



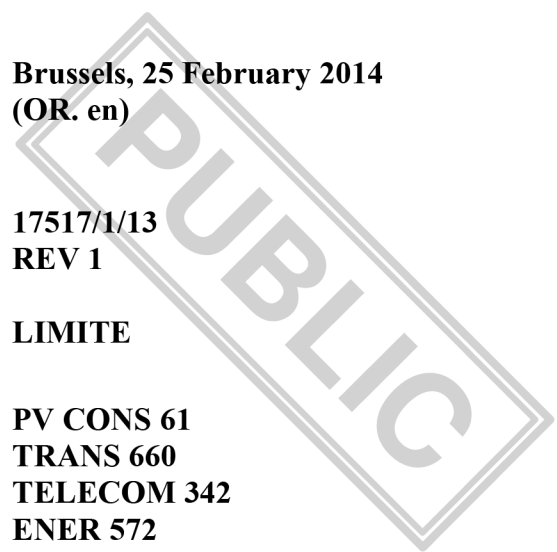
**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 25 February 2014
(OR. en)**

**17517/1/13
REV 1**

LIMITE

**PV CONS 61
TRANS 660
TELECOM 342
ENER 572**



DRAFT MINUTES¹

Subject: **3278th** meeting of the Council of the European Union
(TRANSPORT, TELECOMMUNICATIONS AND ENERGY) held in
Brussels on 5 December 2013

¹ Information on Council legislative deliberations, on other cases of Council deliberations open to the public and on public debates may be found in Addendum 1 to these minutes.

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- (a) Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European telecommunications networks and repealing Decision No 1336/97/EC [First reading]
- (b) Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market [First reading]
- (e) The impact of State aid rules on large-scale infrastructure projects in Europe
- (g) Blue Belt

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- (c) EU ETS/Aviation
- (d) Passenger ship safety
- (f) Progress on the Galileo and EGNOS programmes
- (h) Work programme of the incoming Presidency

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1. **Adoption of the provisional agenda**

17011/13 OJ CONS 61 TRANS 632 TELECOM 330 ENER 553

The Council adopted the above agenda.

NON-LEGISLATIVE ACTIVITIES

2. **Approval of the list of "A" items**

17015/13 PTS A 83

The Council approved the "A" items as listed in 17015/13.

LEGISLATIVE DELIBERATIONS

(Public deliberation pursuant to Article 16(8) of the Treaty on European Union)

3. **Approval of the list of "A" items**

17013/13 PTS A 82

The Council approved the "A" items as listed in 17013/13.

The documents on items 4, 11 and 14 should read as follows:

Item 4: 16568/2/13 **REV 2** CODEC 2659 FSTR 153 REGIO 274 SOC 964
CADREFIN 321
PE-CONS 102/13 FSTR 131 REGIO 230 SOC 849 CADREFIN 264
CODEC 2324

Item 11: 16999/13 CODEC 2761 AUDIO 117 CULT 126 CADREFIN 331 RELEX 1079
+ ADD 1 **REV 1**
PE-CONS 77/13 AUDIO 88 CULT 91 CADREFIN 204 RELEX 709
CODEC 1837

Item 14: 16097/13 CODEC 2547 TRANS 581 MAR 171 AVIATION 205 CAB 44
ESPACE 90 FIN 744 CSC 145
+ ADD 1
+ ADD 2 **REV 1**
PE-CONS 26/13 TRANS 263 MAR 59 AVIATION 68 CAB 22 ESPACE 35
FIN 294 CSC 48 CODEC 1199

Details on the adoption of these items are set out in the Addendum.

TELECOMMUNICATIONS

4. **Proposal for a Directive of the European Parliament and of the Council concerning measures to ensure a high common level of network and information security across the Union [First reading]**

Interinstitutional file: 2013/0027 (COD)

– Progress report

6342/13 TELECOM 24 DATAPROTECT 14 CYBER 2 MI 104 CODEC 313

16630/13 TELECOM 322 DATAPROTECT 178 CYBER 33 MI 1064
CODEC 2676

The Council took note of the progress report set out in doc. 16630/13.

