



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

Subject: MONTHLY SUMMARY OF COUNCIL ACTS MARCH 2013

This document lists the acts adopted by the Council in March 2013.^{1 2}

It provides information on the adoption of legislative acts, including:

- the date of adoption,
- the relevant Council session,
- the number of the document adopted,
- the Official Journal reference,
- applicable voting rules, voting results and, where appropriate, explanations of vote and statements published in the minutes of the Council.

¹ With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

² In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two institutions.

This document also contains information on the adoption of non-legislative acts that the Council has decided to make public.

This document is also available on the Council's website at:

<http://consilium.europa.eu/documents/legislative-transparency/monthly-summaries-of-council-acts>

Documents listed in the summary may be obtained from the public register of Council documents at: <http://consilium.europa.eu/documents/access-to-council-documents-public-register>

It should be noted that this document is exclusively for information purposes- only Council minutes are authentic. These are available on the Council's website at:

<http://consilium.europa.eu/documents/legislative-transparency/council-minutes>

**INFORMATION ON THE ACTS ADOPTED BY THE COUNCIL
IN MARCH 2013**

3227th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS) held in Brussels on 5 March 2013

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Implementing Decision authorising the Kingdom of the Netherlands to apply a measure derogating from Article 193 of Directive 2006/112/EC on the common system of value added tax	6487/13
Council Conclusions on the quality of public expenditure	6728/1/13 REV 1

3228th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS) held in Brussels on 7 and 8 March 2013

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the Official Journal of the European Union OJ L 69, 13.3.2013, p. 1–3	10222/5/11 REV 5	Unanimity	All Member States in favour

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
2013/129/EU: Council Decision of 7 March 2013 on subjecting 4-methylamphetamine to control measures OJ L 72, 15.3.2013, p. 11–12	6430/13
Council Implementing Regulation (EU) No 205/2013 of 7 March 2013 extending the definitive anti-dumping duty imposed by Implementing Regulation (EU) No 2/2012 on imports of certain stainless steel fasteners and parts thereof originating in the People's Republic of China to imports of certain stainless steel fasteners consigned from the Philippines, whether declared as originating in the Philippines or not and terminating the investigation concerning possible circumvention of anti-dumping measures imposed by that regulation by imports of certain stainless steel fasteners and parts thereof consigned from Malaysia and Thailand, whether declared as originating in Malaysia and Thailand or not OJ L 68, 12.3.2013, p. 1–8	6411/13
Council Decision on the position to be taken by the European Union within the relevant Committees of the United Nations Economic Commission for Europe regarding the adaptation to technical progress of Regulations Nos 3, 6, 7, 13, 19, 37, 43, 45, 46, 48, 51, 53, 60, 67, 69, 77, 87, 91, 106, 109, 117, 118, 119, 121, 128 and 129, and regarding the adaptation to technical progress of Global Technical Regulation No 12 of the United Nations Economic Commission for Europe	6616/13
2013/157/EU: Council Decision of 7 March 2013 fixing the date of application of Decision 2007/533/JHA on the establishment, operation and use of the second generation Schengen Information System (SIS II) OJ L 87, 27.3.2013, p. 8–9	6840/13 Voting Rule: Unanimity All MS in favour, except: Abstention: DE
2013/158/EU: Council Decision of 7 March 2013 fixing the date of application of Regulation (EC) No 1987/2006 of the European Parliament and of the Council on the establishment, operation and use of the second generation Schengen Information System (SIS II) OJ L 87, 27.3.2013, p. 10–11	6841/13 Voting Rule: Unanimity All MS in favour, except: Abstention: DE

3230th meeting of the Council of the European Union (FOREIGN AFFAIRS) held in Brussels on 11 March 2013

NON-LEGISLATIVE ACTS

ACT	DOCUMENT / STATEMENTS
Council Decision 2013/124/CFSP of 11 March 2013 amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran OJ L 68, 12.3.2013, p. 57–60	7030/13
Council Implementing Regulation (EU) No 206/2013 of 11 March 2013 implementing Article 12(1) of Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran OJ L 68, 12.3.2013, p. 9–13	7031/13
Council Conclusions on Pakistan	7107/13

