



**COUNCIL OF
THE EUROPEAN UNION**



12353/09 (Presse 228)

PRESS RELEASE

2957th Council meeting

General Affairs and External Relations

General Affairs

Brussels, 27 July 2009

President **Ms Cecilia MALMSTRÖM**
Minister for EU Affairs of Sweden

* The 2958th meeting on External Relations is the subject of a separate press release (12354/09).

P R E S S

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12353/09 (Presse 228)

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Main results of the Council

*The Council invited that the Commission to give an opinion on an application by **Iceland** for membership of the European Union.*

*It adopted a common position extending the scope of restrictive measures against **North Korea**, in accordance with UN Security Council resolution 1874 (2009), following the testing of a nuclear device by North Korea in May.*

*It adopted joint actions extending the duration of the EU's monitoring mission in **Georgia** and the mandate of the EU special representative for the crisis in Georgia.*

*The Council adopted a regulation introducing a legal framework for **credit rating agencies**, providing for a legally-binding registration and surveillance system, and a directive aimed at tightening the rules on **capital requirements for banks**, in response to specific weaknesses identified in the light of the financial crisis.*

*The Council adopted a programme on **electronic interoperability** solutions for European public administrations, with a EUR 164.1 million budget for the 2010-15 period, and a directive making the **900 MHz frequency band**, used for GSM, available for UMTS and other systems so as to provide a broader choice of services.*

*It adopted a regulation setting restrictions on the marketing of **seal products**, in response to concerns about seal hunting practices.*

*The Council also approved new rules for the coordination of **social security** systems, so as to make it easier for citizens to exercise their right to move from one member state to another for study, leisure or professional reasons.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
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PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Yves LETERME
Mr Olivier CHASTEL

Minister for Foreign Affairs
State Secretary for European Affairs

Bulgaria:

Mr Boyko KOTZEV

Permanent Representative

Czech Republic:

Mr Jan KOHOUT
Mr Štefan FÜLE

Deputy Prime Minister and Minister for Foreign Affairs
Minister for European Affairs

Denmark:

Poul Skytte CHRISTOFFERSEN

Permanent Representative

Germany:

Mr Günter GLOSER

Minister of State, Ministry of Foreign Affairs

Estonia:

Mr Urmas PAET

Minister for Foreign Affairs

Ireland:

Mr Dick ROCHE

Minister of State at the Department of the Taoiseach and
at the Department of Foreign Affairs with special
responsibility for European Affairs

Greece:

Ms Dora BAKOYANNI

Minister for Foreign Affairs

Spain:

Mr Diego LÓPEZ GARRIDO

State Secretary for the European Union

France:

Mr Bernard KOUCHNER
Mr Pierre LELLOUCHE

Minister for Foreign and European Affairs
State Secretary with responsibility for European affairs

Italy:

Mr Franco FRATTINI

Minister for Foreign Affairs

Cyprus:

Mr Markos KYPRIANOU

Minister for Foreign Affairs

Latvia:

Mr Andris TEIKMANIS

State Secretary, Ministry of Foreign Affairs

Lithuania:

Mr Vygaudas UŠACKAS

Minister for Foreign Affairs

Luxembourg:

Mr Jean ASSELBORN

Deputy Prime Minister, Minister for Foreign Affairs and
Immigration

Hungary:

Mr Péter BALÁZS

Minister for Foreign Affairs

Malta:

Mr Tonio BORG

Deputy Prime Minister and Minister of Foreign Affairs

Netherlands:

Mr Tom de BRUIJN

Permanent Representative

Austria:

Mr Michael SPINDELEGGGER

Federal Minister for European and International Affairs

Poland:

Mr Radosław SIKORSKI

Minister for Foreign Affairs

Portugal:

Mr Luis AMADO

State Minister and Minister for Foreign Affairs

Ms Teresa RIBEIRO

State Secretary for European Affairs

Romania:

Mr Cristian DIACONESCU

Minister for Foreign Affairs

Slovenia:

