



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 7 April 2009**

**8589/09**

**PUBLIC 51**

**NOTE**

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Subject : MONTHLY SUMMARY OF COUNCIL ACTS FEBRUARY 2009

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This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in February 2009.<sup>1 2</sup>
- 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](#)).

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<sup>1</sup> 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.

<sup>2</sup> In the case of legislative acts adopted in codecision, 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 in codecision 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. These are available via the Internet (<http://consilium.europa.eu>); see under "Documents", "Legislative Transparency", "Council Minutes".

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

**2922nd meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), Brussels 10 February 2009**

*2009/118/EC: Council Decision of 10 February 2009 authorising the Czech Republic and the Federal Republic of Germany to apply measures derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax*  
OJ L 41, 12.2.2009, p. 12–15

*Council Conclusions on the progress report of the Single Market Review*  
5637/09

*Council Conclusions on SEPA*  
5936/09 + COR 1 + COR 2 (ro)

*Council Conclusions on Common guidelines for the national sides and the issuance of euro coins intended for circulation*  
5615/09

*Council Common Position 2009/116/CFSP of 10 February 2009 extending and amending Common Position 2004/133/CFSP on restrictive measures against extremists in the former Yugoslav Republic of Macedonia (FYROM)*  
OJ L 40, 11.2.2009, p. 56–57

*2009/171/EC: Council Decision of 10 February 2009 amending Annex 2, Schedule A, to the Common Consular Instructions on visas for the diplomatic missions and consular posts, in relation to visa requirements for holders of Indonesian diplomatic and service passports*  
OJ L 61, 5.3.2009, p. 17–18

*Council Conclusions on Anti-fraud agreement with Liechtenstein*  
6116/09

*Council Statement concerning the statement of assurance of the Court of Auditors relating to the activities of the 7th, 8th and 9th European Development Funds for the financial year 2007*  
5047/09

*Council Recommendation of 10 February 2009 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Seventh EDF) for the financial year 2007*  
OJ L 40, 11.2.2009, p. 35–35

*Council Recommendation of 10 February 2009 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Eighth EDF) for the financial year 2007*  
OJ L 40, 11.2.2009, p. 36–36

*Council Recommendation of 10 February 2009 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Ninth EDF) for the financial year 2007*  
OJ L 40, 11.2.2009, p. 37–37

*Joint Tripartite Declaration establishing a "European 112 Day"*  
6178/09

**2923rd meeting of the Council of the European Union (EDUCATION, YOUTH and CULTURE), Brussels 16 February 2009**

Council Directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC  
5010/09

*Regulation of the European Parliament and of the Council amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission*  
PE-CONS 3693/1/08 REV 1

*Common Position (EC) No 13/2009 of 16 February 2009 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 (Text with EEA relevance)*  
OJ C 75E , 31.3.2009, p. 58–66

*Common Position adopted by the Council on 16 February 2009 with a view to the adoption of a Directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services*  
16496/1/08 REV 1 + REV 2 (da)

*Common Position adopted by the Council on 16 February 2009 with a view to the adoption of a Directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (Text with EEA relevance)*  
16497/1/08 REV 1

*Common Position (EC) No 14/2009 of 16 February 2009 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council establishing the Group of European Regulators in Telecoms (GERT) (Text with EEA relevance)*

OJ C 75E , 31.3.2009, p. 67–73

*Regulation of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny - Part Two*

PE-CONS 3692/2/08 REV 2

*Council Decision relating to the conclusion of the Agreement between the European Community and the Government of the Republic of Korea concerning cooperation on anti-competitive activities 16244/08 + COR 1 + REV 1 (sk)*

*Council Joint Action 2009/134/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for Sudan*

OJ L 46, 17.2.2009, p. 57–60

*Council Joint Action 2009/129/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in the former Yugoslav Republic of Macedonia (FYROM)*

OJ L 46, 17.2.2009, p. 40–42

*Council Joint Action 2009/131/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the crisis in Georgia*

OJ L 46, 17.2.2009, p. 47–49

*Council Joint Action 2009/130/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for Central Asia*

OJ L 46, 17.2.2009, p. 43–46

*Council Joint Action 2009/133/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the South Caucasus*

OJ L 46, 17.2.2009, p. 53–56

*Council Joint Action 2009/132/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in the Republic of Moldova*

OJ L 46, 17.2.2009, p. 50–52

*Council Joint Action 2009/128/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the African Great Lakes Region*

OJ L 46, 17.2.2009, p. 36–39

*Council Joint Action 2009/136/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the Middle East peace process*  
OJ L 46, 17.2.2009, p. 65–68

*Council Joint Action 2009/135/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in Afghanistan*  
OJ L 46, 17.2.2009, p. 61–64

*Council Common Position 2009/138/CFSP of 16 February 2009 concerning restrictive measures against Somalia and repealing Common Position 2002/960/CFSP*  
OJ L 46, 17.2.2009, p. 73–75

*Council Joint Action 2009/137/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in Kosovo*  
OJ L 46, 17.2.2009, p. 69–72

*Council Common Position 2009/139/CFSP of 16 February 2009 renewing restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova*  
OJ L 46, 17.2.2009, p. 76–78

*2009/246/EC: Council Decision of 16 February 2009 on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union*  
OJ L 73, 19.3.2009, p. 19–19

*2009/153/EC, Euratom: Council and Commission Decision of 16 February 2009 on the conclusion of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union*  
OJ L 51, 24.2.2009, p. 8–9

