin

Negotiating directives: 12 June 2002

Initialled: 7 December 2007

Commission proposal: COM(2008) 438; COM(2008) 439; Bull. 7/8-2008, point 1.35.36

Council decision on the signing and provisional application adopted on 21 November. This stepping-stone agreement established an initial framework comprising commitments and negotiations, with the aim of incorporating additional elements in order to arrive at a full economic partnership agreement (EPA) in accordance with the Cotonou Agreement. The general objectives of the stepping-stone agreements are to:

- contribute to the reduction and eradication of poverty by establishing a consistent trade partnership;
- promote a regional economy that is more competitive and diversified, and stronger growth;
- foster regional integration, economic cooperation and good governance;
- promote the gradual integration of the African party into the global economy;
- improve capacities in terms of trade policy and trade-related issues;
- establish and implement an effective, predictable and transparent regulatory framework for trade and investment in the region;
- strengthen existing relations between the parties on the basis of solidarity and mutual interest;
- promote private-sector development and employment growth.

1.35.47. Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Ghana, of the other part.

References:

Partnership agreement between the African, Caribbean and Pacific States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain States which are part of the African, Caribbean and Pacific (ACP) group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements: OJ L 348, 31.12.2007; Bull. 12-2007, point 1.34.32

Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Côte d'Ivoire, of the other part; COM(2008) 438; COM(2008) 439; point 1.35.46 of this Bulletin

Draft stepping-stone economic partnership agreement between the European Community and its Member States, of the one part, and Central Africa, of the other part; COM(2008) 445; COM(2008) 446; point 1.35.45 of this Bulletin

Negotiating directives: 12 June 2002

Initialled: 13 December 2007

Commission proposal: COM(2008) 440; COM(2008) 441; Bull. 7/8-2008, point 1.35.37

Council decision on the signing and provisional application adopted on 21 November. This stepping-stone agreement established an initial framework comprising commitments and negotiations, with the aim of incorporating additional elements in order to arrive at a full economic partnership agreement (EPA) in accordance with the Cotonou Agreement. The general objectives of the stepping-stone agreements are to:

- contribute to the reduction and eradication of poverty by establishing a consistent trade partnership;
- promote a regional economy that is more competitive and diversified, and stronger growth;
- foster regional integration, economic cooperation and good governance;
- promote the gradual integration of the African party into the global economy;
- improve capacities in terms of trade policy and trade-related issues;
- establish and implement an effective, predictable and transparent regulatory framework for trade and investment in the region;
- strengthen existing relations between the parties on the basis of solidarity and mutual interest;
- promote private-sector development and employment growth.

Southern Africa

Zambia

1.35.48. Proposal for a Council regulation amending Annex I to Council Regulation (EC) No 1528/2007 in order to add the Republic of Zambia to the list of regions or States which have concluded negotiations.

References:

Partnership agreement between the ACP States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain States which are part of the African, Caribbean and Pacific (ACP) group of States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements: OJ L 348, 31.12.2007; Bull. 12-2007, point 1.34.32

Draft interim economic partnership agreement between the European Community and its Member States, of the one part, and the SADC EPA States, on the other part: COM(2008) 562; COM(2008) 565; Bull. 9-2008, point 1.35.30

Adopted by the Commission on 5 November. On the 28 November 2007, the Republic of Zambia initialled an interim agreement establishing a framework for an economic partnership agreement with the EC in the framework of the wider negotiations within the eastern and southern Africa region. However, agreement was not reached on a Zambian market access offer and Zambia was therefore not included in the Annex I of Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain States which are part of the ACP States provided for in agreements establishing, or leading to the establishment of, economic partnership agreements. On 30 September 2008, the EC and Zambia initialled Zambia's market access offer. On this basis, this proposal intends to include Zambia in Annex I of Council Regulation (EC) No 1528/2007.

COM(2008) 694

Relations with regional grouping

African States

1.35.49. Meeting between the African ministerial troika and the EU ministerial troika.

Eleventh meeting held in Addis Ababa (Ethiopia) on 20 and 21 November. The meeting was co-chaired by Mr K. Membe, Minister for Foreign Affairs and International Cooperation of Tanzania and current chairperson of the AU executive Council, and Mr Kouchner, Minister for Foreign and European Affairs of France and current President of the Council of

the EU. The African troika was composed of Mr Aggrey, representing Mr Akwasi Osei Adjei, Ghanaian Minister of Foreign Affairs, Regional Integration and NEPAD; Dr Maxwell M. Mkwelalamba, AU Commissioner for Economic affairs; and Mr Ramtane Lamamra, AU Commissioner for Peace and Security. The EU Troika was composed of Director-General Mr Manservisi representing Mr Michel, Member of the Commission; Mrs Bambasova, Vice-Minister of Foreign Affairs of the Czech Republic; and Mr Koen Vervaeke, EU Ambassador to the AU, representing the EU High Representative for the CFSP defence minister. The ministerial troika meeting welcomed the presence of ministers of defence on 21 November. Ministers of defence were represented on the African side by Dr Nchimbi, Deputy Minister for Defence and National Service of Tanzania, and on the EU side by Mr Bockel, Secretary of State in the Ministry of Defence of France, and by Mrs Bambasova, Vice-Minister of Foreign Affairs of the Czech Republic. Participants considered the following issues:

- the EU–Africa partnership on peace and security;
- the EU–Africa partnership on democratic governance and human rights;
- the EU–Africa partnership on trade and regional integration;
- the EU–Africa partnership on the millennium development goals;
- the EU–Africa partnership on energy;
- the EU–Africa partnership on climate change;
- the EU–Africa partnership on migration, mobility and employment;
- the EU–Africa partnership on science, information society and space;
- the endorsement of the calendar of follow-up activities for the next six months;
- the situation in Democratic Republic of the Congo, Somalia, Sudan and Chad, Zimbabwe, Mauritania, Georgia;
- the financial crisis;
- the principle of universal criminal jurisdiction.

Southern African States

1.35.50. Meeting between the Southern African Development Community (SADC) ministerial troika and the EU ministerial troika.

Fourteenth meeting held in Brussels, on 11 November. At this meeting, the SADC delegation consisted of representatives of South Africa, the Democratic Republic of the Congo (RDC), Zambia, Swaziland, Angola, and Mozambique assisted by the SADC Secretariat. The EU delegation consisted of France, the Czech Republic, the European Commission and the Council Secretariat. Participants considered the following issues:

- regional integration, development cooperation and economic partnership agreement;
- the health domain;
- a regional indicative strategic development plan;
- the financial crisis;
- food and energy prices;
- the situation in Zimbabwe and the DRC;
- peace and security;
- the strategic indicative plan of the organ adopted by the SADC for the implementation of peace and stability in the region;
- the capacity building of SADC within the framework of the AU.

Central African States

1.35.51. Meeting between the Economic Community of Central African States (ECCAS) ministerial troika and the EU ministerial troika.

First meeting held in Brussels, on 10 November. This meeting was co-chaired by Mr Tshibanda N'tungamulongo, Minister for International and Regional Cooperation of the Democratic Republic of the Congo, and Mr Joyandet, State Secretary for Cooperation and Francophone matters at the French Ministry of Foreign and European Affairs. The ECCAS troika consisted of the following Ministers: Mr Ikouebe, Minister for Foreign Affairs and Francophone Matters of the Republic of the Congo; Mr Matar Breme, Minister for the Economy and Planning of the Republic of Chad; Mr Ovono Ngoua, Minister attached to the Minister for Trade and Industrial Development of the Gabonese Republic; Mr Sylvain-Goma, Secretary-General of ECCAS. The EU troika included Mr Michel, Member of the Commission, General Joana, Counsellor to the Secretary-General of the Council of the European Union and High Representative for the CFSP, and Mr Jerabek, Deputy Director of the Africa department at the

Ministry of Foreign Affairs of the Czech Republic. Participants considered the following issues:

- the political, institutional, economic and security regional situation;
- the situation in Democratic Republic of the Congo and the Great Lakes region; in Chad and Central African Republic; in Burundi.
- coordinating and following up the EU–ECCAS political dialogue;
- coordination and rationalisation between ECCAS and the Economic and Monetary Organisation in Central Africa (CEMAC);
- a shared approach to multilateral issues;
- the regional economic integration and economic partnership agreements (EPAs) for development;
- making the ECCAS architecture for peace and security operational;
- the security of the Gulf of Guinea.

Bilateral relations

Côte d'Ivoire

1.35.52. Council Common Position 2008/873/CFSP renewing the restrictive measures against Côte d'Ivoire.

Common position amended: Council Common Position 2004/852/CFSP: OJ L 368, 15.12.2004; Bull. 12-2004, point 1.6.157

Adopted by the Council on 18 November. The measures restrict the supply of arms and military assistance to Côte d'Ivoire and create a framework for banning visas and freezing the assets of persons who constitute a threat to peace and national reconciliation. They also prohibit the importation of all rough diamonds from Côte d'Ivoire.

OJ L 308, 19.11.2008

Democratic Republic of the Congo

1.35.53. Visit by Mr Michel, Member of the Commission, to Kenya on 7 November.

Mr Michel took part in the regional summit on the situation in the eastern part of the Democratic Republic of the Congo held in Nairobi. The conference aimed to establish a

roadmap, designed to achieve concrete results and subject to conditions governing its implementation.

IP/08/1656

1.35.54. Council conclusions on Democratic Republic of the Congo.

Adopted by the Council on 10 November. The Council firmly condemned the continuing unacceptable violations of human rights in the east of the Democratic Republic of the Congo (DRC), in particular the numerous cases of sexual violence and the recruitment and use of child soldiers by the armed groups. It highlighted once more the urgency of finding a political solution, which is the only way to restore long-term stability to the region. Furthermore, it pointed out that the illegal exploitation of natural resources in the east of the Democratic Republic of the Congo is a source of funding for the rebel groups and, therefore, of instability in the region. It reiterated the importance of combating such illegal exploitation and of the role played by the UN mission in the Democratic Republic of the Congo (MONUC) in association with the UN Sanctions Committee for the DRC, and it is prepared to consider all means of stepping up such action. Moreover, the Council stressed the importance of the forthcoming discussions on renewing the mandate of the MONUC and on strengthening its operational capacities. In this context it calls for enhanced cooperation between the EU, its Member States and the MONUC. Finally, the Council welcomed the initiative taken by President Mwai Kibaki, acting Chairman of the International Conference on the Great Lakes Region, and President Jakaya Kikwete, President-in-Office of the AU, in organising the summit on the crisis in the east of the DRC on 7 November 2008 in Nairobi. The Council noted with interest the appointment of a team of facilitators including the former President of the Republic of Nigeria, Olusegun Obasanjo, as the special envoy of the Secretary-General of the UN and the former President of the United Republic of Tanzania, Mr Mkapa.

1.35.55. European Parliament resolution on the EU response to the deteriorating situation in the east of the Democratic Republic of the Congo.

References:

European Parliament resolution on the EU response to situations of fragility in developing countries: OJ C 282 E, 6.11.2008; Bull. 11-2007, point 1.30.1

European Parliament resolution on the situation in the Democratic Republic of the Congo and rape as a war crime: Bull. 1/2-2008, point 1.6.5

European Parliament resolution on North Kivu: Bull. 1/2-2008, point 1.35.97

European Parliament resolution on the Democratic Republic of the Congo: clashes in the eastern border areas of the DRC: Bull. 10-2008, point 1.35.48

Council conclusions on the Democratic Republic of the Congo: point 1.35.54 of this Bulletin

Adopted by the European Parliament on 20 November. Parliament was extremely concerned at the increase in clashes in North Kivu and the consequences for the population of the east of the DRC and the region as a whole. It reaffirmed its support for a UN mission in the Democratic Republic of the Congo (MONUC) in the present dramatic circumstances in which, despite its shortcomings, its presence remains indispensable, and called for every effort to be made to allow it to carry out its mandate in full and to use the force of arms to protect those under threat. Accordingly Parliament asked the Council, in particular, Belgium, France, Italy and the United Kingdom, to play a leading role in ensuring that the UN Security Council and the Department for Peacekeeping Operations supports MONUC by strengthening its operational capacities in terms of appropriate equipment and manpower. Finally, Parliament called on the Council and the Commission to draw up, together with the Government of the DRC, the UN and other major donors, a new plan for large-scale disarmament, demobilisation and reintegration (DDR) in the DRC and an ambitious security sector reform strategy for the country. According to the Parliament, those two initiatives could be financed by both Community and CFSP funding.

Nigeria

1.35.56. European Parliament resolution on the death penalty in Nigeria (point 1.6.2).

Somalia

1.35.57. Council decision on the position to be adopted by the European Community within the ACP-EC Committee of Ambassadors regarding a decision on the allocation of resources to Somalia from the 10th European Development Fund.

References:

Partnership agreement between the ACP States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Decision No 3/2007 of the ACP-EC Council of Ministers on the allocation of resources to Somalia from the eighth and ninth European Development Fund: OJ L 175, 5.7.2007

Commission proposal: COM(2008) 574; Bull. 9-2008, point 1.35.50

Adopted by the Council on 10 November. Under the ACP-EC partnership agreement, ACP States party to previous ACP-EC conventions which, in the absence of normally established government institutions, have not been able to sign or ratify the ACP-EC partnership agreement, may nevertheless be accorded special support. To ensure the continuation of support to the population of Somalia, the Council considered it appropriate to provide EUR 212 million for institution building and economic and social development, taking account of the needs of the most vulnerable sections of the population, as well as EUR 3.8 million in case of unforeseen demands during the years 2008-13.

1.35.58. Council Joint Action 2008/851/CFSP on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast.

References:

Council Decision 2007/384/CFSP establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena): OJ L 152, 13.6.2007; Bull. 5-2007, point 1.27.6

Council conclusions on Somalia: Bull. 6-2008, point 1.35.54

Council Joint Action 2008/749/CFSP on the European Union military coordination action in support of UN Security Council Resolution 1816 (2008) (EU NAVCO): OJ L 252, 20.9.2008; Bull. 9-2008, point 1.28.1

European Parliament resolution on piracy at sea: Bull. 10-2008, point 1.35.50

Adopted by the Council on 10 November. Under the conditions set by the relevant international law, this military operation conducted by the EU shall:

□ provide protection to vessels chartered by the World Food Programme, in particular when cruising in Somali territorial waters;

□ provide protection, based on a case-by-case evaluation of needs, to merchant vessels cruising in the areas where it is deployed;

□ keep watch over areas off the Somali coast, including Somalia's territorial waters, in which there are dangers to maritime activities, in particular to maritime traffic;

□ take the necessary measures, including the use of force, to deter, prevent and intervene in order to bring to an end acts of piracy and armed robbery which may be committed in the areas where it is present;

□ in view of prosecutions potentially being brought by the relevant States, arrest, detain and transfer persons who have committed, or are suspected of having committed, acts of piracy or armed robbery in the areas where it is present; and seize the vessels of the pirates or armed robbers or the vessels caught following an act of piracy or an armed robbery and which are in the hands of the pirates, as well as the goods on board;

□ liaise with organisations and entities, as well as states, working in the region to combat acts of piracy and armed robbery off the Somali coast.