5. **Proposal for a Regulation of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks [First reading]**

Interinstitutional file: 2013/0080 (COD)

– Progress report

7999/13 TELECOM 60 COMPET 177 CODEC 686

17014/13 TELECOM 331 COMPET 880 CODEC 2767

The Council took note of the progress report set out in doc. 17014/13.

6. **Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 [First reading]**

Interinstitutional file: 2013/0309) (COD)

– Orientation debate

13555/13 TELECOM 232 COMPET 646 MI 753 CONSOM 161
CODEC 2000

+ ADD 2

16637/13 TELECOM 324 COMPET 868 MI 1067 CONSOM 202 CODEC 2679

The Council held an orientation debate on the basis of the questions set out in doc. 16637/13.

TRANSPORT

7. **4th Railway Package**

Proposal for a Regulation of the EP and the Council on the European Union Agency for railways and repealing Regulation (EC) n°881/2004 [First reading]

Interinstitutional file: 2013/0014 (COD)

– Progress report

6012/13 TRANS 38 CODEC 225

16407/13 TRANS 598 CODEC 2628

The Council examined and took note of the progress report on the above proposal, as set out in doc. 16407/13.

8. **Proposal for a Directive of the European Parliament and of the Council on the deployment of alternative fuels infrastructure (Clean power) [First reading]**

Interinstitutional file: 2013/0012 (COD)

– General approach

5899/13 TRANS 93 AVIATION 12 MAR 12 ENER 21 ENV 74 IND 28
RECH 29 CAB 4 CODEC 193

17004/13 TRANS 631 AVIATION 230 MAR 187 ENER 551 ENV 1143
IND 351 RECH 578 CAB 49 CODEC 2765

The Council adopted a general approach on the above proposal, as set out in doc. 17004/13, and agreed to enter in these minutes statements by Italy and Hungary (as set out in the Annex).

9. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air [First reading]**

Interinstitutional file: 2013/0072 (COD)

– Progress report

7615/13 AVIATION 47 CONSOM 47 CODEC 616

16577/13 AVIATION 225 CONSOM 201 CODEC 2663

+ ADD 1

The Council examined and took note of the progress report on the above proposal, as set out in doc. 16577/13.

NON-LEGISLATIVE ACTIVITIES

10. **Draft Decision of the Council and of the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the re-opening of negotiations with the Federative Republic of Brazil on a comprehensive agreement on air transport services**

– Adoption

11187/1/13 TRANS 340 AVIATION 85 RELEX 540

AMLAT 11

RESTREINT UE

+ COR 1

16427/13 TRANS 600 AVIATION 218 RELEX 1041

COLAC 22

RESTREINT UE

The Council adopted the above decision and agreed to enter in these minutes the statement made by the Commission (as set out in the Annex).

11. Any other business

Telecommunications and Transport

LEGISLATIVE DELIBERATIONS

(Public deliberation pursuant to Article 16(8) of the Treaty on European Union)

- (a) **Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European telecommunications networks and repealing Decision No 1336/97/EC [First reading]**

Interinstitutional file: 2011/0299 (COD)]

- Information from the Presidency
16681/13 TELECOM 327 AUDIO 116 CODEC 2687

The Presidency informed the Council on the conclusions of the negotiations with the EP on the proposal for a Regulation on guidelines for trans-European telecommunications networks.

- (b) **Proposal for a Regulation of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market [First reading]**

Interinstitutional file: 2012/0146 (COD)

- Information from the Presidency
16677/13 TELECOM 326 MI 1068 DATAPROTECT 180 EJUSTICE 100
CODEC 2684

The Presidency informed the Council on the state of play concerning the negotiations with the EP on the proposal for a Regulation on electronic identification and trust services for electronic transactions in the internal market.

