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## I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

## REGULATIONS

## COUNCIL REGULATION (EC) No 1217/2008

of 8 December 2008

**amending Annex I to Regulation (EC) No 1528/2007 in order to add the Republic of Zambia to the list of regions or states which have concluded negotiations**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 28 November 2007, the Community concluded negotiations on an interim agreement establishing a framework for an Economic Partnership Agreement (hereinafter referred to as the 'interim EPA') with Seychelles, Zambia and Zimbabwe.
- (2) Since the Community and Zambia did not, when negotiations on the interim EPA were concluded on 28 November 2007, agree on a Zambian market access offer, the inclusion of Zambia in Annex I to Council Regulation (EC) No 1528/2007 of 20 December 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<sup>(1)</sup> was not possible.
- (3) The Community and Zambia concluded negotiations on a Zambian market access offer on 30 September 2008.

(4) Consequently, in the light of Article 2(2) of Regulation (EC) No 1528/2007, Annex I should be amended to include Zambia.

(5) In order to accommodate the addition of Zambia to the scope of application of Regulation (EC) No 1528/2007, Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/07, 2007/08 and 2008/09 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements<sup>(2)</sup>, is to be amended, in due course, by the Commission and with effect from the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex I to Council Regulation (EC) No 1528/2007, the term 'the Republic of Zambia' shall be inserted between the entries 'the Republic of Uganda' and 'the Republic of Zimbabwe'.

*Article 2*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 December 2008.

*For the Council*  
*The President*  
B. KOUCHNER

<sup>(1)</sup> OJ L 348, 31.12.2007, p. 1.

<sup>(2)</sup> OJ L 178, 1.7.2006, p. 1.

**COMMISSION REGULATION (EC) No 1218/2008**  
**of 8 December 2008**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector <sup>(2)</sup>, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 9 December 2008.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 December 2008.

*For the Commission*  
Jean-Luc DEMARTY  
*Director-General for Agriculture and  
Rural Development*

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<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> OJ L 350, 31.12.2007, p. 1.

## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MA	70,8
	TR	72,8
	ZZ	71,8
0707 00 05	JO	167,2
	MA	57,7
	TR	83,7
	ZZ	102,9
0709 90 70	JO	230,6
	MA	105,4
	TR	69,5
	ZZ	135,2
0805 10 20	BR	44,6
	EG	30,5
	MA	76,3
	TR	66,5
	UY	34,6
	ZA	44,9
	ZW	43,9
	ZZ	48,8
0805 20 10	MA	66,1
	TR	73,0
	ZZ	69,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	62,9
	CN	52,4
	HR	19,9
	IL	73,2
	TR	58,3
	ZZ	53,3
0805 50 10	MA	64,0
	TR	56,9
	ZA	79,4
	ZZ	66,8
0808 10 80	CA	89,2
	CL	43,7
	CN	71,1
	MK	34,8
	US	102,9
	ZA	123,2
	ZZ	77,5
0808 20 50	AR	73,4
	CL	48,4
	CN	56,8
	TR	104,0
	US	141,2
	ZZ	84,8

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 1219/2008**  
**of 8 December 2008**  
**amending Regulation (EC) No 318/2007 laying down animal health conditions for imports of certain**  
**birds into the Community and the quarantine conditions thereof**  
**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC <sup>(1)</sup>, and in particular the second subparagraph of Article 10(3) and the first subparagraph of Article 10(4) thereof,

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC <sup>(2)</sup>, and in particular the fourth indent of Article 18(1),

Whereas:

- (1) Commission Regulation (EC) No 318/2007 <sup>(3)</sup> lays down the animal health conditions for imports of certain birds other than poultry into the Community and the quarantine conditions applicable to such birds after import.
- (2) Annex V to that Regulation sets out a list of quarantine facilities and centres approved by the competent

authorities of the Member States for import of certain birds other than poultry.

- (3) Italy has reviewed its approved quarantine facilities and centres and has sent an updated list of those quarantine facilities and centres to the Commission. The list of approved quarantine facilities and centres set out in Annex V to Regulation (EC) No 318/2007 should therefore be amended accordingly.
- (4) Regulation (EC) No 318/2007 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex V to Regulation (EC) No 318/2007, the following entry is deleted from the entries for Italy:

'IT Italy 233BG601'.

*Article 2*

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 December 2008.

*For the Commission*  
Androulla VASSILIOU  
*Member of the Commission*

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 56.

<sup>(2)</sup> OJ L 268, 14.9.1992, p. 54.

<sup>(3)</sup> OJ L 84, 24.3.2007, p. 7.