3231st meeting of the Council of the European Union (GENERAL AFFAIRS) held in Brussels on 11 March 2013

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Council Decision No 252/2013/EU of 11 March 2013 establishing a Multiannual Framework for 2013-2017 for the European Union Agency for Fundamental Rights OJ L 79, 21.3.2013, p. 1–3	10449/12	Unanimity	All Member States in favour

STATEMENTS
Declaration of the Council concerning national minorities to be made at the time of adoption and entered into the Council minutes The Council Decision does not intend to define the notion of "national minority" and therefore the activities of the Fundamental Rights Agency under Article 2(h) affect neither the definition nor the existence of the term "national minority" as provided for by national law, nor the distribution of competences between the Union and the Member States in this respect.
Declaration of the Council concerning the review of the Multiannual Framework to be made at the time of adoption and entered into the Council minutes In the light of the ongoing review of the achievements of the European Union Agency for Fundamental Rights during its first five years of operations in accordance with Article 30(3) of Regulation No 168/2007, the Council agrees to examine any proposals for amendments to the Regulation that the Commission might submit to it pursuant to Article 31(2) of the mentioned Regulation, and to consider in that context the amendment of this Decision as regards the inclusion of police cooperation and judicial cooperation in criminal matters in the list of thematic areas. The Council also recalls the Council Declaration No 3 that was made when adopting the Regulation No 168/2007 of 15 February 2007.
Declaration of the Commission to be made at the time of adoption and entered into the Council minutes The Commission regrets the lack of agreement in the Council as regards the inclusion of the proposed new thematic areas of police cooperation and judicial cooperation in criminal matters in the new Multiannual Framework of the Fundamental Rights Agency (2013-2017). The Commission recalls that following the entry into force of the Treaty of Lisbon, police cooperation and judicial cooperation in criminal matters have become part of the law of the Union and are therefore covered by the scope of the tasks of the Agency, as all areas falling within the competences of the Union, in accordance with Article 3(1) of Council Regulation (EC) n°168/2007. However, in the absence of the inclusion of these thematic areas in the new Multiannual Framework, the Agency will be able to carry out its tasks in these areas only upon request of the European Parliament, the Council or the Commission, in accordance with Article 5(3) of Council Regulation (EC) n°168/2007.

NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
2013/127/EU: Council Decision of 11 March 2013 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Central Bank of Cyprus OJ L 70, 14.3.2013, p. 6–6	6310/13
Council Implementing Regulation (EU) No 217/2013 of 11 March 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain aluminium foils in rolls originating in the People's Republic of China OJ L 69, 13.3.2013, p. 11–20	6421/13
Council Implementing Regulation (EU) No 214/2013 of 11 March 2013 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain organic coated steel products originating in the People's Republic of China OJ L 73, 15.3.2013, p. 1–15	6535/13
Council Implementing Regulation (EU) No 215/2013 of 11 March 2013 imposing a countervailing duty on imports of certain organic coated steel products originating in the People's Republic of China OJ L 73, 15.3.2013, p. 16–97	6557/13 + COR 1
Council Conclusions on the Cooperation and Verification Mechanism	6269/13

3232nd meeting of the Council of the European Union (AGRICULTURE AND FISHERIES) held in Brussels on 18 and 19 March 2013	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Decision to authorise the opening of negotiations on behalf of the European Union for a new protocol to the Fisheries Partnership Agreement with the Union of the Comores	6890/13
STATEMENTS	
Statement by the Commission The Commission does not consider it necessary that a Council Decision authorising the opening of negotiations indicates a substantive legal basis. However, the Commission is not opposed to it in this case given the particular circumstances in the sector.	
Statement by the Netherlands delegation The Netherlands will vote in favour of the negotiating mandate with regard to the Fisheries Partnership Agreement between the EU and the Comores. The Netherlands have raised concerns on the bycatch of sharks and rays in the tuna fisheries. The ex-post evaluation indicates that by catches of sharks and rays occur. The Netherlands are of the opinion that the protocol with the Comores should agree on appropriate measures to prevent bycatches of sharks and rays.	
2013/138/EU: Council Decision of 18 March 2013 establishing the position to be taken on behalf of the European Union within the International Grains Council with respect to the extension of the Grains Trade Convention 1995 OJ L 77, 20.3.2013, p. 1–1	6516/13