Mr Igor SENČAR

Permanent Representative

Slovakia:

Ms Oľga ALGAYEROVÁ

State Secretary at the Ministry of Foreign Affairs

Finland:

Mr Alexander STUBB

Minister for Foreign Affairs

Ms Astrid THORS

Minister for Migration and European Affairs

Sweden:

Mr Carl BILDT

Minister for Foreign Affairs

Ms Cecilia MALMSTRÖM

Minister for European Affairs

Mr Frank BELFRAGE

State Secretary at the Ministry of Foreign Affairs

United Kingdom:

Mr David MILIBAND

Secretary of State for Foreign and Commonwealth Affairs

Commission:

Mr Antonio TAJANI

Vice President

General Secretariat of the Council:

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

ITEMS DEBATED

PRESIDENCY PRIORITIES

The Council took note of the priorities set by the Swedish presidency for the duration of its term of office, from July to December 2009. It held a brief exchange of views.

EU STRATEGY FOR THE BALTIC SEA REGION

The Council took note of the presentation by the Commission of a communication on the EU's strategy for the Baltic Sea region and an associated action plan ([11308/09](#) + [ADD 3](#)). It held an exchange of views.

The proposed strategy is aimed at creating a sustainable environment for the Baltic Sea, enhancing prosperity in the region and making it an accessible, attractive, safe and secure place. The Baltic Sea region is a heterogeneous area in economic, environmental and cultural terms, yet the countries concerned, eight of which are members of the EU, share common resources and demonstrate considerable interdependence.

The Commission's communication comes in response to a request from the European Council last December. Preparatory work has already started with a view to enabling the Council to adopt conclusions at its meeting on 26 and 27 October.

ENLARGEMENT - *Council conclusions*

The Council adopted the following conclusions:

"The Council recalls the renewed consensus on enlargement as expressed in the conclusions of the European Council of 14/15 December 2006, including the principle that each applicant country is assessed on its own merits.

In a letter dated on 16 July 2009, Prime Minister Ms. Jóhanna Sigurðardóttir and Minister for Foreign Affairs Mr. Össur Skarphéðinsson presented the application of Iceland for membership of the European Union.

The Council decides to implement the procedure laid down in Article 49 of the Treaty on European Union. Accordingly, the Commission is invited to submit to the Council its opinion on this application.

The Council seizes this opportunity to reiterate its full support for the European perspective of the Western Balkans, and stresses that it will return to Albania's application for membership once the Albanian election procedure has been completed."

OTHER BUSINESS

– **Aegean and South East Mediterranean**

The Council took note of concerns expressed by the Cypriot and Greek delegations regarding activities by Turkey in the Aegean and South East Mediterranean.

OTHER ITEMS APPROVED**EXTERNAL RELATIONS****Kenya - Council conclusions**

The Council adopted the following conclusions:

- "1. The Council closely follows the reform process in Kenya, as set out under the National Accord and Reconciliation Act (2008), mediated by the AU-panel of eminent African personalities under H.E. Kofi Annan. It considers that prompt implementation of the agreed reforms are of critical importance for reconciliation, nation-building, development and prevention of further conflict in Kenya.
2. The Council recognizes Kenya's key role for regional stability and the importance of Kenya's partnership in addressing issues of regional significance, e.g. the fight against piracy. The Council underlines that the carrying out of the reform agenda is of crucial importance not only for Kenya but also for the region as a whole.
3. The Council notes that some procedural steps have been taken in order to advance reforms. It strongly encourages the Government of Kenya to use this momentum to ensure timely and decisive implementation of all the areas in the National Accord and Reconciliation Act. The Council urges Kenya's political leaders to speed up the implementation of reforms, with priority given to comprehensive constitutional reform, electoral reform, police and judicial reform as well as enhanced measures to put an end to impunity for crimes related to violence and corruption.
4. The Council calls for the establishment of a credible, independent, constitutionally protected local special tribunal to end the impunity of perpetrators of the post-election violence. The Council also welcomes the Kenyan authorities' cooperation with the International Criminal Court and fully supports H.E. Kofi Annan's efforts to facilitate results.