## COMMISSION REGULATION (EC) No 1220/2008

of 8 December 2008

**amending Regulation (EC) No 950/2006 laying down detailed rules of application for the 2006/2007, 2007/2008 and 2008/2009 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) <sup>(1)</sup>, and in particular Article 148(1) in conjunction with Article 4 thereof,

Whereas:

- (1) Following Council Regulation (EC) No 1217/2008 of 8 December 2008 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 <sup>(2)</sup>, the Republic of Zambia becomes one of the beneficiary countries for the additional EPA sugar tariff rate quota referred to in Chapter VIIIa of Commission Regulation (EC) No 950/2006 <sup>(3)</sup>.
- (2) Regulation (EC) No 950/2006 should therefore be amended accordingly.
- (3) Regulation (EC) No 1217/2008 enters into force on the day of its publication. In order for operators to request for import licences of sugar originating from the Republic of Zambia under the additional EPA sugar tariff quota as of that date, this Regulation should enter into force on the date of its publication.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 950/2006 is amended as follows:

1. In Article 31a, the first indent is replaced by the following:

‘— Comoros, Madagascar, Mauritius, 75 000 tonnes’,  
Seychelles, Zambia, Zimbabwe

2. In Annex I, in the part ‘Order numbers for additional EPA sugar’, the line relating to order number 09.4431 is replaced by the following:

Third country	Order number
‘Comoros, Madagascar, Mauritius, Seychelles, Zambia, Zimbabwe	09.4431’

*Article 2*

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 December 2008.

For the Commission  
Mariann FISCHER BOEL  
Member of the Commission

<sup>(1)</sup> OJ L 299, 16.11.2007, p. 1.

<sup>(2)</sup> See page 1 of this Official Journal.

<sup>(3)</sup> OJ L 178, 1.7.2006, p. 1.

## DIRECTIVES

## COMMISSION DIRECTIVE 2008/113/EC

of 8 December 2008

amending Council Directive 91/414/EEC to include several micro-organisms as active substances

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, and in particular Article 6(1) thereof,

Whereas:

- (1) Commission Regulations (EC) No 1112/2002 <sup>(2)</sup> and (EC) No 2229/2004 <sup>(3)</sup> lay down the detailed rules for the implementation of the fourth stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC and establish a list of active substances to be assessed, with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list includes the active substances listed in the Annex to this Directive.
- (2) By Commission Regulation (EC) No 1095/2007 <sup>(4)</sup> a new Article 24b was inserted into Regulation (EC) No 2229/2004 to allow active substances for which there are clear indications that it may be expected that they do not have any harmful effects on human or animal health or on groundwater or any unacceptable influence on the environment, to be included in Annex I to Directive 91/414/EEC without detailed scientific advice from the European Food Safety Authority (EFSA) having been sought.
- (3) For the active substances listed in the Annex to this Directive the Commission examined in accordance with Article 24a of Regulation (EC) No 2229/2004 the effects on human, animal health, groundwater and the environment for a range of uses proposed by the notifiers, with the conclusion that those active substances satisfy the requirements of Article 24b of Regulation (EC) No 2229/2004.
- (4) In accordance with Article 25(1) of Regulation (EC) No 2229/2004 the Commission has submitted draft review reports for the active substances listed in the Annex to this Directive to the Standing Committee on the Food Chain and Animal Health, for examination. Those reports have been reviewed by the Member States and the Commission within the Standing Committee on the Food Chain and Animal Health and finalised on 11 July 2008 in the format of the Commission review reports. In accordance with Article 25a of Regulation (EC) No 2229/2004 the Commission is to request the EFSA to deliver its view on the draft review reports by 31 December 2010 at the latest.
- (5) It has appeared from the various examinations made that plant protection products containing the active substances listed in the Annex to this Directive may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which have been examined and detailed in the Commission review report. It is therefore appropriate to include in Annex I to that Directive the active substances listed in the Annex to this Directive, in order to ensure that in all Member States the authorisations of plant protection products containing this active substance can be granted in accordance with the provisions of that Directive.
- (6) A reasonable period should be allowed to elapse before an active substance is included in Annex I in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion.
- (7) Without prejudice to the obligations defined by Directive 91/414/EEC as a consequence of including an active substance in Annex I, Member States should be allowed a period of six months after inclusion to review existing authorisations of plant protection products containing the active substances listed in the Annex to ensure that the requirements laid down by Directive 91/414/EEC, in particular in its Article 13 and the relevant conditions set out in Annex I, are satisfied. Member States should vary, replace or withdraw, as appropriate, existing authorisations, in accordance with the provisions of Directive

<sup>(1)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(2)</sup> OJ L 168, 27.6.2002, p. 14.