OJ L 301, 12.11.2008

1.35.59. European Parliament resolution on Somalia.

References:

European Parliament resolution on Somalia: OJ C 282 E, 6.11.2008; Bull. 11-2007, point 1.34.49

European Parliament resolution on the routine killing of civilians in Somalia: Bull. 6-2008, point 1.35.55

Adopted by the European Parliament on 20 November. Parliament strongly condemned the stoning and execution of Aisha Ibrahim Duhulow and expressed its horror at such a barbaric act perpetrated against a 13-year-old rape victim. It called on the Somali government to condemn this execution and to take action to prevent such brutal executions in the future. Furthermore, Parliament called on the EU to provide all necessary support in order to create a lasting democratic government in Somalia and to further help the Somali government assert its control over the whole country and establish the rule of law in a manner compatible with its international human rights obligations, which would prevent such executions in the future. It strongly urged the AU mission in Somalia (Amison) to make full use of its mandate to protect civilians, with a particular focus on women and children, and called for it to be mandated to monitor, investigate and report

human rights violations. Finally, Parliament called on both the Somali and Kenyan authorities to make all possible efforts and take all possible political and diplomatic initiatives to secure the release of the two Italian Roman Catholic nuns.

South Africa

1.35.60. Proposal for a Council decision concerning the conclusion of the 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.

Reference: Council Decision No 2004/441/EC concerning the conclusion of the trade, development and cooperation agreement between the European Community and its Member States, on the one part, and the Republic of South Africa, on the other part: OJ L 127, 29.4.2004; Bull. 4-2004, point 1.6.123

Negotiating directives: 23 October 2006

Commission proposal on the signing and provisional application: OJ C 246, 20.10.2007; COM(2007) 463; Bull. 7/8-2007, point 1.34.62

Council decision on the signing and provisional application: OJ L 22, 25.1.2008; Bull. 10-2007, point 1.34.65

Proposal for a decision on the conclusion adopted by the Commission on 17 November. Two new Member States acceded to the EU on 1 January 2007. Under Article 6(2) of the Act concerning the accession of the Republic of Bulgaria and Romania and the adjustment of the Treaties on which the EU is founded, the accession of the new Member States to the agreement on trade, development and cooperation with South Africa must be approved by concluding a protocol to that agreement. Article 6(2) provides for a simplified procedure whereby such protocols are to be concluded by the Council of the EU, acting unanimously on behalf of Member States, and the third country concerned. This procedure is without prejudice to the Community's own competences. Consequently, the Commission has negotiated this additional protocol, for the European Community part on behalf of the Community and for the national competence part on behalf of the Member States.

COM(2008) 749

Financial and technical cooperation

1.35.61. Council decision fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (third instalment for 2008).

References:

Partnership agreement between the ACP States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Financial regulation applicable to the ninth European Development Fund (EDF): OJ L 83, 1.4.2003; Bull. 3-2003, point 1.7.13

Council decision fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (first instalment for 2008): Bull. 12-2007, point 1.34.42

Council Regulation (EC) No 215/2008 on the financial regulation applicable to the 10th European Development Fund: OJ L 78, 19.3.2008; Bull. 1/2-2008, point 1.35.119

Proposal for a Council decision fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (second instalment for 2008): Bull. 7/8-2008, point 1.35.57

Commission proposal: COM(2008) 624; Bull. 10-2008, point 1.35.53

Adopted by the Council on 4 November. The Council adopted a decision fixing the third instalment of the financial contributions to be paid this year by the Member States contributing to the EDF.

1.35.62. Council decision on the financial contributions to be paid by the Member States to finance the European Development Fund in 2009 and 2010.

References:

Partnership agreement between the African, Caribbean and Pacific States, of the one part, and the European Community and its Member States, of the other part (Cotonou Agreement): OJ L 317, 15.12.2000; Bull. 6-2000, point 1.6.83, as amended by the agreement amending the partnership agreement: OJ L 287, 28.10.2005; Bull. 6-2005, point 1.6.73

Internal agreement between representatives of the governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008–13 in accordance

with the partnership agreement between the African, Caribbean and Pacific (ACP) States and the European Community (EC) and its Member States signed in Cotonou (Benin) on 23 June 2000 and revised in Luxembourg on 25 June 2005 and on the allocation of financial assistance for the overseas countries and territories to which Part Four of the EC Treaty applies: OJ L 247, 9.9.2006; Bull. 7/8-2006, point 1.33.29

Council Regulation (EC) No 215/2008 on the financial regulation applicable to the 10th European Development Fund: OJ L 78, 19.3.2008; Bull. 1/2-2008, point 1.35.119

Commission proposal: COM(2008) 631; Bull. 10-2008, point 1.35.54

Adopted by the Council on 10 November. The Council adopted a decision setting:

- the ceiling for the annual amount of contributions by the Commission and the EIB for the EDF in 2010;
- the annual amount of the Commission and the EIB contributions for 2009;
- the amount of the first instalment of Member States' contributions for 2009.

36. Financing Community activities, resource management, protection of financial interests

Budgets

General budget

Budgetary procedures

2009 financial year

1.36.1. Draft budget for 2009.

References:

Council Regulation (EC, Euratom) No 1605/2002 on the financial regulation applicable to the general budget of the European Communities: OJ L 248, 16.9.2002; Bull. 6-2002, point 1.7.2, as amended by Council Regulation (EC) No 1525/2007: OJ L 343, 27.12.2007; Bull. 12-2007, point 1.35.5

Interinstitutional agreement on budgetary discipline and sound financial management: OJ C 139, 14.6.2006; Bull. 5-2006, point 1.34.29, as amended by Decision 2008/371/EC of the European Parliament and of the Council: OJ L 128, 16.5.2008; Bull. 4-2008, point 1.36.1

Preliminary draft budget for 2009: Bull. 5-2008, point 1.36.1

Draft budget for 2009: Bull. 7/8-2008, point 1.36.2

Amending Letter No 1: Bull. 10-2008, point 1.36.1

Amending Letter No 2: point 1.36.2 of this Bulletin

Amending Letter No 3: point 1.36.3 of this Bulletin

Conciliation meeting held on 21 November.

Budgetary dialogue held on 21 November. Parliament, the Council and the Commission agreed to:

□ set the total amount of payment appropriations (in absolute figures) for the 2009 budget at

EUR 116 096 million, including the payment appropriations allotted for the food facility;

□ adopt six statements concerning: the financing of the food facility; the coordination of Community assistance between the food facility and the EDF; improving the visibility of the EU's external assistance; the implementation of the cohesion policy; the creation of an interinstitutional working group on agencies; payment appropriations.

Second reading by the Council, on 28 November. The Council adopted the results of the second reading of the draft 2009 budget, incorporating the agreement reached during the budgetary dialogue. The commitment appropriations amount to EUR 133.7 billion (EUR 136.1 billion in the draft budget set out by the Parliament) and the payment appropriations amount to EUR 116.1 billion (EUR 124.5 billion in the draft budget set out by the Parliament).

1.36.2. Amending letter No 2 to the preliminary draft budget 2009 — Statement of expenditure by section — Section III — Commission.

Reference: Council Regulation (EC, Euratom) No 1605/2002 on the financial regulation applicable to the general budget of the European Communities: OJ L 248, 16.9.2002; Bull. 6-2002, point 1.7.2, as amended by Council Regulation (EC) No 1525/2007: OJ L 343, 27.12.2007; Bull. 12-2007, point 1.35.5

Preliminary draft budget for 2009: Bull. 5-2008, point 1.36.1

Draft budget for 2009: point 1.36.1 of this Bulletin

Commission proposal: SEC(2008) 2707; Bull. 10-2008, point 1.36.3

Established by the Council on 21 November. Amending letter No 2/2009 was adopted as proposed by the Commission, with the exception of the creation of the new item relating to the programme promoting the consumption of fruit in schools, pending the

adoption of the legal basis. The Council included in that letter the budgetary aspects of the financing of the food facility in 2009, as agreed at the conciliation meeting with Parliament.

1.36.3. Amending letter No 3 to the preliminary draft budget 2009 — Statement of expenditure by section — Section II — Council.

References:

Council Regulation (EC, Euratom) No 1605/2002 on the financial regulation applicable to the general budget of the European Communities: OJ L 248, 16.9.2002; Bull. 6-2002, point 1.7.2, as amended by Council Regulation (EC) No 1525/2007: OJ L 343, 27.12.2007; Bull. 12-2007, point 1.35.5

European Council conclusions: Bull. 12-2007, point 1.5

Preliminary draft budget for 2009: Bull. 5-2008, point 1.36.1

Draft budget for 2009: point 1.36.1 of this Bulletin

Adopted by the Commission on 17 November. This amending letter No 3/2008, budgetarily neutral, covers expenditure relating to the proceedings of the reflection group established by the European Council on 14 December 2007. SEC(2008) 2840

Established by the Council on 21 November.

2008 financial year

1.36.4. Draft amending budget n° 9 to the general budget 2008 — Statement of expenditure by section — Section III — Commission.

Reference: Council Regulation (EC, Euratom) No 1605/2002 on the financial regulation applicable to the general budget of the European Communities: OJ L 248, 16.9.2002; Bull. 6-2002, point 1.7.2, as amended by Council Regulation (EC) No 1525/2007: OJ L 343, 27.12.2007; Bull. 12-2007, point 1.35.5

Budget for 2008: OJ L 71, 14.3.2008; Bull. 12-2007, point 1.35.2

Preliminary draft amending budget No 10/2008: COM(2008) 693; Bull. 10-2008, point 1.36.6

Established by the Council on 21 November. After preliminary draft amending budget No 8/2008 was cancelled, preliminary draft amending budget No 10/2008 became preliminary draft amending budget No 9/2008. The Council accepted preliminary draft amending budget No 9/2008 and, as agreed with Parliament at the

conciliation meeting, included in it the budgetary aspects concerning the financing of the food facility in 2008.

1.36.5. Draft amending budget No 10 to the general budget 2008 — Statement of expenditure by section — Section III — Commission.

Reference: Council Regulation (EC, Euratom) No 1605/2002 on the financial regulation applicable to the general budget of the European Communities: OJ L 248, 16.9.2002; Bull. 6-2002, point 1.7.2, as amended by Council Regulation (EC) No 1525/2007: OJ L 343, 27.12.2007; Bull. 12-2007, point 1.35.5

Budget for 2008: OJ L 71, 14.3.2008; Bull. 12-2007, point 1.35.2

Preliminary draft amending budget adopted by the Commission on 7 November. This preliminary draft amending budget covers the following elements:

□ mobilisation of the EU Solidarity Fund for an amount of EUR 7.6 million in commitment and payment appropriations following a serious drought in Cyprus;

□ a corresponding reduction in payment appropriations of EUR 7.6 million from the budget line ‘Cohesion Fund’.

COM(2008) 731

Draft amending budget established by the Council on 21 November. After preliminary draft amending budget No 8/2008 was cancelled, preliminary draft amending budget No 11/2008 became preliminary draft amending budget No 10/2008.

1.36.6. Amending budget No 8 to the general budget 2008 — Statement of expenditure by section — Section VI — European Economic and Social Committee.

References:

Council Regulation (EC, Euratom) No 1605/2002 on the financial regulation applicable to the general budget of the European Communities: OJ L 248, 16.9.2002; Bull. 6-2002, point 1.7.2, as amended by Council Regulation (EC) No 1525/2007: OJ L 343, 27.12.2007; Bull. 12-2007, point 1.35.5

Interinstitutional agreement on budgetary discipline and sound financial management: OJ C 139, 14.6.2006; Bull. 5-2006, point 1.34.29, as amended by Decision 2008/371/EC of the European Parliament and of the Council: OJ L 128, 16.5.2008; Bull. 4-2008, point 1.36.1

Budget for 2008: OJ L 71, 14.3.2008; Bull. 12-2007, point 1.35.2

Commission proposal: COM(2008) 619; Bull. 10-2008, point 1.36.3

Established by the Council on 18 November. After preliminary draft amending budget No 8/2008 was cancelled, it is important to note that preliminary draft amending budget (PDAB) No 9/2008 became draft amending budget (DAB) No 8/2008. This DAB concerns only the European Economic and Social Committee and relates to two technical adjustments concerning salaries and pensions, resulting in:

□ a reduction in expenditure on remuneration and pensions of approximately 0.8 %, due to the difference between the 2.2 % estimated increase and the 1.4 % actual increase;

□ an increase in expenditure on remuneration and pensions of approximately 0.2 %, due to the one-off backdated payment of 0.4 % for the last six months of 2007.

The impact of these adjustments on the budget will be EUR 318 262 in expenditure (approximately 0.6 % reduction in commitment appropriations and payment appropriations for remuneration) and EUR 48 265 in revenue (corresponding reduction in the contribution to the pension scheme), resulting in a net reduction of EUR 269 997 in the Committee's budget for 2008.

Declared adopted by the European Parliament on 20 November. Parliament took note of the PDAB No 9/2008 and approved the DAB No 8/2008 unamended.

General budget guarantee for borrowing and lending operations

1.36.7. Council decision 2008/847/EC on the eligibility of central Asian countries under Council Decision 2006/1016/EC granting a Community guarantee to the European Investment Bank against losses under loans and loan guarantees for projects outside the Community.

References:

Council Decision 2006/1016/EC: OJ L 414, 30.12.2006; Bull. 12-2006, point 1.34.5

European Council conclusions: Bull. 6-2007, point I.32

The European Union and central Asia: strategy for a new partnership: Bull. 6-2007, point 1.34.19

European Parliament resolution on an EU strategy for central Asia: Bull. 1/2-2008, point 1.35.35

Commission proposal: OJ C 202, 8.8.2008; COM(2008) 172; Bull. 4-2008, point 1.36.14

Parliament opinion: Bull. 9-2008, point 1.36.7

Formally adopted by the Council on 4 November. Through this decision, the Council granted a Community guarantee to the EIB against losses under loans and loan guarantees for projects in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

OJ L 301, 12.11.2008

1.36.8. Proposal for a Council regulation establishing a Guarantee Fund for external actions (codified version).

Regulation to be codified: Council Regulation (EC, Euratom) No 2728/94: OJ L 293, 12.11.1994; Bull. 10-1994, point 1.5.8, amended by Council Regulation (EC, Euratom) No 89/2007: OJ L 22, 31.1.2007; Bull. 1/2-2007, point 1.35.6

Reference: interinstitutional agreement on an accelerated procedure for the consolidation of legislation: OJ C 102, 4.4.1996; Bull. 12-1994, point 1.7.1

Commission proposal: COM(2008) 365; Bull. 6-2008, point 1.36.5

Endorsed by the European Parliament on 18 November. Parliament approved the Commission proposal which contains a straightforward codification of the existing texts without any change in their substance.

