



**COUNCIL OF
THE EUROPEAN UNION**



8395/11

PRESSE 84
PR CO 20

PRESS RELEASE

3080th Council meeting

Transport, Telecommunications and Energy

Brussels, 31 March 2011

President **Mr Pál Völner,**
Minister of State for Infrastructure of Hungary

P R E S S

Rue de la Loi 175 B – 1048 BRUSSELS Tel.: +32 (0)2 281 8847 / 6319 Fax: +32 (0)2 281 8026
press.office@consilium.europa.eu <http://www.consilium.europa.eu/Newsroom>

8395/11

1
EN

Main results of the Council

*The Council reached agreement on a general approach on the rules for access to the **Public Regulated Service (PRS)** provided by the European global navigation satellite system under the Galileo programme and designed to ensure continuity of service for sensitive applications used by governmental and other authorised bodies.*

*It also adopted conclusions on the **mid-term review** of the European satellite radio navigation programmes **EGNOS** and **Galileo**, reaffirming its strong commitment to those programmes, whilst calling for containment of the costs they entail.*

*Further, ministers discussed the state of play as regards a proposed modification of the current regulation on the **European Maritime Safety Agency (EMSA)**, providing for an extension of EMSA's tasks and some changes to its governance structure.*

*The Council adopted its position on the accession of the EU to the protocol of 2002 to the 1974 **Athens Convention** on the carriage of passengers and their luggage by sea. The two draft decisions on the accession will now be transmitted to the European Parliament for consent.*

*In the field of aviation, ministers authorised the signing and provisional application of a memorandum of cooperation between the EU and the **International Civil Aviation Organisation (ICAO)**, providing a general framework for enhanced cooperation.*

*They also gave the Commission a mandate to open negotiations to amend the **air transport agreement with Switzerland** with a view to including traffic rights between points within Switzerland and between points within any EU member state.*

CONTENTS¹

PARTICIPANTS.....	5
--------------------------	----------

ITEMS DEBATED

INTERMODAL QUESTIONS.....	7
---------------------------	---

Rules for access to the Public Regulated Service offered by the Galileo navigation satellite system.....	7
--	---

Mid-term review of the European satellite radio navigation programmes.....	8
--	---

SHIPPING.....	10
---------------	----

Modification of the regulation on the European Maritime Safety Agency.....	10
--	----

Athens convention on the carriage of passengers and their luggage by sea.....	11
---	----

AVIATION.....	13
---------------	----

Cooperation agreement with the International Civil Aviation Organisation.....	13
---	----

Negotiations with Switzerland on amending air transport agreement.....	13
--	----

OTHER BUSINESS.....	14
---------------------	----

OTHER ITEMS APPROVED*TRANSPORT*

– Air services agreement with Brazil*.....	17
--	----

ENVIRONMENT

– CO ₂ emissions limits for light vans.....	17
--	----

– Persistent organic pollutants.....	18
--------------------------------------	----

– Waste management.....	18
-------------------------	----

¹

- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

INTERNAL MARKET

- Type-approval of motor vehicles.....19

AGRICULTURE

- Leader approach for rural development - *Council conclusions*20
- International Grains Council20
- International sugar agreement21
- Health claims on foods21

DEVELOPMENT COOPERATION

- Appropriate measures for the Fiji Islands22
- Fourth UN conference on the least developed countries.....22

FOREIGN AFFAIRS

- Adaptation of Partnership and Cooperation Agreement with Turkmenistan.....23
- Decision concerning EU Special Representative for Georgia23
- US participation in EU crisis management operations.....24
- Reply to entity subject to restrictive measures imposed on Côte d'Ivoire24

GENERAL AFFAIRS

- Protection of EU classified information*24

JUSTICE AND HOME AFFAIRS

- 2007 Hague Convention25

TRANSPARENCY

- Public access to documents.....26

PARTICIPANTS

Belgium:

Mr Etienne SCHOUPPE

State Secretary for Mobility, attached to the Prime Minister

Bulgaria:

Mr Kamen KITCHEV

Deputy Minister for Transport, Information Technology and Communications

Czech Republic:

Mr Vít BARTA

Minister for Transport

Denmark:

Mr Hans Christian SCHMIDT

Minister for Transport

Germany:

