



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 10 April 2012

8611/12

PUBLIC 21

NOTE

Subject : MONTHLY SUMMARY OF COUNCIL ACTS FEBRUARY 2012

This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in February 2012.^{1 2}
- ANNEX II containing further details on the adoption of these acts. PART I provides information on the adoption of legislative acts, such as the date of adoption, the relevant Council session, the number of the document adopted, and where appropriate, applicable voting rules, voting results, explanations of vote and statements published in the minutes of the Council. PART II provides information that the Council has decided to make public on the adoption of other acts.

¹ With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

² In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two Institutions.

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

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

**LIST OF ACTS ADOPTED BY THE COUNCIL
IN FEBRUARY 2012****3144th meeting of the Council of the European Union (EDUCATION, YOUTH, CULTURE AND SPORT), held in Brussels on 10 February 2012**

Regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 as regards the use of phosphates and other phosphorous compounds in consumer laundry detergents and consumer automatic dishwasher detergents (Text with EEA relevance)
PE-CONS 67/2/11 REV 2

Regulation (EU) No 154/2012 of the European Parliament and of the Council of 15 February 2012 amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)
OJ L 58, 29.2.2012, p. 3–4

Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Republic of Turkey on certain aspects of air services
18231/11, 18268/11 + COR 1 (hu) + COR 2 (fi) + COR 3 (cs) + COR 4 (ro) + COR 5 + COR 6 (fi) + REV 2 (sk)

2012/85/EU: Council Implementing Decision of 10 February 2012 authorising Spain and France to introduce a special measure derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax
OJ L 41, 15.2.2012, p. 16–16

3145th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and ENERGY), held in Brussels on 14 February 2012

2012/143/EU: Council Decision of 14 February 2012 on the position of the European Union in relation to the draft Regulation of the United Nations Economic Commission for Europe on pedestrian safety and to the draft Regulation of the United Nations Economic Commission for Europe on Light Emitting Diode (LED) light sources
OJ L 71, 9.3.2012, p. 3–4

2012/142/EU: Council Decision of 14 February 2012 on the accession of the European Union to Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle Text with EEA relevance
OJ L 71, 9.3.2012, p. 1–2

2012/113/EU: Council Decision of 14 February 2012 on the conclusion of an Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects of air services
OJ L 52, 24.2.2012, p. 1–1

2012/164/EU: Council Decision of 14 February 2012 on the conclusion of the Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs

OJ L 93, 30.3.2012, p. 1–2

2012/114/EU: Council Decision of 14 February 2012 on the position to be taken by the European Union within the General Council of the World Trade Organization on the request for a WTO waiver on additional autonomous trade preferences granted by the European Union to Pakistan

OJ L 52, 24.2.2012, p. 2–2

ADOPTION OF LEGISLATIVE ACT FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING – Outcome of the European Parliament's second reading
(Strasbourg, 13 to 16 February 2012)

Proposal for a Directive of the European Parliament and of the Council amending Directive 2000/75/EC as regards vaccination against bluetongue
6395/12 (16696/1/2011 REV 1)

Proposal for a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme
6338/12 (16226/1/11 REV 1)

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 and Council Regulation (EC) No 1234/2007 as regards distribution of food products to the most deprived persons in the Union
6336/12 (18733/1/11 REV 1)

3146th meeting of the Council of the European Union (EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRES), held in Brussels on 17 February 2012

Council Decision 2012/98/CFSP of 17 February 2012 amending Decision 2010/232/CFSP renewing restrictive measures against Burma/Myanmar
OJ L 47, 18.2.2012, p. 64–68

Council Decision 2012/97/CFSP of 17 February 2012 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe
OJ L 47, 18.2.2012, p. 50–63

2012/96/EU: Council Decision of 17 February 2012 adapting and extending the period of application of the appropriate measures first established by Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement
OJ L 47, 18.2.2012, p. 47–49

Council Decision on the position to be taken by the European Union in the EU-PLO Joint Committee established under the Euro-Mediterranean Interim Association Agreement on trade and co-operation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza strip, of the other part, on the implementation of Article 66 of that Agreement
5998/12

