



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 2 February 2010

5997/10

PUBLIC 2

NOTE

Subject : MONTHLY SUMMARY OF COUNCIL ACTS DECEMBER 2009

This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in December 2009.^{1 2}
- ANNEX II containing further details on the adoption of these acts. PART I provides information on the adoption of legislative acts, such as the date of adoption, the relevant Council session, the number of the document adopted, and where appropriate, applicable voting rules, voting results, explanations of vote and statements published in the minutes of the Council. PART II provides information that the Council has decided to make public on the adoption of other acts.

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 is also available via the Internet (<http://consilium.europa.eu/>) see under "Documents", "Legislative Transparency", "Summary of Council Acts". Documents listed in the summary may be obtained from the public register of Council documents (Access to Council documents: Public Register).

It should be noted that only the minutes concerning the definitive adoption of legislative acts are authentic (available via the Internet: <http://consilium.europa.eu/> , see under "Documents", "Legislative Transparency", "Council Minutes").

**LIST OF ACTS ADOPTED BY THE COUNCIL
IN DECEMBER 2009**

2979th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 1 December 2009

Council Decision of 1 December 2009 adopting the Council's Rules of Procedure
OJ L 325, 11.12.2009, p. 35–35

Council Decision of 1 December 2009 laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council
OJ L 322, 9.12.2009, p. 28–34

Council Decision appointing the Secretary-General of the Council of the European Union
16533/2/09 + REV 3 (nl)

Council Decision of 1 December 2009 laying down the conditions of employment of the President of the European Council
OJ L 322, 9.12.2009, p. 35–35

Council Decision of 1 December 2009 laying down the conditions of employment of the High Representative of the Union for Foreign Affairs and Security Policy
OJ L 322, 9.12.2009, p. 36–36

Council Decision of 1 December 2009 laying down the conditions of employment of the Secretary-General of the Council of the European Union
OJ L 322, 9.12.2009, p. 38–38

2980th Meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS), held in Brussels on 1 December 2009

Council Conclusions of 1 December 2009 on innovative incentives for effective antibiotics
OJ C 302, 12.12.2009, p. 10–11

Council Conclusions of 1 December 2009 on a safe and efficient healthcare through eHealth
OJ C 302, 12.12.2009, p. 12–14

Council Conclusions of 1 December 2009 on alcohol and health
OJ C 302, 12.12.2009, p. 15–18

Written procedure completed on 1 December 2009

Decision of the Council (General Affairs) of 1 December 2009 establishing the list of Council configurations in addition to those referred to in the second and third subparagraphs of Article 16(6) of the Treaty on European Union

OJ L 315, 2.12.2009, p. 46–47

2981st meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 2 December 2009

Council Conclusions on VAT treatment of postal services

16474/2/09 REV 2

Council Conclusions on SEPA

16432/09

Council Conclusions on Commission Communication on "Ensuring efficient, safe and sound derivatives markets - Future policy action" and on Commission report on "The Code of Conduct on clearing and settlement: Three years of experience"

16433/09

Council Decision on the existence of an excessive deficit in Belgium

15745/09

Council Recommendation to Belgium with a view to bringing an end to the situation of an excessive government deficit

15754/09

Council Decision on the existence of an excessive deficit in the Czech Republic

15746/09

Council Recommendation to the Czech Republic with a view to bringing an end to the situation of an excessive government deficit

15755/09

Council Decision on the existence of an excessive deficit in Germany

15747/09

Council Recommendation to Germany with a view to bringing an end to the situation of an excessive government deficit

15756/09

Council Decision on the existence of an excessive deficit in Italy

15748/09

Council Recommendation to Italy with a view to bringing an end to the situation of an excessive government deficit

15757/09

Council Decision on the existence of an excessive deficit in the Netherlands
15749/09

Council Recommendation to the Netherlands with a view to bringing an end to the situation of an excessive government deficit
15758/09

Council Decision on the existence of an excessive deficit in Austria
15744/09

Council Recommendation to Austria with a view to bringing an end to the situation of an excessive government deficit
15753/09

Council Decision on the existence of an excessive deficit in Portugal
15750/09

Council Recommendation to Portugal with a view to bringing an end to the situation of an excessive government deficit
15759/09

Council Decision on the existence of an excessive deficit in Slovenia
15751/09

Council Recommendation to Slovenia with a view to bringing an end to the situation of an excessive government deficit
15760/09

Council Decision on the existence of an excessive deficit in Slovakia
15752/09

Council Recommendation to Slovakia with a view to bringing an end to the situation of an excessive government deficit
15761/09

Council Decision establishing whether effective action has been taken by Greece in response to the Council Recommendation of 27 April 2009
15766/09

Council Recommendation to Ireland with a view to bringing an end to the situation of an excessive government deficit
15763/09

Council Recommendation to Spain with a view to bringing an end to the situation of an excessive government deficit
15764/09

Council Recommendation to France with a view to bringing an end to the situation of an excessive government deficit
15762/09

Council Recommendation to the United Kingdom with a view to bringing an end to the situation of an excessive government deficit
15765/09

Council Conclusions on the Lisbon Strategy post-2010
16196/2/09 REV 2

Council Conclusions on Exit strategies for the financial sector
16198/1/09 REV 1

Council Conclusions on Financial stability arrangements and crisis management
16434/09