Mr Klaus-Dieter SCHEURLE

State Secretary, Federal Ministry of Transport, Building and Housing

Estonia:

Mr Gert ANTSU

Deputy Permanent Representative

Ireland:

Mr Leo VARADKAR

Minister for Transport

Greece:

Mr Dimitris REPPAS

Minister for Infrastructure, Transport and Networks

Spain:

Mr Isaías TABOAS SUAREZ

State Secretary for Transport

France:

Mr Philippe LEGLISE-COSTA

Deputy Permanent Representative

Italy:

Mr Altero MATTEOLI

Minister for Transport and Infrastructure

Cyprus:

Ms Erato KOZAKOU-MARKOULLIS

Minister for Transportation, Communication and Energy

Latvia:

Mr Uldis AUGULIS

Minister for Transport

Lithuania:

Mr Eligijus MASIULIS

Minister for Transport and Communications

Luxembourg:

Mr Claude WISELER

Minister for Sustainable Development and Infrastructure

Hungary:

Mr Zoltán SCHVÁB

State Secretary in charge of transport at the Ministry of National Development

Malta:

Mr Patrick MIFSUD

Deputy Permanent Representative

Netherlands:

Ms Melanie SCHULTZ VAN HAEGEN

Minister for Infrastructure and the Environment

Austria:

Ms Doris BURES

Federal Minister for Transport, Innovation and Technology

Poland:

Mr Cezary GRABARCZYK

Minister for Infrastructure

Portugal:

António MENDONÇA

Minister for Public Works, Transport and Communications

Romania:

Ms Anca Daniela BOAGIU

Minister for Transport and Infrastructure

Slovenia:

Mr Patrik VLAČIČ

Minister for Transport

Slovakia:

Mr Jan FIGEL

First Deputy Prime Minister and Minister for Transport,
Posts and Telecommunications

Finland:

Ms Maria RISLAKKI

Deputy Permanent Representative

Sweden:

Ms Catharina ELMSÄTER-SVÄRD

Minister for Infrastructure

United Kingdom:

Mr Philip HAMMOND

Secretary of State for Transport

Commission:

Mr Siim KALLAS

Vice-President

Mr Antonio TAJANI

Vice-President

ITEMS DEBATED

INTERMODAL QUESTIONS

Rules for access to the Public Regulated Service offered by the Galileo navigation satellite system

Transport ministers agreed on a general approach on rules for access to, and management of, the Public Regulated Service (PRS) provided by the European global navigation satellite system under the Galileo programme ([7725/11](#)). PRS is a secure encrypted service for sensitive applications that need to continue to be operational even in crisis situations when other services may be cut off. Access to it will be restricted to authorised users, principally governmental bodies such as police, border control or civil protection authorities.

While there was consensus between the member states on the draft decision, the Commission pointed out that, with regard to the modifications to its initial proposal ([14701/10](#)), it still had some problems of an institutional nature, but was confident that solutions could be found in the future negotiations with the European Parliament, whose approval is also required and which has not yet adopted its position on the proposal. The Council's aim is to reach an agreement with Parliament at first reading.

Some member states underscored the importance of the security aspects of the PRS and called upon the Commission to make sure that member states' experts would be fully involved in decisions on PRS matters.

The full debate can be watched at:

<http://video.consilium.europa.eu/index.php?pl=2&sessionno=3370&lang=EN>

The draft decision contains the following key elements:

- the member states, the Council, the Commission and the European External Action Service will have unlimited and uninterrupted access to the service worldwide. Each of them will decide whether to use the PRS within their respective competences, and it is up to them to authorise users and the uses that may be made of the PRS;
- member states wishing to use PRS or producing PRS receivers have to designate a PRS authority responsible for managing and monitoring end-users as well as for the manufacture of PRS receivers in accordance with common minimum standards;

- the production of PRS receivers will require an accreditation process;
- non-EU countries or international organisations can only become PRS participants if agreements on security procedures and access rules have been concluded with the EU;
- PRS receivers may be exported only to authorised non-EU countries.

The public regulated service is one of five services to be provided by the Galileo satellite system. It is scheduled to be launched in 2014, together with the Open Service and the Search-and-Rescue Service, while the Safety-of-Life Service and the Commercial Service will be operational somewhat later.