Council Conclusions on The Annual Growth Survey and the Joint Employment Report in the context of the European Semester Priorities for action in the areas of employment and social policies: political guidance in 2012
6601/12

3147th meeting of the Council of the European Union "COMPETITIVENESS" (Internal market, Industry, Research and Space), held in Brussels on 20 and 21 February 2012

Council Conclusions on a future smart regulation agenda with a strong end-user focus
6341/12 + COR 1 (de)

3148th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 21 February 2012

Regulation (EU) No 236/2012 of the European Parliament and of the Council of 14 March 2012 on short selling and certain aspects of credit default swaps Text with EEA relevance
OJ L 86, 24.3.2012, p. 1–24

Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items
18144/1/11 REV 1

Directive 2012/6/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 78/660/EEC on the annual accounts of certain types of companies as regards micro-entities Text with EEA relevance
OJ L 81, 21.3.2012, p. 3–6

Council Conclusions: Climate finance - follow-up to the Durban Conference
6810/12

Council Conclusions: Economic aspects of the roadmap to a resource-efficient Europe
6811/12

Council Recommendations on Discharge to be given to the bodies set up by the European Union in respect of the implementation of the budget for the financial year 2010
6083/12 ADD 1

Council Recommendations on Discharge to be given to the executive agencies in respect of the implementation of the budget for the financial year 2010
6084/12 ADD 1

Council Recommendations on Discharge to be given to the joint undertakings in respect of the implementation of the budget for the financial year 2010
6086/12 ADD 1

Council Conclusions 2012 European Semester: macroeconomic and fiscal guidance
6353/1/12 REV 1

Conclusions of Member States participating in the Euro Plus Pact on EuroPlus Pact – the way forward
6404/1/12 REV 1

Council Recommendation Discharge to be given to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2010
6081/12 ADD 1
6081/1/12 REV 1

Council Conclusions on the Court of Auditors' special reports on Discharge to be given to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2010
6081/12 ADD 2

Council Conclusions on the budget guidelines for 2013
6260/12

2012/127/EU: Council Recommendation of 21 February 2012 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 2010
OJ L 55, 29.2.2012, p. 32–32

2012/128/EU: Council Recommendation of 21 February 2012 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 2010
OJ L 55, 29.2.2012, p. 33–33

2012/129/EU: Council Recommendation of 21 February 2012 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (10th EDF) for the financial year 2010
OJ L 55, 29.2.2012, p. 34–34

3149th meeting of the Council of the European Union (FOREIGN AFFAIRS), held in Brussels on 27 February 2012

Council Conclusions on Counter Piracy Operation EUNAVFOR ATALANTA
6695/12

Council Conclusions on "EU priorities at the UN Human Rights Council"
6825/12

Council Conclusions on Yemen
6776/12

Council Conclusions on Syria
6938/12

Council Conclusions on Egypt
6935/12

Council Conclusions on the South Caucasus
6934/12

3150th meeting of the Council of the European Union (GENERAL AFFAIRS), held in Brussels on 28 February 2012

Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 Text with EEA relevance
OJ L 94, 30.3.2012, p. 22–37

Regulation (EU) No 261/2012 of the European Parliament and of the Council of 14 March 2012 amending Council Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector
OJ L 94, 30.3.2012, p. 38–48

Council Conclusions on Cooperation and Verification Mechanism for Bulgaria and Romania
6648/12

2012/145/EU: Council Decision of 28 February 2012 on the conclusion of the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force
OJ L 72, 10.3.2012, p. 1–1