<sup>(3)</sup> OJ L 379, 24.12.2004, p. 13.

<sup>(4)</sup> OJ L 246, 21.9.2007, p. 19.



91/414/EEC. By derogation from the above deadline, a longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product for each intended use in accordance with the uniform principles laid down in Directive 91/414/EEC.

- (8) The experience gained from previous inclusions in Annex I to Directive 91/414/EEC of active substances assessed in the framework of Commission Regulation (EEC) No 3600/92 <sup>(1)</sup> has shown that difficulties can arise in interpreting the duties of holders of existing authorisations in relation to access to data. In order to avoid further difficulties it therefore appears necessary to clarify the duties of the Member States, especially the duty to verify that the holder of an authorisation demonstrates access to a dossier satisfying the requirements of Annex II to that Directive. However, this clarification does not impose any new obligations on Member States or holders of authorisations compared to the directives that have been adopted until now amending Annex I.
- (9) It is therefore appropriate to amend Directive 91/414/EEC accordingly.
- (10) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

#### Article 2

Member States shall adopt and publish by 31 October 2009 at the latest the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 November 2009.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a

reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

#### Article 3

1. Member States shall in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing the active substances listed in the Annex as active substances by 31 October 2009.

By that date they shall in particular verify that the conditions in Annex I to that Directive relating to the active substances listed in the Annex are met, with the exception of those identified in part B of the entry concerning that active substance, and that the holders of the authorisations have, or have access to, dossiers satisfying the requirements of Annex II to that Directive in accordance with the conditions of Article 13 of that Directive.

2. By way of derogation from paragraph 1, for each authorised plant protection product containing one of the active substances listed in the Annex as either the only active substance or as one of several active substances all of which were listed in Annex I to Directive 91/414/EEC by 30 April 2009 at the latest, Member States shall re-evaluate the product in accordance with the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III to that Directive and taking into account part B of the entry in Annex I to that Directive concerning the active substances listed in the Annex. On the basis of that evaluation, they shall determine whether the product satisfies the conditions set out in Article 4(1)(b), (c), (d) and (e) of Directive 91/414/EEC.

Following that determination Member States shall:

- (a) in the case of a product containing one of the active substances listed in the Annex as the only active substance, where necessary, amend or withdraw the authorisation by 30 April 2014 at the latest; or
- (b) in the case of a product containing one of the active substances listed in the Annex as one of several active substances, where necessary, amend or withdraw the authorisation by 30 April 2014 or by the date fixed for such an amendment or withdrawal in the respective Directive or Directives which added the relevant substance or substances to Annex I to Directive 91/414/EEC, whichever is the latest.

<sup>(1)</sup> OJ L 366, 15.12.1992, p. 10.

*Article 4*

This Directive shall enter into force on 1 May 2009.

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 8 December 2008.

*For the Commission*  
Androulla VASSILIOU  
*Member of the Commission*

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## ANNEX

The following entry shall be added at the end of the table in Annex I to Directive 91/414/EEC:

No	Common name, identification numbers	IUPAC name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
199	<i>Bacillus thuringiensis</i> subsp. <i>aizawai</i> STRAIN: ABTS-1857 Culture collection: No SD-1372, STRAIN: GC-91 Culture collection: No NCTC 11821	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Bacillus thuringiensis</i> subsp. <i>aizawai</i> ABTS-1857 (SANCO/1539/2008) and GC-91 (SANCO/1538/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
200	<i>Bacillus thuringiensis</i> subsp. <i>israeliensis</i> (serotype H-14) STRAIN: AM65-52 Culture collection: No ATCC-1276	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Bacillus thuringiensis</i> subsp. <i>israeliensis</i> (serotype H-14) AM65-52 (SANCO/1540/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.

No	Common name, identification numbers	IUPAC name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
201	<i>Bacillus thuringiensis</i> subsp. <i>kurstaki</i> STRAIN: ABTS 351 Culture collection: No ATCC SD-1275 STRAIN: PB 54 Culture collection: No CECT 7209 STRAIN: SA 11 Culture collection: No NRRL B-30790 STRAIN: SA 12 Culture collection: No NRRL B-30791 STRAIN: EG 2348 Culture collection: No NRRL B-18208	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Bacillus thuringiensis</i> subsp. <i>kurstaki</i> ABTS 351 (SANCO/1541/2008), PB 54 (SANCO/1542/2008), SA 11, SA 12 and EG 2348 (SANCO/1543/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
202	<i>Bacillus thuringiensis</i> subsp. <i>Tenebrionis</i> STRAIN: NB 176 (TM 14 1) Culture collection: No SD-5428	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Bacillus thuringiensis</i> subsp. <i>tenebrionis</i> NB 176 (SANCO/1545/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
203	<i>Beauveria bassiana</i> STRAIN: ATCC 74040 Culture collection: No ATCC 74040 STRAIN: GHA Culture collection: No ATCC 74250	Not applicable	Max level of beauvericin: 5 mg/kg	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Beauveria bassiana</i> ATCC 74040 (SANCO/1546/2008) and GHA (SANCO/1547/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.