Mid-term review of the European satellite radio navigation programmes

The Council adopted conclusions reaffirming its strong commitment to the European satellite radio navigation programmes, whilst calling for containment of the costs they entail. The conclusions respond to the Commission's report ([5530/11](#)) on the mid-term review of the EGNOS programme, which is already operational, and the Galileo programme, which is still in its development phase, with the first services scheduled to become operational in 2014/2015.

In an exchange of views, ministers highlighted the main elements of the conclusions. Responding to the member states' concerns about costs, the Commission indicated that it would be able to give a more precise assessment of the costs once the final two contracts for the deployment of Galileo had been signed, before the summer.

The Council conclusions underline the strategic and economic importance of the programmes, which are intended to ensure the EU's independence in this field, establish the EU as one of the leading players in the space technology market and trigger further economic activities, in particular through the development of applications for the possibilities offered by the programmes.

At the same time, the Council invites the Commission to provide more details on the assumptions and calculations underlying the estimated additional financial needs (EUR 1.9 billion over the 2014-2020 period) for the completion of the Galileo infrastructure and to explore possible ways to achieve savings. It emphasises that any further cost overruns should be avoided. Looking forward to the Commission's proposal for the funding of the programmes under the next multiannual financial framework to apply from 2014, the Council considers that in view of the nature of the project, the programmes should continue to be financed by the EU budget.

The conclusions also stress that keeping to the timetable for the provision of the first services (2014/2015) is essential to build users' and industry's confidence in the programmes. International cooperation needs to be continued to settle issues regarding the compatibility and interoperability of the Union's system with those of other countries. Moreover, it is important to further reflect on the future governance of the programmes.

The full text of the conclusions can be found in document [7960/11](#).

The EGNOS programme, which enhances the accuracy of civilian GPS services, became operational on 1 October 2009 and is now available for use with both an Open Service and a Safety-of-Life Service for aviation. As regards the Galileo programme, two experimental satellites are already in space in order to test the technology and secure frequencies, and the first four satellites of the future system will be launched in 2011-2012. In 2014, the first services are planned to be delivered on the basis of 18 satellites. The system will be fully operational when all 30 satellites are in place; that should be achieved in 2019/2020.

SHIPPING

Modification of the regulation on the European Maritime Safety Agency

The Council discussed the state of play as regards a proposed modification of the current regulation on the European Maritime Safety Agency (EMSA), providing for an extension of EMSA's tasks, on the one hand, and some changes to its governance structure, on the other (progress report: [7644/11](#)).

The great majority of delegations can in principle accept a limited **extension**, but stressed that new tasks should only be introduced if a clear added value can be demonstrated, and that duplication of work already undertaken by national administrations or other EU bodies needed to be avoided. Many member states also emphasised that the agency should focus primarily on its core business, which is maritime safety. The possible budgetary consequences of an extension were also a matter of concern; some member states considered that any new tasks would need to be funded within the agency's current budget and without creating new posts at the agency.

As regards the extension of EMSA's competence to interventions in the event of pollution from oil and gas installations, and not only from ships, as under the current regulation, some delegations stressed that in such cases EMSA should intervene only at the request of the member state concerned.

Further new tasks proposed by the Commission include increased cooperation with neighbouring countries and closer involvement of EMSA in EU maritime research, an enhanced role in the development of an EU maritime surveillance network, and contributions to other EU policies related to its field of expertise, such as "motorways of the sea" or the European maritime transport space without barriers.

With respect to the **governance** of EMSA, the text proposed by the Commission intends in particular to clarify the role of the different actors in the organisation of visits and inspections carried out by EMSA, in order to avoid conflicts of interest. Many member states, however, are critical of what they see as a shift of competences from the agency's administrative board, where member states are represented, to the executive director and the Commission. Some delegations prefer to maintain the present governance structure, while several member states support adapting it, on condition that the competence of the agency's administrative board is fully respected, so as to ensure that member states have their say in EMSA's decision taking, in particular when it comes to the appointment procedure for the executive director.