5. The Council expresses its deep concern over reports of human rights violations and threats against human rights defenders as well as reports on extrajudicial killings. It calls upon the Government to promptly investigate and bring to justice all perpetrators of unlawful killings, including perpetrators within the security forces. It calls for the development of improved mechanisms of accountability in this regard.

The Council reiterates its willingness to support the reform process."

Democratic People's Republic of Korea - Restrictive measures

The Council adopted a common position amending common position 2006/795/CFSP on restrictive measures against the Democratic People's Republic of Korea, extending the scope of those measures in accordance with UN Security Council resolution 1874 (2009).

This follows the testing of a nuclear explosive device by Democratic People's Republic of Korea on 25 May.

For details see press release [12391/09](#).

Iran - Technical amendment to restrictive measures

The Council adopted a regulation introducing a technical amendment to regulation 423/2007 on restrictive measures against Iran ([11085/09](#)).

The regulation extends until 31 December 2010 the transition period for implementation of a prior notification obligation in respect of certain shipments to and from Iran. The prior notification obligation was imposed by regulation 1110/2008 (*OJ L 300, 11.11.2008, p. 1*), adopted by the Council in November 2008 pursuant to common position 2008/652/CFSP (*OJ L 213, 8.8.2008, p. 58*).

Implementation of the chemical weapons convention

The Council adopted a decision on support for the activities of the Organisation for the Prohibition of Chemical Weapons (OPCW), in the framework of the EU's strategy against proliferation of weapons of mass destruction ([10317/09](#)).

The EU will support OPCW activities aimed at fostering full implementation of the chemical weapons convention by the states parties to it, enhancing international cooperation in the field of chemical activities and encouraging other states to join the convention.

The decision renews support provided through consecutive EU joint actions since 2005, the last of which is to expire at the end of July.

The EU's financial contribution under the decision amounts to EUR 2.11 million.

EUROPEAN SECURITY AND DEFENCE POLICY

Extension of the mandate of the EU monitoring mission in Georgia

The Council adopted a joint action extending the EU's monitoring mission in Georgia, which was due to expire on 14 September 2009, for an additional twelve months until 14 September 2010 ([11471/09](#)).

It also adopted a joint action extending the mandate of the EU's special representative for the crisis in Georgia, Pierre Morel, for a further six months, until 28 February 2010 ([11833/09](#)), and a decision extending by two months, until 30 September 2009, its decision concerning the international fact-finding mission on the conflict in Georgia.

Croatia - Participation in the EU's military operation against piracy off the Somali coast

The Council adopted a decision approving the signing of an agreement with Croatia on its participation in Atalanta, the EU's military operation against piracy off the Somali coast ([10088/09](#)).

The agreement will enable Croatia to participate in the operation in support of resolutions 1814, 1816, 1838 and 1846 adopted in 2008 by the United Nations Security Council.

The agreement will be applied on a provisional basis as from the date of signature, pending its formal conclusion.

More information on "Atalanta" is available at: <http://www.consilium.europa.eu/eunavfor-somalia>

DEVELOPMENT COOPERATION

Consultations with the Republic of Guinea

The Council adopted a decision concluding consultations held with the Republic of Guinea under Article 96 of the ACP-EU partnership agreement, with a view to assisting the country's return to constitutional rule ([11766/09](#)).

For more information, see press release [12379/09](#).

EU/Eastern Africa - Economic partnership agreement

The Council adopted a decision authorising the signature and provisional application of an agreement establishing a framework for an economic partnership agreement with the East African Community partner states: Burundi, Kenya, Rwanda, Tanzania and Uganda ([17462/08](#)).

The framework comprises commitments and negotiations, with the aim of incorporating additional elements in order to arrive at a full economic partnership agreement (EPA).