No	Common name, identification numbers	IUPAC name	Purity (1)	Entry into force	Expiration of inclusion	Specific provisions
204	<i>Cydia pomonella Granulovirus</i> (CpGV)	Not applicable	Contaminating micro-organisms ( <i>Bacillus cereus</i> ) < 1 × 10 <sup>6</sup> CFU/g	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Cydia pomonella Granulovirus</i> (CpGV) (SANCO/1548/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
205	<i>Lecanicillium muscarium</i> (formerly <i>Verticillium lecanii</i> ) STRAIN: Ve 6 Culture collection: No CABI (=IMI) 268317, CBS 102071, ARSEF 5128	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as insecticide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Lecanicillium muscarium</i> (formerly <i>Verticillium lecanii</i> ) Ve 6 (SANCO/1861/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
206	<i>Metarhizium anisopliae</i> var. <i>anisopliae</i> (formerly <i>Metarhizium anisopliae</i> ) STRAIN: BIPESCO 5/f52 Culture collection: No Ma. 43; No 275-86 (acronyms V275 or KVL 275); No KVL 99-112 (Ma 275 or V 275); No DSM 3884; No ATCC 90448; No ARSEF 1095	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as insecticide and acaricide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Metarhizium anisopliae</i> var. <i>anisopliae</i> (formerly <i>Metarhizium anisopliae</i> ) BIPESCO 5 and F52 (SANCO/1862/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.

No	Common name, identification numbers	IUPAC name	Purity (%)	Entry into force	Expiration of inclusion	Specific provisions
207	<p><i>Phlebiopsis gigantea</i></p> <p>STRAIN: VRA 1835</p> <p>Culture collection: No ATCC 90304</p> <p>STRAIN: VRA 1984</p> <p>Culture collection: No DSM16201</p> <p>STRAIN: VRA 1985</p> <p>Culture collection: No DSM 16202</p> <p>STRAIN: VRA 1986</p> <p>Culture collection: No DSM 16203</p> <p>STRAIN: FOC PG B20/5</p> <p>Culture collection: No IMI 390096</p> <p>STRAIN: FOC PG SP log 6</p> <p>Culture collection: No IMI 390097</p> <p>STRAIN: FOC PG SP log 5</p> <p>Culture collection: No IMI390098</p> <p>STRAIN: FOC PG BU 3</p> <p>Culture collection: No IMI 390099</p> <p>STRAIN: FOC PG BU 4</p> <p>Culture collection: No IMI 390100</p> <p>STRAIN: FOC PG 410.3</p> <p>Culture collection: No IMI 390101</p> <p>STRAIN: FOC PG97/1062/116/1.1</p> <p>Culture collection: No IMI 390102</p> <p>STRAIN: FOC PG B22/SP1287/3.1</p> <p>Culture collection: No IMI 390103</p> <p>STRAIN: FOC PG SH 1</p> <p>Culture collection: No IMI 390104</p> <p>STRAIN: FOC PG B22/SP1190/3.2</p> <p>Culture collection: No IMI 390105</p>	Not applicable	No relevant impurities	1 May 2009	30 April 2019	<p>PART A</p> <p>Only uses as fungicide may be authorised.</p> <p>PART B</p> <p>For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Phlebiopsis gigantea</i> (SANCO/1863/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.</p> <p>Conditions of use shall include, where appropriate, risk mitigation measures.</p>

No	Common name, identification numbers	IUPAC name	Purity (1)	Entry into force	Expiration of inclusion	Specific provisions
208	<i>Pythium oligandrum</i> STRAINS: M1 Culture collection No ATCC 38472	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Pythium oligandrum</i> M1 (SANCO/1864/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
209	<i>Streptomyces</i> K61 (formerly <i>S. griseoviridis</i> ) STRAIN: K61 Culture collection: No DSM 7206	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Streptomyces</i> (formerly <i>Streptomyces griseoviridis</i> ) K61 (SANCO/1865/2008), and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
210	<i>Trichoderma atroviride</i> (formerly <i>T. harzianum</i> ) STRAIN: IMI 206040 Culture collection No IMI 206040, ATCC 20476; STRAIN: T11 Culture collection: No Spanish type culture collection CECT 20498, identical with IMI 352941	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review reports on <i>Trichoderma atroviride</i> (formerly <i>T. harzianum</i> ) IMI 206040 (SANCO/1866/2008) and T-11 (SANCO/1841/2008) respectively, and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.