- (e) **The impact of State aid rules on large-scale infrastructure projects in Europe**

- Information from the Danish delegation, supported by the German delegation
17099/13 TRANS 636

The Council took note of the information provided by the Danish delegation on the above issue (doc. 17099/13) and the interventions made by most ministers in the exchange of views that ensued.

- (g) **Blue Belt**

- Information from the Commission
17040/13 TRANS 633 MAR 188

The Council took note of the information provided by the Commission on the above issue (doc. 17040/13).

NON-LEGISLATIVE ACTIVITIES

(c) EU ETS/Aviation

- Information from the Commission
17140/13 TRANS 638 AVIATION 235 ENV 1150 RELEX 1094

The Council took note of the information provided by the Commission on the above issue (doc. 17140/13)

(d) Passenger ship safety

- Information from the Commission
16974/13 TRANS 627 MAR 186

The Council took note of the information provided by the Commission on the above item (doc. 16974/13) and the interventions made by several ministers in the exchange of views that followed.

(f) Progress on the Galileo and EGNOS programmes

- Information from the Commission
17070/13 TRANS 634 MAR 189 AVIATION 232 ESPACE 98 CSC 166 CAB 50

The Council took note of the information provided by the Commission on the above issue (doc. 17070/13).

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(h) Work programme of the incoming Presidency

- Information from the Greek delegation
16367/13 TELECOM 316

The Greek Minister presented the work programme of the Presidency and informed his colleagues on the main priorities and objectives to be achieved during the first semester 2014.

STATEMENTS FOR THE COUNCIL MINUTES

Ad "B" item 8: **Proposal for a Directive of the European Parliament and of the Council on the deployment of alternative fuels infrastructure (Clean power) [First reading]**

STATEMENT BY ITALY

"Italy regrets the removal of the reference to "minimum requirements" from the scope of the Directive (Article 1). Without this reference, it is difficult to ensure that common minimal infrastructure levels will be attained in all Member States within specific deadlines, a necessary precondition for ensuring interoperability and gaining the confidence of market operators.

Moreover we believe it is appropriate, with regard to national policy frameworks, to maintain the double reference to both fuels and the related infrastructure (Article 3), since both elements are essential to achieving the aims of the Directive.

"We would also like the 2020 deadline to be reinserted for completion of the infrastructure for recharging electric vehicles (Article 4) and for refuelling with natural gas (Article 6), considering that prompt implementation of the Directive will be fundamental in sending out the signals expected by the market and guiding growth towards sustainability.

Finally, we would like the maximum distances relating to the creation of LNG and CNG refuelling points to be reinserted (Article 6(3) and (6)), in order to overcome market fragmentation and guarantee genuine interoperability across Europe."

STATEMENT BY HUNGARY

"Hungary takes note of the compromise text and continues to have concerns to delegate powers to the Commission in case of non-existing standards to supplement Article 4 and 6 of the Directive as well as the corresponding parts of Annex III to make these standards legally binding. Nevertheless Hungary recognises that this delegation will apply to a limited number of specific cases clearly identified in the text."

Ad "B" item 10: Draft Decision of the Council and of the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the re-opening of negotiations with the Federative Republic of Brazil on a comprehensive agreement on air transport services

STATEMENT BY THE COMMISSION

"In accordance with Article 218 (3) TFEU, the Commission has submitted a Recommendation to the Council in order to authorise the reopening of negotiations on a comprehensive air transport agreement with the Government of the Federative Republic of Brazil.

The Commission takes note of the Council's unanimous decision to adopt a "hybrid" act consisting concurrently of a decision of the Council and of the Representatives of Governments of the Member States of the European Union meeting within the Council.

The Commission is of the opinion that this "hybrid" act violates the Treaties in that it, among other reasons, distorts the procedure and voting rules set out in 218 (3) TFEU and (8) first subparagraph TFEU.

The Commission recalls its application in the Case C-28/12 Commission v Council which is pending before the Court of Justice and, reserves the right to make use of all the legal means at its disposal to ensure the respect of the provisions of the Treaties."