The general objectives of the EPA are to:

- contribute to economic growth and development through the establishment of a strengthened trade partnership;
- promote regional integration, economic cooperation and good governance in the East African Community (EAC);
- promote the gradual integration of the EAC into the world economy;
- fostering the structural transformation of EAC economies, and their diversification and competitiveness by enhancing their production, supply and trading capacity;

- improve capacities in terms of trade policy;
- 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.

TRADE POLICY

EU/Turkmenistan - Interim trade agreement

The Council adopted a decision approving the conclusion of an interim agreement with Turkmenistan on trade and trade-related matters.

The interim agreement has been approved pending the entry into force of a partnership and cooperation agreement with Turkmenistan, which was signed in Brussels on 25 May 1998.

Anti-dumping measures: Plastic bags, wire rods, polyethylene terephthalate and glyphosate

The Council adopted regulations:

- imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of wire rod originating in China and terminating the proceeding concerning imports of wire rod originating in the Republic of Moldova and Turkey ([11865/09](#));
- terminating the partial interim review of the anti-dumping measures applicable to imports of certain plastic sacks and bags originating in China ([11777/09](#)); and

- terminating the "new exporter" review of regulation 192/2007 imposing a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating, *inter alia*, in Malaysia, re-imposing the duty with regard to imports from one exporter in this country and terminating the registration of these imports ([11564/09](#)). Polyethylene terephthalate (PET) is a polyester commonly used in the plastic industry.

On 15 July, the Council also decided, by written procedure, to bring an appeal before the European Court of Justice against the judgment of the European Court of First Instance of 17 June 2009 in case T-498/04: Zhejiang Xinan Chemical Industrial Group Co. Ltd against Council of the EU, regarding the annulment of anti-dumping measures imposed by the EU in 2004 on imports of glyphosate originating in China. Glyphosate is a herbicide chemical widely used by farmers throughout the world.

GENERAL AFFAIRS

Work in the Council's different configurations

The Council took note of a report from the presidency on proceedings in the Council's other configurations ([12158/09](#)).

ECONOMIC AND FINANCIAL AFFAIRS

Credit rating agencies

The Council adopted a regulation introducing a legal framework for credit rating agencies, following an agreement reached with the European Parliament in first reading ([3642/09](#)).

The regulation is aimed at ensuring that credit ratings used in the EU for regulatory purposes are of the highest quality, and issued by agencies that are subject to stringent requirements. It comes in response to calls from both the European Council and the G-20.

The regulation provides for a legally-binding registration and surveillance system for credit rating agencies issuing ratings that are intended for use for regulatory purposes.

For details, see press release [12380/09](#).

Bank capital requirements

The Council adopted a directive updating the EU's capital requirements for banks, following an agreement reached with the European Parliament in first reading ([3670/09](#)).

The directive is aimed at tightening up the rules on capital requirements for banks, in response to specific weaknesses identified in the light of the financial crisis.

It amends directives 2006/48/EC and 2006/49/EC¹ in five main areas:

- Strengthening the supervision of cross-border banking groups:
- Improving the framework for securitisation practices.
- Harmonising the classification of banks' "tier 1" capital funds and hybrid instruments, with a central role given to CEBS in ensuring greater uniformity of supervisors' practices.
- Introducing rules on liquidity risk management, in particular as regards the setting up of liquid asset reserves, conducting liquidity stress tests and establishing contingency plans.
- Tightening the supervision of exposure to a single counterparty ("large exposures").

For details, see press release [12380/09](#).

¹ Directive 2006/48/EC relating to the taking up and pursuit of the business of credit institutions; Directive 2006/49/EC on the capital adequacy of investment firms and credit institutions.

Cross-border payments

The Council adopted a regulation on cross-border payments in euros, following an agreement reached with the European Parliament in first reading ([3665/09](#)).

The regulation is aimed at achieving a single market for payment services in euros without distinction between cross-border payments and payments made on a national basis.

It updates and replaces regulation 2560/2001 on cross-border payments, extending the principle of the equality of charges to direct debits, and aligning definitions and the wording with those of directive 2007/64/EC on payment services.