*2009/170/EC, Euratom: Decision of the Council of 16 February 2009 amending the Rules of Procedure of the Court of First Instance of the European Communities as regards the language arrangements applicable to appeals against decisions of the European Union Civil Service Tribunal*  
OJ L 60, 4.3.2009, p. 3–4

**2924th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), Brussels 19 February 2009**

*Council Regulation (EC) No 153/2009 of 19 February 2009 amending Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries*  
OJ L 51, 24.2.2009, p. 1–2

*Regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States*

PE-CONS 3706/2/08 REV 2

*Regulation of the European Parliament and of the Council on European Statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (Text with relevance for the EEA and for Switzerland)*

PE-CONS 3708/2/08 REV 2

*Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (Text with EEA relevance)*

OJ L 70, 14.3.2009, p. 11–16

*2009/144/EC: Council Decision of 19 February 2009 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 49, 20.2.2009, p. 15–17

*Council Conclusions on the Commission Communication "Second Strategic Energy Review - An EU energy security and solidarity action plan"*

6692/09

**2925th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), Brussels 23 February 2009**

*Council Regulation (EC) No 154/2009 of 23 February 2009 amending Regulation (EC) No 1859/2005 imposing certain restrictive measures in respect of Uzbekistan*

OJ L 51, 24.2.2009, p. 3–5

*Common Military List of the European Union (adopted by the Council on 23 February 2009 ) (equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment) (updating and replacing the Common Military List of the European Union adopted by the Council on 3 March 2008) (CFSP)*

OJ C 65, 19.3.2009, p. 1–34

*Council Conclusions on Iraq*

6580/09

*Council Conclusions on Sri Lanka*

6526/09 + COR 1(es)

*Council Regulation (EC) No 160/2009 of 23 February 2009 amending the Conditions of Employment of Other Servants of the European Communities*  
OJ L 55, 27.2.2009, p. 1–8

*European Union's position for the fourth meeting of the EU-Lebanon Association Council (Brussels, 23 February 2009)*  
6441/09

*Council Conclusions on the Mechanism on Cooperation and Verification for Bulgaria and Romania*  
6694/09

**2927th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), Brussels 26 and 27 February 2009**

*Council Framework Decision on the organisation and content of the exchange of information extracted from the criminal record between Member States*  
13017/08 + COR 1 (pl) + COR 2 + COR 3 (es) + COR 4 (fi) + REV 1 (hu) + REV 1 COR 1 (hu)

*Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial*  
OJ L 81, 27.3.2009, p. 24–36

*Council Regulation (EC) No 260/2009 of 26 February 2009 on the common rules for imports (Codified version)*  
OJ L 84, 31.3.2009, p. 1–17

*Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (Codified version) (Text with EEA relevance)*  
OJ L 61, 5.3.2009, p. 1–5

*Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (Codified version) (Text with EEA relevance)*  
OJ L 78, 24.3.2009, p. 1–42

*Council Regulation (EC) No 246/2009 of 26 February 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (Codified version)*  
OJ L 79, 25.3.2009, p. 1–4

*Regulation of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (recast) (Text with EEA relevance)*  
PE-CONS 3620/2/08 REV 2

*Regulation of the European Parliament and of the Council on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic (recast) (Text with EEA relevance)*  
PE-CONS 3633/3/08 REV 3

*Regulation of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (recast) (Text with EEA relevance)*  
PE-CONS 3648/2/08 REV 2

*Regulation of the European Parliament and of the Council amending Regulation (EC) No 2150/2002 on waste statistics, as regards the implementing powers conferred on the Commission (Text with EEA relevance)*  
PE-CONS 3694/1/08 REV 1

*Directive 2009/14/EC of the European Parliament and of the Council of 11 March 2009 amending Directive 94/19/EC on deposit-guarantee schemes as regards the coverage level and the payout delay (Text with EEA relevance)*  
OJ L 68, 13.3.2009, p. 3–7

*Directive of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (Recast) (Text with EEA relevance)*  
PE-CONS 3719/08 + COR 1 (da) + REV 1 (fi)

*Regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (Recast) (Text with EEA relevance)*  
PE-CONS 3720/08 + REV 1 (fi) + REV 1 COR 1 (fi)

*Directive of the European Parliament and of the Council on port State control (recast) (Text with EEA relevance)*  
PE-CONS 3721/08 + REV 1 (pt)

*Directive of the European Parliament and of the Council amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system (Text with EEA relevance)*  
PE-CONS 3722/1/08 REV 1 + REV 2 (pt)

*Directive of the European Parliament and of the Council establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Directives 1999/35/EC and 2002/59/EC (Text with EEA relevance)*  
PE-CONS 3723/08 + REV 1 (fi)

*Regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea in the event of accidents (Text with EEA relevance)*  
PE-CONS 3724/08 + COR 1 (da) + COR 2 (fi)

*Council Decision on the signing on behalf of the European Community of the Convention on Choice-of-Court Agreements*  
16248/08 + COR 1 (de) + COR 2 (da) + COR 3 (fi) + COR 4 (bg) + COR 5 (en)

*2009/167/EC: Council Decision of 26 February 2009 amending the Decision of 27 March 2000 authorising the Director of Europol to enter into negotiations on agreements with third States and non-EU-related bodies*  
OJ L 56, 28.2.2009, p. 15–15

*Council Decision concerning the signing, on behalf of the European Community, of Council of Europe Convention No 198 on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism*  
16695/08