2982nd meeting of the Council of the European Union (COMPETITIVENESS – INTERNAL MARKET, INDUSTRY and RESEARCH), held in Brussels on 4 December 2009

Council Decision, taken by common accord with the President-elect of the Commission, of 4 December 2009 adopting the list of the other persons whom the Council proposes for appointment as Members of the Commission
OJ L 321, 8.12.2009, p. 51–52

Council Conclusions on Guidance on future priorities for European research and research-based innovation in post-2010 Lisbon strategy
17189/09

Council Resolution of 3 December 2009 on the enhanced governance of the European Research Area (ERA)
OJ C 323, 31.12.2009, p. 1–4

Council Conclusions on the future of ICT research, innovation and infrastructures
17190/09

Council Conclusions concerning the joint programming of research in Europe
17226/09

Council Conclusions on an enhanced patent system in Europe
17229/09

Council Conclusions: Towards a competitive, innovative and eco-efficient Europe — a contribution by the Competitiveness Council to the post-2010 Lisbon agenda
17179/09

Council Conclusions on Better Regulation
16111/09

Council Conclusions on "Priorities for the Internal Market in the next decade" – contribution by the Competitiveness Council to the post 2010 Lisbon agenda
16112/09

Written procedure completed on 4 December 2009

Adoption of the European Union's position for the Association Council's eighth meeting - Relations with Morocco (Brussels, 7 December 2009)
16651/09

2983rd meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Brussels on 7 December 2009

Council Decision on establishing the European Union position within the Ministerial Council of the Energy Community (Zagreb, 18 December 2009)
16667/1/09 + REV 1 COR 1

2984th meeting of the Council of the European Union (GENERAL AFFAIRS), held in Brussels on 7 December 2009

Council Conclusions on the Special Report No 5/2009 by the European Court of Auditors concerning the Commission's Treasury Management
15207/09

Council Conclusions on Financial package for the accession negotiations with Croatia
16920/09

Council implementing Regulation (EU) No 1202/2009 of 7 December 2009 imposing a definitive anti-dumping duty on imports of furfuryl alcohol originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96
OJ L 323, 10.12.2009, p. 48–61

Joint declaration on transitional measures applicable to the budgetary procedure after the entry into force of the Lisbon Treaty
16792/09

Decision of the European Parliament and of the Council of 17 December 2009 amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regards the multiannual financial framework — Financing projects in the field of energy in the context of the European Economic Recovery Plan
OJ L 347, 24.12.2009, p. 26–27

Council Implementing Decision of 7 December 2009 authorising the Republic of Latvia to extend the application of a measure derogating from Article 193 of Directive 2006/112/EC on the common system of value added tax

OJ L 347, 24.12.2009, p. 30–30

Council Implementing Decision of 7 December 2009 authorising the Republic of Slovenia to apply a measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax

OJ L 325, 11.12.2009, p. 64–65

Council Implementing Decision of 7 December 2009 authorising the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland to apply a measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax

OJ L 325, 11.12.2009, p. 62–63

Council Conclusions on enlargement / stabilisation and association process

17169/1/09 REV 1 + REV 1 COR 1 fr + REV 1 COR 2 (fr)

2985th meeting of the Council of the European Union (EXTERNAL RELATIONS), held in Brussels on 8 December 2009

Council Decision 2009/907/CFSP of 8 December 2009 amending Joint Action 2008/851/CFSP 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

OJ L 322, 9.12.2009, p. 27–27

Council Decision 2009/906/CFSP of 8 December 2009 on the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)

OJ L 322, 9.12.2009, p. 22–26

Council Conclusions on Climate Change and International security (CCIS) and Progress Report
16991/09

Council Conclusions on Arctic issues

16857/09

Council Conclusions on the South Caucasus

16862/09

Council Conclusions on Promoting Compliance with International Humanitarian Law

16842/09

Council Conclusions on Human Rights and Democratisation in Third Countries

16795/2/09 REV 2

Council Conclusions on the Commission Communication regarding the EU-Latin America relations
17032/09

Council Conclusions on the Horn of Africa
16876/09

Council Conclusions on Iraq
16892/1/09 REV 1

Council Conclusions on the Middle East Peace Process
17281/09

2986th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Brussels on 14, 15 and 16 December 2009

Council Decision 2009/955/CFSP of 15 December 2009 amending Joint Action 2005/797/CFSP on the European Union Police Mission for the Palestinian Territories
OJ L 330, 16.12.2009, p. 76–76

Council Conclusions on Special Report No 6/2009 of the European Court of Auditors "European Union food aid for deprived persons: an assessment of the objectives, the means and the methods employed"
17150/1/09 REV 1

Council Conclusions on a possible future accession of the European Union to the Convention for the Conservation of Southern Bluefin Tuna (CCSBT)
16936/09

Council Conclusions on Joint Fulfilment Agreement between the EU and Iceland with regard to a future international climate agreement
17343/09

Council Conclusions on Special report No. 11/2009 on the sustainability and the Commission's management of the LIFE-Nature projects
16634/1/09 REV 1

Council Conclusions on the Security of Supply of Radioisotopes for Medical Use
17025/09

Council Implementing Decision of 15 December 2009 authorising the Republic of Estonia to apply a measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax
OJ L 351, 30.12.2009, p. 4–5