For details, see press release [12380/09](#).

Electronic money

The Council adopted a directive on electronic money, following an agreement reached with the European Parliament in first reading ([3666/09](#)).

The directive is aimed at promoting the design of electronic money services that are both innovative and secure, whilst fostering competition between market participants and providing market access to new players. It updates the provisions of directive 2000/46/EC, and endeavours to ensure consistency with directive 2007/64/EC on payment services.

For details, see press release [12380/09](#).

Programme to support the effectiveness of EU policies

The Council adopted a decision establishing a programme on financial services, following an agreement reached with the European Parliament in first reading ([3671/09](#)).

The programme will enable the Community to participate in the funding of certain bodies, both European and international, so as to ensure the effectiveness of EU policies in the financial services sector and in the fields of financial reporting and statutory audit.

The decision provides for a financial envelope amounting to EUR 38.7 million for the 2010-13 period.

For details, see press release [12380/09](#).

Slovenia - External auditor of the national central bank

The Council adopted a decision approving the appointment of Deloitte revizija d.o.o as the external auditor of the Bank of Slovenia for the years 2009 to 2011 ([11244/09](#)).

JUSTICE AND HOME AFFAIRS

EU/Western Balkans - Action plan on drugs

The Council approved an updated action plan on drugs between the EU and the countries of the Western Balkans for the period 2009-2013 ([12185/09](#)).

The plan replaces a previous action plan, adopted in 2003 to address drug-related problems along the Balkan route. The objective is to maintain a framework for cooperation with the Western Balkan countries and to contribute to the coordination of efforts in implementation of various EU programmes and regional initiatives.

The plan encompasses both supply and demand.

EU/United States - Negotiations on payment data

The Council approved guidelines for negotiations with the United States for an international agreement to make financial payment messaging data available to the US Treasury Department in order to prevent terrorism and terrorist financing ("Swift system").

Cooperation at external borders - Participation of Liechtenstein and Switzerland

The Council adopted a decision approving the signing of an arrangement with Liechtenstein and Switzerland on their participation in Frontex, the EU's agency for cooperation at external borders ([10701/09](#)).

Frontex was established in 2004 under regulation 2007/2004 (<http://www.frontex.europa.eu/>).

RESEARCH

EU/Russia - Association with the seventh research framework programmes

The Council approved guiding principles for negotiations to be conducted by the Commission on the possible association of the Russian Federation with the EU's seventh framework programmes for research, technological development and demonstration activities in the framework of a new EU-Russia agreement.

Programme on metrology

The Council adopted a decision approving participation by the EU in a European metrology research programme ([3661/09](#)).

The decision will enable the Community to make a contribution of up to EUR 200 million to the future European metrology research programme (EMRP).

The EMRP will be undertaken jointly by nineteen EU member states plus three third countries,¹ with a view to establishing the necessary legal and organisational framework for large-scale cooperation on metrology research and responding to growing demand in Europe for cutting-edge metrology, particularly in emerging technological areas.

Metrology, the science of measurement, is a cross-disciplinary field and a vital component of a modern knowledge-based society. Reliable and comparable measurement standards and appropriate validated measuring and test methods underpin the processes of scientific advancement and technological innovation and thus have a significant impact on the economy and the quality of life.

The EU's seventh research framework programme (2007-2013)² provides for Community participation in research and development programmes undertaken by several member states, including participation in the structures created for the execution of those programmes.

TRANSPORT

Freight transport - Amendment to the Marco Polo II programme

The Council adopted a regulation amending regulation 1692/2006 on the EU's second "Marco Polo" programme for the granting of Community financial assistance to improve the environmental performance of the freight transport system, following an agreement reached with the European Parliament in first reading ([3660/09](#)).

¹ Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom, as well as Norway, Switzerland and Turkey.

² Official Journal L 412, 30.12.2006, p. 1.

The amendment to the Marco Polo II programme is intended to increase its effectiveness in terms of shifting cargo from road transport to transport by sea, inland waterway and rail. The new regulation addresses problems encountered under the current regulation in that a substantial part of the allocated budget has not been used.