The full debate can be watched at:

<http://video.consilium.europa.eu/index.php?pl=2&sessionno=3370&lang=EN>

EMSA, set up in response to the oil spill caused by the accident involving the oil tanker "Erika" in 1999 and operational since 2003, provides assistance to the member states and the Commission to help ensure maritime safety and security and prevent marine pollution from ships, including by monitoring and assessing implementation of relevant EU law.

The modifications to the agency's tasks as proposed by the Commission ([15717/10](#)) arise mainly from the implementation of the so-called "third maritime package" of eight legislative acts adopted in April 2009.

Athens convention on the carriage of passengers and their luggage by sea

The Council adopted its position ([8493/11](#)) on the proposed accession of the European Union to the protocol of 2002 to the 1974 Athens convention on the carriage of passengers and their luggage by sea, which deals with liability and insurance issues and related legal aspects. Ministers agreed on two draft decisions on the accession, which will be formally adopted by the Council, once the European Parliament has given its consent.

The protocol, which will enter into force when there have been a certain number of ratifications, will bring about better compensation rights for passengers, in particular by providing for strict liability for the carrier and including compulsory insurance with a right of direct action against insurers up to a specified limit. In addition, it contains rules on jurisdiction and the recognition and enforcement of judgments.

Most of the rules of the Athens protocol have been incorporated into EU law by regulation 392/2009 on the liability of carriers of passengers by sea in the event of accidents, which is to be applied as from 2013 at the latest. Insofar as these rules are concerned, accession to the protocol is a Union competence. There remain, however, a number of protocol provisions not falling within the Union's competence, but rather within that of the member states, for example the possibility of fixing higher limits of liability than those provided for in the protocol. The individual member states therefore also need to accede to the protocol for it to become applicable in full¹, thus ensuring a coherent legal framework throughout the Union.

¹ As regards, however, recognition and enforcement of judgments, the EU will continue to apply its internal rules, or the provisions of the so-called Lugano conventions, where relations with parties to those conventions are concerned. This is in accordance with the Athens protocol, since the EU and Lugano rules ensure at least the same degree of recognition and enforcement as the protocol.

It is desirable for the protocol to become applicable not later than the regulation, in order to avoid any legal vacuum. A speedy accession of both the EU and the member states is therefore important to make sure that the number of ratifications required for the entry into force of the protocol is reached with enough time to allow its application as from 2013. The draft decisions stipulate that member states should, if possible, accede to the protocol by 31 December 2011, at the same time as the Union.

In view of the protocol's rules on jurisdiction and the recognition and enforcement of judgments, the Council decided for legal reasons to take two separate decisions on the accession: one covering the transport part of the protocol and legally based on the Lisbon treaty's transport policy provisions; and another on the civil law part, with the treaty provisions on judicial cooperation in civil matters as a legal basis. That separation according to the legal bases is due to the special position of Denmark, Ireland and the United Kingdom, which do not, or do not automatically, participate in judicial cooperation under the Lisbon treaty. In the case at hand, though, Ireland and the United Kingdom will be bound by the EU decision, since the EU rules on jurisdiction and recognition and enforcement of judgments already apply to them; Denmark, however, will be bound only as a contracting party to the protocol, as far as civil law matters are concerned. The decision on the transport part automatically applies to all EU member states.

AVIATION

Cooperation agreement with the International Civil Aviation Organisation

The Council authorised the signing and provisional application of a memorandum of cooperation with the International Civil Aviation Organisation (ICAO), which provides a framework for enhanced cooperation in the areas of aviation safety and security, air traffic management, and environmental protection ([7702/11](#)).

Besides regular dialogue, consultation, exchange of information and expertise, and participation in audit and inspection programmes, the cooperation will include financing by the EU of specific actions and the posting of experts to the ICAO secretariat. Moreover, the memorandum will allow pooling and coordination of EU support.

Close cooperation with ICAO is essential, as the standards and requirements adopted by this UN agency also form the basis for EU legislation.

The memorandum of cooperation is the result of negotiations led by the Commission in accordance with a mandate granted by the Council in December 2009. It will be provisionally applied as from the date of the signing, which is expected to take place in early May.

Negotiations with Switzerland on amending air transport agreement

The Council authorised the Commission to open negotiations to amend the air transport agreement with Switzerland with a view to including traffic rights between points within Switzerland and between points within any EU member state.