No	Common name, identification numbers	IUPAC name	Purity (1)	Entry into force	Expiration of inclusion	Specific provisions
211	<i>Trichoderma polysporum</i> STRAIN: <i>Trichoderma polysporum</i> IMI 206039 Culture collection No IMI 206039, ATCC 20475	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Trichoderma polysporum</i> IMI 206039 (SANCO/1867/2008), and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
212	<i>Trichoderma harzianum</i> Rifai STRAIN: <i>Trichoderma harzianum</i> T-22; Culture collection No ATCC 20847 STRAIN: <i>Trichoderma harzianum</i> ITEM 908; Culture collection No CBS 118749	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review reports on <i>Trichoderma harzianum</i> T-22 (SANCO/1839/2008) and ITEM 908 (SANCO/1840/2008) respectively and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
213	<i>Trichoderma asperellum</i> (formerly <i>T. harzianum</i> ) STRAIN: ICC012 Culture collection No CABI CC IMI 392716 STRAIN: <i>Trichoderma asperellum</i> (formerly <i>T. viride</i> T25) T11 Culture collection No CECT 20178 STRAIN: <i>Trichoderma asperellum</i> (formerly <i>T. viride</i> TV1) TV1 Culture collection No MUCL 43093	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review reports on <i>Trichoderma asperellum</i> (formerly <i>T. harzianum</i> ) ICC012 (SANCO/1842/2008) and <i>Trichoderma asperellum</i> (formerly <i>T. viride</i> T25 and TV1) T11 and TV1 (SANCO/1868/2008) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.



No	Common name, identification numbers	IUPAC name	Purity (1)	Entry into force	Expiration of inclusion	Specific provisions
214	<i>Trichoderma gamsii</i> (formerly <i>T. viride</i> ) STRAINS: ICC080 Culture collection No IMI CC number 392151 CABI	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Trichoderma viride</i> (SANCO/1868/2008), and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.
215	<i>Verticillium albo-atrum</i> (formerly <i>Verticillium dahliae</i> ) STRAIN: <i>Verticillium albo-atrum</i> isolate WCS850 Culture collection No CBS 276.92	Not applicable	No relevant impurities	1 May 2009	30 April 2019	PART A Only uses as fungicide may be authorised.  PART B For the implementation of the uniform principles of Annex VI, the conclusions of the review report on <i>Verticillium albo-atrum</i> (formerly <i>Verticillium dahliae</i> ) WCS850 (SANCO/1870/2008), and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health shall be taken into account.  Conditions of use shall include, where appropriate, risk mitigation measures.

(1) Further details on identity and specification of active substance are provided in the review report.

## II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

## DECISIONS

## EUROPEAN PARLIAMENT AND COUNCIL

## DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 19 November 2008

**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**

(2008/916/EC)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

of major structural changes in world trade patterns and to assist them with their reintegration into the labour market.

Having regard to the Treaty establishing the European Community,

(2) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the Fund within the annual ceiling of EUR 500 million.

Having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management <sup>(1)</sup>, and in particular point 28 thereof,

(3) Italy has submitted four applications to deploy the Fund, in respect of redundancies in the textile sector: on 9 August 2007 for Sardinia, on 10 August 2007 for Piedmont, on 17 August 2007 for Lombardy and on 12 February 2008 for Tuscany. These applications comply with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006.

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund <sup>(2)</sup>, and in particular Article 12(3) thereof,

(4) The Fund should, therefore, be mobilised in order to provide a financial contribution for the applications,

Having regard to the proposal from the Commission,

Whereas:

HAVE DECIDED AS FOLLOWS:

(1) The European Globalisation Adjustment Fund (the 'Fund') was established to provide additional support to redundant workers who suffer from the consequences

*Article 1*

For the general budget of the European Union for the financial year 2008, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 35 158 075 in commitment and payment appropriations.

<sup>(1)</sup> OJ C 139, 14.6.2006, p. 1.

<sup>(2)</sup> OJ L 406, 30.12.2006, p. 1.

*Article 2*

This Decision shall be published in the *Official Journal of the European Union*.

Done at Strasbourg, 19 November 2008.