These problems are addressed through the following: measures to facilitate the participation of small enterprises and micro-enterprises; lowering the action eligibility thresholds; increasing the funding intensity; and simplifying the programme's implementation and administrative procedures.

The Commission will present a communication on the results achieved by the Marco Polo programme for the period 2003-2010, before drawing up a proposal for a third Marco Polo programme.

Marco Polo was established in 2003 by regulation 1382/2003 with a view to offering alternatives using other modes of transport to operators on congested roads.

ENERGY

Euratom/Canada cooperation agreement - Atomic energy

The Council approved directives for the re-negotiation of a cooperation agreement between the Euratom (the European Atomic Energy Community) and Canada on peaceful uses of atomic energy.

The current agreement, signed in 1959, and its subsequent amendments cover trade in nuclear materials, equipment, the use of intellectual property rights, the exchange of information, as well as the transfer and use of tritium and related equipment for the Euratom fusion programme.

TELECOMMUNICATIONS

Interoperability solutions for European public administrations

The Council adopted a decision establishing, for the period 2010-2015, a programme on interoperability solutions for European public administrations (ISA programme) (PE-CONS [3667/09](#)).

The programme is aimed at supporting cooperation between administrations, including local and regional administrations and Community institutions and bodies, by facilitating electronic cross-border and cross-sectoral interaction.

The financial envelope for implementation of the programme for the five-year period is set at EUR 164.1 million.

The ISA programme is a follow-on to the IDABC programme (interoperable delivery of pan-European eGovernment services to public administrations, businesses and citizens), which will end on 31 December 2009.

Frequency bands for public cellular digital land-based mobile communications

The Council adopted a directive amending directive 87/372/EEC on the frequency bands reserved for public pan-European cellular digital land-based mobile communications in the Community (PE-CONS [3673/09](#)).

The directive makes the 900 MHz band available not only for GSM, but also for UMTS and other terrestrial electronic communications systems, provided they can coexist with GSM systems without harmful interference. Its objective is to maximise competition by offering users a wider choice of services and technologies, while maintaining the availability of GSM throughout Europe.

Member states are to ensure that the assignment of the 900 MHz band to competing mobile operators does not distort competition in mobile markets.

They will have six months from the entry into force of the directive to comply with its provisions.

COMPANY LAW

Mergers and divisions of EU companies - Simplification of requirements

The Council adopted, by qualified majority, a directive simplifying the rules on reporting and documentation requirements in the event of mergers and divisions of EU companies, following an agreement with the European parliament in first reading ([3644/09](#) and [11140/1/09 ADD 1](#)).

The German and Austrian delegations voted against.

The directive is aimed at reducing costs relating to mergers or divisions by limiting detailed reporting requirements, as well as by allowing companies to provide the necessary information to shareholders or third parties by electronic means, instead of convening general meetings. It modifies directive 78/855/EEC on mergers (3rd company law directive) and directive 82/891/EEC on divisions of companies (6th company law directive).

It also introduces the necessary adjustments to directives 2005/56/EC (on cross-border mergers) and 77/91/EEC (as regards safeguards relating to the company's capital), in line with the modifications to the 3rd and 6th directives.

Member states must bring the new provisions into force before 30 June 2011. The Commission will review their functioning five years after that date and, in particular, their effects on the reduction of administrative burdens on companies in the light of experience acquired in their application.

SOCIAL POLICY

Coordination of social security systems

The Council adopted regulations aimed at modernising and simplifying the coordination of member states' social security systems, following an agreement reached with the European Parliament in second reading ([3646/09](#) + [11162/09 ADD 1](#), [3647/09](#) + [11600/09 ADD 1](#)).

Adoption of the two new regulations will allow new EU social security coordination rules to come into application on 1 March 2010, making it easier for citizens to exercise their rights to move from one member state to another for study, leisure or professional reasons.

For details, see press release [12369/09](#).