Under the agreement concluded in 2002, EU and Swiss air carriers were granted traffic rights between any point in Switzerland and any point in the EU; in addition, Swiss air carriers were granted traffic rights between points in different EU member states. The agreement also provides for future negotiations on a possible extension of traffic rights as contemplated now.

A successful conclusion of the negotiations will presuppose the full incorporation of the relevant existing EU legislation into the agreement.

OTHER BUSINESS

White Paper on transport policy

The Council heard a presentation by the Commission of its recently issued White Paper on transport, which outlines a roadmap for a resource-efficient and competitive transport system ensuring mobility across the EU, removing all obstacles to the internal transport market, reducing Europe's dependence on oil and promoting more environmentally friendly transport patterns, so as to allow carbon emissions to be cut by 60 % by 2050 ([8333/11](#) + [ADD 1, 2 and 3](#)).

Transport ministers will have a thorough discussion of the White Paper at their meeting in June.

Informal ministerial meeting on the trans-European transport network

The presidency briefed the Council on the outcome of the informal meeting of transport ministers on the future of the trans-European transport network (TEN-T) held in Budapest on 7 and 8 February (see also the presidency conclusions in doc. [6430/11](#)). At that meeting, ministers supported the development of a wide comprehensive network while concentrating efforts on a core network of high strategic importance, in accordance with the dual layer structure proposed by the Commission. However, the need to improve the transport infrastructure in less developed regions was also highlighted. The Commission is expected to submit its proposal for new TEN-T guidelines by mid-2011.

Follow-up to the volcanic ash crisis and situation after the radiological fallout in Japan

Firstly, the Commission informed the Council about the consequences of the radiological fallout in Japan on aviation and shipping. Currently, the airspace and ports are open, and no health risks have been identified as regards international transport. The Commission will continue to monitor the situation closely. It also underscored the importance of ensuring a coordinated EU approach.

The Commission then briefed the Council on the follow-up to last year's volcanic ash crisis and the wider scope of crisis management ([8192/11](#)). The activities the Commission has engaged in and will continue to take forward, in accordance with the conclusions adopted by transport ministers at their extraordinary meeting on 4 May 2010 ([6269/10](#)), include in particular: the development of methods for risk assessment and management, focusing on risk containment for flights in ash contaminated airspace; the definition and standardisation of airworthiness data to be provided by engine manufacturers; the speeding up of the implementation of the Single European Sky; and the identification and assessment of structural measures to favour a resilient interlinked European transport system.

Ratification by member states of aviation agreements

The Commission briefed the Council on the state of play regarding ratification by member states of aviation agreements concluded by the EU. The Commission urged member states to finish their internal ratification procedures and to address the possible reasons for delays ([8193/11](#)).

Single European Sky conference in Budapest

The Council was briefed by the presidency on the outcome of a high-level conference on the implementation of the Single European Sky (SES), held in Budapest on 3 and 4 March 2011 ([7495/1/11](#)).

The conference, jointly organised by the Commission and Hungary and attended by around 300 participants from the EU and non-EU countries, put particular emphasis on immediate action to anticipate and mitigate expected summer traffic delays. In this context, it was considered a matter of urgency for the central network manager to start its work. Furthermore, the conference stressed in particular the need for the member states to effectively implement the SES performance scheme and the functional airspace blocks, and the importance of preparing the deployment of the SESAR (SES air traffic management research) technologies.

Recent developments in Implementing the Single European Sky

The Commission updated the Council on recent developments in implementing the Single European Sky ([8187/11](#)), in particular on the state of play as regards the issues highlighted at the Budapest SES conference and mentioned above. With respect to the risk of air traffic delays next summer, the Commission also underscored the key role of the future network manager to be nominated by June. The Commission will report to the Council on this issue at its meeting in June.

Negotiations on a comprehensive air transport agreement with Brazil

The Commission informed the Council about the successful conclusion of the negotiations with Brazil on a comprehensive air transport agreement ([8194/11](#)). The agreement, initialled on 17 March, provides for the gradual opening of market access and also for enhanced regulatory co-operation, in particular with a view to addressing the environmental impact of air traffic. The signing of the agreement is likely to take place at the Transport Council meeting in Luxemburg on 16 June.

