ADDENDUM to DRAFT MINUTES

Subject: 2818th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 18 September 2007

The information from the Council minutes which is contained in this addendum is not confidential and may therefore be released to the public.
"A" ITEMS

Item 23. Regulation (EC) amending and updating Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual use items and technology ........ 3

Item 30. Council Regulation amending Regulation (EC) No 601/2004 laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources......................... 3

Item 31. Council Regulation establishing measures for the recovery of the stock of European eel ........................................................................................................... 4

Item 32. Council Regulation establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks ..................................................... 5

Item 38. Decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Civil Justice" as part of the general programme "Fundamental Rights and Justice" .................................................... 6


Agenda items released to the public concerning the final adoption of Council acts

"A" items (list: 12706/07 PTS A 37)

When finally adopting the "A" items relating to legislative acts, the Council agreed to enter the following in these minutes:

23. **Council Regulation (EC) amending and updating Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual use items and technology**

12405/07 COMER 136 PESC 989 CONOP 62 ECO 108 UD 87 ATO 108
+ REV 1 (ro)

The Council adopted the above Regulation. (Legal basis: Article 133 of the Treaty establishing the European Community).

30. **Council Regulation amending Regulation (EC) No 601/2004 laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources**

11346/07 PECHE 221
+ COR 1 (en)
+ COR 2
+ COR 3 (sk)
+ REV 1 (ro)
+ REV 2 (lt)

The Council adopted the above Regulation. (Legal basis: Article 37 of the Treaty establishing the European Community).
31. **Council Regulation establishing measures for the recovery of the stock of European eel**  
12031/07 PECHE 241  
+ REV 1 (lt)  
+ REV 2 (nl)  
+ REV 3 (fi)  
+ REV 5 (sv)  
+ REV 6 (da)

The Council adopted the above Regulation. (Legal basis: Article 37 of the Treaty establishing the European Community).

1. **Joint statement by the Council and the Commission**

"The objective of 40% escapement laid down in Article 2(4) shall be understood as an average for the Member States' waters, thus allowing a differentiation of the specific situation of different river basins."

2. **Statement by the Commission concerning restrictions on international trade in European eel**

"The Commission intends, upon the adoption of this Regulation and in support of the recovery measures therein, to propose restrictions on international trade in European eel. The Commission intends to fully respect the EC's WTO obligations when drafting such proposal.

In addition, the Commission has recently expressed its support for the proposal tabled by Sweden to include European eel (*Anguilla anguilla*) in Annex II of the Convention on International Trade of Endangered Species (CITES)."
3. **Statement by the Commission**

"A decline of average market prices for eels used for restocking, as referred to in Article 6(6), is normally to be considered as significant if it is more than 20 % as compared to prices for those eels used for other purposes. Where a temporary reduction of percentages is decided it should reflect the scale of the price decline."

32. **Council Regulation establishing a multiannual plan for the cod stocks in the Baltic Sea and the fisheries exploiting those stocks**

11259/07 PECHE 217

+ COR 1 (fi)
+ REV 1 (lv)
+ REV 1 COR 1 (lv)
+ REV 2 (da)
+ REV 3 (mt)
+ REV 4 (lt)

The Council adopted the above Regulation. (Legal basis: Article 37 of the Treaty establishing the European Community).

4. **Statements by the Commission**

1. "The Commission welcomes the efforts of Member States to adapt their fleets to sustainable capacities and encourages Member States to continue these efforts.

In view of the efforts made by Member States to adjust fleet capacities in the Baltic Sea in recent years, the Commission will consider how to take them into account in the framework of the proposal for the 2008 TAC and quota regulation for the Baltic Sea where these efforts have been significant without compromising the overall objective of the effort scheme in the multiannual plan for the two cod stocks in the Baltic Sea and the fisheries exploiting those stocks."
2. "With regard to Article 16 the Commission will follow closely the progress in the equipment of vessels with ERS and VMS and will assess the possibility of introducing further flexibility for such vessels at a later stage."

5. **Statement by the delegation of the Republic of Poland**

"Poland is pleased to note that a number of the requests which it submitted during work on the Regulation have been taken into consideration, in particular making the system for management of fishing effort more flexible. However, amendments to the provisions for small inshore fleets should be regarded as a step backwards compared with those currently applied.

Poland, which has permanently decommissioned 40% of its Baltic fishing capacity over the last three years, cannot support the Regulation because it does not guarantee Polish fishermen the possibility of being allocated an appropriate number of additional fishing days."

38. **Decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Civil Justice" as part of the general programme "Fundamental Rights and Justice"**

The Council approved the European Parliament's amendments to the common position. The above Decision is thus deemed to have been adopted in the form of the common position as amended. (Legal basis: Article 61(c) and Article 67(5) of the Treaty establishing the European Community).

The Council approved the European Parliament's amendments to the common position. The above Directive is thus deemed to have been adopted in the form of the common position as amended. (Legal basis: Article 175(1) of the Treaty establishing the European Community).


The Council approved the European Parliament's amendments to the common position. The above Regulation is thus deemed to have been adopted in the form of the common position as amended. (Legal basis: Articles 71 and 89 of the Treaty establishing the European Community).