*Council Conclusions of 26 February 2009 supporting the Council of Europe's legislative work in the area of criminal justice*  
OJ C 50, 3.3.2009, p. 8–8

*Council Conclusions on SIS II*  
6896/09

*Council Decision 2009/293/CFSP of 26 February 2009 concerning the Exchange of Letters between the European Union and the Government of Kenya on the conditions and modalities for the transfer of persons suspected of having committed acts of piracy and detained by the European Union-led naval force (EUNAVFOR), and seized property in the possession of EUNAVFOR, from EUNAVFOR to Kenya and for their treatment after such transfer*  
OJ L 79, 25.3.2009, p. 47–59

*Council Common Position 2009/164/CFSP of 26 February 2009 renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)*  
OJ L 55, 27.2.2009, p. 44–44

*Council Decision concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part*  
8161/06

*Council Decision on the conclusion of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union*  
7999/08

| <b>INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                              |                            |                    |                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|--------------------|-----------------------------|
| <b>TITLE OF LEGISLATIVE ACT</b>                                                                                                                                                                                                                                                                                                                                             | <b>TEXTS ADOPTED</b>       | <b>VOTING RULE</b> | <b>VOTES</b>                |
| <b>2922nd meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), Brussels 10 February 2009</b><br><br>2009/118/EC: Council Decision of 10 February 2009 authorising the Czech Republic and the Federal Republic of Germany to apply measures derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax             | 5199/09<br>+ COR 1 (de)    | Unanimity          | All Member States in favour |
| <b>2923rd meeting of the Council of the European Union (EDUCATION, YOUTH and CULTURE), Brussels 16 February 2009</b><br><br>Council Directive implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006 and amending Directive 1999/63/EC | 5010/09                    | Unanimity          | All Member States in favour |
| Regulation of the European Parliament and of the Council amending Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, as regards the implementing powers conferred on the Commission                                                                                            | PE-CONS 3693/1/08<br>REV 1 | Qualified majority | All Member States in favour |

| <b>INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                 |                                  |                    |                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|--------------------|----------------------------------------------------------------|
| <b>TITLE OF LEGISLATIVE ACT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>TEXTS ADOPTED</b>             | <b>VOTING RULE</b> | <b>VOTES</b>                                                   |
| Common Position (EC) No 13/2009 of 16 February 2009 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 (Text with EEA relevance)                            | 15248/2/08 REV 2<br>+ COR 1 (fr) | Qualified majority | All Member States in favour, except:<br>against: DE            |
| <b>Statement by the German delegation</b><br>Germany cannot agree with the Council's common position at the present time. The rules on electronic data exchange between Member States require further definition in order to exclude unpredictable risks, especially for the customs administration. Workable solutions have yet to emerge.                                                                                                                                    |                                  |                    |                                                                |
| Common Position adopted by the Council on 16 February 2009 with a view to the adoption of a Directive of the European Parliament and of the Council amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services | 16496/1/08 REV 1<br>+ REV 2 (da) | Qualified majority | All Member States in favour, except:<br>abstention: UK, SE, NL |

| <p align="center"><b>INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS</b><br/><b>FEBRUARY 2009</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                      |                    |              |
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| <b>TITLE OF LEGISLATIVE ACT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>TEXTS ADOPTED</b> | <b>VOTING RULE</b> | <b>VOTES</b> |
| <p><b>Statement by the Swedish and UK Governments<br/>re Better regulation Directive, review of the electronic framework</b></p> <p>The Swedish and United Kingdom Ministers abstained on the Council vote held on 27 November 2008 on the Better Regulation Directive, to enable the review of the Electronic Communications Framework to progress to second reading. We have responded positively to the recent letter from the European Parliament rapporteurs and Committee chairs, asking all Ministers to enable them to start discussions with the Presidency and the Commission. We will continue to work closely with the French and Czech Republic Presidencies.</p> <p>However, both Governments continue to have considerable concerns regarding the current Council texts, and will be seeking improvements in the following areas:</p> <ul style="list-style-type: none"> <li>• For spectrum management by Member States to follow principles of service and technology neutrality, and not to be constrained by giving legal precedence to the ITU (International Telecommunications Union) Radio Regulations in European law (Framework Directive Article 9);</li> <li>• Spectrum Trading, to include flexibility on the dual notification process enabling Member States discretion when imposing notification requirements on market participants in line commitments to reduce regulatory burdens (Framework Directive Article 9b);</li> <li>• General Authorisation of Spectrum, where we have concerns that the current text has made it harder (not easier as in the Commission's proposal) for Member States to issue general authorisations in preference to individual licenses where this is more efficient (Authorisation Directive Article 5);</li> <li>• Regulatory principles for NGA investment which reflect the need for a return on investment, but are guided by competition principles and provide fair access obligations (Framework Directive Articles 8 and 13, and Access Directive);</li> <li>• Functional Separation is maintained as a remedy which can be introduced in national markets where Member States conclude this is the most appropriate solution, without either inappropriate barriers or lengthy delays restricting its application (Access Directive Article 13a).</li> </ul> <p>In addition, we continue to believe that it is important that the following two issues are further developed to strengthen the internal market and harmonise implementation of the regulatory framework:</p> <ul style="list-style-type: none"> <li>• Independent National Regulatory Authorities (NRAs), distanced from the day to day pressure of politics as well as market operators. We wish for parity with the Energy text which the European Parliament, Commission and all Member States have already agreed (Framework Directive Article 3);</li> <li>• Extending the Commission power of veto to include market remedies, based upon expert advice from the advisory body, culminating with a Commission Decision (legally binding) rather than a Commission opinion. Also for NRAs to be obliged to comply with this advice or explain publicly why they are deviating from this advice (Framework Directive Article 7).</li> </ul> |                      |                    |              |