Financial operations

European Union Solidarity Fund

1.36.9. Proposal for a decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund (point 1.16.6).

Protection of the Communities' financial interests and the fight against fraud

1.36.10. Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1073/1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF).

Regulation to be amended: Regulation (EC) No 1073/1999; OJ L 136, 31.5.1999; Bull. 5-1999, point 1.5.16

Commission proposal: COM(2006) 244; Bull. 5-2006, point 1.34.33

Court of Auditors opinion: OJ C 8, 12.1.2007; Bull. 12-2006, point 1.36.16

Endorsed by the European Parliament (first reading) on 20 November; subject to certain amendments. These amendments aimed at improving the protection of fundamental rights of persons concerned by OLAF investigations, particularly when providing information, and strengthening cooperation between Member States. It therefore suggested providing a legal basis for the adoption of a procedural code for OLAF investigations. Parliament also requested the setting up of a review adviser in order to strengthen respect for procedural guarantees. In addition, Parliament considers that any person who is under investigation by OLAF should be able to lodge a complaint with the supervisory committee. These complaints would be dealt with by a review adviser acting in complete independence.

37. Community law

Monitoring the application of Community law

1.37.1. Information on progress in proceedings initiated by the Commission for infringements of Community law is regularly updated by the Commission's Secretariat-General and can be consulted free of charge on its infringements website on Europa.

Annual report

1.37.2. Twenty-fifth annual Commission report on monitoring the application of Community law (2007).

Previous report: Twenty-fourth annual report: COM(2007) 398; Bull. 7/8-2007, point 1.36.2

Reference: Commission communication — 'A Europe of results — Applying Community law' — OJ C 4, 9.1.2008; COM(2007) 502; Bull. 9-2007, point 1.36.1

Adopted on 18 November. In 2007, in its communication on 'A Europe of results — Applying Community law', the Commission announced it would give the annual report a new, forward-looking focus on strategic issues, including its evaluation of the current state of the law in different sectors and its priorities and programming of future work. This report consists of:

- a report providing a strategic evaluation, prioritisation and work programming in the control of the application of Community law;
- a document of the services of the Commission containing a sector-by-sector analysis;
- a document of the services of the Commission containing a list of all the infringement proceedings concerning treaties, regulations and decisions, with indication of the Member States concerned, the sector and the step in the procedure, and a similar list for the directives.

This report identifies three key areas for improvement: actions to prevent problems arising; proactive partnership with Member States on problem-solving for citizens; and priorities in complaints and infringements work.

The report constitutes a new strategy statement by the Commission on a key aspect of better regulation in which the European Parliament is showing increased interest.

COM(2008) 777

Decisions by the Court of Justice and other courts

1.37.3. Decisions given by the Community law-courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The operative part of the main decisions is reproduced; other decisions are simply listed by field and legal basis. Decisions in disputes between the Community and its staff are not reported.

Court of Justice

Main decisions

Agriculture

Article 234 of the EC Treaty

1.37.4. 11.7.2008 — Case C-207/08 — *Criminal proceedings v Edgar Babanov.*

(1) Council Regulation (EC) No 1782/2003 of 29 September 2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers and amending Regulations (EEC) No 2019/93, (EC) No 1452/2001, (EC) No 1453/2001, (EC) No 1454/2001, (EC) 1868/94, (EC) No 1251/1999, (EC) No 1254/1999, (EC) No 1673/2000, (EEC) No 2358/71 and (EC) No 2529/2001 must be interpreted

as meaning that it precludes national legislation which has the effect of prohibiting the cultivation and possession of hemp grown for fibre covered by that regulation.

(2) Community law precludes the court of a Member State from applying national legislation which, contrary to Regulation (EC) No 1782/2003, has the effect of prohibiting the cultivation and possession of hemp grown for fibre covered by that regulation.

OJ C 285, 8.11.2008

State aid schemes

Article 234 of the EC Treaty

1.37.5. 11.9.2008 — Joined cases C-428/06 to C-434/06 — *Unión General de Trabajadores de la Rioja a.o. v Juntas Generales del Territorio Histórico de Vizcaya*.

Article 87(1) EC is to be interpreted as meaning that, for the purpose of assessing whether a measure is selective, account is to be taken of the institutional, procedural and economic autonomy enjoyed by the authority adopting that measure. It is for the national court, which alone has jurisdiction to identify the national law applicable and to interpret it, as well as to apply Community law to the cases before it, to determine whether the Historical Territories and the Autonomous Community of the Basque Country have such autonomy, which, if so, would have the result that the laws adopted within the limits of the areas of competence granted to those infra-State bodies by the Spanish Constitution of 1978 and the other provisions of Spanish law are not of a selective nature within the meaning of the concept of State aid as referred to in Article 87(1) EC.

OJ C 285, 8.11.2008

Competition

Article 234 of the EC Treaty

1.37.6. 16.9.2008 — Joined cases C-468/06 to C-478/06 — *Sot. Léllos kai Sia EE a.o. v GlaxoSmithKline AEVE Farmakeftikon Prointon, formerly Glaxowellcome AEVE*.

Article 82 EC must be interpreted as meaning that an undertaking occupying a dominant position on the relevant market for medicinal products which, in order to put a stop to parallel exports carried out by certain wholesalers from one Member State to other Member States, refuses to meet ordinary orders from those wholesalers, is abusing its dominant position. It is for the national court to ascertain whether the orders are ordinary in the light of both the size of those orders in relation to the requirements of the

market in the first Member State and the previous business relations between that undertaking and the wholesalers concerned.

OJ C 301, 22.11.2008

Taxation

Article 234 of the EC Treaty

1.37.7. 16.9.2008 — Case C-288/07 — *The Commissioners of Her Majesty's Revenue & Customs v Isle of Wight Council a.o.*

(1) Article 4(5) of sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment is to be interpreted as meaning that the significant distortions of competition, to which the treatment as non-taxable persons of bodies governed by private law acting as public authorities would lead, must be evaluated by reference to the activity in question, as such, without such evaluation relating to any local market in particular.

(2) The expression ‘would lead to’ is, for the purposes of the second subparagraph of Article 4(5) of sixth Council Directive 77/388/EEC, to be interpreted as encompassing not only actual competition, but also potential competition, provided that the possibility of a private operator entering the relevant market is real, and not purely hypothetical.

(3) The word ‘significant’ is, for the purposes of the second subparagraph of Article 4(5) of sixth Council Directive 77/388/EEC, to be understood as meaning that the actual or potential distortions of competition must be more than negligible.

OJ C 301, 22.11.2008

Justice, freedom and security

Article 234 of the EC Treaty

1.37.8. 25.9.2008 — Case C-453/07 — *Hakan Er v Wetteraukreis*.

A Turkish national, who was authorised to enter the territory of a Member State as a child in the context of a family reunion, and who has acquired the right to take up freely any paid employment of his choice under the second indent of the first paragraph of Article 7 of Decision No 1/80 of 19 September 1980 on the development of the association, adopted by the Association Council established by the association agreement between the European Economic Community and Turkey, does not lose the right of residence in that State, which is the corollary of that right of free access, even though, at the age of 23, he

has not been in paid employment since leaving school at the age of 16 and has taken part in government job-support schemes without, however, completing them.

OJ C 301, 22.11.2008

World Trade Organisation

Article 56 of the Statute of the Court of Justice

1.37.9. 9.9.2008 — Joined cases

C-120/06P and C-121/06P — *Fabbrica Italiana Accumulatori Motocarri Montecchio SpA (FIAMM) a.o. v Council, Commission and Spain*.

(1) The Court dismisses the main appeals.

By their appeals, Fabbrica Italiana Accumulatori Motocarri Montecchio SpA and Fabbrica Italiana Accumulatori Motocarri Montecchio Technologies LLC (together referred to as 'FIAMM') and Giorgio Fedon & Figli SpA and Fedon America, Inc. (together referred to as 'Fedon') respectively request the Court to set aside the judgment of the Court of First Instance of the European Communities of 14 December 2005 in Case T-69/00 FIAMM and FIAMM Technologies v Council and Commission (2005) ECR II-5393 (Case C-120/06 P) and the judgment of the Court of First Instance of 14 December 2005 in Case T-135/01 Fedon & Figli and Others v Council and Commission (Case C-121/06 P). By those judgments, the Court of First Instance dismissed the actions brought by FIAMM and Fedon seeking compensation for the damage allegedly suffered by them on account of the increased customs duty which the Dispute Settlement Body ('the DSB') of the World Trade Organisation (WTO) authorised the United States of America to levy on imports of their products, following a finding by the DSB that the Community regime governing the import of bananas was incompatible with the agreements and understandings annexed to the agreement establishing the WTO.

(2) The Court dismisses the cross-appeals.

(3) The Court orders FIAMM and Fedon to bear the costs incurred by the Council of the European Union and the Commission of the European Communities;

(4) The Court orders the Kingdom of Spain to bear its own costs.

OJ C 285, 8.11.2008

Common foreign and security policy

Article 56 of the Statute of the Court of Justice

1.37.10. 3.9.2008 — Joined cases

C-402/05P and C-415/05P — *Yassin Abdullah Kadi, Al Barakaat International Foundation v Council, Commission and United Kingdom*.

(1) The Court sets aside the judgments of the Court of First Instance of the European Communities of 21 September 2005 in Case T-315/01 *Kadi v Council and Commission* and Case T-306/01 *Yusuf and Al Barakaat International Foundation v Council and Commission*.

(2) The Court annuls Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Osama bin Laden, the Al-Qaeda network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan, in so far as it concerns Mr Kadi and the Al Barakaat International Foundation.

(3) The Court orders the effects of Regulation (EC) No 881/2002 to be maintained, so far as concerns Mr Kadi and the Al Barakaat International Foundation, for a period that may not exceed three months running from the date of delivery of this judgment.

(4) The Court orders the Council of the European Union and the Commission of the European Communities each to pay, in addition to their own costs, half of those incurred by Mr Kadi and the Al Barakaat International Foundation both at first instance and in these appeals.

(5) The Court orders the United Kingdom of Great Britain and Northern Ireland to bear its own costs both at first instance and in these appeals.

(6) The Court orders the Kingdom of Spain, the French Republic and the Kingdom of the Netherlands to bear their own costs.

OJ C 285, 8.11.2008

Social policy*Article 234 of the EC Treaty*

1.37.11. 23.9.2008 — Case C-427/06 — *Birgit Bartsch v Bosch and Siemens Hausgeräte (BSH) Altersfürsorge GmbH*.

The application, which the courts of Member States must ensure, of the prohibition under Community law of discrimination on the ground of age is not mandatory where the allegedly discriminatory treatment contains no link with Community law. No such link arises either from Article 13 EC, or, in circumstances such as those at issue in the main proceedings, from Council Directive 2000/78/EC of 27 November 2000, establishing a general framework for equal treatment in employment and occupation, before the time-limit allowed to the Member State concerned for its transposition has expired.

OJ C 301, 22.11.2008

Intellectual property*Article 234 of the EC Treaty*

1.37.12. 9.10.2008 — Case C-304/07 — *Directmedia Publishing GmbH v Albert-Ludwigs-Universität Freiburg*.

The transfer of material from a protected database to another database following an on-screen consultation of the first database and an individual assessment of the material contained in that first database is capable of constituting an ‘extraction’, within the meaning of Article 7 of Directive 96/9/EC of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases, to the extent that — which it is for the referring court to ascertain — that operation amounts to the transfer of a substantial part, evaluated qualitatively or quantitatively, of the contents of the protected database, or to transfers of insubstantial parts which, by their repeated or systematic nature, would have resulted in the reconstruction of a substantial part of those contents.

OJ C 301, 22.11.2008

Transport*Article 234 of the EC Treaty*

1.37.13. 3.7.2008 — Case C-225/07 — *Criminal proceedings v Rainer Günther Möglinger*.

Articles 1(2) and 8(2) and (4) of Council Directive 91/439/EEC of 29 July 1991 on driving licences, as

amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003, must be interpreted as meaning that they do not preclude a Member State from refusing to recognise the validity of a driving licence issued by another Member State where the holder of that licence was, on the date the licence was issued, subject to a temporary ban on obtaining a new right to drive in the first Member State. In this respect, the fact that the question of validity arises after the date that marked the end of the period of the ban is irrelevant.

OJ C 285, 8.11.2008

Infringements*Article 226 of the EC Treaty*

1.37.14. 11.9.2008 — Case C-447/07 — *Commission v Italy*.

(1) The Court declares that, by maintaining in its legislation the requirement that masters and chief officers on all vessels flying the Italian flag hold Italian nationality, the Italian Republic has failed to fulfil its obligations under Article 39 EC.

(The applicant claims that the Court should declare that, by laying down in its legislation that Italian citizenship is required for the posts of master or first officer (second-in-command) on all vessels flying the Italian flag, the Italian Republic has failed to fulfil its obligations under Article 39 EC).

(2) The Court orders the Italian Republic to pay the costs.

OJ C 285, 8.11.2008

*Other decisions***State aid schemes***Article 56 of the Statute of the Court of Justice*

1.37.15. 11.9.2008 — Joined cases C-75/05P and C-80/05P — *Federal Republic of Germany a.o. v Kronofrance SA and Commission*.

