



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 17 March 2010

7662/10

PUBLIC 15

NOTE

Subject : MONTHLY SUMMARY OF COUNCIL ACTS FEBRUARY 2010

This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in February 2010.^{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.

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](#)).

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.

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 FEBRUARY 2010**

Written Procedure completed on 4 February 2010

2010/96/CFSP: Council Decision 2010/96/CFSP of 15 February 2010 on a European Union military mission to contribute to the training of Somali security forces
OJ L 44, 19.2.2010, p. 16–19

Written Procedure completed on 9 February 2010

Council declaration on 'EU-US Agreement on the Transfer of Financial Messaging Data for purposes of the Terrorist Finance Tracking Programme'
6170/2/10 REV 2

Written Procedure completed on 11 February 2010

Implementing Regulation of the Council (EU) No 126/2010 of 11 February 2010 extending the suspension of the definitive anti-dumping duty imposed by Regulation (EC) No 1683/2004 on imports of glyphosate originating in the People's Republic of China
OJ L 40, 13.2.2010, p. 1–3

2993rd meeting of the Council of the European Union (EDUCATION, YOUTH and CULTURE), held in Brussels on 15 February 2010

Position of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast)
11962/1/09 REV 1 + COR 1 (fi) + COR 2 (hu)

Directive of the European Parliament and of the Council on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (codified version)
PE-CONS 3683/09

Council Decision on the position to be taken by the European Union concerning the proposal to amend Annex A to the Agreement between the European Community and the Government of the People's Republic of China on drug precursors and substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances
5404/10

Council Conclusions on establishing the EU - the Republic of Moldova Human Rights Dialogue
5927/10

Implementing Regulation (EU) No 143/2010 of the Council of 15 February 2010 temporarily withdrawing the special incentive arrangement for sustainable development and good governance provided for under Regulation (EC) No 732/2008 with respect to the Democratic Socialist Republic of Sri Lanka
OJ L 45, 20.2.2010, p. 1–2

2994th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 16 February 2010

Council Directive 2010/12/EU of 16 February 2010 amending Directives 92/79/EEC, 92/80/EEC and 95/59/EC on the structure and rates of excise duty applied on manufactured tobacco and Directive 2008/118/EC
OJ L 50, 27.2.2010, p. 1–7

Council Decision amending Decision 2009/459/EC of 6 May 2009 providing Community medium-term financial assistance for Romania
6244/10

2010/114/: Council Decision of 16 February 2010 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Central Bank and Financial Services Authority of Ireland
OJ L 47, 24.2.2010, p. 16–16

Council Implementing Decision of 16 February 2010 authorising the Republic of Lithuania 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 45, 20.2.2010, p. 10–11

Council Statement concerning the Statement of Assurance of the Court of Auditors relating to the activities of the 7th, 8th, 9th and 10th European Development Funds for the financial year 2008
5873/10

2010/97/CFSP: Council Decision 2010/97/CFSP of 16 February 2010 on adapting and extending the period of application of the measures in Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement
OJ L 44, 19.2.2010, p. 20–23

2010/98/: Council Decision of 16 February 2010 appointing the members and alternate members of the Advisory Committee on Safety and Health at Work
OJ L 45, 20.2.2010, p. 5–9

Council Opinion on the updated stability programme of Greece, 2010-2013
6126/10

Council Decision giving notice to Greece to take measures for the deficit reduction judged necessary in order to remedy the situation of excessive deficit
6147/10

Council Recommendation with a view to ending the inconsistency with the broad guidelines of the economic policies in Greece and removing the risk of jeopardising the proper functioning of the economic and monetary union

6145/10

Council Decision making public Council Recommendation No of 16 February 2010 with a view to ending the inconsistency with the broad guidelines of the economic policies in Greece and removing the risk of jeopardising the proper functioning of the economic and monetary union

6146/10

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

5902/10

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

5903/10

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

6231/10

Council Conclusions on Deepening of the Single Market - Services in the Internal Market and market monitoring

6060/10

2995th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Brussels on 22 February 2010

Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council concerning a European rail network for competitive freight

11069/5/09 REV 5

Council Decision of 22 February 2010 appointing members of the European Social Fund Committee

OJ C 53, 3.3.2010, p. 2–6

Council Decision on the position to be taken by the European Union in the Cooperation Committee established by the Agreement on Cooperation and Customs Union between the European Economic Community and the Republic of San Marino in order to adopt the "Omnibus" Decision

5757/10

2996th meeting of the COUNCIL OF THE EUROPEAN UNION (Foreign Affairs), held in Brussels on 22 February 2010