| <p align="center"><b>INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS</b><br/><b>FEBRUARY 2009</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                      |                    |              |
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| <b>TITLE OF LEGISLATIVE ACT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>TEXTS ADOPTED</b> | <b>VOTING RULE</b> | <b>VOTES</b> |
| <p><b>Explanation of vote by the Netherlands</b><br/> The Netherlands has great difficulty with the central role of the European Commission in the regulation of telecoms markets. The national regulators should have more latitude to take account of specific market circumstances and not be able to be overruled by the Commission in doing so. The Netherlands maintains a preference for a regulatory committee procedure for drawing up the list of relevant markets (Framework Directive Article 15).<br/> The Netherlands also attaches great importance to good cooperation with other Member States and recognises the importance of reaching a political agreement. Taking all these factors into consideration, the Netherlands is abstaining from the vote.</p> <p><b>Commission statement</b><br/> The Commission takes note of the Common Positions adopted by the Council amending the Commission's proposals on the review of the EU Regulatory Framework for Electronic Communications Networks and Services (the proposals for a Better Regulation Directive, a Citizens' Rights Directive and a Regulation establishing the European Electronic Communications Market Authority).<br/> The Commission notes in particular that the Council's Common Positions depart substantially from the positions taken by the Commission as well as the European Parliament, notably as regards the internal market mechanisms, in particular for ensuring consistent regulatory remedies, the additional remedy of functional separation, spectrum policy, and the establishment of a regulatory body. As regards the regulatory body, the Commission has particular concerns that the Council's position raises institutional questions which constitute a substantial barrier to a satisfactory settlement.<br/> The Commission also notes that the Council's Common Positions diverge from the positions of the Commission and European Parliament on a number of supplementary issues falling under both proposals for Directives amending the regulatory framework. Nonetheless, the Commission is of the view that the divergences that exist in relation to the proposed Citizens' Rights Directive are not of the same magnitude as those relating to the proposed Better Regulation Directive and to the proposed Regulation setting up a regulatory body.<br/> In this context the Commission wishes to reaffirm its position as set out in its amended proposals COM (2008) 720, 723 and 724 which represents a substantial step towards a converged position of the three institutions.</p> |                      |                    |              |

| <b>INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                      |                    |                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------|--------------------------------------------------------|
| <b>TITLE OF LEGISLATIVE ACT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>TEXTS ADOPTED</b> | <b>VOTING RULE</b> | <b>VOTES</b>                                           |
| Common Position adopted by the Council on 16 February 2009 with a view to the adoption of a Directive of the European Parliament and of the Council amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (Text with EEA relevance)                                                                                                                                                                                                      | 16497/1/08 REV 1     | Qualified majority | All Member States in favour, except:<br>abstention: NL |
| <b>Explanation of vote by the Netherlands</b><br><p>The Netherlands has great difficulty with the central role of the European Commission in the regulation of telecoms markets. The national regulators should have more latitude to take account of specific market circumstances and not be able to be overruled by the Commission in doing so.</p> <p>The Netherlands maintains a preference for a regulatory committee procedure for drawing up the list of relevant markets (Framework Directive Article 15 ).</p> <p>The Netherlands also attaches great importance to good cooperation with other Member States and recognises the importance of reaching a political agreement. Taking all these factors into consideration, the Netherlands is abstaining from the vote.</p> |                      |                    |                                                        |

### Commission statement

The Commission takes note of the Common Positions adopted by the Council amending the Commission's proposals on the review of the EU Regulatory Framework for Electronic Communications Networks and Services (the proposals for a Better Regulation Directive, a Citizens' Rights Directive and a Regulation establishing the European Electronic Communications Market Authority).

The Commission notes in particular that the Council's Common Positions depart substantially from the positions taken by the Commission as well as the European Parliament, notably as regards the internal market mechanisms, in particular for ensuring consistent regulatory remedies, the additional remedy of functional separation, spectrum policy, and the establishment of a regulatory body. As regards the regulatory body, the Commission has particular concerns that the Council's position raises institutional questions which constitute a substantial barrier to a satisfactory settlement.

The Commission also notes that the Council's Common Positions diverge from the positions of the Commission and European Parliament on a number of supplementary issues falling under both proposals for Directives amending the regulatory framework. Nonetheless, the Commission is of the view that the divergences that exist in relation to the proposed Citizens' Rights Directive are not of the same magnitude as those relating to the proposed Better Regulation Directive and to the proposed Regulation setting up a regulatory body.

In this context the Commission wishes to reaffirm its position as set out in its amended proposals COM (2008) 720, 723 and 724 which represents a substantial step towards a converged position of the three institutions.

Common Position (EC) No 14/2009 of 16 February 2009 adopted by the Council, acting in accordance with the procedure referred to in Article 251 of the Treaty establishing the European Community, with a view to the adoption of a Regulation of the European Parliament and of the Council establishing the Group of European Regulators in Telecoms (GERT) (Text with EEA relevance)

16498/1/08 REV 1

Qualified majority

All Member States in favour, except:  
abstention: NL

### **Explanation of vote by the Netherlands**

The Netherlands has great difficulty with the central role of the European Commission in the regulation of telecoms markets. The national regulators should have more latitude to take account of specific market circumstances and not be able to be overruled by the Commission in doing so.