OJ C 285, 8.11.2008

Competition

Article 234 of the EC Treaty

1.37.16. 11.9.2008 — Case C-279/06 —
*CEPSA, Estaciones de Servicio SA v LV Tobar e
Hijos SL.*
OJ C 285, 8.11.2008

Civil and commercial law

Article 234 of the EC Treaty

1.37.17. 2.10.2008 — Case C-372/07 — *Nicole
Hassett/South-Eastern Health Board, Cheryl
Doherty v North-Western Health Board.*
OJ C 301, 22.11.2008

Company law

Article 234 of the EC Treaty

1.37.18. 11.9.2008 — Case C-265/07 —
*Caffaro Srl v Azienda Unità Sanitaria Locale
RM/C.*
OJ C 285, 8.11.2008

Right of establishment and freedom to provide services

Article 234 of the EC Treaty

1.37.19. 19.6.2008 — Case C-104/08 — *Marc
André Kurt v Bürgermeister der Stadt Wels.*
OJ C 285, 8.11.2008

1.37.20. 2.10.2008 — Case C-360/06 —
*Heinrich Bauer Verlag Beteiligungs GmbH v
Finanzamt für Großunternehmen in Hamburg.*
OJ C 301, 22.11.2008

Energy

Article 234 of the EC Treaty

1.37.21. 9.10.2008 — Case C-239/07 —
Proceedings for review of the constitutionality
of legislation brought by Julius Sabatauskas a.o.
OJ C 301, 22.11.2008

Environment

Article 56 of the Statute of the Court of Justice

1.37.22. 19.6.2008 — Case C-6/08P — *US
Steel Košice s.r.o. v Commission.*
OJ C 285, 8.11.2008

Article 234 of the EC Treaty

1.37.23. 10.7.2008 — Case C-156/07 —
Salvatore Aiello a.o. v Commune di Milano.
OJ C 285, 8.11.2008

1.37.24. 11.9.2008 — Case C-251/07 — *Gävle
Kraftvärme AB v Länsstyrelsen i Gävleborgs
län.*
OJ C 285, 8.11.2008

Taxation

Article 234 of the EC Treaty

1.37.25. 11.9.2008 — Case C-11/07 — *Hans
Eckelkamp a.o. v Belgische Staat.*
OJ C 285, 8.11.2008

1.37.26. 11.9.2008 — Case C-43/07 — *D.M.M.
A. Arens-Sikken v Staatssecretaris van
Financiën.*
OJ C 285, 8.11.2008

Free movement of workers

Article 234 of the EC Treaty

1.37.27. 25.7.2008 — Case C-152/08 — *Real
Sociedad de Fútbol SAD, Nihat Kahveci v
Consejo Superior de Deportes, Real Federación
Española de Fútbol.*
OJ C 285, 8.11.2008

1.37.28. 11.9.2008 — Case C-228/07 — *Jörn
Petersen v Landesgeschäftsstelle des Arbeits-
marktservice Niederösterreich.*
OJ C 285, 8.11.2008

Customs union*Article 234 of the EC Treaty*

1.37.29. 2.10.2008 — Case C-411/07 — *X B.V. v Staatssecretaris van Financiën*.

OJ C 301, 22.11.2008

Economic and monetary union*Article 56 of the Statute of the Court of Justice*

1.37.30. 20.6.2008 — Case C-448/07P — *Ayuntamiento de Madrid, Madrid Calle 30 v Commission*.

OJ C 285, 8.11.2008

Infringements*Article 226 of the EC Treaty*

1.37.31. 11.9.2008 — Case C-305/06 — *Commission v Greece*.

OJ C 285, 8.11.2008

1.37.32. 11.9.2008 — Case C-316/06 — *Commission v Ireland*.

OJ C 285, 8.11.2008

1.37.33. 11.9.2008 — Case C-141/07 — *Commission v Germany*.

OJ C 285, 8.11.2008

1.37.34. 11.9.2008 — Case C-274/07 — *Commission v Lithuania*.

OJ C 285, 8.11.2008

1.37.35. 25.9.2008 — Case C-368/07 — *Commission v Italy*.

OJ C 301, 22.11.2008

1.37.36. 25.9.2008 — Case C-87/08 — *Commission v Czech Republic*.

OJ C 301, 22.11.2008

1.37.37. 2.10.2008 — Case C-157/06 — *Commission v Italy*.

OJ C 301, 22.11.2008

1.37.38. 2.10.2008 — Case C-36/08 — *Commission v Greece*.

OJ C 301, 22.11.2008

1.37.39. 9.12.2008 — Case C-70/08 — *Commission v Luxembourg*.

OJ C 301, 22.11.2008

Court of First Instance*Main decisions***State aid schemes***Article 230 of the EC Treaty*

1.37.40. 16.9.2008 — Case T-496/04 — *Nortrail Transport v Commission*.

OJ C 285, 8.11.2008

1.37.41. 24.9.2008 — Case T-20/03 — *Kahla/Thüringen Porzellan v Commission*.

OJ C 285, 8.11.2008

Competition*Article 230 of the EC Treaty*

1.37.42. 8.10.2008 — Case T-68/04 — *SGL Carbon v Commission*.

OJ C 301, 22.11.2008

1.37.43. 8.10.2008 — Case T-69/04 — *Schunk and Schunk Kohlenstoff-Technik v Commission*.

OJ C 301, 22.11.2008

1.37.44. 8.10.2008 — Case T-73/04 — *Carbone Lorrain v Commission*.

OJ C 301, 22.11.2008

Development Cooperation*Article 230 of the EC Treaty*

1.37.45. 24.9.2008 — Case T-264/06 — *DC-Hadler Networks v Commission*.

OJ C 285, 8.11.2008

Environment*Article 230 of the EC Treaty*

1.37.46. 23.9.2008 — Case T-193/07 — *Górażdże Cement v Commission*.

OJ C 301, 22.11.2008

1.37.47. 23.9.2008 — Case T-195/07 — *Lafarge Cement v Commission*.

OJ C 301, 22.11.2008

1.37.48. 23.9.2008 — Case T-196/07 — *Dyckerhoff Polska v Commission*.
OJ C 301, 22.11.2008

1.37.49. 23.9.2008 — Case T-197/07 — *Grupa Ożarów v Commission*.
OJ C 301, 22.11.2008

1.37.50. 23.9.2008 — Case T-198/07 — *Cementownia ‘Warta’ v Commission*.
OJ C 301, 22.11.2008

1.37.51. 23.9.2008 — Case T-199/07 — *Cementownia ‘Odra’ v Commission*.
OJ C 301, 22.11.2008

1.37.52. 23.9.2008 — Case T-203/07 — *Cemex Polska v Commission*.
OJ C 301, 22.11.2008

Structural Funds

Article 230 of the EC Treaty

1.37.53. 10.9.2008 — Case T-324/06 — *Município de Gondomar v Commission*.
OJ C 285, 8.11.2008

1.37.54. 10.9.2008 — Case T-26/07 — *Serviço Intermunicipalizado de Gestão de Resíduos do Grande Porto/Commission*.
OJ C 285, 8.11.2008

Audiovisual policy and media

Article 238 of the EC Treaty

1.37.55. 8.10.2008 — Case T-122/06 — *Helkon Media v Commission*.
OJ C 301, 22.11.2008

External relations

Article 230 of the EC Treaty

1.37.56. 24.9.2008 — Case T-45/06 — *Reliance Industries v Council and Commission*.
OJ C 285, 8.11.2008

Transport

Articles 242 and 243 of the EC Treaty

1.37.57. 26.9.2008 — Case T-312/08R — *Ellinikos Niognoman v Commission*.
OJ C 301, 22.11.2008

Customs union

Article 230 of the EC Treaty

1.37.58. 8.10.2008 — Case T-51/07 — *Agrar-Invest-Tatschl v Commission*.
OJ C 301, 22.11.2008

38. Community institutions

European Parliament

Assistants to MEP's statute

1.38.1. Proposal for a Council regulation amending the conditions of employment of other servants of the European Communities.

Regulation to be amended: Council Regulation (EEC, Euratom, ECSC) No 259/68 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities: OJ L 56, 4.3.1968, as last amended by Council Regulation (EC, Euratom) No 723/2004: OJ L 124, 27.4.2004; Bull. 3-2004, point 1.9.14

References:

Statute of Members of the European Parliament: OJ L 262, 7.10.2005

European Parliament, Plenary session: Bull. 5-2008, point 1.38.2

Adopted by the Commission on 12 November: The current system of engaging of assistants to Members of the European Parliament (MEPs), which is based entirely on private law contractual arrangements, seems to be no longer compatible with the size and complexity of a Parliament composed of MEPs from 27 Member States. Therefore, the objective of this proposal is to introduce in the Conditions of Employment of Other Servants provisions that create a new category of staff which is specific to the European Parliament. It covers the assistants to MEPs based in one of the European Parliaments' places of work (Brussels, Strasbourg, Luxembourg), with the exception of those assistants working in MEP offices in the country of election, e.g constituency offices, and aims to clarify and improve their current situation while fully respecting the particularity of their tasks in the Parliament.

COM(2008) 786

Plenary session in Strasbourg, 17–20 November

1.38.2. In a formal sitting and in the framework of the European Year of Intercultural Dialogue, Parliament was addressed by Sir Jonathan Sacks, Chief Rabbi of the United Hebrew Congregations of the British Commonwealth. He placed special emphasis on the positive aspects of continuous dialogue between Jews, Christians and Muslims.

As far as the key debates are concerned, a significant share of the plenary session was devoted to a joint discussion of the financial crisis and the Commission's work and legislative programme for 2009. It should be noted that the Commission's speedy reaction was broadly welcomed by the political groups in Parliament, with the Greens-EFA and GUE-NGL striking the only critical note.

On behalf of the Council, Mr Jouyet, French Secretary of State for European Affairs, brought to the fore the current financial crisis, the worst since 1929, which would result in economic recession with likely dramatic social side-effects. However, he underlined that the European Union had succeeded in providing a coordinated response in order to guarantee interbank flow and securing savings. He added that efficient joint action by the European institutions and national governments had underpinned the success of the G20 meeting in Washington, which had resulted in enhanced transparency and responsibility as regards the functioning of the international financial system and a commitment to mobilise macroeconomic tools. He recalled that Parliament would have a role to play in the development of the relevant legislative package. He wound up by underscoring the Union's determination to take the reins of its own fate and play a major role on the global scene.

On behalf of the Commission, President Barroso first recalled that the Commission's work and legislative programme 2009 assured both

continuity and indispensable action at the current juncture. Taking stock of the recent G20 meeting, the President placed emphasis on the fact that it had been an initiative of the European Union, in line with the conclusions of the European Council held on 7 November. He deemed this meeting to represent a new era, namely the joint steering of the world economy, which had laid down the new guidelines for market reform and the new world economic governance by undertaking concerted action to stimulate the economy and fight the negative consequences of the crisis on employment and rejecting protectionism. At the same time, the clear signal had also been sent out that all these targets could not be attained to the detriment of the millennium goals, namely energy security of supply, climate change, food supply security and the rule of law. He stressed that the Union should play a catalyst role with a view to transforming all these targets into tangible proposals. Moving on to outline the main elements of the Commission's work and legislative programme for 2009, President Barroso commented on the package of measures to be adopted on 26 November 2008, which aimed at adapting and renewing the Lisbon strategy. He noted that the social agenda should also be looked into in the context of growing unemployment. He concluded by calling for Parliament's cooperation to deal with all the forthcoming legislative measures to be presented. At this point of the debate, Mr Pötering, President of the European Parliament, intervened to pay tribute to the Commission's speedy action at the first signs of the financial turmoil. As far as the debate in Parliament is concerned, the major political groups welcomed the concerted action taken by the Union to face the financial crisis, specially as regards the organisation of the G20 meeting. Only the Greens-EFA and GUE-NGL groups struck a critical note, the former criticising the Commission for having favoured deregulation in the past and the latter rejecting the mere reform of capitalism. By way of conclusion Vice-President Wallström pointed to the speedy reaction by the Commission to the financial crisis beyond sheer 'business as usual'. She also took note of Parliament's request that the right balance ought to be struck between the economic, social and environmental dimensions, as well as between free market and regulation. As regards the Commission's work and legislative programme for 2009, she underlined the fact that, for the first time ever, it would contain communication priorities, four of them agreed upon with other institutions, including

the forthcoming European elections. She concluded by recalling the exceptional nature of the year 2009, which represents the end of both Parliament's and the Commission's mandate.

In the context of the financial crisis, Parliament also held an extraordinary debate on the crisis in the automotive sector, with MEPs calling on the Commission for the adoption of an integrated approach and a protective framework of targeted and temporary measures that would sustain European competitiveness in such a sensitive sector. The ALDE group called for lower interest rates to facilitate easier loans for the industry and the introduction of a wide premium for scrapping old cars. GUE-NGL and the Greens-EFA levelled strong criticism against the Commission. Mr Jouyet, on behalf of the French Presidency, acknowledged the significant reduction in car sales in all major countries, with an estimated drop of 5 % across the EU in 2008 (the highest since 1993). He agreed that temporary measures to support the EU car industry would be useful as long as they would not jeopardise other policy goals such as an undistorted market and attaining climate change targets. Yet he deemed the overall financial situation of the sector to be healthy. Vice-President Verheugen reassured Parliament that the Commission was ready to establish the appropriate framework conditions for an increase in competitiveness. An integrated approach would be applied with a view to reducing emissions given that setting ambitious environmental objectives would strengthen the global competitiveness of the European car industry. Moreover the Community trade policy would support market access for the European automotive industry to ensure that European producers were able to operate on a level playing field overseas. It should also be noted that at the meeting of the Conference of Presidents held in the margin of the plenary, President Barroso confirmed this line, restating that the Commission was preparing specific measures for the sector in order to support a more competitive and greener car industry in Europe.

In the institutional field, the presentation of the annual report 2007 of the Court of Auditors by its President, Mr Caldeira, was followed by a debate. Most members taking the floor welcomed the progress accomplished by the Commission regarding the legal and regular character of expenditure, with some criticism as regards the alleged lack of commitment vis-à-vis national declarations. Mr Kallas, Member of the Commission, welcomed the positive note of

the report, especially as regards reliability and improvement of control systems and expenditure.

As far as the internal policies are concerned, Parliament adopted by an overwhelming majority a resolution on the first 10 years on the economic and monetary union (EMU), with detailed recommendations taking stock of the results obtained. The preceding debate showed a clear divide between the three major groups and the rest of the political spectrum. Whereas the smaller groups challenged the achievements attributed to the euro and depicted a gloomy picture of European economy, with losses in employment and sluggish growth, the PPE-DE, PSE and, to a lesser extent ALDE, underlined that both the euro and EMU had proved to be a great success and Europe's 'best investment', which had shown its strength even in the current difficult context of the financial crisis. Most Members taking the floor called for reinforced coordination of economic policies touching upon both monetary and fiscal aspects, whilst disagreeing on whether more coordination or a genuine system of economic governance should be sought. Mr Juncker, President of the Eurogroup, called on Parliament to send out a strong signal to Member States, urging them for action. He recalled that establishing a global currency would result in some costs to be reckoned with, further noting that the introduction of the euro did not aim at doing away with economic divergences. Mr Almunia, Member of the Commission, welcomed the overall consensus attained in Parliament in support of the single currency, adding that the Commission agreed on the need to reinforce coordination, whilst allowing sufficient flexibility, and the necessity to speak with a single voice at international level.