*For the European Parliament*  
*The President*  
H.-G. PÖTTERING

*For the Council*  
*The President*  
J.-P. JOUYET

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# COUNCIL

## COUNCIL DECISION

of 1 December 2008

**appointing one Danish member and one alternate member of the Committee of the Regions**

(2008/917/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal of the Danish Government,

Whereas:

- (1) On 24 January 2006, the Council adopted Decision 2006/116/EC appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2006 to 25 January 2010 <sup>(1)</sup>.
- (2) One member's seat on the Committee of the Regions has become vacant following the resignation of Mr Bo ANDERSEN. One alternate member's seat becomes vacant following the appointment of Mr Jens Arne HEDEGAARD JENSEN as a member of the Committee of the Regions,

HAS DECIDED AS FOLLOWS:

### *Article 1*

The following are hereby appointed to the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2010:

(a) as member:

Mr Jens Arne HEDEGAARD JENSEN, Viceborgmester, Brønderslev Kommune (change of mandate);

(b) as alternate member:

Mr Bo ANDERSEN, Borgmester, Faaborg-Midtfyn Kommune (change of mandate).

### *Article 2*

This Decision shall take effect on the day of its adoption.

Done at Brussels, 1 December 2008.

*For the Council*  
*The President*  
H. NOVELLI

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<sup>(1)</sup> OJ L 56, 25.2.2006, p. 75.

## III

*(Acts adopted under the EU Treaty)*

## ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

## COUNCIL DECISION 2008/918/CFSP

of 8 December 2008

**on the launch of a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 17(2) thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 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 <sup>(1)</sup> (ATALANTA), and in particular Article 5 thereof,

Whereas:

- (1) In its Resolution 1814 (2008) on the situation in Somalia, adopted on 15 May 2008, the UN Security Council called on States and regional organisations, in close coordination with one another, to take action to protect shipping involved in the transport and delivery of humanitarian aid to Somalia and UN-authorised activities.
- (2) In its Resolution 1816 (2008) on the situation in Somalia, adopted on 2 June 2008, the UN Security Council expressed its concern at the threat that acts of piracy and armed robbery against vessels pose to the delivery of humanitarian aid to Somalia, the safety of commercial maritime routes and international navigation. The UN Security Council encouraged, in particular, States interested in the use of commercial maritime routes off the coast of Somalia to increase and coordinate their efforts to deter acts of piracy and armed robbery at sea in cooperation with the Transitional Federal Government of Somalia (TFG).
- (3) In its Resolution 1838 (2008) concerning the situation in Somalia, adopted on 7 October 2008, the UN Security Council commended the ongoing planning process towards a possible European Union naval operation, as well as other international or national initiatives taken

with a view to implementing Resolutions 1814 (2008) and 1816 (2008), and urged all States that have the capacity to do so to cooperate with the TFG in the fight against piracy and armed robbery at sea, in conformity with the provisions of Resolution 1816 (2008). It also urged all States and regional organisations, in conformity with the provisions of Resolution 1814 (2008), to continue to take action to protect the World Food Programme maritime convoys, which is vital to bring humanitarian assistance to the Somali population.

- (4) The Somali Transitional Federal Government informed the United Nations Secretary-General by letter dated 14 November 2008 of the offer made to it, in conformity with paragraph 7 of Resolution 1816 (2008).
- (5) The European Union may be brought to rely on subsequent UNSC resolutions regarding the situation in Somalia.
- (6) In accordance with Article 6 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not participate in the elaboration and implementation of decisions and actions of the European Union which have defence implications and therefore does not participate in the financing of the operation,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Operation Plan and the Rules of Engagement concerning the EU military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast, hereinafter referred to as 'Operation Atalanta', are approved.

<sup>(1)</sup> OJ L 301, 12.11.2008, p. 33.

*Article 2*

Operation Atalanta shall be launched on 8 December 2008.

*Article 3*

The Commander of Operation Atalanta is hereby authorised with immediate effect to release the activation order (ACTORD) in order to execute the deployment of the forces and start execution of the mission.

*Article 4*

This Decision shall take effect on the day of its adoption.

*Article 5*

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 8 December 2008.

*For the Council*  
*The President*  
B. KOUCHNER

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## ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

## COUNCIL FRAMEWORK DECISION 2008/919/JHA

of 28 November 2008

## amending Framework Decision 2002/475/JHA on combating terrorism

THE COUNCIL OF THE EUROPEAN UNION,

inter-link international networks and increasingly rely on the use of new technologies, in particular the Internet.