Council Decision 2009/956/CFSP of 15 December 2009 amending Joint Action 2009/131/CFSP extending the mandate of the European Union Special Representative for the crisis in Georgia
OJ L 330, 16.12.2009, p. 77–77

Council Regulation (EU) No 1227/2009 of 15 December 2009 repealing Regulation (EC) No 1859/2005 imposing certain restrictive measures in respect of Uzbekistan
OJ L 330, 16.12.2009, p. 48–48

Council Regulation (EU) No 1228/2009 of 15 December 2009 amending Regulation (EC) No 423/2007 concerning restrictive measures against Iran
OJ L 330, 16.12.2009, p. 49–60

Council Decision 2009/969/CFSP of 15 December 2009 extending the restrictive measures against certain officials of Belarus laid down in Common Position 2006/276/CFSP, and repealing Common Position 2009/314/CFSP
OJ L 332, 17.12.2009, p. 76–76

Council Declaration on Implementation of the Treaty of Lisbon - Article 290 TFEU
17512/09 + COR 1 (nl)

Council Decision of 16 December 2009 on the granting of State aid by the authorities of the Republic of Lithuania for the purchase of State-owned agricultural land between 1 January 2010 and 31 December 2013
OJ L 338, 19.12.2009, p. 93–94

Council Decision of 16 December 2009 on the granting of State aid by the authorities of the Republic of Latvia for the purchase of agricultural land between 1 January 2010 and 31 December 2013
OJ L 339, 22.12.2009, p. 34–35

2987th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Brussels on 17 and 18 December 2009

Council Decision on the ceiling for the annual amount of the contribution by Member States to finance the European Development Fund in 2011
16421/09

Council Implementing Regulation (EU) No 1251/2009 of 18 December 2009 amending Regulation (EC) No 1911/2006 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating, inter alia, in Russia
OJ L 338, 19.12.2009, p. 5–11

Council Implementing Regulation (EU) No 1252/2009 of 18 December 2009 concluding the new exporter review of Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China, levying retroactively and imposing an anti-dumping duty with regard to imports from one exporter in this country and terminating the registration of these imports
OJ L 338, 19.12.2009, p. 12–14

Council Decision 2009/981/CFSP of 18 December 2009 amending Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar
OJ L 338, 19.12.2009, p. 90–91

Council Conclusions on the Commission Communication on 'A sustainable future for transport: Towards an integrated, technology-led and user friendly system'
17371/09 + COR 1

Council Conclusions on "Post-i2010 Strategy" - towards an open, green and competitive knowledge society
17107/09

Council Conclusion on Transforming the digital dividend into social benefits and economic growth
17113/09 + COR 1

Council Resolution of 18 December 2009 on a collaborative European approach to Network and Information Security
OJ C 321, 29.12.2009, p. 1–4

2988th meeting of the Council of the European Union (ENVIRONMENT), held in Brussels on 22 December 2009

Council Directive 2009/162/EU of 22 December 2009 amending various provisions of Directive 2006/112/EC on the common system of value added tax
OJ L 10, 15.1.2010, p. 14–18

Council Regulation (EU, Euratom) No 1295/2009 of 22 December 2009 adjusting with effect from 1 July 2009 the rate of contribution to the pension scheme of officials and other servants of the European Union
OJ L 348, 29.12.2009, p. 9–9

Council Decision of 22 December 2009 appointing the Secretary-General of the Council of the European Union for the period from 26 June 2011 to 30 June 2015
OJ L 347, 24.12.2009, p. 31–31

Council Recommendation of 22 December 2009 on seasonal influenza vaccination (Text with EEA relevance)
OJ L 348, 29.12.2009, p. 71–72

Council Conclusions on the lodging by the European Union of objections to recommendations of conservation measures established by the Northeast Atlantic Fisheries Commission
17309/09

Council Decision of 22 December 2009 repealing Decision 2009/473/EC concerning the conclusion of an Agreement in the form of an Exchange of Letters on the provisional application of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea
OJ L 348, 29.12.2009, p. 53–54

Council Regulation (EU) No 7/2010 of 22 December 2009 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products and repealing Regulation (EC) No 2505/96
OJ L 3, 7.1.2010, p. 1–6

Council Regulation (EU) No 12/2010 of 22 December 2009 amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products
OJ L 4, 8.1.2010, p. 1–84

Council Decision of 22 December 2009 on the granting of State aid by the authorities of the Republic of Hungary for the purchase of agricultural land between 1 January 2010 and 31 December 2013
OJ L 348, 29.12.2009, p. 55–56

Council Conclusions on Special Report No 14/2009 of the European Court of Auditors "Have the management instruments applied to the market in milk and milk products achieved their main objectives?"
17394/09

Council Conclusions on special report No. 13/2009 on "Delegating implementing tasks to executive agencies: a successful option?"
17386/09

Council Decision of 22 December 2009 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015
OJ L 348, 29.12.2009, p. 22–50

Council Implementing Decision of 22 December 2009 authorising the Republic of Austria to continue to apply a measure derogating from Article 168 of Directive 2006/112/EC on the common system of value added tax
OJ L 348, 29.12.2009, p. 21–21

Council Implementing Regulation (EU) No 1297/2009 of 22 December 2009 repealing the anti-dumping duty imposed by Regulation (EC) No 172/2008 on imports of ferro-silicon originating in the former Yugoslav Republic of Macedonia
OJ L 351, 30.12.2009, p. 1–3