Council Conclusions on Zimbabwe

6819/10

Council Conclusions on the Republic of Moldova: restrictive measures against the leadership of the Moldavian region of Transnistria
6329/10

2010/108/CFSP: Council Decision 2010/108/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative in the Republic of Moldova
OJ L 46, 23.2.2010, p. 12–15

2010/109/CFSP: Council Decision 2010/109/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the South Caucasus
OJ L 46, 23.2.2010, p. 16–19

2010/107/CFSP: Council Decision 2010/107/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the Middle East peace process
OJ L 46, 23.2.2010, p. 8–11

2010/106/CFSP: Council Decision 2010/106/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the crisis in Georgia
OJ L 46, 23.2.2010, p. 5–7

2010/113/CFSP: Council Decision 2010/113/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the African Great Lakes Region
OJ L 46, 23.2.2010, p. 30–33

2010/112/CFSP: Council Decision 2010/112/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for Central Asia
OJ L 46, 23.2.2010, p. 27–29

2010/111/CFSP: Council Decision 2010/111/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative in Bosnia and Herzegovina
OJ L 46, 23.2.2010, p. 23–26

2010/110/CFSP: Council Decision 2010/110/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for Sudan
OJ L 46, 23.2.2010, p. 20–22

Implementing Regulation of the Council (EU) No 157/2010 of 22 February 2010 imposing a definitive anti-dumping duty on imports of certain ring binder mechanisms 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 49, 26.2.2010, p. 1–13

Implementing Regulation of the Council (EU) No 151/2010 of 22 February 2010 terminating the partial interim review of the anti-dumping measures applicable to imports of certain tungsten electrodes originating in the People's Republic of China
OJ L 48, 25.2.2010, p. 1–2

Written Procedure completed on 25 February 2010

2010/121/CFSP: Council Decision 2010/121/CFSP of 25 February 2010 amending the Annex to Common Position 2004/161/CFSP renewing restrictive measures against Zimbabwe
OJ L 49, 26.2.2010, p. 30–31

2998th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 25 and 26 February 2010

Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council establishing a European Asylum Support Office
16626/09 + COR 1 (lv) + REV 1 (fi)

Position of the Council at first reading with a view to adopt Decision of the European Parliament and of the Council amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 by removing funding for certain Community actions and altering the limit for funding such actions
16627/1/09 REV 1

Implementing Regulation of the Council (EU) No 210/2010 of 25 February 2010 amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation
OJ L 65, 13.3.2010, p. 1–13

2010/131/: Council Decision of 25 February 2010 on setting up the Standing Committee on operational cooperation on internal security
OJ L 52, 3.3.2010, p. 50–50

2010/119/CFSP: Council Decision 2010/119/CFSP of 25 February 2010 extending and amending the mandate of the European Union Special Representative to the African Union
OJ L 49, 26.2.2010, p. 26–27

2010/120/CFSP: Council Decision 2010/120/CFSP of 25 February 2010 extending and amending the mandate of the European Union Special Representative for Afghanistan and Pakistan
OJ L 49, 26.2.2010, p. 28–29

2010/118/CFSP: Council Decision 2010/118/CFSP of 25 February 2010 extending the mandate of the European Union Special Representative in Kosovo
OJ L 49, 26.2.2010, p. 22–25

Council Decision concerning a position of the European Union to be adopted in the EU - Serbia Interim Committee on its Rules of Procedure including the Terms of Reference and Structure of the EU Serbia sub-committees
6098/10

2010/124/: Council Decision of 25 February 2010 relating to the operating rules of the panel provided for in Article 255 of the Treaty on the Functioning of the European Union
OJ L 50, 27.2.2010, p. 18–19

2010/125/: Council Decision of 25 February 2010 appointing the members of the panel provided for in Article 255 of the Treaty on the Functioning of the European Union
OJ L 50, 27.2.2010, p. 20–20

Council Conclusions on 29 measures for reinforcing the protection of the external borders and combating illegal immigration
6435/2/10 REV 2