Parliament adopted a resolution on European space policy, following an oral question to the Council and the Commission, which received widespread support. It underscores the fact that space is a strategic asset of fundamental importance for Europe's independence, security and prosperity, and formulates a number of recommendations to the Council and the Commission. Mr Verheugen stressed that some problems such as financing, independent access to space and a European vision needed further reflection if Europe wanted to build on its competitive edge. He recalled that in 2009 the Commission would organise a high-level conference to discuss Europe's role in this area in a global context.

In the framework of the 'short presentations' Parliament also discussed and adopted a number of own-initiative reports.

The report on carbon capture and storage: supporting early demonstration of sustainable power generation from fossil fuels was adopted with broad support. On behalf of the Commission, Ms Hübner underlined the integrated approach of the climate change and renewable energy package. In relation to the issue of financing she recalled that the Commission had submitted to the legislator a policy option paper in order to help build consensus to ensure sufficient financing for low carbon emission technologies.

Parliament also adopted by an overwhelming majority the report on 'improving consumer education and awareness on credit and finance'. Mrs Hübner, Member of the Commission, stressed that the national level was the most appropriate, effective and efficient one for the delivery of consumer information programmes with the Commission promoting financial education, coordinating national efforts and demonstrating best practice.

Finally, Parliament adopted by a very large majority the report on the consumer markets scoreboard. Mrs Hübner underlined the importance of the scoreboard, inviting Parliament to see the results of the Commission's efforts for improvement, notably by making it more accessible to the public.

Furthermore, Parliament adopted additional non-legislative resolutions on equal pay for men and women, the beekeeping sector, AIDS early diagnosis and care, social security system and pensions, environmental inspection in the Member States, the mobilisation of the European Globalisation Fund and 'EU and PNR (passenger name record) data'. Mr Jouyet made an extraordinary intervention on this latter issue, noting the exceptionally broad consultation carried out by the Presidency and reassuring Parliament that it would be closely involved irrespective of the legal base to be applied. Parliament also discussed the demographic trends and their socioeconomic impact and the Solidarity Fund. On this latter issue, Parliament deplored the fact that the Council had not yet taken any decision following Parliament's first reading two years ago.

As regards the external policies, Parliament adopted a resolution on the response of the European Union to the critical situation in the eastern part of the Democratic Republic of the

Congo, which calls on the international community and the UN Security Council to strengthen MONUC and to increase pressure on all parties in order to press forward with its diplomatic efforts in the peace process. Both the Presidency and the Commission voiced their concern about the appalling humanitarian situation in the area, further stressing that a political rather than military solution was the answer. Mr Jouyet, on behalf of the French Presidency, highlighted the diplomatic efforts which had been made by the Commission and the African Union to encourage dialogue between Congo and Rwanda. Commissioner Ferrero-Waldner explained that the Commission had reacted immediately by releasing EUR 6.3 million of emergency aid and a further EUR 43 million had been agreed upon by the Member States. She pointed out that the creation of humanitarian corridors for enabling access to the local population represented the biggest obstacle.

Parliament also adopted resolutions on the Convention on cluster munitions, the situation in Somalia, the death penalty in Nigeria and the case of the Al-Kurd family.

As far as legislative issues are concerned, the following items merit being highlighted.

Under the assent procedure Parliament endorsed the report on the convention on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters.

In the second reading under co-decision, Parliament endorsed without amendments the common position of the Council on Community statistics on public health and health and safety at work.

In the first reading under co-decision, Parliament adopted a legislative resolution related to the publication and translation obligations of certain types of companies. It is noteworthy that Mr McCreevy, Member of the Commission, stressed that the amendments carried in plenary undermined the objectives of the Commission's proposal whose rationale was that the current traditional publication methods (in newspapers) be superseded by the envisaged electronic platform, thereby substantially reducing the administrative burden on companies. He regretted the fact that, according to Parliament's views, Member States could not only continue to impose the current administrative burdens on companies but also add new ones. He said that the adoption of the directive

in the form proposed by Parliament would jeopardise the credibility of the entire administrative burden reduction exercise.

Parliament adopted by an overwhelming majority the report on European statistics, endorsing the compromise amendments and thereby paving the way for agreement at first reading. Mr Almunia placed emphasis on the benefits which the revised regulation would bring about. He drew particular attention to the enhanced professional independence and impartiality of statistical bodies, as laid down in the European statistics code of practice enshrined in the regulation, which he deemed to represent an important step to strengthen the trust in statistical data of citizens and businesses alike.

Parliament also carried by a large majority the report on the investigations conducted by the OLAF. Vice-President Kallas pointed to the specific nature of OLAF, being part of the Commission structure but acting independently to launch inquiries, on which grounds he rejected several amendments tabled by Parliament aiming at the modification of OLAF's current status.

Under consultation, in the wake of a largely consensual debate, Parliament adopted the report on establishing a facility providing medium-term financial assistance to Member States' balances of payments. The revision of the regulation gathered widespread endorsement in order to increase the ceiling of financial support from EUR 12 billion to EUR 25 billion. A separate resolution was also adopted on the issue of financial assistance to Member States, which makes the case for the euro as a protective shield in the current financial turmoil. It also underlines that a coherent and swift framework for providing financial assistance to countries in urgent need should be established, calling on Member States to first seek assistance within the EU before contacting the IMF or other international organisations, in order to avoid the recent example of Hungary. Mr Almunia pledged to study Parliament's ideas and recommendations carefully and to report back to both Parliament and the High-Level Group led by Mr de Larosière.

Also under consultation Parliament adopted in a very tight vote (support coming from the PSE, ALDE and Greens-EFA ranks) the report on the general arrangements for excise duty, with the rapporteur calling for a vote against her own report which she deemed to have been excessively altered by the amendments carried.

It should be noted that Parliament's views ran counter to the Commission's proposal on such important issues as maintaining guidance levels, the legal base for tax-free shops at country borders and the reimbursement of excise duty. Mr Kovacs, Member of the Commission, defended the Commission's standpoint on the aforementioned controversial issues. Following a long debate, Parliament also carried by a large majority the reports on four proposals touching upon the CAP 'health check'. The debate was full of political slogans making reference to such issues as agricultural sovereignty, new challenges, balanced approach and simplification. Fairness also proved to be a recurrent theme, with many EU-12 MEPs complaining about the current disparities under the CAP between the new and the old Member States. Mr Barnier, on behalf of the French Presidency, said that any further changes to modulation would have an impact on project co-financing by the Member States as well as on fund allocation. He acknowledged that intervention should represent nothing but a 'safety net' and that equality was a real problem for the new Member States. Ms Fischer Boel, Member of the Commission, rejected the claim that more modulation would be tantamount to less money for farmers, adding that the sooner milk quotas were relaxed, the earlier superlevy payments would stop.

In the field of justice, freedom and security, Parliament took an important step forward by adopting by a comfortable majority the reports on the conditions of entry and residence for migrants for highly-qualified jobs and the single application procedure for residence and work (blue card). Mr Jouyet, for the French Presidency, pointed out that the transitional restrictions applicable to the new Member States' migrants would all have expired before this package came into force. He recommended a case-by-case approach to avoid possible 'brain-drain' problems. He agreed that this package comprised a first set of measures, to which Vice-President Barrot agreed.

Also under consultation, Parliament adopted reports on the school fruit scheme, the protocol to the EC-Kazakhstan partnership and cooperation agreement, the joint undertaking to develop the new generation European air traffic management system (SESAR), the Guarantee Fund for External Actions (codified version) and the amendment to the single Common Market Organisation to include the reform of the wine sector. This latter proposal provoked

some hostile reactions from a number of Members who simply considered that the single text was too complex and unintelligible.

Finally it should be noted that in the margin of the session the Conference of Presidents of political groups held two important exchanges of views. On the one hand, in the course of a closed-doors breakfast, the Conference discussed with President Barroso the European economic recovery plan which was due to be adopted by the Commission on 26 November in the framework of the Lisbon strategy. The aim of the discussion was to listen to Parliament's views with a view to building on them. On the other hand, the Conference of Presidents held an exchange of views with Vice-President Wallström on various interinstitutional issues, with Ms Roth-Behrendt, Chair of the Working Party on Parliamentary Reform, in attendance. The discussion focused on issues related to the ratification of the Lisbon Treaty, the communication policy and the reform of the European Parliament.

Council

2901st meeting

1.38.3. Economic and Financial Affairs

(Brussels, 4 November).

Previous meeting: Bull. 10-2008, point 1.38.5

President: Ms Lagarde, Minister for Economic Affairs, Industry and Employment of France.

Commission: Mr Almunia, Mr Kóvacs and Mr McCreevy.

The Council approved a loan of EUR 6.5 billion to Hungary, in coordination with the financial assistance provided by the IMF and World Bank, to enable Hungary to deal with the country's current financial crisis. The loan will enable Hungary to cope with the heavy pressures on its financial markets and support its balance of payments in the medium term.

The ministers also reached agreement in principle on increasing the ceiling for financial assistance available for EU aid to the balance of payments in the event of financial difficulty of a Member State.

The Council reached agreement in principle on measures to strengthen the fight against VAT fraud, by ensuring that information on transactions is collected and exchanged between Member States more quickly, to enable more rapid detection.

Broad consensus was achieved (pending the lifting of a reservation) on new general arrangements for excise duties, which will enable a computerised control system to be implemented in order to combat excise duty fraud more effectively.

2902nd meeting

1.38.4. General Affairs

(Brussels, 10 November).

Previous meeting: Bull. 10-2008, point 1.38.7

President: Mr Kouchner, Minister for Foreign and European Affairs of France.

Commission: Mr Michel.

Council: Mr Solana, Secretary-General/High Representative for the CFSP.

The Council renewed the embargo on EU arms against Uzbekistan, while deciding not to renew the travel restrictions applying to certain members of the Uzbek regime. This follows on from the conclusions of its meeting on 13 October 2008, in which it welcomed the progress achieved by Uzbekistan with regard to respect for the rule of law and in the protection of human rights, while remaining concerned by the situation in certain areas.

The Council also decided not to apply, for a renewable six-month period, the travel restrictions on certain leading figures in Belarus, following the conclusions of its meeting of last October. The aim of the decision, following the recent elections in Belarus, is to encourage dialogue with the Belarusian authorities and the adoption of measures to strengthen democracy and respect for human rights.

The Council approved the granting of more than EUR 215 million to Somalia from the European Development Fund, to support institution-building and economic and social development there, taking account of the needs of the poorest sections of the population.

The Council deplored the lack of progress towards a transition to democracy in Myanmar (Burma). The 2010 elections will have no credibility unless the authorities unconditionally

release all political prisoners and initiate a political process with the full participation of the opposition and ethnic groups.

The Council also welcomed the return to normal functioning of the Lebanese institutions and encouraged all the parties to engage in dialogue in a spirit of compromise and consensus, in the interests of all the Lebanese people. It welcomed the announcement of the establishment of diplomatic relations between Lebanon and Syria.

2903rd meeting

1.38.5. External Relations

(Brussels, 10 and 11 November).

Previous meeting: Bull. 10-2008, point 1.38.9

President: Mr Kouchner, Minister for Foreign and European Affairs, and Mr Joyandet, State Secretary for Cooperation and Francophone Matters at the Ministry of Foreign and European Affairs of France.

Commission: Ms Ferrero-Waldner, Mr Michel and Mr Rehn.

Council: Mr Solana, Secretary-General/High Representative for the CFSP.

The Council conducted its half-yearly examination of developments and projects in the field of European security and defence policy, in the presence of the ministers for defence. It noted a number of real advances, such as:

- the adoption of a joint action on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery of the Somali coast;
- the endorsement of ministerial commitments as regards the development of military capabilities and of civilian capabilities;
- progress on force projection (European airlift fleet, European carrier group interoperability, helicopters), including the signing of declarations of intent;
- the signing by five Member States of a letter of intent relating to space surveillance;
- the adoption of a statement on a European young officers exchange scheme, modelled on Erasmus.

The Council discussed EU–Russia relations, with a view to the summit meeting in Nice on 14 November. In a statement, the Presidency reaffirmed in particular the relevance of the Council conclusions of last September and

October on the withdrawal of Russian troops from Georgia and the implementation of the agreements of 12 August and 8 September. It noted that an in-depth examination of relations between the EU and Russia had been carried out, and that it will continue, in particular in the light of Russia's actions, and will be taken into account in the further negotiations on the new agreement with Russia and in other aspects of EU–Russia relations.

The Council also discussed recent events in the east of the Democratic Republic of the Congo (DRC). It expressed utmost concern at the increase in clashes in North Kivu and the consequences for the population and for the whole region. It urged all the parties involved to respect the ceasefire and emphasised the urgency of finding a political solution, to which the EU stands ready to contribute. It reiterated its support for the MONUC and called for enhanced cooperation between the EU, its Member States and the MONUC. Finally, it welcomed the organisation of a summit on the crisis in Nairobi on 7 November and the final declaration of the African Heads of State and the involvement of the States of the region in the quest for a solution to the crisis.

Concerning development cooperation, the Council approved the EU's position for the forthcoming UN Conference on Financing for Development in Doha.

2904th meeting

1.38.6. Agriculture and Fisheries

(Brussels, 18 to 20 November).

Previous meeting: Bull. 10-2008, point 1.38.11

President: Mr Barnier, Minister for Agriculture and Fisheries of France.

Commission: Ms Fischer Boel, Ms Vassiliou and Mr Borg.

The Council reached political agreement on the 'health check' of the common agricultural policy, on a programme to distribute fruit to schoolchildren, and on a recovery plan for cod stocks.

2905th meeting

1.38.7. Education, Youth and Culture

(Brussels, 20 and 21 November).

Previous meeting: Bull. 5-2008, point 1.38.6

President: Ms Albanel, Minister for Culture and Communication, Ms Péresse, Minister for Higher Education and Research, Mr Darcos, Minister for National Education, and Mr Laporte, Minister of State with responsibility for Sports, Youth and the Voluntary Sector of France.

Commission: Ms Reding, Mr Figel' and Mr Orban.

The Council adopted conclusions on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States, and a resolution on a European strategy for multilingualism.

It also adopted conclusions on the development of legal offers of online cultural and creative content and on combating piracy and others on youth mobility and on an agenda for European cooperation on schools.

The Council adopted a decision proclaiming 2009 as the 'European Year of Creativity and Innovation'.

2906th meeting

1.38.8. Economic and Financial Affairs — Budget

(Brussels, 21 November).

Previous meeting: Bull. 7/8-2008, point 1.38.7

President: Mr Woerth, Minister of Budget, Public Accounts and Public Office of France.

Commission: Ms Grybauskaitė.

The Council managed an agreement on its second reading of the draft general budget of the EU for 2009. Following an agreement with the European Parliament, this reading includes the financing of the food facility for 2009.

2907th meeting

1.38.9. Transport, Telecommunications and Energy

(Brussels, 27 November).