Council Implementing Regulation (EU) No 1294/2009 of 22 December 2009 imposing a definitive anti-dumping duty on imports of certain footwear with uppers of leather originating in Vietnam and originating in the People's Republic of China, as extended to imports of certain footwear with uppers of leather consigned from the Macao SAR, whether declared as originating in the Macao SAR or not, following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 384/96
OJ L 352, 30.12.2009, p. 1–69

Council Conclusions on the EU's relations with Overseas Countries and Territories (OCTs)
16710/09

Council Decision 2009/1012/CFSP of 22 December 2009 on support for EU activities in order to promote the control of arms exports and the principles and criteria of Common Position 2008/944/CFSP among third countries
OJ L 348, 29.12.2009, p. 16–20

Council Regulation (EU) No 1286/2009 of 22 December 2009 amending Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban
OJ L 346, 23.12.2009, p. 42–46

Council Conclusions on European Case-Law Identifier (ECLI)
17377/09

Council Conclusions on strengthening EU research capacity on illicit drugs
17177/09

Council Decision of 22 December 2009 amending Annex 3, Part I, to the Common Consular Instructions on third-country nationals subject to airport visa requirements
OJ L 348, 29.12.2009, p. 51–52

Council Decision of 22 December 2009 amending the Schengen consultation network (technical specifications)
OJ L 353, 31.12.2009, p. 49–67

Council Conclusions on International Biodiversity Beyond 2010

17785/09 *Council Conclusions on Regional approaches to management of water and the marine environment, including implementation of the EU Strategy for the Baltic Sea Region*
17797/09

Council Conclusions on Combination effects of chemicals
17820/09

Written procedure completed on 23 December 2009

Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009 adjusting with effect from 1 July 2009 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto
OJ L 348, 29.12.2009, p. 10–15

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS DECEMBER 2009			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
<p>2988th meeting of the Council of the European Union (ENVIRONMENT), held in Brussels on 22 December 2009</p> <p>Council Directive 2009/162/EU of 22 December 2009 amending various provisions of Directive 2006/112/EC on the common system of value added tax</p>	<p>13812/09 + COR 1 (hu) + COR 2 + COR 3 (el) + COR 4 (nl) + REV 1 (fi) + REV 1 COR 1 (fi) + REV 2 (ro) + REV 2 COR 1 (ro) + REV 3 (lt) + REV 3 COR 1 (lt)</p>	Unanimity	All Member States in favour

**INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS
DECEMBER 2009**

TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
<p>Statements</p> <p>Re The Directive as a whole: The Commission notes that the Council has significantly amended its original proposal, notably as regards the introduction of more general and more far-reaching rules concerning the right of deduction, and is consequently of the opinion that the European Parliament needs to be re-consulted in order to respect the relevant institutional rules of decision-making.</p> <p>Re Article 15(1): The Council and the Commission agree that, in the English version of the Directive, the term "cooling energy" incorporates the concept of "refrigeration" as used in Article 15 of Directive 2006/112/EC.</p> <p>Re Article 168a: The Council agrees to continue works, on the basis of the pending Commission separate proposal already submitted by the Commission pursuant to Article 176 and still pending before Council, to establish common rules on the exclusion from the right to deduct VAT in order to adopt the proposal rapidly. To this end, the Council stands ready to take stock of the progress as soon as possible.</p>			