The Netherlands maintains a preference for a regulatory committee procedure for drawing up the list of relevant markets (Framework Directive Article 15 ).

The Netherlands also attaches great importance to good cooperation with other Member States and recognises the importance of reaching a political agreement. Taking all these factors into consideration, the Netherlands is abstaining from the vote.

### **Commission statement**

The Commission takes note of the Common Positions adopted by the Council amending the Commission's proposals on the review of the EU Regulatory Framework for Electronic Communications Networks and Services (the proposals for a Better Regulation Directive, a Citizens' Rights Directive and a Regulation establishing the European Electronic Communications Market Authority).

The Commission notes in particular that the Council's Common Positions depart substantially from the positions taken by the Commission as well as the European Parliament, notably as regards the internal market mechanisms, in particular for ensuring consistent regulatory remedies, the additional remedy of functional separation, spectrum policy, and the establishment of a regulatory body. As regards the regulatory body, the Commission has particular concerns that the Council's position raises institutional questions which constitute a substantial barrier to a satisfactory settlement.

The Commission also notes that the Council's Common Positions diverge from the positions of the Commission and European Parliament on a number of supplementary issues falling under both proposals for Directives amending the regulatory framework. Nonetheless, the Commission is of the view that the divergences that exist in relation to the proposed Citizens' Rights Directive are not of the same magnitude as those relating to the proposed Better Regulation Directive and to the proposed Regulation setting up a regulatory body.

In this context the Commission wishes to reaffirm its position as set out in its amended proposals COM (2008) 720, 723 and 724 which represents a substantial step towards a converged position of the three institutions.

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| Regulation of the European Parliament and of the Council adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny- Part Two                                                                                                                                                                                                                                                                                              | PE-CONS 3692/2/08<br>REV 2 | Qualified majority | All Member States in favour                         |
| <b>2924th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), Brussels 19 February 2009</b><br>Council Regulation (EC) No 153/2009 of 19 February 2009 amending Regulation (EC) No 3/2008 on information provision and promotion measures for agricultural products on the internal market and in third countries                                                                                                                                                                                                   | 5600/09                    | Qualified majority | All Member States in favour, except:<br>against: DK |
| Regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States                                                                                                                                                                                                                                                                                                                                                                             | PE-CONS 3706/2/08<br>REV 2 | Qualified majority | All Member States in favour                         |
| Regulation of the European Parliament and of the Council on European Statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (Text with relevance for the EEA and for Switzerland) | PE-CONS 3708/2/08<br>REV 2 | Qualified majority | All Member States in favour, except:<br>against: AT |

**Statement by the German delegation**

Germany regrets that its proposed change to Article 5(1) has not been accepted, because Germany is otherwise pleased with the content of the Regulation.

Directive 2009/12/EC of the European Parliament and of the Council of 11 March 2009 on airport charges (Text with EEA relevance)

PE-CONS 3712/2/08  
REV 2

Qualified majority

All Member States in  
favour, except:  
against: LU

**Statement by Latvia**

Latvia supports the Directive on airport charges and the principles that need to be respected by airport operators when they determine their airport charges. However, Latvia considers that a period of 24 months is inappropriate for the implementation of the Directive.

Latvia will launch the consolidation of all airports' infrastructure objects into a single concern that will call for substantial changes in the legislation and elaboration of a new pricing methodology of the services provided by this undertaking. Therefore Latvia takes the view that 36 months is a more realistic time period for the implementation of this Directive.

**Statement by Luxembourg**

Luxembourg repeats that it cannot accept the scope of the measure as defined in Article 1 of this proposal as it considers that it contravenes the principle of non-discrimination, a general principle in Community law, in imposing different legal obligations on airports in comparable situations. Throughout the negotiations, Luxembourg has submitted amendments designed to prevent such discrimination but to no avail. It has urged the adoption of just one criterion for determining the scope of the measure - the number of passengers - in order to ensure uniform application of the Directive and avoid unwarranted differences in treatment based solely on an airport's geographical location.

Luxembourg regrets that it has not been possible to find a satisfactory solution to an issue it considers to be of fundamental importance and reserves the right to bring proceedings for annulment before the Court of Justice of the European Communities to prevent the application of a provision that it regards as discriminatory, disproportionate and contrary to the principle of subsidiarity and to the objective of the internal market.

**Statement by the Commission**

In reply to the question of whether the Directive on airport charges applies to the airport of Gibraltar, the Commission hereby confirms that the Directive does not apply to the airport of Gibraltar. The Directive applies to any airport with an annual traffic of more than 5 million passenger movements and to the airport with the highest passenger movement in each Member State. The airport of Gibraltar does not fulfil any of these criteria and does therefore not fall within the scope of application of the Directive.

**Joint statement by the United Kingdom and Spain**

In view of the statement by the Commission, the United Kingdom and Spain declare that the content of the present measure does not affect their respective legal positions on the sovereignty dispute about the territory where Gibraltar airport is situated.

**2927th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), Brussels 26 and 27 February 2009**

Council Framework Decision on the organisation and content of the exchange of information extracted from the criminal record between Member States

13017/08  
+ COR 1 (pl)  
+ COR 2  
+ COR 3 (es)  
+ COR 4 (fi)  
+ REV 1 (hu)  
+ REV 1 COR 1 (hu)

Unanimity

All Member States in  
favour

**Council declaration**

The Council recognises that Member States use different systems for identification of the person concerned and different data to search for the criminal records of a specific person, when an extract of such criminal records is required. Therefore, when exchanging the information on the basis of this Framework Decision the Member States shall be aware of different needs of each Member State.