2013/139/EU: Council Decision of 18 March 2013 establishing the position to be taken on behalf of the European Union within the International Sugar Council as regards the extension of the International Sugar Agreement 1992 OJ L 77, 20.3.2013, p. 2–2	6517/13
Council Implementing Regulation (EU) No 260/2013 of 18 March 2013 extending the definitive anti-dumping duty imposed by Regulation (EC) No 1458/2007 on imports of gas-fuelled, non-refillable pocket flint lighters originating in the People’s Republic of China to imports of gas-fuelled, non-refillable pocket flint lighters consigned from the Socialist Republic of Vietnam, whether declared as originating in the Socialist Republic of Vietnam or not OJ L 82, 22.3.2013, p. 10–17	6760/13
Council Decision authorising the opening of negotiations on a plurilateral agreement on trade in services	6891/13
Council Decision on the position to be taken, by the European Union, within the Joint Committee established by the Euro-Mediterranean Interim Association Agreement on Trade and Co-operation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority (PA) of the West Bank and the Gaza Strip, of the other part, with regard to the adoption of a Recommendation on the implementation of the European Union – Palestinian Authority European Neighbourhood Policy Action Plan	6995/13
Council Decision 2013/133/CFSP of 18 March 2013 appointing the European Union Special Representative for the Sahel OJ L 75, 19.3.2013, p. 29–32	5884/13
Council Decision 2013/134/CFSP of 18 March 2013 amending Decision 2011/173/CFSP concerning restrictive measures in view of the situation in Bosnia and Herzegovina OJ L 75, 19.3.2013, p. 33–33	6990/13

3233rd meeting of the Council of the European Union (ENVIRONMENT) held in Brussels on 21 March 2013

LEGISLATIVE ACTS

ACT	DOCUMENT	VOTING RULE	VOTES
Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 Text with EEA relevance OJ L 115, 25.4.2013, p. 39–75	7401/1/13 REV 1	Qualified majority	All Member States in favour

STATEMENTS

Statement by the European Commission
as regards the eligibility of projects of common interest for EU financial assistance in the context of trans-European energy infrastructures (Chapter V of Regulation xxx on Guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC).

The Commission underlines that it considers important that the support from EU and national sources extends to grants for works to enable the implementation of projects of common interest enhancing the diversification of energy supply sources, routes and counterparts. The Commission reserves the right to make proposals in this direction based on the experience gained from the monitoring of the implementation of projects of common interest in the context of the report foreseen in Article 17 of the Regulation on guidelines for trans-European energy infrastructures (No XXX).

Joint statement by Austria, Bulgaria and Romania

The abovementioned Member States, firmly convinced that hydropower and pumped storage play an important role in meeting the EU renewables target, express their regret for the exclusion of the hydro pumped electricity storage projects from the projects eligible for EU financial assistance in the form of grants for works, as provided by the proposal for a Regulation of the European Parliament and of the Council on guidelines for trans European energy infrastructure.

Austria, Bulgaria and Romania recall the acknowledgement, in the Commission's Communication Renewable Energy: a major player in the European energy market, that the renewables energy goal is "a headline target of the Europe 2020 strategy for smart, sustainable and inclusive growth". At the same time, Austria, Bulgaria and Romania refer to the Energy Roadmap 2050, which indicates that renewable energy sources are an essential part of the three no regret options to achieve the decarbonisation of the European energy system in the most cost effective and sustainable way. In addition, the need for major investments, including for speeding up the integration of storage, is also underlined in the last Commission's Communication related to the Internal Energy Market and in the Council conclusions on "Renewables Energy: a major player in the European energy market", adopted today.

Furthermore, considering that hydropower is a major renewables source, with still available potential to be expanded, the development of grid, including storage, is a must for meeting the challenge of infrastructure needs. Therefore, hydro pumped electricity storage investments fit very well this goal, being of vital importance for both EU energy transition and a well functioning European electricity market.