INFORMATION ON THE ADOPTION OF OTHER ACTS DECEMBER 2009	
OTHER ACTS	Votes/Statements made public
<p>2979th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 1 December 2009</p> <p>Council Decision of 1 December 2009 adopting the Council's Rules of Procedure 16525/09 + COR 1 (sl)</p> <p>Council Decision of 1 December 2009 laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council, and on the chairmanship of preparatory bodies of the Council 16517/09</p> <p>Statement by Malta and Romania Malta and Romania welcome the Decision of the Council laying down measures for the implementation of the European Council Decision on the exercise of the Presidency of the Council. Having in mind the proposed modalities for appointing the chairs of the preparatory bodies of the Foreign Affairs Council, Malta and Romania consider that the review of the procedures that shall be made in the framework of the status report on the EEAS, foreseen for 2012, shall be a comprehensive one and shall include the duration of Chair's mandates.</p> <p>Statement by Spain, Estonia, France and Poland Spain, Estonia, France and Poland note that the scope and organisation of working structures in foreign affairs are to be reviewed soon after the entry into force of the Treaty of Lisbon, particularly as regards the division of labour between the various thematic and geographical bodies responsible for development policy and relations with developing countries. Spain, Estonia, France and Poland would point out that they are anxious to have that review carried out as soon as possible, in the interests of consistency and efficiency.</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Decision appointing the Secretary-General of the Council of the European Union 16533/2/09 + REV 3 (nl)	
Council Decision of 1 December 2009 laying down the conditions of employment of the President of the European Council 16519/09	
Council Decision of 1 December 2009 laying down the conditions of employment of the High Representative of the Union for Foreign Affairs and Security Policy 16521/09	
Council Decision of 1 December 2009 laying down the conditions of employment of the Secretary-General of the Council of the European Union 16536/09	
2980th Meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS), held in Brussels on 1 December 2009	
Council Conclusions of 1 December 2009 on innovative incentives for effective antibiotics 16006/09	
Council Conclusions of 1 December 2009 on a safe and efficient healthcare through eHealth 16008/09	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Conclusions of 1 December 2009 on alcohol and health 16010/09</p> <p>Written procedure completed on 1 December 2009</p> <p>Decision of the Council (General Affairs) of 1 December 2009 establishing the list of Council configurations in addition to those referred to in the second and third subparagraphs of Article 16(6) of the Treaty on European Union 16520/1/09 REV 1</p> <p>2981st meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 2 December 2009</p> <p>Council Conclusions on VAT treatment of postal services 16474/2/09 REV 2</p> <p>Council Conclusions on SEPA 16432/09</p> <p>Council Conclusions on Commission Communication on "Ensuring efficient, safe and sound derivatives markets - Future policy action" and on Commission report on "The Code of Conduct on clearing and settlement: Three years of experience" 16433/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Decision on the existence of an excessive deficit in Belgium 15745/09	
Council Recommendation to Belgium with a view to bringing an end to the situation of an excessive government deficit 15754/09	
Council Decision on the existence of an excessive deficit in the Czech Republic 15746/09	
Council Recommendation to the Czech Republic with a view to bringing an end to the situation of an excessive government deficit 15755/09	
Council Decision on the existence of an excessive deficit in Germany 15747/09	
Council Recommendation to Germany with a view to bringing an end to the situation of an excessive government deficit 15756/09	
Council Decision on the existence of an excessive deficit in Italy 15748/09	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Recommendation to Italy with a view to bringing an end to the situation of an excessive government deficit 15757/09	
Council Decision on the existence of an excessive deficit in the Netherlands 15749/09	
Council Recommendation to the Netherlands with a view to bringing an end to the situation of an excessive government deficit 15758/09	
Council Decision on the existence of an excessive deficit in Austria 15744/09	
Council Recommendation to Austria with a view to bringing an end to the situation of an excessive government deficit 15753/09	
Council Decision on the existence of an excessive deficit in Portugal 15750/09	
Council Recommendation to Portugal with a view to bringing an end to the situation of an excessive government deficit 15759/09	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Decision on the existence of an excessive deficit in Slovenia 15751/09</p>	
<p>Council Recommendation to Slovenia with a view to bringing an end to the situation of an excessive government deficit 15760/09</p>	
<p>Council Decision on the existence of an excessive deficit in Slovakia 15752/09</p>	
<p>Council Recommendation to Slovakia with a view to bringing an end to the situation of an excessive government deficit 15761/09</p>	
<p>Council Decision establishing whether effective action has been taken by Greece in response to the Council Recommendation of 27 April 2009 15766/09</p>	
<p>Council Recommendation to Ireland with a view to bringing an end to the situation of an excessive government deficit 15763/09</p>	
<p>Council Recommendation to Spain with a view to bringing an end to the situation of an excessive government deficit 15764/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Recommendation to France with a view to bringing an end to the situation of an excessive government deficit 15762/09	
Council Recommendation to the United Kingdom with a view to bringing an end to the situation of an excessive government deficit 15765/09	
Council Conclusions on the Lisbon Strategy post-2010 16196/2/09 REV 2	
Council Conclusions on Exit strategies for the financial sector 16198/1/09 REV 1	
Council Conclusions on Financial stability arrangements and crisis management 16434/09	
2982nd meeting of the Council of the European Union (COMPETITIVENESS – INTERNAL MARKET, INDUSTRY and RESEARCH), held in Brussels on 4 December 2009	
Council Decision, taken by common accord with the President-elect of the Commission, of 4 December 2009 adopting the list of the other persons whom the Council proposes for appointment as Members of the Commission 16937/09 + COR 1 (lv) + REV 1 (mt)	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Conclusions on Guidance on future priorities for European research and research-based innovation in post-2010 Lisbon strategy 17189/09	
Council Resolution of 3 December 2009 on the enhanced governance of the European Research Area (ERA) 17154/09	
Council Conclusions on the future of ICT research, innovation and infrastructures 17190/09	
Council Conclusions concerning the joint programming of research in Europe 17226/09	
Council Conclusions on an enhanced patent system in Europe 17229/09	
Council Conclusions: Towards a competitive, innovative and eco-efficient Europe — a contribution by the Competitiveness Council to the post-2010 Lisbon agenda 17179/09	
Council Conclusions on Better Regulation 16111/09	

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DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Conclusions on "Priorities for the Internal Market in the next decade" – contribution by the Competitiveness Council to the post 2010 Lisbon agenda 16112/09</p> <p>Written procedure completed on 4 December 2009</p> <p>Adoption of the European Union's position for the Association Council's eighth meeting - Relations with Morocco (Brussels, 7 December 2009) 16651/09</p> <p>2983rd meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Brussels on 7 December 2009</p> <p>Council Decision on establishing the European Union position within the Ministerial Council of the Energy Community (Zagreb, 18 December 2009) 16667/1/09 + REV 1 COR 1</p> <p>2984th meeting of the Council of the European Union (GENERAL AFFAIRS), held in Brussels on 7 December 2009</p> <p>Council Conclusions on the Special Report No 5/2009 by the European Court of Auditors concerning the Commission's Treasury Management 15207/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS

Votes/Statements made public

Statement by Finland, Germany, the Netherlands and Austria

Finland, Germany, the Netherlands and Austria request that the Commission more closely follow article 12 para. 4 of the regulation 1150/2000 when adjusting the balances of article 9 accounts in Member States.