**Council declaration**

The Council declares that each Member State should take the necessary measures to ensure that time-limits are applied to the erasure or destruction of information on convictions transmitted in accordance with Article 4(2) and entered in its criminal records.

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| Council Framework Decision 2009/299/JHA of 26 February 2009 amending Framework Decisions 2002/584/JHA, 2005/214/JHA, 2006/783/JHA, 2008/909/JHA and 2008/947/JHA, thereby enhancing the procedural rights of persons and fostering the application of the principle of mutual recognition to decisions rendered in the absence of the person concerned at the trial | 11638/08<br>+ COR 1 (da)<br>+ REV 1 (lt) | Unanimity | All Member States in favour |
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**Italian declaration**

Italy hereby declares that it wishes to avail itself of the opportunity offered by Article 8(3) of Framework Decision. As a consequence, the Framework Decision shall apply from 1 January 2014 at the latest to the recognition and enforcement of decisions, rendered in the absence of the person concerned at the trial, which are issued by Italian competent authorities.

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| Council Regulation (EC) No 260/2009 of 26 February 2009 on the common rules for imports (Codified version)                                                                        | 9533/08<br>+ COR 1 (lt)<br>+ COR 2 (fi)<br>+ COR 3 (et)<br>+ COR 4 (de)<br>+ COR 5 (mt)<br>+ COR 6 (sl)<br>+ COR 7 (sk)                                                             | Qualified majority | All Member States in favour |
| Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway (Codified version) (Text with EEA relevance) | 5059/09<br>+ COR 1 (sv)<br>+ COR 2<br>+ COR 3 (fi)<br>+ COR 4 (hu)<br>+ COR 5 (da)<br>+ COR 6 (pt)<br>+ COR 7 (et)<br>+ COR 8 (lt)<br>+ COR 9 (sl)<br>+ COR 10 (hu)<br>+ REV 1 (nl) | Qualified majority | All Member States in favour |

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| Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (Codified version) Text with EEA relevance                                                                                                                   | 17435/08<br>+ COR 1 (da)<br>+ COR 2 (es)<br>+ COR 3 (el)<br>+ COR 4 (et)<br>+ COR 5 (nl)<br>+ COR 6 (lv)<br>+ COR 7<br>+ REV 1 (fi)<br>+ REV 2 (en)<br>+ REV 2 COR 1 (en)<br>+ REV 3 (bg) | Unanimity          | All Member States in favour |
| Council Regulation (EC) No 246/2009 of 26 February 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) (Codified version) | 17436/08<br>+ COR 1 (cs)                                                                                                                                                                  | Qualified majority | All Member States in favour |
| Regulation of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (recast) (Text with EEA relevance)                       | PE-CONS 3620/2/08<br>REV 2                                                                                                                                                                | Qualified majority | All Member States in favour |
| Regulation of the European Parliament and of the Council on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic (recast) (Text with EEA relevance)                                                | PE-CONS 3633/3/08<br>REV 3                                                                                                                                                                | Qualified majority | All Member States in favour |

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| Regulation of the European Parliament and of the Council on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (recast) (Text with EEA relevance)                                                                                                                                                                                                                                                                                                                                                                                 | PE-CONS 3648/2/08<br>REV 2                      | Qualified majority | All Member States in favour |
| Regulation of the European Parliament and of the Council amending Regulation (EC) No 2150/2002 on waste statistics, as regards the implementing powers conferred on the Commission (Text with EEA relevance)                                                                                                                                                                                                                                                                                                                                                                  | PE-CONS 3694/1/08<br>REV 1                      | Qualified majority | All Member States in favour |
| Directive 2009/14/EC of the European Parliament and of the Council of 11 March 2009 amending Directive 94/19/EC on deposit-guarantee schemes as regards the coverage level and the payout delay (Text with EEA relevance)                                                                                                                                                                                                                                                                                                                                                     | PE-CONS 3743/4/08<br>REV 4                      | Qualified majority | All Member States in favour |
| <b>Statement by the UK delegation on Recital (3a) of the Directive</b><br>The UK confirms its intention to use the flexibility in the Directive to set the coverage level equivalent in Sterling so that depositors have a clear and stable level of protection without exposure to exchange rate variations. The UK believes this is necessary to maintain consumer confidence in the Directive's provisions. The UK notes that the coverage level is subject to review by the European Commission and expects these practical consumer issues will be looked at again then. |                                                 |                    |                             |
| Directive of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (Recast) (Text with EEA relevance)                                                                                                                                                                                                                                                                                                                                             | PE-CONS 3719/08<br>+ COR 1 (da)<br>+ REV 1 (fi) | Qualified majority | All Member States in favour |