In conclusion, recognising the need of this Regulation and in the spirit of overall compromise, we will not object its adoption, but considering the need of financial assistance to make a pump and storage investment economically feasible, we emphasise our preference for the inclusion of the hydro pumped electricity storage projects in the category of projects eligible for EU financial assistance for works under supplementary criteria.

Statement by Germany on Article 15 and recital 30:

Germany assumes that the three tier approach described in recital 30 will be consistently applied when evaluating the eligibility of projects of common interest in accordance with Article 15. Financing is therefore primarily a task for the market and adequate regulation in the Member States. Public co financing from the EU's Connecting Europe Facility can be considered only as a last resort. Consequently, for each project it should be examined whether or not there are regulatory investment obstacles before a decision on public support is taken. Insofar as this examination establishes that the financing need of a project can also be covered by adjusting the regulatory framework, EU financing assistance should be ruled out.

Statement by Germany on Article 17(b):

Germany points out that, in the interests of system security and confidentiality of business data, it should be ensured that information on system operation should be supplied only to trustworthy authorities which satisfy the internal market requirements for transmission system operators. Germany therefore assumes that "any entity duly mandated" in Article 8(3)(a)(iii) of (new) Regulation No 714/2009 refers to any entity duly mandated by transmission system operators under existing cooperation (TSC, SSC, Coreso).

Regulation (EU) No 345/2013 of the European Parliament and of the Council of 17 April 2013 on European venture capital funds Text with EEA relevance OJ L 115, 25.4.2013, p. 1–17	7402/13 + ADD 1 REV 1	Qualified majority	All Member States in favour
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STATEMENTS**Statement by Poland**

Poland welcomes the political agreement on the Regulation of the European Parliament and of the Council on the European venture capital funds and the Regulation of the European Parliament and of the Council on the European social entrepreneurship funds ("the Regulations"). We believe the Regulations will remove obstacles to cross – border fundraising and enhance the investor protection. In particular, we appreciate the harmonised standards on sanctions adopted to ensure proper enforcement of the provisions. However, we remain concerned with the change that has been made with regard to term "administrative sanctions", amended as "administrative penalties" in both Regulations. We consider it against the original intention.

First, such a significant change has been made at the lawyer linguist meeting aimed at discussing linguistic changes that do not affect the substance of the text. Replacing "administrative sanctions" by "administrative penalties" alters the scope of the term at question which leads us to conclude that proposed change goes beyond the lawyer linguist working group's competence and therefore was not legitimate.

Secondly, whilst the legislative acts take form of regulation which is binding entirely in all its elements and substitutes for national law, the relevant explanation provided at the lawyer linguist meeting should have been reflected in recitals to clarify that the term "administrative penalties" does not pre-judge certain type of sanctions.

Thirdly, the reference to "administrative penalties" in the Regulations will result in inconsistency across the EU legislative acts, a number of which refers to "administrative sanctions" (e.g. MiFID, MAD).

Regulation (EU) No 346/2013 of the European Parliament and of the Council of 17 April 2013 on European social entrepreneurship funds Text with EEA relevance OJ L 115, 25.4.2013, p. 18–38	7403/13 + ADD 1	Qualified majority	All Member States in favour
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STATEMENTS	
Statement by Poland Poland welcomes the political agreement on the Regulation of the European Parliament and of the Council on the European venture capital funds and the Regulation of the European Parliament and of the Council on the European social entrepreneurship funds (“the Regulations”). We believe the Regulations will remove obstacles to cross – border fundraising and enhance the investor protection. In particular, we appreciate the harmonised standards on sanctions adopted to ensure proper enforcement of the provisions. However, we remain concerned with the change that has been made with regard to term “administrative sanctions”, amended as “administrative penalties” in both Regulations. We consider it against the original intention. First, such a significant change has been made at the lawyer linguist meeting aimed at discussing linguistic changes that do not affect the substance of the text. Replacing “administrative sanctions” by “administrative penalties” alters the scope of the term at question which leads us to conclude that proposed change goes beyond the lawyer linguist working group’s competence and therefore was not legitimate. Secondly, whilst the legislative acts take form of regulation which is binding entirely in all its elements and substitutes for national law, the relevant explanation provided at the lawyer linguist meeting should have been reflected in recitals to clarify that the term “administrative penalties” does not pre-judge certain type of sanctions. Thirdly, the reference to “administrative penalties” in the Regulations will result in inconsistency across the EU legislative acts, a number of which refers to “administrative sanctions” (e.g. MiFID, MAD).	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT / STATEMENTS
Council Conclusions on Smart Cities and Communities - European Innovation Partnership	7250/13
Council Implementing Regulation (EU) No 295/2013 of 21 March 2013 amending Regulation (EC) No 192/2007 imposing a definitive anti-dumping duty on imports of polyethylene terephthalate originating, inter alia, in Taiwan following a ‘new exporter’ review pursuant to Article 11(4) of Regulation (EC) No 1225/2009 OJ L 90, 28.3.2013, p. 1–3	7060/13

