



Council of the
European Union

Brussels, 12 March 2024
(OR. en)

7194/24
PV CONS 8
TRANS 123
TELECOM 101
ENER 112

DRAFT MINUTES

COUNCIL OF THE EUROPEAN UNION
(Transport, Telecommunications and **Energy**)

4 March 2024

1. Adoption of the agenda

The Council adopted the agenda set out in document 6866/24.

2. Approval of 'A' items

Non-legislative list

7072/24

The Council adopted all "A" items listed in the document above including all linguistic COR and REV documents presented for adoption.

A statement to these items is set out in the Addendum.

(b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

7075/24

Telecommunications

1. Regulation laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act)



6683/24 + ADD 1
PE-CONS 73/23
TELECOM

Adoption of the legislative act

approved by Coreper, Part 1, on 28 February 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 172 TFEU).

A statement to this item is set out in the Annex.

Environment

2. Directive amending Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)




6684/24
PE-CONS 83/23
ENVI

Adoption of the legislative act

approved by Coreper, Part 1, on 28 February 2024


The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 192(1) TFEU).

General Affairs

3. **Decision empowering France to negotiate, sign and conclude an agreement with the UK regarding the Channel Fixed Link**  6849/24
PE-CONS 91/23
UK
Adoption of the legislative act
approved by Coreper, Part 2, on 28 February 2024

The Council approved the European Parliament's position at first reading and the proposed act has been adopted pursuant to Article 294(4) of the Treaty on the Functioning of the European Union (legal basis: Article 91 TFEU).

Non-legislative activities

3. Security of supply and preparing for winter 6564/24 + COR 1
2024-2025: state of play
Exchange of views
4. Council recommendation on prolonging coordinated demand reduction measures for gas (*)  6619/1/24 REV 1
Political agreement
5. Flexibility, an essential tool in the energy transition 6567/24
Exchange of views

Any other business

- | | | | |
|----|----|---|---------|
| 6. | a) | Energy situation in Ukraine ¹
<i>Information</i> | 7006/24 |
| | b) | State of play in terms of progress made by Member States
with a view to achieving the 2030 objectives for climate
and energy
<i>Information from the Commission</i> | 7124/24 |
| | c) | Impacts of the gas storage neutrality charge and the need
for better coordination at the European level
<i>Information from the Austrian, Czech, Hungarian and
Slovak delegations</i> | 6932/24 |
| | d) | Call for urgent legal actions to stop Russian LNG imports
into the EU
<i>Information from the Lithuanian delegation</i> | 7040/24 |

C Item based on a Commission proposal

(*) Item on which a vote may be requested

¹ Presentation by the Minister for Energy of Ukraine.

Statements to the legislative "A" items set out in doc. 7075/24

Ad "A" item 1: **Regulation laying down measures for a high level of public sector interoperability across the Union (Interoperable Europe Act)**
Adoption of the legislative act

STATEMENT BY AUSTRIA

“In a spirit of overall compromise, Austria endorses the Interoperable Europe Act.

However, we would note that the text, which has emerged as the outcome a political compromise, has not dispelled Austria’s significant concerns regarding data protection. These concerns relate in particular to the following points:

- Article 12(6) provides for a blanket, indiscriminate and horizontal authorisation for the processing of any personal data in regulatory sandboxes. From a data protection perspective, this provision is too vague and therefore cannot constitute a legal basis for data processing. The re-use of personal data collected for a specific purpose for purposes that have no substantive or formal connection with the initial purpose is in no way foreseeable for the data subject. To the extent that the provision is intended to be a form of re-use that is ‘compatible’ within the meaning of Article 6(4) GDPR, it should be noted that Article 12(6) does not constitute a necessary and proportionate measure in a democratic society to safeguard the objectives referred to in Article 23(1) pursuant to Article 6(4) GDPR. Moreover, the provision does not distinguish between special categories of personal data pursuant to Article 9(1) GDPR and other personal data. In Austria’s view, the processing of special categories of personal data is not permissible on the basis of Article 6(4) GDPR and runs counter to the risk assessment underlying the GDPR.
- Furthermore, Article 12(6) completely disregards the data protection principle of data minimisation pursuant to Article 5(1), point (c), GDPR, because neither the scope nor the categories of personal data potentially processed in regulatory sandboxes are limited in any way.
- Contrary to Article 5(1), point (e), GDPR, the text does not provide for a maximum retention period for personal data in regulatory sandboxes. Moreover, since no maximum authorisation period is stipulated for regulatory sandboxes, the personal data contained therein are permanently accessible and can be processed permanently for an unlimited period of time.”