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| Regulation of the European Parliament and of the Council on common rules and standards for ship inspection and survey organisations (Recast) (Text with EEA relevance)                                                                                                                                                                                                                                                                                                         | PE-CONS 3720/08<br>+ REV 1 (fi)<br>+ REV 1 COR 1 (fi) | Qualified majority | All Member States in favour |
| Directive of the European Parliament and of the Council on port State control (recast) (Text with EEA relevance)                                                                                                                                                                                                                                                                                                                                                               | PE-CONS 3721/08<br>+ REV 1 (pt)                       | Qualified majority | All Member States in favour |
| Directive of the European Parliament and of the Council amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system (Text with EEA relevance)                                                                                                                                                                                                                                                                                      | PE-CONS 3722/1/08<br>REV 1<br>+ REV 2 (pt)            | Qualified majority | All Member States in favour |
| <b>Statement by Portugal</b><br>Portugal believes that the inclusion of Article 20d "Examination by the Commission" in the Directive establishing a Community vessel traffic monitoring and information system could lead to a difficult and very worrying situation in future. To be specific, Portugal thinks that the wording of Article 20d might oblige Member States to bear, in relation to ports, any losses incurred when an uninsured ship enters a place of refuge. |                                                       |                    |                             |
| Directive of the European Parliament and of the Council establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Directives 1999/35/EC and 2002/59/EC (Text with EEA relevance)                                                                                                                                                                                                                          | PE-CONS 3723/08<br>+ REV 1 (fi)                       | Qualified majority | All Member States in favour |
| Regulation of the European Parliament and of the Council on the liability of carriers of passengers by sea in the event of accidents (Text with EEA relevance)                                                                                                                                                                                                                                                                                                                 | PE-CONS 3724/08<br>+ COR 1 (da)<br>+ COR 2 (fi)       | Qualified majority | All Member States in favour |

**Statement by Portugal**

Portugal would express serious concerns about the future application to Class B vessels of the Regulation on the liability of carriers of passengers by sea and inland waterway in the event of accidents. In our opinion, the Regulation's application will have serious consequences for sea passenger transport, especially inter-island transport, and could therefore significantly reduce people's mobility. Portugal hopes that, should those consequences be confirmed, the European Commission will immediately adopt measures suspending the extension of its application.

**Statement by the Italian delegation**

Italy commends the Commission's significant efforts of synthesis and mediation, which have enabled a compromise to be reached on the text of this Regulation.

Approval of the maritime safety package is an essential milestone in the improvement of safety at sea. For this reason Italy has modified its earlier position and endorses the approval of the Regulation on carrier liability, which now incorporates both the principle that the legislation will be adjusted before the Regulation is applied to Class B vessels and the principle that a careful impact assessment needs to be carried out to enable the possible extension of scope to crossings made with ships in Classes C and D to be precisely gauged.

With the final adoption of the text, it should also be stressed that Italy supports the principle embodied in Article 5 of this Regulation which preserves the Member States' right to continue to comply with the international rights and duties in this area to which they have earlier subscribed.