Statement by the Commission

The Commission has put in place all reasonable measures, taking into account the complexity and sophistication of its treasury and payment architecture, to ensure that the difference between its overall treasury assets and cash resource requirements are divided among the accounts held in the Member States, as far as possible, in proportion to the estimated budget revenue from each of them. The present system it employs for this purpose aims at the same time at ensuring the maximum level of compliance with the para 1 of article 12 as well as at keeping the lowest possible level of exposure to counterparty risk (with commercial banks). It consists of drawing funds from the most appropriate (in terms of banking circuit) article 9 accounts on a "just-in-time" basis in order to cover for the daily Commission's payments to be executed, and of a monthly transfer of funds between article 9 accounts for the purpose of realigning the average balances on such accounts in accordance with article 12 para 4 of regulation 1150/2000. This monthly transfer takes into account expected cash flows for future periods and is partly based on estimates and statistical information.

The Commission assures the Council that it makes all possible efforts to ensure compliance with article 12 para. 4 of regulation 1150/2000, and will regularly monitor for this purpose the average balances it keeps on the article 9 accounts.

Efforts to ensure an even more close and stable alignment of these balances with the proportion of estimated budget revenue from each Member State would require, considering the operational needs of the Commission's treasury, that funds be periodically drawn proportionally from the article 9 accounts and transferred into a central Commission's bank account from which the treasury is then operated. The Commission is concerned that such system would lead to a lower level of compliance with the para. 1 of article 12, to more complex cash management and payment procedures for the Commission's treasury, and probably to a higher Commission's exposure to counterparty risk (since higher overall balances would need to be kept on commercial bank accounts).

Council Conclusions on Financial package for the accession negotiations with Croatia
16920/09