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2010			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
2993rd meeting of the Council of the European Union (EDUCATION, YOUTH and CULTURE), held in Brussels on 15 February 2010 Position of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council on industrial emissions (integrated pollution prevention and control) (Recast)	11962/2/09 REV 2 + COR 1 (fi) + COR 2 (hu) + REV 3 (fr)	Unanimity	All Member States in favour except : abstention : AT, DE, DK, IE
Commission Statement in relation to correlation tables The Commission recalls its position concerning the creation by Member States of correlation tables linking the transposition measures taken by the Member States with the Directive, in the interest of citizens, better regulation and transparency and to assist the examination of the conformity of national rules with Community provisions. In this instance, the Commission does not stand in the way of an agreement at Council with a view to the successful conclusion of the inter-institutional procedure on this file and in light of the ongoing horizontal discussions on this matter between the institutions.			
Commission Statement in relation to Article 14(3)(c) and (d) The Commission is of the view that the adoption by it of non binding guidance should not be subject to comitology since the Commission has its own autonomous right under the Treaty to do so. Thus, the Commission considers that the provision in Article 14(3)(c) and (d) for guidance to be adopted by regulatory procedure cannot affect this right.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2010			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Commission Statement in relation to assessment of powers to be conferred on the Commission with respect to Articles 13(5), 41 and 48(5): The Commission does not share the views of the Council that Article 291 TFEU is the most appropriate legal basis for the adoption of the measures foreseen in Articles 13 (5), 41 and 48(5). Those measures are of general application and seek to supplement the basic act with certain new non-essential elements. As a result, their adoption should fall under the procedure of delegated acts (Article 290 TFEU). Statement from Austria, Denmark, Germany and Ireland on the IED Austria, Denmark, Germany and Ireland regret that the Council position does not hold a more ambitious line for the protection of human health and the environment, and a better basis for the more consistent and uniform implementation of policy to create a more equal and level playing field across the EU. In particular, the countries named would prefer: (i) to provide a better basis for effective implementation of the BREFs; (ii) to limit the derogation from the BREFs in article 15.4 and make the conditions for using the derogation more precise; and (iii) to limit the exemptions and bring forward the deadlines for the requirements for large combustion plants. For these reasons, the countries named abstain on the vote on the Council's position at first reading.			
Directive of the European Parliament and of the Council on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (codified version) 2994th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 16 February 2010	PE-CONS 3683/09	Qualified majority	All Member States in favour

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2010			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Council Directive 2010/12/EU of 16 February 2010 amending Directives 92/79/EEC, 92/80/EEC and 95/59/EC on the structure and rates of excise duty applied on manufactured tobacco and Directive 2008/118/EC Statement by the Council and the Commission Re Article 1(2): The Council and the Commission state that Member States may off-set the impact of an increase in the rate of value added tax (which given that the value added tax is levied upon the value of goods, including the excise duty, will increase the overall excise duty) even if such off-setting results in a temporary reduction in the excise duty, as a percentage of the weighted average retail selling price, below the minimum permitted level. Statement by Poland Re Article 5(1): Due to specificities of domestic legislative procedures, Poland reiterates that a timely implementation of the Directive into national law (as envisaged in Article 5(1)) will only be possible if the date of the publication of the Directive in the Official Journal of the EU is not later than 1 March 2010. 2995th meeting of the Council of the European Union (AGRICULTURE and FISHERIES), held in Brussels on 22 February 2010	17778/3/09 REV 3	Unanimity	All Member States in favour
Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council concerning a European rail network for competitive freight	11069/5/09 REV 5	Qualified majority	All Member States in favour

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2010			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement from Sweden Sweden takes the view that it is urgent to give freight transports better accessibility to the European rail networks. For environmental policy reasons and in order to combat global warming it is important to start using the rail mode's potential to provide efficient long distance transports of large volumes of freight. According to the Swedish opinion the political agreement on the "Proposal for a European rail network on competitive freight" is a step in the right direction, even if the agreement is not as far reaching as desirable. Sweden consequently supports the agreement but simultaneously considers that additional efforts could have been made with regard to the conditions for access to and use of the rail freight corridors as well as to the possibilities of creating new corridors adapted to market demand for international rail freight transport.			
2998th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 25 and 26 February 2010			
Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council establishing a European Asylum Support Office	16626/09 + COR 1 (lv) + REV 1 (fi)	Qualified majority	All Member States in favour
Inter-institutional Statement The European Parliament, the Council and the Commission have set up an Inter-institutional Working Group to assess the coherence, effectiveness, accountability and transparency of Regulatory Agencies, and to find common ground on how to improve their work. The Working Group is currently focusing on a number of key areas such as the role and position of Regulatory Agencies in the EU's institutional landscape, their creation, structure and operation, and issues related to their funding, budget, supervision and management. The formula agreed for the nomination of the Director of the future European Asylum Support Office (Article 28 of the basic regulation), providing that the European Parliament "may adopt an opinion setting out its view of the selected candidate and the Management Board shall inform the EP of the manner in which its opinion has been taken into account" should be seen in the context of the inter-institutional efforts to improve the governance and accountability of agencies.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2010			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Position of the Council at first reading with a view to adopt Decision of the European Parliament and of the Council amending Decision No 573/2007/EC establishing the European Refugee Fund for the period 2008 to 2013 by removing funding for certain Community actions and altering the limit for funding such actions	16627/1/09 REV 1	Qualified majority	All Member States in favour