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS<br/>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Votes/Statements made public</b> |
| <p><b>2922nd meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), Brussels 10 February 2009</b></p> <p>Council Conclusions on the progress report of the Single Market Review<br/>5637/09</p> <p>Council Conclusions on SEPA<br/>5936/09 + COR 1 + COR 2 (ro)</p> <p>Council Conclusions on Common guidelines for the national sides and the issuance of euro coins intended for circulation<br/>5615/09</p> <p>Council Common Position 2009/116/CFSP of 10 February 2009 extending and amending Common Position 2004/133/CFSP on restrictive measures against extremists in the former Yugoslav Republic of Macedonia (FYROM)<br/>5403/09</p> <p>2009/171/EC: Council Decision of 10 February 2009 amending Annex 2, Schedule A, to the Common Consular Instructions on visas for the diplomatic missions and consular posts, in relation to visa requirements for holders of Indonesian diplomatic and service passports<br/>16194/08 + COR 1</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Votes/Statements made public</b> |
| <p>Council Conclusions on Anti-fraud agreement with Liechtenstein<br/>6116/09</p> <p>Council Statement concerning the statement of assurance of the Court of Auditors relating to the activities of the 7th, 8th and 9th European Development Funds for the financial year 2007<br/>5047/09</p> <p>Council Recommendation of 10 February 2009 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Seventh EDF) for the financial year 2007<br/>5042/09</p> <p>Council Recommendation of 10 February 2009 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Eighth EDF) for the financial year 2007<br/>5044/09</p> <p>Council Recommendation of 10 February 2009 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Ninth EDF) for the financial year 2007<br/>5045/09 + COR 1 (en)</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Votes/Statements made public</b> |
| <p>Joint Tripartite Declaration establishing a "European 112 Day"<br/>6178/09</p> <p><b>2923rd meeting of the Council of the European Union (EDUCATION, YOUTH and CULTURE), Brussels 16 February 2009</b></p> <p>Council Decision relating to the conclusion of the Agreement between the European Community and the Government of the Republic of Korea concerning cooperation on anti-competitive activities<br/>16244/08 + COR 1 + REV 1 (sk)</p> <p>Council Joint Action 2009/134/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for Sudan<br/>5141/09 + COR 1 + COR 2 (fr)</p> <p>Council Joint Action 2009/129/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in the former Yugoslav Republic of Macedonia (FYROM)<br/>5125/09</p> <p>Council Joint Action 2009/131/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the crisis in Georgia<br/>5138/09</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Votes/Statements made public</b> |
| <p>Council Joint Action 2009/130/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for Central Asia<br/>5137/09</p> <p>Council Joint Action 2009/133/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the South Caucasus<br/>5140/09</p> <p>Council Joint Action 2009/132/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in the Republic of Moldova<br/>5139/09 + COR 1 (fi)</p> <p>Council Joint Action 2009/128/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the African Great Lakes Region<br/>5115/09</p> <p>Council Joint Action 2009/136/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative for the Middle East peace process<br/>5275/09 + COR 1(ro)</p> <p>Council Joint Action 2009/135/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in Afghanistan<br/>5231/09 + COR 1 (en)</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Votes/Statements made public</b> |
| <p>Council Common Position 2009/138/CFSP of 16 February 2009 concerning restrictive measures against Somalia and repealing Common Position 2002/960/CFSP<br/>5184/09</p> <p>Council Joint Action 2009/137/CFSP of 16 February 2009 extending the mandate of the European Union Special Representative in Kosovo<br/>5465/09</p> <p>Council Common Position 2009/139/CFSP of 16 February 2009 renewing restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova<br/>5834/09</p> <p>2009/246/EC: Council Decision of 16 February 2009 on the conclusion of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union<br/>13104/2/07 REV 2</p> <p>2009/153/EC,Euratom: Council and Commission Decision of 16 February 2009 on the conclusion of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union<br/>15019/08 + COR 1 + COR 2 (bg)</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Votes/Statements made public</b> |
| <p>2009/170/EC,Euratom: Decision of the Council of 16 February 2009 amending the Rules of Procedure of the Court of First Instance of the European Communities as regards the language arrangements applicable to appeals against decisions of the European Union Civil Service Tribunal 5739/09</p> <p><b>2924th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), Brussels 19 February 2009</b></p> <p>2009/144/EC: Council Decision of 19 February 2009 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 6058/09</p> <p>Council Conclusions on the Commission Communication "Second Strategic Energy Review - An EU energy security and solidarity action plan" 6692/09</p> <p><b>2925th meeting of the Council of the European Union (GENERAL AFFAIRS and EXTERNAL RELATIONS), Brussels 25 February 2009</b></p> <p>Council Regulation (EC) No 154/2009 of 23 February 2009 amending Regulation (EC) No 1859/2005 imposing certain restrictive measures in respect of Uzbekistan 5272/09</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Votes/Statements made public</b> |
| <p>Common Military List of the European Union (adopted by the Council on 23 February 2009 )<br/>(equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment) (updating and replacing the Common Military List of the European Union adopted by the Council on 3 March 2008) (CFSP)<br/>6432/09 + REV 1(fr) + REV 2(es)</p> <p>Council Conclusions on Iraq<br/>6580/09</p> <p>Council Conclusions on Sri Lanka<br/>6526/09 + COR 1(es)</p> <p>Council Regulation (EC) No 160/2009 of 23 February 2009 amending the Conditions of Employment of Other Servants of the European Communities<br/>5422/09</p> <p>European Union's position for the fourth meeting of the EU-Lebanon Association Council (Brussels, 23 February 2009)<br/>6441/09</p> <p>Council Conclusions on the Mechanism on Cooperation and Verification for Bulgaria and Romania<br/>6694/09</p> |                                     |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                              |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Votes/Statements made public |
| <p><b>2927th meeting of the Council of the European Union (JUSTICE and HOME AFFAIRS), Brussels 26 and 27 February 2009</b></p> <p>Council Decision on the signing on behalf of the European Community of the Convention on Choice-of-Court Agreements<br/>16248/08 + COR 1 (de) + COR 2 (da) + COR 3 (fi) + COR 4 (bg) + COR 5 (en)</p> <p>2009/167/EC: Council Decision of 26 February 2009 amending the Decision of 27 March 2000 authorising the Director of Europol to enter into negotiations on agreements with third States and non-EU-related bodies<br/>5439/09</p> <p>Council Decision concerning the signing, on behalf of the European Community, of Council of Europe Convention No 198 on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism<br/>16695/08</p> |                              |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                              |
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| OTHER ACTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Votes/Statements made public |
| <p><b>Statement by Spain</b></p> <p>Should Council of Europe Convention No 198 on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism apply to Gibraltar, Spain wishes to make the following statement:</p> <ol style="list-style-type: none"> <li>1. Gibraltar is a non-autonomous territory for the external relations of which the United Kingdom is responsible and which is undergoing a process of decolonisation in accordance with the relevant decisions and resolutions of the United Nations General Assembly.</li> <li>2. The authorities of Gibraltar are local in nature and exercise exclusively internal powers stemming from and based on powers devolved and conferred by the United Kingdom, in accordance with its domestic law, as a sovereign State on which the non-autonomous territory in question depends.</li> <li>3. As a result, any participation by the authorities of Gibraltar in the application of this Treaty shall be understood to take place exclusively within the framework of the internal powers of Gibraltar and may not be construed as producing any change whatsoever with respect to the situation as described in the two preceding paragraphs.</li> </ol> <p>Council conclusions of 26 February 2009 supporting the Council of Europe's legislative work in the area of criminal justice<br/>17352/1/08 REV 1 + REV 2 (fi)</p> <p>Council Conclusions on SIS II<br/>6896/09</p> <p>Council Decision 2009/293/CFSP of 26 February 2009 concerning the Exchange of Letters between the European Union and the Government of Kenya on the conditions and modalities for the transfer of persons suspected of having committed acts of piracy and detained by the European Union-led naval force (EUNAVFOR), and seized property in the possession of EUNAVFOR, from EUNAVFOR to Kenya and for their treatment after such transfer<br/>5348/09 + COR 1 + COR 2 (fi) + REV 1 (mt)</p> |                              |

| <b>INFORMATION ON THE ADOPTION OF OTHER ACTS</b><br><b>FEBRUARY 2009</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                     |
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| <b>OTHER ACTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Votes/Statements made public</b> |
| <p>Council Common Position 2009/164/CFSP of 26 February 2009 renewing measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)<br/>6334/09</p> <p>Council Decision concerning the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part<br/>8161/06</p> <p>Council Decision on the conclusion of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union<br/>7999/08</p> |                                     |