Council Implementing Regulation (EU) No 285/2013 of 21 March 2013 terminating the partial reopening of anti-dumping investigation concerning imports of ethanolamines originating in the United States of America and terminating the expiry review pursuant to Article 11(2) and the partial interim review pursuant to Article 11(3) of Regulation (EC) No 1225/2009 OJ L 86, 26.3.2013, p. 1–6	7121/13
2013/148/EU: Council Decision of 21 March 2013 on the launch of automated data exchange with regard to DNA data in Sweden OJ L 84, 23.3.2013, p. 26–27	6997/13
2013/152/EU: Council Decision of 21 March 2013 on the launch of automated data exchange with regard to DNA data in Malta OJ L 86, 26.3.2013, p. 20–20	7000/13
2013/153/EU: Council Decision of 21 March 2013 on the launch of automated data exchange with regard to dactyloscopic data in Malta OJ L 86, 26.3.2013, p. 21–21	7005/13
2013/156/EU: Council Decision of 21 March 2013 on signing, on behalf of the European Union, of the Agreement between the European Union and the Republic of Armenia on the readmission of persons residing without authorisation OJ L 87, 27.3.2013, p. 1–1	5861/13
Council Implementing Decision 2013/145/CFSP of 21 March 2013 implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan OJ L 82, 22.3.2013, p. 55–57	7300/13
Council Implementing Regulation (EU) No 261/2013 of 21 March 2013 implementing Article 11(1) and (4) of Regulation (EU) No 753/2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan OJ L 82, 22.3.2013, p. 18–20	7301/13
Council Decision 2013/144/CFSP of 21 March 2013 amending Decision 2011/172/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt OJ L 82, 22.3.2013, p. 54–54	6987/13

Written procedure completed on 26 March 2013	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT/ STATEMENTS
Council Regulation (EU) No 296/2013 of 26 March 2013 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea OJ L 90, 28.3.2013, p. 4–9	7335/13
Written procedure completed on 27 March 2013	
NON-LEGISLATIVE ACTS	
ACT	DOCUMENT/ STATEMENTS
Council Decision 2013/160/CFSP of 27 March 2013 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe OJ L 90, 28.3.2013, p. 95–98	7642/13 + COR 1 (sv)
Council Regulation (EU) No 298/2013 of 27 March 2013 amending Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe OJ L 90, 28.3.2013, p. 48–51	7813/13 + COR 1 (sv)
Council Regulation (EU) No 297/2013 of 27 March 2013 amending Regulations (EU) No 44/2012, (EU) No 39/2013 and (EU) No 40/2013 as regards certain fishing opportunities OJ L 90, 28.3.2013, p. 10–47	7620/13
STATEMENTS	
Council statement on flexibility in the management of certain stocks The Council invites the Commission to work together in the context of the next TAC and quota amendment in order to evaluate the possibility of re-establishing inter-annual flexibility in the management of certain stocks related to the EU-Norway agreement.	
Statement by the Kingdom of Spain and the Republic of Portugal on the exchange of fishing opportunities for sandeel with Norway Taking account of the commitments deriving from the European Economic Area, the Kingdom of Spain and the Republic of Portugal consider that the Union should give priority to obtaining Arctic cod as a result of the exchanges of and compensation for fishing opportunities with Norway.	