Previous meeting: Bull. 10-2008, point 1.38.6

President: Mr Chatel, Minister of State with responsibility for Industry and Consumer Affairs, and Mr Besson, Minister of State with responsibility for Forward Planning, Assessment of Public Policies and Development of the Digital Economy of France.

Commission: Ms Reding.

The Council reached a political agreement on a review of the EU's regulatory framework for electronic communications networks and services.

It arrived at a general approach on a proposal to extend the first regulation on roaming and widen its scope to include SMS and data.

In addition, the Council held an exchange of views on the second periodic review of the scope of universal service and in particular extension of the scope of broadband.

It also adopted conclusions on future networks and the Internet.

2908th meeting

1.38.10. Justice and Home Affairs

(Brussels, 27 and 28 November).

Previous meeting: Bull. 10-2008, point 1.38.10

President: Ms Alliot-Marie, Minister for the Interior, Overseas Territories and Local and Regional Authorities, Ms Dati, Keeper of the Seals, Minister for Justice, and Mr Hortefeux, Minister for Immigration, Integration, National Identity and Development Solidarity of France.

Commission: Mr Barrot, Vice-President.

The Council took stock of the attacks perpetrated in Mumbai. European coordination measures were immediately launched, in Brussels, in Mumbai and at the initiative of the Presidency, in order to give effect to European solidarity. Medical care, consular support and assistance with evacuation is being channelled to Mumbai. In this context, the Council stresses that EU citizens from countries without consular representation in Mumbai may use the consular services of any other EU Member State on the spot.

On the basis of the report by Mr de Kerchove, the EU Counter-Terrorism Coordinator, the Council also set its priorities for combating terrorism. It also reviewed the work done on a proposal concerning the transfer and processing of airline passenger data (PNR — passenger name records) within the EU.

The Council also examined the implementation of the global approach to the question of migration and partnership with the countries of origin and of transit and stressed the importance

of protecting the free movement of persons within the EU against misuse, generated inter alia by illegal immigration.

In addition, the Council invited the Member States to take in Iraqi refugees. This should be done on a voluntary basis and in the light of the reception capacities of the Member States and the overall efforts they have already made to accommodate refugees. The objective could be to accept up to around 10 000 refugees.

The Council also reached agreement on a framework decision on legal supervision of pre-trial procedures between the Member States of the EU, as well as reaching agreement on the modernisation of the legal cooperation network in civil and commercial matters. It adopted a report on the introduction of a common frame of reference for European contract law, an action plan on European e-justice, and conclusions concerning child abduction alerts.

Moreover, the Council decided to abolish checks at the land borders between Switzerland and its EU neighbours on 12 December 2008. The abolition of air borders will be adopted on 29 March 2009, the date on which summer time begins.

It also definitively adopted five legislative instruments which are important for the European judicial system as they provide the EU with an extended legislative basis of high symbolic significance. They are:

- a framework decision on combating racism and xenophobia;
- a framework decision on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters;
- a framework decision on mutual recognition in probation matters;
- a framework decision amending the definition of terrorism;
- a framework decision on mutual recognition of judgments in criminal matters.

2909th meeting

1.38.11. Agriculture and Fisheries

(Brussels, 28 November).

Previous meeting: point 1.38.6 of this Bulletin

President: Mr Barnier, Minister for Agriculture and Fisheries of France.

Commission: Ms Fischer Boel and Mr Michel.

The Council noted the Presidency's conclusions on the future of the common agricultural policy after 2013, which were submitted following the discussion at the informal meeting in Annecy (France, 23 September 2008).

It held a public debate on food aid for the most deprived people in the Community.

The Council adopted a regulation fixing the fishing opportunities in the Baltic Sea and for deep-sea stocks. It also adopted a decision on the conclusion of an agreement between the European Community and Australia on trade in wine.

Commission

Strategic planning and programming of the Commission's work

1.38.12. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Commission legislative and work programme 2009 — Acting now for a better Europe'.

References:

Commission communication — 'Strategic objectives 2005–09 — Europe 2010: a partnership for European renewal; prosperity, solidarity and security': OJ C 64, 16.3.2005; COM(2005) 12; Bull. 1/2-2005, point 1.10.17

Commission communication — 'Annual policy strategy for 2009': OJ C 207, 14.8.2008; COM (2008) 72; Bull. 1/2-2008, point 1.38.18

Adopted by the Commission on 5 November. The Commission has adopted its legislative and work programme for 2009. It maintains its focus on delivering results within the overall strategic objectives set out at the start of its mandate: prosperity; solidarity; security and freedom, and a stronger Europe in the world. Priorities for 2009 are:

□ *growth and jobs*: the Lisbon strategy remains the major vehicle for promoting a more prosperous, environmentally responsible and socially inclusive EU, and during 2009, the Commission will be working on how the Lisbon strategy might be adapted for the period post-2010;

□ *climate change and sustainable Europe*: 2009 will be a critical year for efforts to combat climate change. The UN Climate Change

Convention in Copenhagen will be of central importance in testing the global resolve to deliver historic change: the culmination of efforts to agree a quantum leap in efforts to reduce greenhouse gas emissions from 2012;

□ *a Europe close to citizens*: this Commission has put the European citizen at the heart of the European project, through policies in areas close to citizens such as fundamental rights and citizenship, migration, justice, security and safety, consumer protection, and health. In 2009, the Commission will set out its proposals for the further development of the EU as an area of freedom, security and justice. These will form the basis for discussion with Member States, in view of adopting a follow-up to the current Hague programme;

□ *Europe as a world partner*: In 2009, the Commission will continue to build its long-term relationship with key partners. The past year has shown the importance of a common vision with the US in times of intense pressure. It has also shown the mutual importance of good relations with Russia and the development of effective policies in areas such as energy, migration, trade and investment. The financial crisis has again underlined the need to deepen Europe's relationship with key partners in Asia such as China, India and Japan, as well as with other emerging economies such as Brazil.

According to the Commission, promoting a simpler and better regulatory environment without unnecessary administrative burdens should remain a key component of the Commission's legislative work in 2009. The emphasis will be on improving the quality of new proposals, simplifying existing legislation and reducing administrative burdens. The Commission will also step up its efforts to communicate with European citizens and to explain the value of the European project.

COM(2008) 712

Community Courts

1.38.13. Procedures for the election of the Presidents of the EU's Courts and Civil Service Tribunal.

Adopted by the Council during its session of 27 and 28 November. The Council approved amendments to the procedures for the election of the Presidents of the Court of Justice and of the Court of First Instance of the European

Communities, and of the EU Civil Service Tribunal. The new rules of procedure require that the person elected must obtain an absolute majority in all cases.

Court of Auditors

Specific annual reports

1.38.14. Report on the annual accounts of the European Schools relating to the financial year 2007.

Adopted at its 851st meeting on 19 November. This report was forwarded to the higher Council, authority responsible for the discharge and to the European Parliament, in the Council and in the Commission but will not be the subject of a publication in the *Official Journal of the European Union*.

Special reports

1.38.15. Special Report No 8/2008 — ‘Conditionality, an effective policy?’.

Adopted at its 850th meeting on 6 November. This report was forwarded to the Community institutions and to the Court of Auditors of the Member States. It will be the subject of a publication in the *Official Journal of the European Union*.

1.38.16. Special Report No 9/2008 on effectiveness of EU support in the fields of freedom, security and justice for Belarus, Moldova and Ukraine.

Adopted at its 851st meeting on 19 November. This report was forwarded to the Community institutions and to the Court of Auditors of the Member States. It will be the subject of a publication in the *Official Journal of the European Union*.

1.38.17. Special Report 10/2008 relating to the development aid provided by the EC to health services in sub-Saharan Africa.

Adopted at its 851st meeting on 19 November. This report was forwarded to the Community institutions and to the Court of Auditors of the Member States. It will be the subject of a publication in the *Official Journal of the European Union*.

1.38.18. Special Report 11/2008 relating to the management of the aid provided by the European Union for the operations related to public storage of cereals.

Adopted at its 851st meeting on 19 November. This report was forwarded to the Community institutions and to the Court of Auditors of the Member States. It will be the subject of a publication in the *Official Journal of the European Union*.

European Investment Bank

Loans

1.38.19. In November, the European Investment Bank (EIB) granted loans totalling EUR 8.678 billion.

Within the European Union: EUR 8.495 billion

The EIB granted the following loans in support of Community policies:

- EUR 3.54 billion for the economic development of disadvantaged regions;
- EUR 2.726 billion for the improvement of transport and of telecommunications infrastructure of benefit to the Community;
- EUR 2.484 billion for environmental protection and improvement of the quality of life;
- EUR 1.765 billion for the energy sector;
- EUR 822 million for the i2i programme;
- EUR 594 million for the support of small and medium-sized enterprises.

Moreover, the EIB continued its action for the SMEs by the partner bank network, on the current global loans.

Often, the EIB’s loans answer simultaneously several Community policies, the above headings are not therefore cumulable.

Geographical distribution

Belgium

- EUR 313.2 million for the construction of a two-track rail tunnel of roughly 16 km in length

connecting the terminals of the port of Antwerp and that of Escaut;

□ EUR 75 million for the construction of two gas-fed combined cycle power stations in Lelystad (Flevoland-the Netherlands), a gas-fed combined cycle power station at Amercoeur (Hainaut) and a gas-fed blast furnace power station on the site of Arcelor in Gent.

Bulgaria

□ EUR 105 million for the construction and the putting in service of three new underground line sections in Sofia;

□ EUR 80 million in the form of a global loan, for the financing of small and medium-sized investments.

Czech Republic

□ EUR 14.7 million for a municipal programme of investment for water supply infrastructures and of treatment of waste water in the town of Plzen;

□ EUR 100 million in the form of a global loan, for the financing of small and medium-sized investments;

□ EUR 70 million in the form of a global loan, for the financing of small and medium-sized investments.

Germany

□ EUR 285 million for the new and existing facilities of underground storage of natural gas located in north-west Germany (Epe and Etze) and in Upper Austria on the German border;

□ EUR 120 million for the rebuilding and enlargement of an important maritime lock in the port of Bremerhaven;

□ EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;

□ EUR 300 million for investment financing in the basic public research in the *Land* of Western Mecklenburg-Pomerania;

□ EUR 450 million for activities of R & D concerning eight oncological medicines in the process of clinical development in Berlin;

□ EUR 38 million for the modernisation of the urban traffic network of Berlin;

□ EUR 400 million for the modernisation of existing school infrastructures, the creation and enlargement of schools open all the day and the creation of extra-curricular reception structures in the *Land* of North Rhine-Westphalia;

□ EUR 120 million for the modernisation and extension of hospital buildings and equipment modernisation in the *Land* of Thuringia.

Estonia

□ EUR 31.2 million for small and medium-scale road installations in Tallinn.

Ireland

□ EUR 75 million for the construction of buildings intended for research and training activities in the biomedical field, for Dublin University (Trinity College);

□ EUR 175 million for construction of a gas turbine unit with a combined cycle and capacity of 430 MW intended for a more effective electricity reduction in Whitegate, Cork.

Greece

□ EUR 140 million for transport and distribution of electricity;

□ EUR 35 million in the form of a global loan, for the financing of small and medium-sized investments.

Spain

□ EUR 150 million for the modernisation of infrastructure installations at Malaga airport;

□ EUR 122.8 million for extension of two lines of the underground rail network in Madrid;

□ EUR 61.3 million for the modernisation and the technical upgrading of road transport infrastructures in the region of Castile and León;

□ EUR 25 million for the improvement of rail infrastructures;

□ EUR 50 million for improvement of regional of social housing and urban renewal work in 30 cities in Andalusia;

□ EUR 35 million for construction of the new 'Hospital de Sant Boi', in Sant Boi de Llobregat, and modernisation of the hospital for children in Esplugues de Llobregat, approximately 20 km from Barcelona, in Catalonia;

- EUR 300 million for the construction of a underground line (line 9) forming part of the underground transport network of the city of Barcelona;
- EUR 300 million for the reinforcement and extension of the transmission networks and distribution of electricity throughout Spain;
- EUR 200 million in the form of a global loan, for the financing of small and medium-sized infrastructures;
- EUR 60 million in the form of a global loan, for the financing of small and medium-sized investments localised in the region of Valencia.

France

- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia.

Italy

- EUR 1 billion for enlargement of the current motorway, from two to three lanes in both directions between the towns of Rimini and Porto Sant'Elpidio (155 km) and construction of new installations;
- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;
- EUR 100 million for infrastructures aiming to improve the urban environment and the quality of life of the residents and visitors to the town of Florence;
- EUR 400 million for an investment programme located in Calabria in the fields of energy, environment, networks and mobility and small and medium-sized enterprises.

Hungary

- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;
- EUR 30 million in the form of a global loan, for the financing of small and medium-sized investments.

Netherlands

- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;
- EUR 225 million for the construction of two gas-fed combined cycle power stations in Lelystad (Flevoland).

Austria

- EUR 215 million for new and existing facilities of underground storage of natural gas located in north-west Germany (Epe and Etze) and in Upper Austria on the German border;
- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;
- EUR 25 million in the form of a global loan, for the financing of small and medium-sized investments.

Poland

- EUR 64 million for the financing of multisector investments of small and medium-size in the town of Bydgoszcz.

Portugal

- EUR 250 million for the reinforcement and extension of the electricity transport network throughout Portugal;
- EUR 50 million in the form of a global loan, for the financing of small and medium-sized investments.

Romania

- EUR 1 billion for the co-financing of sectoral operational programmes for the environment, economic competitiveness and transport programmes;
- EUR 31.1 million for priority installations concerning the water sectors and of waste management in several communes.

Finland

- EUR 160 million for research and development activities and innovation activities

concerning environmental goods and services and in strategic programmes of development of new products in the facilities of R & D in Finland and in Sweden.

Sweden

- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;
- EUR 31.1 million for priority installations concerning the water sectors and of waste management in several municipalities.

United Kingdom

- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia;
- EUR 177.9 million for installations relating to water treatment and adduction in south-west England;
- EUR 127.1 million for the financing of urban revitalisation projects of small and medium-size;
- EUR 254.2 million for the financing of projects in post-obligatory teaching throughout the United Kingdom;
- EUR 127.1 million for the modernisation of the water supply and treatment networks in south-west England.

Outside the European Union: EUR 183 million

Geographical distribution

Croatia

- EUR 40 million in the form of a global loan, for the financing of small and medium-sized investments.

Israel

- EUR 3.3 million for activities of R & D combining advanced technologies and clinical trials medical instruments in Israel, the United States, Europe and Asia.

Tunisia

- EUR 110 million for the improvement of equipment of urban road transport infrastructures in the country.

Turkey

- EUR 19 million for the construction of the first line of a modern tram network in the city of Antalya.