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council implementing Regulation (EU) No 1202/2009 of 7 December 2009 imposing a definitive anti-dumping duty on imports of furfuryl alcohol originating in the People's Republic of China following an expiry review pursuant to Article 11(2) of Regulation (EC) No 384/96 16188/1/09 REV 1</p> <p>Joint declaration on transitional measures applicable to the budgetary procedure after the entry into force of the Lisbon Treaty 16792/09</p> <p>Decision of the European Parliament and of the Council of 17 December 2009 amending the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management as regards the multiannual financial framework — Financing projects in the field of energy in the context of the European Economic Recovery Plan 17045/09</p> <p>Council Implementing Decision of 7 December 2009 authorising the Republic of Latvia to extend the application of a measure derogating from Article 193 of Directive 2006/112/EC on the common system of value added tax 15981/09 + COR 1 (hu)</p> <p>Council Implementing Decision of 7 December 2009 authorising the Republic of Slovenia to apply a measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax 15982/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Implementing Decision of 7 December 2009 authorising the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland to apply a measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax 15979/09 + REV 1 (It)</p> <p>Council Conclusions on enlargement / stabilisation and association process 17169/1/09 REV 1 + REV 1 COR 1 (fr + REV 1 COR 2 (fr)</p> <p>2985th meeting of the Council of the European Union (EXTERNAL RELATIONS), held in Brussels on 8 December 2009</p> <p>Council Decision 2009/907/CFSP of 8 December 2009 amending Joint Action 2008/851/CFSP 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 16450/09 + REV 1 (el)</p> <p>Council Decision 2009/906/CFSP of 8 December 2009 on the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH) 14983/09</p> <p>Council Conclusions on Climate Change and International security (CCIS) and Progress Report 16991/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Conclusions on Arctic issues 16857/09	
Council Conclusions on the South Caucasus 16862/09	
Council Conclusions on Promoting Compliance with International Humanitarian Law 16842/09	
Council Conclusions on Human Rights and Democratisation in Third Countries 16795/2/09 REV 2	
Council Conclusions on the Commission Communication regarding the EU-Latin America relations 17032/09	
Council Conclusions on the Horn of Africa 16876/09	
Council Conclusions on Iraq 16892/1/09 REV 1	
Council Conclusions on the Middle East Peace Process 17281/09	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>2986th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Brussels on 14, 15 and 16 December 2009</p>	
<p>Council Decision 2009/955/CFSP of 15 December 2009 amending Joint Action 2005/797/CFSP on the European Union Police Mission for the Palestinian Territories 16068/09 + COR 1 (fi) + REV 1 (de)</p>	
<p>Council Conclusions on Special Report No 6/2009 of the European Court of Auditors "European Union food aid for deprived persons: an assessment of the objectives, the means and the methods employed" 17150/1/09 REV 1</p>	
<p>Statement of the Federal Republic of Germany, of the Kingdom of the Netherlands and of the United Kingdom</p> <p>The Federal Republic of Germany, the Kingdom of the Netherlands and the United Kingdom take note of the report by the European Court of Auditors on "European Union food aid for deprived persons: an assessment of the objectives, the means and the methods employed". They draw attention in this regard to their opposition to the European Commission's proposal for amending the EU aid scheme for deprived persons. They believe there are factors confirming them in their opposition to this proposal, in particular the European Court of Auditors' conclusion according to which the Commission proposal is not compatible with the CAP or with funding from the EAGF. The Commission and the Council of the European Union are called upon to take this into account accordingly in future consultations.</p>	
<p>Council Conclusions on a possible future accession of the European Union to the Convention for the Conservation of Southern Bluefin Tuna (CCSBT) 16936/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Conclusions on Joint Fulfilment Agreement between the EU and Iceland with regard to a future international climate agreement 17343/09	
Council Conclusions on Special report No. 11/2009 on the sustainability and the Commission's management of the LIFE-Nature projects 16634/1/09 REV 1	
Council Conclusions on the Security of Supply of Radioisotopes for Medical Use 17025/09	
Council Implementing Decision of 15 December 2009 authorising the Republic of Estonia to apply a measure derogating from Article 167 of Directive 2006/112/EC on the common system of value added tax 16131/09	
Council Decision 2009/956/CFSP of 15 December 2009 amending Joint Action 2009/131/CFSP extending the mandate of the European Union Special Representative for the crisis in Georgia 14468/1/09 REV 1	
Council Regulation (EU) No 1227/2009 of 15 December 2009 repealing Regulation (EC) No 1859/2005 imposing certain restrictive measures in respect of Uzbekistan 16038/1/09 + REV 1 COR 1 (fi)	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Regulation (EU) No 1228/2009 of 15 December 2009 amending Regulation (EC) No 423/2007 concerning restrictive measures against Iran 16605/09</p> <p>Council Decision 2009/969/CFSP of 15 December 2009 extending the restrictive measures against certain officials of Belarus laid down in Common Position 2006/276/CFSP, and repealing Common Position 2009/314/CFSP 16366/09</p> <p>Council Declaration on Implementation of the Treaty of Lisbon - Article 290 TFEU 17512/09 + COR (nl)</p> <p>Council Decision of 16 December 2009 on the granting of State aid by the authorities of the Republic of Lithuania for the purchase of State-owned agricultural land between 1 January 2010 and 31 December 2013 16843/09</p> <p>Council Decision of 16 December 2009 on the granting of State aid by the authorities of the Republic of Latvia for the purchase of agricultural land between 1 January 2010 and 31 December 2013 16846/09</p> <p>2987th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Brussels on 17 and 18 December 2009</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Decision on the ceiling for the annual amount of the contribution by Member States to finance the European Development Fund in 2011 16421/09</p> <p>Statement by the Commission The Commission takes note that fixing the 2011 ceiling of European Development Fund (EDF) Contributions from Member States to € 3.690 million for the Commission and € 210 million for the EIB implies a reduction of the 2011 EDF cash flow for the Commission by € 260 million, while this ceiling allows for an increase in the EDF contributions for the Commission by 5.4% from 2010 to 2011. The Commission reminds that its estimates for 2011 are based on an analysis of the current aid portfolio, financing decisions in the pipeline, crisis response measures and the anticipation of the 10th EDF mid term reviews. The Commission will adjust its aid management in the best possible manner within the limits of the agreed ceiling for 2011. It however maintains that further increases of the EDF cash flow in subsequent years will be necessary in the light of the pledges made by the EU and to absorb in due time the 10th EDF which is considerably higher than the 9th EDF.</p> <p>Council Implementing Regulation (EU) No 1251/2009 of 18 December 2009 amending Regulation (EC) No 1911/2006 imposing a definitive anti-dumping duty on imports of solutions of urea and ammonium nitrate originating, inter alia, in Russia 16609/09 + COR 1 + REV 1 (hu)</p> <p>Council Implementing Regulation (EU) No 1252/2009 of 18 December 2009 concluding the new exporter review of Regulation (EC) No 1338/2006 imposing a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China, levying retroactively and imposing an anti-dumping duty with regard to imports from one exporter in this country and terminating the registration of these imports 16915/09</p>	<p>Qualified majority All Member States in favour</p>