Progressing air cargo security work

The UK delegation underlined the importance of swift progress being made in implementing the EU action plan for improving air cargo security, as called for in the conclusions on this subject adopted by both the transport and the JHA Council in December 2010 (UK information note: [8161/11](#)). The Commission announced that it would present a progress report on the ongoing work to the Transport Council in June.

Transport issues and the forthcoming review of European air quality legislation

The UK delegation, backed by Italy, drew the Council's attention to the need to identify suitable options for the mitigation of air pollution and carbon emissions from the transport sector in the context of the comprehensive review of the European air quality legislation scheduled for 2013 and already under preparation (see Commission document [7805/11](#)). The United Kingdom and Italy pointed in particular to the failure to effectively control diesel NOx emissions in urban driving conditions ([8242/11](#)).

Greenhouse gas emissions from shipping

The Council took note of information provided by the Commission on the state of play within the International Maritime Organisation (IMO) concerning the reduction of greenhouse gas emissions from shipping ([8238/11](#)). The Commission highlighted the need, on the one hand, to achieve a positive vote at the IMO on an Energy Efficiency Design Index for newly built ships and, on the other, to seek progress on market-based measures, such as an emissions trading scheme for ships and a greenhouse gas fund, which however are still opposed in particular by developing countries.

International Transport Forum

The Spanish delegation briefed the Council on the fourth annual summit of the International Transport Forum (ITF) to take place in Leipzig, Germany, from 25 to 27 May. This year, Spain holds the annually rotating presidency of this intergovernmental organisation with 52 member countries, which offers a platform for discussion on recent developments and the future of transport. Under the theme "transport for society", the 2011 summit will focus on how transport can better serve citizens and society and how all transport modes can contribute to sustainable growth.

The Cypriot delegation, supported by Greece, drew the Council's attention to the fact that Turkey was still blocking Cyprus' accession to the Forum. Cyprus launched an appeal to the EU partners to show solidarity and take steps to remedy that situation.

OTHER ITEMS APPROVED

TRANSPORT

Air services agreement with Brazil*

The Council authorised the conclusion of an air services agreement between the EU and Brazil, ([12922/5/09](#) + [COR 1](#), [13988/10](#) and [7835/11](#)), following the consent given by the European Parliament.

The agreement, which was signed in July 2010, supersedes or complements the existing bilateral agreements between individual member states and Brazil, bringing their provisions into line with EU law, in particular as regards non-discriminatory access for all EU air carriers to routes between the EU and Brazil, aviation fuel taxation and competition rules.

ENVIRONMENT

CO₂ emissions limits for light vans

The Council approved the first CO₂ emission standards for small vans in the EU ([4/11](#) + [COR 1](#) + [COR 4](#)). The law introduces a limit of 175g CO₂/km for the average CO₂ emissions from light commercial vehicles registered in the EU. It will apply to small vans of average mass while specific targets for individual vehicles will vary according to their weight. The target will be phased in between 2014 and 2017: in 2014, 70% of a manufacturer's fleet will have to comply with it, rising to 75% in 2015 and 80% in 2016. From 2017, full compliance will be required from carmakers.

For more details see press release [8406/11](#).

Persistent organic pollutants

The Council adopted the position of the European Union for the fifth Conference of the Parties to the Stockholm convention on persistent organic pollutants. The EU is ready to support the addition of endosulfan to annex A of the convention (7094/11).

The Council also adopted proposals of the EU and its member states for amendments to the Stockholm convention (7071/11). It authorised the Commission to suggest adding the following chemicals to annex A and/or annex C:

- hexachlorobutadiene (CAS number: 87-68-3),
- pentachlorophenol (CAS number: 87-86-5),
- chlorinated naphthalenes (a group of 75 chlorinated naphthalenes, containing from one to eight chlorine atoms).

Waste management

The Council adopted a draft regulation setting criteria that determine when certain types of scrap metal cease to be considered waste. The criteria concern iron, steel and aluminium scrap. Such scrap could be recycled for metal production if it is sufficiently pure, meets the technical requirements of the metal producing industry and does not have a negative impact on human health and the environment. The development of such end-of-waste criteria was provided for in the EU framework legislation on waste (directive 2008/98/EC).