Regional — Pacific

- EUR 10.7 million for the placing of competitive 2G mobile telecommunications networks on a certain number of Pacific markets.

Committee of the Regions

77th plenary session

1.38.20. The Committee of the Regions held its 77th session on 26 and 27 November. This session was marked by the presence of Mr Barroso, President of the Commission.

In his speech, Mr Barroso pointed out that local regions and communities have been the first to suffer the consequences of the financial crisis and for this reason regional and local authorities are in the frontline for facing the repercussions of the crisis on real economy. The capacity of Europe to succeed in its reforms and to get out of this crisis depends largely on the local and regional communities' contribution. Mr Barroso underlined that, during the crisis, Europe has proved its capacity to act determinedly by creating a framework of action and common principles. At the same time, on the international level, Europe is playing a significant role, with its views having been approved by the Washington summit.

Regarding the Commissions work programme for 2009, Mr Barroso explained that the programme is built on concrete initiatives aiming at bringing tangible benefits for European citizens, based on new priorities. The main policy highlights are structured around four pillars:

- growth and jobs;

- climate change and sustainable development;
- Europe for citizens;
- Europe as a world partner.

The President of the Commission closed his speech by expressing his will for strengthening mutual cooperation between the Commission and the Committee and to better consider the regional dimension in the preparation of Commission proposals.

The presence of Mr Barroso allowed the members to be informed on various subjects within the Commission.

Concerning the 20th anniversary of democratic change in central and eastern Europe and of the anniversary of the fall of the Berlin wall and of the 2004 enlargement, the Commission has prepared a draft communication plan that foresees festive actions organised at central level; others will be implemented at local and regional level with the help of the Committee.

Regarding the Commission's plans for the adjustment or the continuation of the Lisbon strategy, which expires in 2009, Mr Barroso first noted that the European economic recovery plan published by the Commission on November 26, was rooted in the Lisbon strategy. The Commission will submit its plans for the new strategy at the end of 2009, with decisions to be taken at the 2010 spring European Council.

According to the President of the Commission, regarding the burdens of reductions imposed on small and medium-sized enterprises (SME), some measures, already proposed for 2007 and 2008, would bring a substantial reduction in two areas identified as imposing the highest burdens: company law and VAT.

Concerning the effects of the financial crisis on rural areas and the agricultural market, the President of the Commission referred to two pillars of the common agricultural policy (market support and direct payments), through which various types of support are already provided to farmers and rural areas. Moreover, the European economic recovery plan includes a number of measures dealing with the impact of the financial crisis on real economy.

Concerning the implementation of the Small Business Act (SBA), Mr Barroso stressed the role of the French Presidency in this respect and mentioned that the Competitiveness Council of December would adopt conclusions on this subject. Furthermore, he noted that the European economic recovery plan aimed at

enhancing access to financing for SMEs. The Commission will put in place a simplification package, notably to speed up its State aid decision-making. Access to financing will also be facilitated by raising the current safe harbour threshold for risk capital to EUR 2.5 and by allowing aid for certain loans or investments in the manufacture of products complying with Community environmental standards.

On the issue of cooperation between the Commission and the future Czech presidency, who are very ambiguous on the Lisbon Treaty, Mr Barroso reiterated that the Commission fully respects the national sovereignty of Member States and expressed his confidence that the Czech Republic will preside over the Union in the interest of all.

On a common immigration policy for Europe, Mr Barroso reaffirmed that the full involvement of regional and local authorities is a crucial factor for success in both immigration and integration policies and thus in all recent Commission documents in relation to these areas, the principle of subsidiarity and the relevance of the local level were underlined. Regarding the resources local and regional authorities require to effectively implement integration measures, he noted that the European Fund for the Integration of third-country nationals provides financial support to the efforts undertaken by Member States.

Regarding the role of the President of the Commission in the mechanisms of enhanced cooperation under Title IV in the new Treaty, which allow some countries to move ahead together, Mr Barroso considered that the Commission should try to avoid isolating Member States or dividing them in different groups.

On the additional resources under cohesion in order to support the local and regional authorities in their efforts to mitigate and adapt to climate change, Mr Barroso pointed out that not only the activities directly related to the fight against climate change, but also activities indirectly connected to this issue, receive EU funding. Moreover, he explained that it is not simply a matter for the Commission but also for national and regional management authorities. He also mentioned that the Commission was finalising its reflections on how the EU could best fight climate change and its effects and that it would submit a new document in 2009. Finally, he pointed out that, in its recovery plan for growth and jobs, the Commission proposed to boost the development of clean technologies.

On the subsidiarity principle and the mechanisms provided for in the Lisbon Treaty for the association of the regional authorities to the decision-making process of the European Union, Mr Barroso underlined that, under the terms of this treaty, regional Parliaments would be required to play an even more significant role in the subsidiarity check, in view of the fact that it will be for each chamber of a national Parliament to consult, where appropriate, regional parliaments with legislative powers.

In reply to a question about specific recognition, by the Commission's work programme, of the skills and talents of women across Europe, particularly in the current financial and economic crisis, Mr Barroso agreed that women's entrepreneurial potential constitutes an underdeveloped source of economic growth and of new jobs. He added that the competitiveness and innovation framework programme pays attention to the specific characteristics of female entrepreneurs as one of several specific target groups. The Commission is also working towards promoting women entrepreneurs and eliminating any gender-based discrimination and obstacles, it collaborates with Member States in the areas where the needs for these women are not yet met. He finally reaffirmed the position that equality between women and men is not only a goal in itself, but also a necessary condition for fulfilling the overall EU objectives for growth, employment and social cohesion.

During the meeting, a resolution covering the financial crisis was adopted. Several political groups introduced amendments aiming at taking account of the repercussions of the crisis on citizens and the loss of their up-and-coming prospects. It was the same for the resolution on the Commission work programme for 2009, the amendments added answering rather regional characteristics and interests.

Mr de Decker, perpetual Secretary of the Royal Language Academy and French Literature in Belgium, introduced a debate on intercultural dialogue by recalling that the history of culture is above all the history of cities and especially of ports, genuine crucibles for the mixing of cultures. Regions, for their part, ignore political borders and we see that the partnerships between cross-border regions paint a different Europe. Mr de Decker, who is a member of the Commission group of intellectuals on linguistic diversity, also decided that everyone has the possibility of spending their lives speaking their maternal language and called for the respect of all languages, even if the citizen has to be a

polyglot (three languages at least). He concluded by saying that sacrificing language was to lose an interpretation of the world.

During the meeting, several members of the Committee expressed opinions on this subject. According to certain members, the new borders of the citizenship of cities must be redefined and reinvest in the seas, around the Mediterranean in particular. For his part, the author of the report on the integration policy and intercultural dialogue stressed the fact that this dialogue brought an added value to economic and social cohesion. Lastly, the President of the region of Tuscany warned against the dangers of the supremacy of culture or of a religion and stated his preference that diversities be included in a united vision.

The draft opinion on the integration policy and intercultural dialogue did not give rise to a debate. The amendments included particularly aimed at the implementation programmes.

The presentation of the opinion covering 'a common policy of migration for Europe' did not give rise to debate either. However, the number of amendments included and their content made it possible to note cleavage between the two sides of the hemicycle. The meeting followed the rapporteur's recommendations, in particular regarding the alignment of the terminology on the conclusions adopted by the Council on the matter in October.

By approving the forward study opinion on the 'mayors' pact', the Committee wanted to revive the initiative by widening it to regional communities. A strong consensus emerged around this opinion which aims at the involvement of citizens in a collective and positive action of fighting against climate change. Whilst welcoming the Commission's initiative, the opinion points however to a certain nervousness from the Commission on the time to adapt and implement the 2006 action plan for energy efficiency.

In the field of enlargement and foreign affairs, the opinions on the 'Western Balkans: strengthening the European prospect' and 'The value added of the participation of local authorities in the enlargement process' were adopted. The first welcomes the stabilising effect for the region of the association agreements and the progress of the integration process. The second welcomes the setting up of the instrument of aid for pre-accession and wants to determine the communities' potential and to avoid any practical stumbling blocks.

The opinion also calls for the establishment of a political framework of reference associating the local authorities with the enlargement process and with the conclusion of an agreement on this subject between the Committee and the Commission, in a spirit of effectiveness.

The report on a programme of European cooperation in school matters is brought into line with the approach of the Commission, while stressing the need to take into account consequences of a financial nature of the measures proposed for local and regional authorities and to recognise the competences of these on the matter. At the time of the vote, the draft text achieved unanimity between the members present.

The draft opinion on the proposal for a Council recommendation concerning the mobility of young volunteers through Europe and the opinion concerning the response to the challenge of energy efficiency through information and communication technologies were adopted.

Moreover, members deplored that the draft opinion on 'The EU as a global partner for development: speeding up progress towards the millennium development goals' does not mention the problems faced by the majority of the world population and that it does not really address the issue. Other members expressed their disagreement with this opinion and shared the point of view of the rapporteur that the Commission's communication constitutes the recognition of the work that the Committee has done so far and it can help in the direction of

better European cooperation on the issue. The draft opinion was adopted after almost all the proposed amendments were carried.

The opinion on the 'Fifth progress report on economic and social cohesion' was also adopted. Nevertheless, it gave rise to the addition of many amendments.

The opinion on 'A Community legal framework applicable to infrastructures' was the subject of several amendments. A close vote led to the adoption of an amendment which asks that the European research infrastructures be distributed in a balanced way between the Member States and so that that they are not concentrated in the western part of the EU.

On the other hand, the opinion on the Lisbon strategy for growth and jobs was the subject of an at times lively discussion on the 34 submitted amendments. A rather political amendment was accepted: it covers immigration and shows that the external contributions of labour force have to be done 'according to requirements of Member States or of the local and territorial authorities'. Other important amendments covered the importance of mobilising local authorities on the Lisbon strategy from the beginning until the end of the final phase, on the competitiveness of SMEs, on the principle of subsidiarity and on the reduction of accidents at work.

The results of the working party and of the 'toolbox' on the communication were presented. The group, which bases itself on the experiences of its members, will continue its work, according to the wish of the President of the Committee.

PART TWO

DOCUMENTATION

1. Additional references in the Official Journal

2.1.1. This section lists the references of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when these issues were published.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. 9-2008

Point 1.27.1

Council Decision 2008/936/EC of 15 September 2008 on the signing and conclusion of the protocol to the interim agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union
OJ L 341, 19.12.2008

Point 1.27.5

Council Decision 2008/887/CFSP of 25 September 2008 concerning the conclusion of an agreement between the European Union and the Republic of Croatia on the participation of the Republic of Croatia in the 'European Union rule of law mission in Kosovo', EULEX Kosovo

OJ L 317, 27.11.2008

Bull. 10-2008

Point 1.9.10

Commission Recommendation 2008/867/EC of 3 October 2008 on the active inclusion of people excluded from the labour market

OJ L 307, 18.11.2008

Point 1.16.6

Decision 2008/879/EC of the European Parliament and of the Council of 22 October 2008 on the mobilisation of the EU Solidarity Fund in accordance with 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
OJ L 314, 25.11.2008

Point 1.23.24

Council Decision 2008/871/EC of 20 October 2008 on the approval, on behalf of the European Community, of the protocol on strategic environmental assessment to the 1991 UN/ECE Espoo convention on environmental impact assessment in a transboundary context

OJ L 308, 19.11.2008

Point 1.35.20

Council Decision 2008/877/CFSP of 24 October 2008 concerning the conclusion of the agreement between the European Union and Georgia on the status of the 'European Union monitoring mission in Georgia'

OJ L 310, 21.11.2008

2. Index

A

Accidents: 1.24.7; 1.24.8
ACP countries: see African, Caribbean and Pacific countries
ACP: see African, Caribbean and Pacific countries
Additives: 1.26.1; 1.26.3
Aeronautical industry: 1.13.4
Afghanistan: 1.35.31
Africa: 1.35.44
— West: 1.21.51
— Central: 1.35.45; 1.35.51
African horse sickness: 1.26.6
African, Caribbean and Pacific countries: 1.19.8; 1.35.43 to 1.35.62
Agreements
— economic partnership (EPA): 1.35.45 to 1.35.48
— partnership and cooperation: 1.30.2
Agriculture and rural development: 1.19.1 to 1.19.9
AIDS and other communicable diseases: 1.31.4
Air services: 1.24.13
Air traffic: 1.24.9; 1.24.10
Albania: 1.29.1
Animal health: 1.26.6; 1.26.7
Anti-dumping: 1.30.6
Anti-fraud measures: 1.36.10
Anti-subsidy measures: 1.30.7
Arctic policy: 1.35.28
Area of freedom, security and justice: 1.21.1 to 1.21.53
Argentina: 1.6.1
Armenia: 1.24.13; 1.29.1
Asia: 1.35.30 to 1.35.38
Asylum and immigration: 1.21.12 to 1.21.17
Australia: 1.19.9
Austria: 1.38.19

B

Balance of payments: 1.7.2; 1.7.3
Baltic Sea: 1.20.9
Bangladesh: 1.32.1
Basic industries (chemicals, steel, wood): 1.13.3
Belarus: 1.28.12; 1.30.3; 1.30.6; 1.35.18
Belgium: 1.38.19
Belgrade Convention (Regime of Navigation on the Danube of 18 August 1948): 1.24.11
Biological weapons: 1.28.1
Biotechnology: 1.23.12
Black Sea: 1.20.5; 1.20.7
Bolivia: 1.32.1

Bonn Convention (protection of migratory species): 1.23.5
Bosnia and Herzegovina: 1.29.1; 1.30.6
Brazil: 1.6.1; 1.35.40; 1.35.41
Budget: 1.36.1 to 1.36.8
— draft: 1.36.1
Budgetary discipline: 1.9.1
Bulgaria: 1.29.1; 1.38.19
Businesses: 1.13.1 to 1.13.11

C

Caribbean: 1.32.1
Caucasus: 1.35.19; 1.35.20
Central America: 1.32.1
Central Asia: 1.35.21 to 1.35.23; 1.36.7
CEPOL: see European Police College
CFSP: see Common foreign and security policy
Chile: 1.6.1
China: 1.21.52; 1.24.12; 1.26.19; 1.28.12; 1.28.13; 1.30.6; 1.35.38; 1.35.44
Civil protection: 1.23.15
Climate change: 1.23.10
Cod: 1.20.6
Cohesion Fund: 1.16.1; 1.16.3
Colombia: 1.6.1
Commission: 1.38.12
— implementing powers: 1.8.4; 1.23.7
— legislative programme: 1.38.12
Committee of the Regions: 1.38.20
Common agricultural policy
— orientation: 1.19.4
Common commercial policy: 1.30.1 to 1.30.6
Common fisheries policy
— orientation: 1.20.1 to 1.20.3
Common foreign and security policy: 1.28.1 to 1.28.13
— statements: 1.28.12; 1.28.13
Common organisation of the markets: 1.19.5 to 1.19.9
Communicable diseases: 1.26.14
Community law: 1.37.1 to 1.37.58
— case law: 1.37.3 to 1.37.58
Company law: 1.11.14; 1.11.15
Competition: 1.12.1 to 1.12.25
Competitiveness: 1.13.1; 1.13.2
Computer-related crime: 1.21.50
Congo (Democratic Republic): 1.35.53 to 1.35.55
Consumer goods (pharmaceuticals, cosmetics, textiles, motor vehicles, food industry): 1.13.5 to 1.13.7
Consumer protection: 1.11.6
Continuing training: 1.22.1