ENVIRONMENT

Marketing of seal products

The Council adopted a regulation setting restrictions for the placing on the market of seal products, following an agreement reached with the European Parliament in first reading ([3668/09](#) + [11152/09 ADD 1](#)).

The decision comes in response to concerns about seal hunting practices.

For more information, see press release [12370/09](#).

Marketing of biocidal products

The Council adopted a directive extending, by four years until 14 May 2014, the deadline for completion of an evaluation of active substances used in biocidal products, following an agreement reached with the European Parliament in the first reading ([3624/09](#) + [11521/09 ADD 1](#)).

The directive also provides for a four-year extension of a transitional period during which the marketing of biocides will continue to be regulated by national rules.

Biocidal products: tolylfluanid and flocoumafen - List of active substances

The Council decided not to oppose adoption by the Commission of directives including tolylfluanid and flocoumafen in the list of active substances to be assessed under directive 98/8/EC on the marketing of biocidal products.

The draft directives are subject to the regulatory procedure with scrutiny, allowing the Council to oppose the adoption of legal acts by the Commission. Now that the Council has given the go-ahead, the Commission may adopt the directive, unless the European Parliament objects.

Trade in dangerous chemicals

The Council decided not to oppose adoption by the Commission of a regulation on the export and import of dangerous chemicals.

The draft regulation adds certain substances to the list of chemicals subject to an export notification procedure and to the list of chemicals which are banned or restricted and which require a prior informed consent notification (PIC notification). It also deletes certain entries on both lists.

The draft regulation is subject to the regulatory procedure with scrutiny, allowing the Council to oppose the adoption of legal acts by the Commission. Now that the Council has given the go-ahead, the Commission may adopt the regulation, unless the European Parliament objects.

Infrastructure for spatial information

The Council decided not to oppose adoption by the Commission of a regulation implementing directive 2007/2/EC on an EU infrastructure for spatial information (INSPIRE) for the purposes of EU environmental policies.

The draft regulation sets out requirements for the establishment and maintenance of network services which the member states are required to establish and operate for spatial data sets.

It is subject to the regulatory procedure with scrutiny, allowing the Council to oppose the adoption of legal acts by the Commission. Now that the Council has given the go-ahead, the Commission may adopt the regulation, unless the European Parliament objects.

Substances that deplete the ozone layer

The Council adopted a regulation recasting, for the purposes of clarity and simplification, regulation 2037/2000 on substances that deplete the ozone layer ([3622/09](#)).

Regulation 2037/2000, which has been substantially amended several times, lays down rules on the production, import, export, placing on the market, use, recovery, recycling, reclamation and destruction of substances that deplete the ozone layer.

AGRICULTURE

Maximum residue levels for certain pesticides

The Council decided not to oppose adoption of a regulation by the Commission on maximum residue levels of certain pesticides in or on food and feed of plant and animal origin.

The draft regulation concerns azoxystrobin, atrazine, chlormequat, cyprodinil, dithiocarbamate, fludioxonil, fluroxypyr, indoxacarb, mandipropamid, potassium tri-iodide, spirotetramat, tetraconazole and thiram.

The draft regulation is subject to the regulatory procedure with scrutiny, allowing the Council to oppose the adoption of legal acts by the Commission. Now that the Council has given the go-ahead, the Commission may adopt the regulation, unless the European Parliament objects.

FISHERIES

Total allowable catches - Adjustments for 2009

The Council adopted a regulation amending regulation 43/2009 on fishing opportunities for 2009 and associated conditions for certain fish stocks and groups of fish stocks ([11973/09](#)).