The draft regulation was initially submitted by the Commission to a regulatory committee, which failed to give an opinion. The Council then submitted the same text to the European Parliament. Since the Parliament did not object, the Council has now definitely adopted the regulation.

INTERNAL MARKET**Type-approval of motor vehicles**

The Council decided not to oppose the adoption by the Commission of regulations:

- amending the annex to regulation 631/2009 laying down detailed rules for the implementation of annex I to regulation 78/2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users;
- concerning type-approval requirements for motor vehicles and their trailers with regard to the installation of their tyres and implementing regulation 661/2009 concerning type-approval requirements for the general safety of motor vehicles; and
- amending regulation 661/2009 as regards the inclusion of certain regulations of the United Nations Economic Commission for Europe.

The draft Commission regulations are subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

AGRICULTURE

Leader approach for rural development - *Council conclusions*

The Council adopted the conclusions on the European Court of Auditors Special Report No 5/2010 entitled "Implementation of the Leader approach for rural development" ([7822/11](#))

International Grains Council

The Council adopted a decision establishing the position to be adopted, on behalf of the EU, within the International Grains Council with respect to the extension of the Grains Trade Convention 1995 ([5489/11](#)).

The Grains Trade Convention 1995 entered into force on 1 July 1995 and, since then, has been regularly extended and remains into force until 30 June 2011. A further extension of the convention by up to two years entails the prolongation of the EU contribution to the administrative budget of the International Grains Agreement, which covers both this convention and the Food Aid Convention 1999.

The objectives of the Convention are

- to further international co-operation in all aspects of trade in grains, especially insofar as these affect the food grain situation;
- to promote the expansion of international trade in grains, and to secure the freest possible flow of this trade, including the elimination of trade barriers and unfair and discriminatory practices, in the interest of all members, in particular developing members;
- to contribute to the fullest extent possible to the stability of international grain markets in the interests of all members, to enhance world food security, and to contribute to the development of countries whose economies are heavily dependent on commercial sales of grain; and
- to provide a forum for exchange of information and discussion of members' concerns regarding trade in grains.

The purpose of this text is to seek the Council's authorisation for the Commission to vote, on behalf of the Union, in favour of the extension of the Grains Trade Convention up to 30 June 2013 within the International Grains Council.

International sugar agreement

The Council adopted a decision establishing the position to be adopted, on behalf of the EU, within the International Sugar Council as regards the extension of the International Sugar Agreement 1992 ([5481/11](#)).

The International Sugar Agreement 1992 was concluded by the EU and entered into force on 1 January 1993. Since then it has been regularly extended and remains into force until 31 December 2011. A further extension of this agreement by up to two years entails the prolongation of the EU contribution to its administrative budget.

The International Sugar Council was created in 1937, originally to deal with problems concerning sugar surpluses and sugar distribution through the International Sugar Organisation. This organisation aims to ensure enhanced international cooperation in connection with world sugar matters and provide a forum for intergovernmental consultations on sugar so as to improve the world sugar economy, to facilitate trade by collecting and providing information on the world sugar.

The purpose of this decision is to seek the Council's authorisation for the Commission to vote, on behalf of the Union, in favour of the extension of the agreement up to 31 December 2013 within the International Sugar Council.

Health claims on foods

The Council decided not to oppose the adoption of a Commission regulation on the authorisation and refusal of certain health claims made on foods and referring to children's development and health ([5610/11](#)).

The draft Commission regulation is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.

DEVELOPMENT COOPERATION

Appropriate measures for the Fiji Islands

The Council extended until 31 October 2011 the appropriate measures for the Fiji islands in order to assist the country's return to democracy, respect for human rights and the rule of law ([7162/11](#)).

The measures were initially adopted on 1 October 2007, concluding consultations under Article 96 of the Cotonou Agreement. They came in the wake of the military takeover in Fiji on 5 December 2006, which the EU considered a violation of democracy and the rule of law, both essential elements of the Cotonou Agreement.