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2010	
OTHER ACTS	Votes/Statements made public
Written Procedure completed on 4 February 2010 2010/96/CFSP: Council Decision 2010/96/CFSP of 15 February 2010 on a European Union military mission to contribute to the training of Somali security forces 5770/10 + COR 1 Written Procedure completed on 9 February 2010 Council declaration on 'EU-US Agreement on the Transfer of Financial Messaging Data for purposes of the Terrorist Finance Tracking Programme' 6170/2/10 REV 2 Written Procedure completed on 11 February 2010 Implementing Regulation of the Council (EU) No 126/2010 of 11 February 2010 extending the suspension of the definitive anti-dumping duty imposed by Regulation (EC) No 1683/2004 on imports of glyphosate originating in the People's Republic of China 6057/10 2993rd meeting of the Council of the European Union (EDUCATION, YOUTH and CULTURE), held in Brussels on 15 February 2010	abstention: DK, NL Qualified majority All Member States in favour except: abstention AT, DE

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2010	
OTHER ACTS	Votes/Statements made public
Council Decision on the position to be taken by the European Union concerning the proposal to amend Annex A to the Agreement between the European Community and the Government of the People's Republic of China on drug precursors and substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances 5404/10 Council Conclusions on establishing the EU - the Republic of Moldova Human Rights Dialogue 5927/10 Implementing Regulation (EU) No 143/2010 of the Council of 15 February 2010 temporarily withdrawing the special incentive arrangement for sustainable development and good governance provided for under Regulation (EC) No 732/2008 with respect to the Democratic Socialist Republic of Sri Lanka 5470/10 2994th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 16 February 2010 Council Decision amending Decision 2009/459/EC of 6 May 2009 providing Community medium-term financial assistance for Romania 6244/10	

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Council Decision giving notice to Greece to take measures for the deficit reduction judged necessary in order to remedy the situation of excessive deficit 6147/10 Council Recommendation with a view to ending the inconsistency with the broad guidelines of the economic policies in Greece and removing the risk of jeopardising the proper functioning of the economic and monetary union 6145/10 Council Decision making public Council Recommendation No of 16 February 2010 with a view to ending the inconsistency with the broad guidelines of the economic policies in Greece and removing the risk of jeopardising the proper functioning of the economic and monetary union 6146/10 Council Recommendation to Malta with a view to bringing an end to the situation of an excessive government deficit 5902/10 Council Recommendation to Lithuania with a view to bringing an end to the situation of an excessive government deficit 5903/10 Council Recommendation to Romania with a view to bringing an end to the situation of an excessive government deficit 6231/10	

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2010/108/CFSP: Council Decision 2010/108/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative in the Republic of Moldova 6084/10	
2010/109/CFSP: Council Decision 2010/109/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the South Caucasus 6107/10	
2010/107/CFSP: Council Decision 2010/107/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the Middle East peace process 6083/10	
2010/106/CFSP: Council Decision 2010/106/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the crisis in Georgia 6080/10	
2010/113/CFSP: Council Decision 2010/113/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for the African Great Lakes Region 6189/10	
2010/112/CFSP: Council Decision 2010/112/CFSP of 22 February 2010 extending the mandate of the European Union Special Representative for Central Asia 6159/10	

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2998th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), held in Brussels on 25 and 26 February 2010 Implementing Regulation of the Council (EU) No 210/2010 of 25 February 2010 amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings and codifying Annexes A, B and C to that Regulation 5527/10 2010/131/: Council Decision of 25 February 2010 on setting up the Standing Committee on operational cooperation on internal security 16515/09 + COR 1 (dk) + REV 1 (fi) Statement by the Council on the composition of the Standing Committee on operational cooperation on internal security (COSI) Given its operational role, COSI will be capitals-based. Each Member State will decide whether it has a single representative for all subject matters or different representatives, in both cases enjoying appropriate support. However the number of delegates will be limited in order to ensure the efficiency of the committee's work. COSI's work will be provided with Brussels-based support. JHA Counsellors will play a supporting role and will meet as required between main meetings of COSI. 2010/119/CFSP: Council Decision 2010/119/CFSP of 25 February 2010 extending and amending the mandate of the European Union Special Representative to the African Union 6191/10	

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