Having regard to the Treaty on European Union, and in particular Article 29, Article 31(1)(e) and Article 34(2)(b) thereof,

- (4) The Internet is used to inspire and mobilise local terrorist networks and individuals in Europe and also serves as a source of information on terrorist means and methods, thus functioning as a 'virtual training camp'. Activities of public provocation to commit terrorist offences, recruitment for terrorism and training for terrorism have multiplied at very low cost and risk.

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

- (5) The Hague Programme on strengthening freedom, security and justice in the European Union, adopted by the European Council on 5 November 2004, underlines that effective prevention and combating of terrorism in full compliance with fundamental rights requires Member States not to confine their activities to maintaining their own security, but to focus also on the security of the Union as a whole.

Whereas:

- (1) Terrorism constitutes one of the most serious violations of the universal values of human dignity, liberty, equality and solidarity, respect for human rights and fundamental freedoms on which the European Union is founded. It also represents one of the most serious attacks on democracy and the rule of law, principles which are common to the Member States and on which the European Union is based.

- (6) The Council and Commission Action Plan implementing the Hague Programme on strengthening freedom, security and justice in the European Union <sup>(3)</sup>, recalls that a global response is required to address terrorism and that the expectations that citizens have of the Union cannot be ignored, nor can the Union fail to respond to them. In addition, it states that attention must focus on different aspects of prevention, preparedness and response to further enhance, and where necessary complement, Member States' capabilities to fight terrorism, concentrating particularly on recruitment, financing, risk analysis, protection of critical infrastructures and consequence management.

- (2) Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism <sup>(2)</sup> is the basis of the counter-terrorist policy of the European Union. The achievement of a legal framework common to all Member States, and in particular, of a harmonised definition of terrorist offences, has allowed the counter-terrorist policy of the European Union to develop and expand, subject to the respect of fundamental rights and the rule of law.

- (3) The terrorist threat has grown and rapidly evolved in recent years, with changes in the *modus operandi* of terrorist activists and supporters including the replacement of structured and hierarchical groups by semi-autonomous cells loosely tied to each other. Such cells

- (7) This Framework Decision provides for the criminalisation of offences linked to terrorist activities in order to contribute to the more general policy objective of preventing terrorism through reducing the dissemination of those materials which might incite persons to commit terrorist attacks.

<sup>(1)</sup> Not yet published in the Official Journal.

<sup>(2)</sup> OJ L 164, 22.6.2002, p. 3.

<sup>(3)</sup> OJ C 198, 12.8.2005, p. 1.

- (8) United Nations Security Council Resolution 1624 (2005) calls upon States to take measures that are necessary and appropriate, and in accordance with their obligations under international law, to prohibit by law incitement to commit terrorist act or acts and to prevent such conduct. The report of the Secretary-General of the United Nations 'Uniting against terrorism: recommendations for a global counter-terrorism strategy' of 27 April 2006, interprets the above-mentioned Resolution as providing for a basis for the criminalisation of incitement to terrorist acts and recruitment, including through the Internet. The United Nations Global Counter-Terrorism Strategy of 8 September 2006 mentions that the Member States of the UN resolve to explore ways and means to coordinate efforts at the international and regional level to counter terrorism in all its forms and manifestations on the Internet.
- (9) The Council of Europe Convention on the Prevention of Terrorism establishes the obligations of States parties thereto to criminalise public provocation to commit a terrorist offence and recruitment and training for terrorism, when committed unlawfully and intentionally.
- (10) The definition of terrorist offences, including offences linked to terrorist activities, should be further approximated in all Member States, so that it covers public provocation to commit a terrorist offence, recruitment for terrorism and training for terrorism, when committed intentionally.
- (11) Penalties should be provided for natural persons having intentionally committed or legal persons held liable for public provocation to commit terrorist offences, recruitment for terrorism and training for terrorism. These forms of behaviour should be equally punishable in all Member States irrespective of whether they are committed through the Internet or not.
- (12) Given that the objectives of this Framework Decision cannot be sufficiently achieved by the Member States unilaterally, and can therefore, because of the need for European-wide harmonised rules, be better achieved at the level of the Union, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the EC Treaty and referred to in Article 2 of the EU Treaty. In accordance with the principle of proportionality, as set out in Article 5 of the EC Treaty, this Framework Decision does not go beyond what is necessary in order to achieve those objectives.
- (13) The Union observes the principles recognised by Article 6(2) of the EU Treaty and reflected in the Charter of Fundamental Rights of the European Union, notably Chapters II and VI thereof. Nothing in this Framework Decision may be interpreted as being intended to reduce or restrict fundamental rights or freedoms such as freedom of expression, assembly, or of association, the right to respect for private and

family life, including the right to respect of the confidentiality of correspondence.