Fourth UN conference on the least developed countries

The Council adopted guidelines for the participation of the European Union in the fourth UN conference on the least developed countries, to be held in Istanbul from 9 to 13 May ([7651/11](#)). As the world's largest donor to the least developed countries, the EU considers that the outcome from Istanbul should address three main objectives:

- Combating the vulnerability and fragility of the least developed countries and further enhancing their resilience to shocks.
- Creating a favourable environment for the sustainable development of the least developed countries.
- Promoting inclusive and sustainable economic growth for the least developed countries.

FOREIGN AFFAIRS**Adaptation of Partnership and Cooperation Agreement with Turkmenistan**

The Council adopted a decision authorising the opening of negotiations with Turkmenistan for a protocol adapting the Partnership and Cooperation Agreement (PCA) with Turkmenistan to take account of the accession of the member states that joined the European Union in 2004 (6128/11).

The PCA with Turkmenistan, signed on 25 May 1998, has not yet entered into force. A protocol to the PCA needs to be concluded to allow the 12 member states that have since joined the EU to accede to the PCA. It needs to enter into force before completion of the ratification of the PCA.

The decision adopted authorises the opening of negotiations for a protocol to take into account the Member States that acceded to the EU in 2004.

Another protocol will be concluded to take account of the member states that joined the EU in 2007.

Decision concerning EU Special Representative for Georgia

The Council adopted a decision amending decision 2010/445/CFSP extending the mandate of the EUSR for the crisis in Georgia (7009/11).

Decision 2010/445/CFSP, adopted on 11 August 2010, extended the mandate of Pierre Morel, EUSR for the crisis in Georgia, until 31 August 2011.

The amending decision increases the financial reference amount covering the expenditure related to the EUSR's mandate in order to allow for additional operational needs.

US participation in EU crisis management operations

The Council adopted a decision approving the Framework Agreement between the United States of America and the European Union on the participation of the United States of America in European Union crisis management operations (6936/11).

The agreement establishes a framework laying down the conditions for possible future participation by the US in EU crisis management operations, rather than defining those conditions on a case-by-case basis.

Reply to entity subject to restrictive measures imposed on Côte d'Ivoire

The Council approved the text of a draft reply to be sent to the Ivorian undertaking *Versus Bank*, which had requested the lifting of the restrictive measures imposed on it under Council Decision 2010/656/CFSP and Council Regulation (EC) No 560/2005.

The reply states that Council remains of the opinion that *Versus Bank* is helping to fund the illegitimate government of Mr Laurent Gbagbo and that the restrictive measures should not be lifted.

GENERAL AFFAIRS

Protection of EU classified information*

The Council adopted a revision of its security rules for protecting EU classified information ([6952/2/11](#) + [8054/11 ADD 1](#)). The new rules provide a more user-friendly, coherent and comprehensive framework for handling classified information at the Council and in its relations with the member states. At the same time they continue to guarantee appropriate protection of classified information provided to the Council by non-EU countries and international organisations. They will be supplemented by an agreement between the EU member states on protection of classified information exchanged in the interests of the Union.

JUSTICE AND HOME AFFAIRS

2007 Hague Convention

The Council adopted a decision on the **signing**, on behalf of the European Union, of the 2007 Hague convention on the international recovery of child support and other forms of family maintenance. ([8211/11](#) and [7357/11](#))

The Council also noted a political agreement on a decision on the **conclusion**, on behalf of the European Union, of the 2007 Hague convention pending the finalisation of the annexes ([12265/09](#)).

The aim of the convention is to establish a comprehensive system of administrative co-operation between the Central Authorities of the contracting states concerning, in particular, the recognition and enforcement of maintenance decisions and maintenance arrangements, through procedures which are accessible, efficient, prompt, cost-effective and fair and have the best interests of the child in mind.

The convention covers many practical matters that can affect the way international claims for maintenance are pursued — for example, language requirements, standardised forms and exchange of information on national laws.

The adoption by the Council of the decision on the signing of the convention and the noting of the political agreement on the decision on the conclusion of the convention are important steps in the further development of the relations between the Union and third states in the area of maintenance obligations.

TRANSPARENCY**Public access to documents**

The Council adopted:

- the reply to confirmatory application No 03/c/01/11 (doc. [6186/11](#) + [COR 1](#) (mt)); and
 - the reply to confirmatory application No 04/c/01/11, the Danish, Finnish and Swedish delegations voting against (doc. [6786/11](#)).
-