Regulation 43/2009 is amended as regards:

- the maximum allowable effort allocated to a number of EU member states, following the exclusion of groups of vessels from the application of an effort regime under regulation 1342/2008 on the long-term plan for the management of cod stocks;
- the maximum number of vessels and the allocation among member states of quotas for bluefin tuna, in line with a recovery plan for bluefin tuna adopted in April (regulation 302/2009);
- the establishment of a system of real-time closures in the North Sea and Skagerrak with a view to protecting cod, haddock, saithe and whiting juveniles;
- implementation of international recommendations on Antarctic krill; the management of redfish in the Irminger Sea and adjacent waters; the EU share of redfish in Greenland waters; and the protection of vulnerable marine ecosystems from adverse impacts in the NEAFC (North-East Atlantic Fisheries Commission) area;
- an additional 750 tonnes of cod available for EU vessels in Norwegian waters following an agreement with Norway;
- the labelling of frozen fish from the NEAFC area; and
- management areas for Greenland halibut, mackerel and horse mackerel quotas, covering both EU and international waters of area Vb, in order to avoid misreporting.

Cod fishing effort regime - Spain and Sweden

The Council adopted a regulation excluding certain vessels from a fishing effort regime imposed under a long-term plan for the conservation of cod stocks ([11974/09](#)).

The regulation establishes an exemption from the fishing effort regime imposed on Community vessels under regulation 1342/2008 for:

- Spanish vessels using bottom trawls and targeting deep-sea species and hake off the West of Scotland, and
- Swedish vessels using a sorting grid and targeting Norway lobster in the Skagerrak and Kattegat.

Regulation 1342/2008 establishes a fishing effort regime whereby fishing opportunities for cod catches in terms of fishing effort are allocated to member states on an annual basis. Under that regulation the Council may exclude, under certain conditions, groups of vessels from the application of the fishing effort regime, following a Commission proposal and the advice of the Scientific, Technical and Economic Committee for Fisheries.

BUDGET

Court of Auditors special report on spending on waste water treatment - *Council conclusions*

The Council adopted conclusions on special report 3/2009 by the Court of Auditors on the effectiveness of structural measures spending on waste water treatment for the 1994-1999 and 2000 -2006 programme periods([11995/09](#)).

Court of Auditors special report on development cooperation - *Council conclusions*

The Council adopted conclusions on special report 4/2009 by the Court of Auditors on the Commission's management of non-state actors' involvement in European Community development cooperation ([12194/09](#)).

STATISTICS

Statistics on the information society

The Council decided not to oppose adoption by the Commission of a regulation implementing regulation 808/2004 on Community statistics on the information society, determining the data to be supplied for preparation of the statistics referred to in that regulation and the deadlines for their transmission.

The draft regulation is subject to the regulatory procedure with scrutiny, allowing the Council to oppose the adoption of legal acts by the Commission. Now that the Council has given the go-ahead, the Commission may adopt the regulation, unless the European Parliament objects.

TRANSPARENCY

Transparency - Public access to documents

The Council adopted the reply to confirmatory application No 17/c/01/09 (*doc.* [11283/09](#)).

APPOINTMENTS

Director-general of the EU military staff

The Council adopted a decision appointing Lieutenant General Ton van OSCH (The Netherlands) as director-general of the European Union military staff (EUMS) as from 28 May 2010. He will replace Lieutenant General David LEAKEY (United Kingdom), whose term of office expires on 27 May 2010.

EUMS is a directorate general of the EU Council General Secretariat. Directly attached to the Secretary General/High Representative, it provides early warning, strategic planning and situation assessment.

Committee of the Regions

The Council adopted a decision appointing for the remainder of the current term of office, ending on 25 January 2010

a) as member:

Mr José Antonio GRIÑÁN MARTÍNEZ, Presidente de la Junta de Andalucía.

b) as an alternate member:

Mr Roger EVANS, Assembly Member for Havering & Redbridge, England (appointed on behalf of Greater London Assembly)

Economic and Social Committee

The Council adopted a decision appointing as members for the remainder of the current term of office, which runs until 20 September 2010.

Mr Sorin Cristian STAN, Employees Group (Group II)

Mr József NAGY, Various Interest Group (GROUP III)

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Other

The Council also adopted a series of decisions on the appointment of members of various advisory committees and of members of governing boards of EU agencies (see doc. [12270/09](#)).