- (14) Public provocation to commit terrorist offences, recruitment for terrorism and training for terrorism are intentional crimes. Therefore, nothing in this Framework Decision may be interpreted as being intended to reduce or restrict the dissemination of information for scientific, academic or reporting purposes. The expression of radical, polemic or controversial views in the public debate on sensitive political questions, including terrorism, falls outside the scope of this Framework Decision and, in particular, of the definition of public provocation to commit terrorist offences.
- (15) The implementation of the criminalisation under this Framework Decision should be proportional to the nature and circumstances of the offence, with respect to the legitimate aims pursued and to their necessity in a democratic society, and should exclude any form of arbitrariness or discrimination,

HAS ADOPTED THIS FRAMEWORK DECISION:

#### Article 1

#### Amendments

Framework Decision 2002/475/JHA shall be amended as follows:

- Article 3 shall be replaced by the following:

#### 'Article 3

#### Offences linked to terrorist activities

- For the purposes of this Framework Decision:

- "public provocation to commit a terrorist offence" shall mean the distribution, or otherwise making available, of a message to the public, with the intent to incite the commission of one of the offences listed in Article 1(1)(a) to (h), where such conduct, whether or not directly advocating terrorist offences, causes a danger that one or more such offences may be committed;
- "recruitment for terrorism" shall mean soliciting another person to commit one of the offences listed in Article 1(1)(a) to (h), or in Article 2(2);
- "training for terrorism" shall mean providing instruction in the making or use of explosives, firearms or other weapons or noxious or hazardous substances, or in other specific methods or techniques, for the purpose of committing one of the offences listed in Article 1(1)(a) to (h), knowing that the skills provided are intended to be used for this purpose.



2. Each Member State shall take the necessary measures to ensure that offences linked to terrorist activities include the following intentional acts:

- (a) public provocation to commit a terrorist offence;
- (b) recruitment for terrorism;
- (c) training for terrorism;
- (d) aggravated theft with a view to committing one of the offences listed in Article 1(1);
- (e) extortion with a view to the perpetration of one of the offences listed in Article 1(1);
- (f) drawing up false administrative documents with a view to committing one of the offences listed in Article 1(1)(a) to (h) and Article 2(2)(b).

3. For an act as set out in paragraph 2 to be punishable, it shall not be necessary that a terrorist offence be actually committed.'

2. Article 4 shall be replaced by the following:

'Article 4

#### **Aiding or abetting, inciting and attempting**

1. Each Member State shall take the necessary measures to ensure that aiding or abetting an offence referred to in Article 1(1), Articles 2 or 3 is made punishable.

2. Each Member State shall take the necessary measures to ensure that inciting an offence referred to in Article 1(1), Article 2 or Article 3(2)(d) to (f) is made punishable.

3. Each Member State shall take the necessary measures to ensure that attempting to commit an offence referred to in Article 1(1) and Article 3(2)(d) to (f), with the exception of possession as provided for in Article 1(1)(f) and the offence referred to in Article 1(1)(i), is made punishable.

4. Each Member State may decide to take the necessary measures to ensure that attempting to commit an offence referred to in Article 3(2)(b) and (c) is made punishable.'

#### *Article 2*

#### **Fundamental principles relating to freedom of expression**

This Framework Decision shall not have the effect of requiring Member States to take measures in contradiction of fundamental principles relating to freedom of expression, in particular freedom of the press and the freedom of expression in other media as they result from constitutional traditions or rules governing the rights and responsibilities of, and the procedural guarantees for, the press or other media where these rules relate to the determination or limitation of liability.

#### *Article 3*

#### **Implementation and report**

1. Member States shall take the necessary measures to comply with this Framework Decision by 9 December 2010. In the implementation of this Framework Decision, Member States shall ensure that the criminalisation shall be proportionate to the legitimate aims pursued and necessary in a democratic society and shall exclude any form of arbitrariness and discrimination.

2. By 9 December 2010, Member States shall forward to the General Secretariat of the Council and to the Commission the text of the provisions transposing into their national law the obligations imposed on them under this Framework Decision. On the basis of a report drawn up from that information and a report from the Commission, the Council shall assess, by 9 December 2011, whether Member States have taken the necessary measures to comply with this Framework Decision.

#### *Article 4*

#### **Entry into force**

This Framework Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 28 November 2008.

*For the Council*

*The President*

M. ALLIOT-MARIE

**NOTE TO THE READER**

The institutions have decided no longer to quote in their texts the last amendment to cited acts.

Unless otherwise indicated, references to acts in the texts published here are to the version of those acts currently in force.