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
Council Decision 2009/981/CFSP of 18 December 2009 amending Common Position 2006/318/CFSP renewing restrictive measures against Burma/Myanmar 16513/09	
Council Conclusions on the Commission Communication on 'A sustainable future for transport: Towards an integrated, technology-led and user friendly system' 17371/09 + COR 1	
Council Conclusions on "Post-i2010 Strategy" - towards an open, green and competitive knowledge society 17107/09	
Council Conclusion on Transforming the digital dividend into social benefits and economic growth 17113/09 + COR 1	
Council Resolution of 18 December 2009 on a collaborative European approach to Network and Information Security 15841/09	
2988th meeting of the Council of the European Union (ENVIRONMENT), held in Brussels on 22 December 2009	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Regulation (EU, Euratom) No 1295/2009 of 22 December 2009 adjusting with effect from 1 July 2009 the rate of contribution to the pension scheme of officials and other servants of the European Union 16495/09</p>	
<p>Council Decision of 22 December 2009 appointing the Secretary-General of the Council of the European Union for the period from 26 June 2011 to 30 June 2015 17603/09</p>	
<p>Council Recommendation of 22 December 2009 on seasonal influenza vaccination (Text with EEA relevance) 17296/09</p>	
<p>Council Conclusions on the lodging by the European Union of objections to recommendations of conservation measures established by the Northeast Atlantic Fisheries Commission 17309/09</p>	
<p>Council Decision repealing Decision 2009/473/EC concerning the conclusion of an Agreement in the form of an Exchange of Letters on the provisional application of the Fisheries Partnership Agreement between the European Community and the Republic of Guinea 16976/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Regulation (EU) No 7/2010 of 22 December 2009 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products and repealing Regulation (EC) No 2505/96 16508/09</p>	
<p>Council Regulation (EU) No 12/2010 of 22 December 2009 amending Regulation (EC) No 1255/96 temporarily suspending the autonomous common customs tariff duties on certain industrial, agricultural and fishery products 16509/09</p>	
<p>Council Decision of 22 December 2009 on the granting of State aid by the authorities of the Republic of Hungary for the purchase of agricultural land between 1 January 2010 and 31 December 2013 17173/09</p>	
<p>Council Conclusions on Special Report No 14/2009 of the European Court of Auditors "Have the management instruments applied to the market in milk and milk products achieved their main objectives?" 17394/09</p>	
<p>Council Conclusions on special report No. 13/2009 on "Delegating implementing tasks to executive agencies: a successful option?" 17386/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Decision of 22 December 2009 appointing the members and alternate members of the Committee of the Regions for the period from 26 January 2010 to 25 January 2015 16538/09 + COR 1 (mt)</p>	
<p>Council Implementing Decision of 22 December 2009 authorising the Republic of Austria to continue to apply a measure derogating from Article 168 of Directive 2006/112/EC on the common system of value added tax 15980/09</p>	
<p>Council Implementing Regulation (EU) No 1297/2009 of 22 December 2009 repealing the anti-dumping duty imposed by Regulation (EC) No 172/2008 on imports of ferro-silicon originating in the former Yugoslav Republic of Macedonia 17023/09</p>	
<p>Council Implementing Regulation (EU) No 1294/2009 of 22 December 2009 imposing a definitive anti-dumping duty on imports of certain footwear with uppers of leather originating in Vietnam and originating in the People's Republic of China, as extended to imports of certain footwear with uppers of leather consigned from the Macao SAR, whether declared as originating in the Macao SAR or not, following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 384/96 16851/09 + COR 1</p>	
<p>Council Conclusions on the EU's relations with Overseas Countries and Territories (OCTs) 16710/09</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Decision 2009/1012/CFSP of 22 December 2009 on support for EU activities in order to promote the control of arms exports and the principles and criteria of Common Position 2008/944/CFSP among third countries 17285/09 + REV 1 (fi)</p> <p>Council Regulation (EU) No 1286/2009 of 22 December 2009 amending Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban 17354/09 + COR 1 (fi)</p> <p>Council Conclusions on European Case-Law Identifier (ECLI) 17377/09</p> <p>Council Conclusions on strengthening EU research capacity on illicit drugs 17177/09</p> <p>Council Decision of 22 December 2009 amending Annex 3, Part I, to the Common Consular Instructions on third-country nationals subject to airport visa requirements 16724/09</p> <p>Council Decision of 22 December 2009 amending the Schengen consultation network (technical specifications) 15702/1/09 REV 1</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS

Votes/Statements made public

Statement by the German delegation

Re.: Adoption of the Council Decision amending the Schengen Consultation Network (Technical Specifications) – deadline for replies

In principle, Germany welcomes the amendment of the Schengen technical specifications in accordance with the Visa Code.

It is nevertheless unable to agree to the current proposals for amendment; this is because the proposal provides that from now the consultation procedure will allow only 7 days within which to reply "Yes" or "No" to the consulting national authorities. Previously the 7-day consultation period could be extended by another 7 days or more if there were doubts about a hit that required further checks.

Germany takes the view that thorough scrutiny should still be possible under the consultation procedure, even when the Visa Code comes into force.

Otherwise, every time a doubt arises during the consultation procedure in future, the feedback will have to be negative and the application refused.

This would not only be against applicants' interests, but would mean extra red tape for all the Schengen states, given that the new procedure in Article 32 of the Visa Code requires the applicant to be notified of the reasons for refusal of his application. This would hardly be conducive to a lean uniform Schengen visa procedure.

In our view, Article 22 of the Visa Code does not create any legal necessity for the planned changes to the procedure for consultation within the Schengen Consultation Network. Article 22(2) of the Visa Code simply provides that "the central authorities consulted shall reply definitively within seven calendar days after being consulted". This requirement could be met by notifying the existence of doubts and requesting an extension of the deadline for scrutiny. Article 23 of the Visa Code explicitly provides for the possibility of extending the decision-making deadline in individual cases.

We therefore feel that Articles 22 and 23 of the Visa Code should be taken together. There is thus no reason why the possibility of an extension, as explicitly provided for in Article 23, should not be applied to cases where doubt arises during the consultation procedure.

Council Conclusions on International Biodiversity Beyond 2010
17785/09

**INFORMATION ON THE ADOPTION OF OTHER ACTS
DECEMBER 2009**

OTHER ACTS	Votes/Statements made public
<p>Council Conclusions on Regional approaches to management of water and the marine environment, including implementation of the EU Strategy for the Baltic Sea Region 17797/09</p> <p>Council Conclusions on Combination effects of chemicals 17820/09</p> <p>Written procedure completed on 23 December 2009</p> <p>Council Regulation (EU, Euratom) No 1296/2009 of 23 December 2009 adjusting with effect from 1 July 2009 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto 16488/3/09 REV 3</p>	