- Convergence report: 1.16.1; 1.16.2
 Council: 1.38.3 to 1.38.11
 Court of Auditors: 1.38.14 to 1.38.18
 — annual report: 1.38.14
 — rules of procedure: 1.38.14
 — special reports: 1.38.15 to 1.38.18
 Court of First Instance: 1.37.40 to 1.37.58
 — development cooperation: 1.37.45
 — audiovisual policy and media: 1.37.55
 — competition: 1.37.42 to 1.37.44
 — customs union: 1.37.60
 — environment: 1.37.46 to 1.37.52
 — external relations: 1.37.56
 — state aid: 1.37.40; 1.37.41
 — Structural Funds: 1.37.53; 1.37.54
 — transport: 1.37.57
 Court of Justice: 1.37.4 to 1.37.39
 — agriculture: 1.37.4
 — civil and commercial law: 1.37.17
 — common foreign and security policy: 1.37.10
 — competition: 1.37.6; 1.37.16
 — customs union: 1.37.58
 — economic and monetary union: 1.37.30
 — energy: 1.37.21
 — environment: 1.37.22 to 1.37.24
 — free movement of workers: 1.37.27; 1.37.28
 — freedom to provide services: 1.37.19; 1.37.20
 — infringements: 1.37.14; 1.37.31 to 1.37.39
 — intellectual property: 1.37.12
 — justice and home affairs: 1.37.8
 — social policy: 1.37.11
 — state aid: 1.37.5; 1.37.15
 — taxation: 1.37.7; 1.37.25; 1.37.26
 — transport: 1.37.13
 — WTO: 1.37.9
 Côte d'Ivoire: 1.35.46; 1.35.52
 Criminal Justice: 1.21.30 to 1.21.34
 Criminal law: 1.23.18
 Croatia: 1.38.19
 Culture: 1.22.12 to 1.22.18
 Czech Republic: 1.11.12; 1.38.19
- D**
- Dangerous substances: 1.13.8
 Danube: 1.24.11
 Data protection: 1.21.53
 Death penalty: 1.6.2
 Development cooperation: 1.31.1 to 1.31.4
 Direct taxation: 1.11.9
 Disasters: 1.23.16; 1.23.17
 Diseases: 1.26.12; 1.26.13
 Drugs: 1.21.51; 1.21.52; 1.35.38
- E**
- Eastern Europe: 1.35.18
 EBRD: see European Bank for Reconstruction and Development
 Economic and monetary policy: 1.7.1 to 1.7.7
 Economic and monetary union: 1.7.1
 Economic and social cohesion: 1.16.1 to 1.16.7
 Education and vocational training: 1.22.1 to 1.22.7
 EIB: see European Investment Bank
 Electricity: 1.12.9; 1.25.10
 Electronic communications: 1.15.1 to 1.15.6; 1.21.49
 Employment: 1.13.3
 Employment and social policy: 1.9.1 to 1.9.8
 EMU: see Economic and monetary union
 Energy: 1.25.1 to 1.25.18
 — nuclear: 1.25.16
 — offshore Wind: 1.25.2
 — security of supply: 1.25.3
 Energy efficiency: 1.25.9; 1.25.17
 Energy policy: 1.25.1
 Enlargement: 1.9.6; 1.27.1 to 1.27.5
 Environment: 1.23.1 to 1.23.20
 Environmental crime: 1.23.18
 Equal opportunities for women and men: 1.10.1; 1.10.2
 ESDP: see European security and defence policy
 ESF: see European Social Fund
 Estonia: 1.29.1; 1.38.19
 Euratom: see European Atomic Energy Community
 Euro-Mediterranean partnership: 1.35.1 to 1.35.4
 Eurojust: see European judicial cooperation unit
 Europe for citizens: see Programme
 European Agricultural Fund for Rural Development (EAFRD): 1.19.4
 European Anti-Fraud Office: 1.36.10
 European Atomic Energy Community: 1.14.2
 European Bank for Reconstruction and Development: 1.29.1
 European contract law: 1.21.22; 1.26.22
 European Defence Agency: 1.28.11
 European digital library Europeana: 1.15.9
 European economic recovery plan: 1.7.6
 European Electronic Communications Market Authority: 1.15.3
 European Free Trade Association: 1.34.1
 European Globalisation Adjustment Fund: 1.9.1
 European Investment Bank: 1.36.7; 1.38.19
 European judicial cooperation unit (Eurojust): 1.21.24
 European neighbourhood policy: 1.33.1
 European ombudsman: 1.21.2
 European Parliament: 1.38.1; 1.38.2
 European Police College: 1.21.25; 1.21.26
 European Regional Development Fund (ERDF): 1.16.3
 European Research Area: 1.14.2 to 1.14.4
 European security and defence policy: 1.21.27; 1.28.6 to 1.28.10
 European Social Fund (ESF): 1.16.3; 1.16.5
 European space policy: 1.14.3
 European Training Foundation: 1.22.6
 European Union Solidarity Fund: 1.16.2; 1.16.6
 European year of creativity and innovation (2009): 1.22.20
 Europol (European Police Office): 1.21.27

F

Financing Community activities: 1.36.1 to 1.36.10
 Finland: 1.38.19
 Fish stocks: 1.20.2; 1.20.5; 1.20.7; 1.20.9
 Fisheries and maritime affairs: 1.20.1 to 1.20.12
 Fishing vessels: 1.20.2; 1.24.4; 1.24.6
 Food security: 1.26.1 to 1.26.5
 Foodstuffs: 1.26.4
 Former Yugoslav Republic of Macedonia: 1.21.24;
 1.29.1
 France: 1.38.19
 Free movement of goods: 1.11.3
 Free movement of persons: 1.21.46
 Free movement of workers: 1.9.6
 Freedom to provide services: 1.11.4 to 1.11.7
 Fruit and vegetables: 1.19.6
 Fuels: 1.25.12

G

Georgia: 1.21.5; 1.21.17; 1.29.1; 1.35.19; 1.35.20
 Germany: 1.11.12; 1.38.19
 Ghana: 1.35.47
 Global monitoring for environment and security:
 1.13.4
 GMES: see Global monitoring for environment and
 security
 Greece: 1.38.19
 Green Paper
 — Towards a secure, sustainable and competitive
 European energy network: 1.25.7
 Growth: 1.13.3
 Guarantee Fund: 1.36.8
 Guatemala: 1.32.1
 Gulf countries: 1.35.13 to 1.35.17

H

Haiti: 1.32.1
 Health: 1.22.9
 — and consumer protection: 1.26.1 to 1.26.22
 — and safety at work: 1.8.8; 1.9.7
 Health care: 1.31.3
 Honduras: 1.32.1
 Honey: 1.19.7
 Human rights and democracy: 1.6.1; 1.6.2
 Humanitarian aid: 1.32.1
 Hungary: 1.7.2; 1.38.19

I

ICCAT: see International Commission for the
 Conservation of Atlantic Tunas
 ICT: see Information and communication technology
 Illicit trafficking: 1.21.48
 India: 1.19.8; 1.30.6; 1.30.7; 1.35.33
 Indirect taxation: 1.11.10 to 1.11.13
 Industry and services: 1.13.3 to 1.13.11

Information and communication technology: 1.15.7 to
 1.15.9
 Information society: 1.15.1 to 1.15.9
 Institutional affairs: 1.1.1 to 1.1.4
 Institutions and bodies of the EU: 1.38.1 to 1.38.20
 Internal market: 1.11.1 to 1.11.15
 International Commission for the Conservation of
 Atlantic Tunas: 1.20.4
 International Convention on the Regulation of
 Whaling and its Schedule: 1.23.6
 International economic, monetary and financial
 matters: 1.7.4 to 1.7.7
 International financial crisis: 1.7.4 à 1.7.6
 International organisations and conferences: 1.29.1
 Internet: 1.15.5; 1.15.6
 Iran: 1.28.12; 1.35.13; 1.35.14
 Iraq: 1.35.15; 1.35.16
 Ireland: 1.38.19
 Israel: 1.28.12; 1.35.8; 1.38.19
 Italy: 1.38.19

J

Jordan: 1.35.9
 Judicial cooperation in civil and commercial matters:
 1.21.18 to 1.21.23
 Jurisdiction: 1.21.19

K

Kazakhstan: 1.28.12; 1.35.22
 Kenya: 1.35.53

L

Labelling: 1.13.9 to 1.13.11
 Latin America: 1.32.1; 1.35.39 to 1.35.42
 Lebanon: 1.35.10
 Liberalisation: 1.12.9
 Lisbon strategy: 1.4.1
 Loans: 1.36.7; 1.38.19

M

Maghreb: 1.35.5 to 1.35.7
 Maintenance obligations: 1.21.21
 Malaysia: 1.30.6
 Maldives: 1.28.12
 Medicinal products: 1.30.4
 Mediterranean countries: 1.35.1 to 1.35.12
 Mergers (investigation): 1.12.1 to 1.12.7
 Mexico: 1.6.1
 Middle East: 1.35.8 to 1.35.17
 Millennium Development Goals (MDGs): 1.31.2
 Moldova: 1.29.1; 1.30.5
 Mongolia: 1.29.1
 Morocco: 1.35.5
 Motor vehicles: 1.13.5 to 1.13.7

Multilingualism: 1.22.7
 Mutual recognition: 1.21.31
 Mutual recognition of financial penalties: 1.21.32
 Myanmar (Burma): 1.35.34

N

Natural gas: 1.25.3
 Netherlands: 1.38.19
 Network security: 1.15.1 to 1.15.6
 New generation European air traffic management system (SESAR): 1.24.10
 Nigeria: 1.6.2
 Norway: 1.30.6
 Nuclear safety: 1.14.2

O

Oil: 1.25.5
 OLAF: see European Anti-Fraud Office
 Organised crime: 1.21.41
 Outermost regions: 1.20.8
 Ozone layer: 1.23.14

P

Palestinian Territories: 1.35.11
 Paraguay: 1.32.1
 Parent companies and subsidiaries: 1.11.8
 Pensions: 1.9.5
 Plants health: 1.26.9
 Poland: 1.29.1; 1.38.19
 Police and customs cooperation: 1.21.24 to 1.21.29
 Portugal: 1.38.19
 Products

- agricultural: 1.19.1; 1.30.1
- chemical: 1.13.9 to 1.13.11
- industrial: 1.30.1
- plant protection: 1.8.9
- textile: 1.30.3

 Programme

- Europe for citizens (2007–13): 1.22.19
- youth: 1.22.11

 Protection of animals: 1.23.1
 Public Health: 1.8.8; 1.26.12 to 1.26.17

R

Racism and xenophobia: 1.21.45
 Refugees: 1.35.17
 Research and technology: 1.14.1 to 1.14.4
 Residence permit: 1.21.13
 Restrictive practices and abuse of dominant positions: 1.12.8
 Romania: 1.29.1; 1.38.19
 Rule of law: 1.35.16
 Russian Federation: 1.14.1; 1.29.1; 1.35.24 to 1.35.27

S

SADC: see Southern African Development Community
 Schengen acquis: 1.21.11
 Schengen Information System: 1.21.7; 1.21.9; 1.21.10
 Serbia: 1.29.1
 Shipping safety: 1.24.4 to 1.24.8
 Small and medium-sized enterprises: 1.13.2
 SMEs: see Small and medium-sized enterprises
 Social protection: 1.9.5
 Social security: see Social protection
 Somalia: 1.35.57 to 1.35.59
 South Africa: 1.35.60
 Southern African Development Community: 1.35.50
 Spain: 1.38.19
 Sri Lanka: 1.32.1
 State aid: 1.12.10 to 1.12.25

- Belgium: 1.12.11; 1.12.12
- Denmark: 1.12.13
- Finland: 1.12.24; 1.12.25
- France: 1.12.17
- Germany: 1.12.14
- Greece: 1.12.15
- Italy: 1.12.18
- Latvia: 1.12.19
- Netherlands: 1.12.20; 1.12.21
- Poland: 1.12.22; 1.12.23
- Spain: 1.12.16

 Statistical system: 1.8.1 to 1.8.9
 Sudan: 1.28.12
 Sugar: 1.19.8
 Sweden: 1.1.1; 1.38.19
 Switzerland: 1.21.11; 1.34.1
 Syria: 1.28.12

T

Taiwan: 1.28.12
 Tariff quotas: 1.30.1
 Taxation: 1.11.8 to 1.11.13
 Terrorism: 1.21.35 to 1.21.41
 Thailand: 1.30.6
 Third-country nationals: 1.21.12; 1.21.13
 Trans-European networks

- energy: 1.25.4

 Transport: 1.24.1 to 1.24.14

- internal market: 1.24.1
- maritime: 1.24.8
- road safety: 1.24.2; 1.24.3
- safety and security of transport: 1.24.2 to 1.24.10

 Treaty of Lisbon: 1.1.1
 Tunisia: 1.35.6; 1.35.7; 1.38.19
 Turkey: 1.30.6; 1.38.19

U

Ukraine: 1.29.1; 1.30.2; 1.30.6
 Union citizenship: 1.21.1; 1.21.2

United Kingdom: 1.21.18; 1.38.19
United States: 1.14.2
Units of measurement: 1.11.3
Uzbekistan: 1.28.12; 1.29.1; 1.35.23

V

Value-added tax: 1.11.10 to 1.11.12
VAT: see Value-added tax
Visas: 1.21.3 to 1.21.6; 1.21.8; 1.21.10

W

Waste: 1.23.8
Weapons of mass destruction: 1.28.1
Western Balkans: 1.27.2; 1.27.4; 1.28.12

Wheeled agricultural or forestry tractors: 1.13.5 to
1.13.7
Wild birds: 1.23.7
Wild fauna and flora: 1.23.4 to 1.23.7
Wine: 1.19.9

Y

Yemen: 1.32.1
Youth: 1.22.8 to 1.22.11
Youth: see Programme

Z

Zambia: 1.28.12; 1.35.48