Council Conclusions on European Council (1-2 March 2012)
5368/12

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
3144th meeting of the Council of the European Union (EDUCATION, YOUTH, CULTURE AND SPORT), held in Brussels on 10 February 2012 Regulation of the European Parliament and of the Council amending Regulation (EC) No 648/2004 as regards the use of phosphates and other phosphorous compounds in consumer laundry detergents and consumer automatic dishwasher detergents (Text with EEA relevance)	PE-CONS 67/2/11 REV 2	qualified majority	all member states in favour, except against: BG, CZ
A joint declaration by the Commission, Ireland, Latvia, Lithuania and the United Kingdom concerning the Better Regulation principles In a spirit of compromise and in order to allow for an adoption of the Regulation in first reading, the Commission, Ireland, Latvia, Lithuania and the United Kingdom can accept the compromise text although it contains some elements departing from the Commission's proposal. In particular, the Commission, Ireland, Latvia, Lithuania and the United Kingdom regret that by including already now restrictions for Consumer Automatic Dishwasher Detergents the principles of Better Regulation and evidence-based policy making have not been followed.			
Regulation (EU) No 154/2012 of the European Parliament and of the Council of 15 February 2012 amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code)	PE-CONS 75/1/11 REV 1	qualified majority	all member states in favour
ADOPTION OF LEGISLATIVE ACT FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING – Outcome of the European Parliament's second reading (Strasbourg, 13 to 16 February 2012) Proposal for a Directive of the European Parliament and of the Council amending Directive 2000/75/EC as regards vaccination against bluetongue	6395/12 (16696/1/11 REV 1)	n.a. (qualified majority)	n.a. (all member states in favour)

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Proposal for a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme	6388/12 (16226/1/11 REV 1)	n.a. (qualified majority)	n.a. (all member states in favour, except: abstention:BE)
Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1290/2005 and Council Regulation (EC) No 1234/2007 as regards distribution of food products to the most deprived persons in the Union	6336/12 (18733/1/11 REV 1)	n.a. (qualified majority)	n.a. (all member states in favour, except: abstention:CZ, against: DK, SE, UK)
3148th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS), held in Brussels on 21 february 2012			
Regulation (EU) No 236/2012 of the European Parliament and of the Council of 14 March 2012 on short selling and certain aspects of credit default swaps Text with EEA relevance	PE-CONS 68/1/11 REV 1	qualified majority	all member states in favour except: abstention: UK
Statement by the Commission The Commission remains committed to availing itself of all relevant expertise. The Commission regrets that the wording in recital 43 on consultations does not fully reflect the Common Understanding on delegations of legislative power under Article 290 of the TFEU.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by the United Kingdom and the Czech Republic At May ECOFIN the Council and Commission committed “to work during Trilogue to find a solution taking into account the concerns expressed by Member States in ECOFIN Council regarding the powers of ESMA in Article 28”. Despite this commitment the concerns were not addressed. The United Kingdom and the Czech Republic continue to have significant concerns that, as drafted, Article 28 would be unlawful and contravene the principle set out in the judgment of the Court of Justice of the European Union in the case of Meroni. The British and Czech governments cannot therefore support the text in Article 28 and will be considering how best to ensure legal certainty is provided.			
Position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual use items	18144/1/11 REV 1	qualified majority	all member states in favour
Directive 2012/6/EU of the European Parliament and of the Council of 14 March 2012 amending Council Directive 78/660/EEC on the annual accounts of certain types of companies as regards micro-entities Text with EEA relevance	PE-CONS 79/1/11 REV 1	qualified majority	all member states in favour except: abstention : PT

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by Spain, France, Greece, Luxembourg and Italy Spain, France, Greece, Luxembourg and Italy support the objective of reducing unnecessary administrative burdens for micro-entities in order to contribute to their development. At the Competitiveness Council on 30 and 31 May 2011, these Member States supported the common position on the draft Directive regarding the development of a simplified accounting regime for micro-entities. Though they still have some concerns, they are not opposing the text on which agreement has been reached with the European Parliament, so that the draft Directive can be adopted, and they would reiterate that this agreement does not in any way set a precedent for future legislation and/or lighter regimes for micro-entities. Spain, France, Greece, Luxembourg and Italy will, in particular, examine the recent proposals concerning the revision of the Fourth and Seventh Accounting Directives as well as any future initiatives aimed at establishing exemptions or simplified regimes for micro-entities, in the light of the following principles: – their impact on the functioning of the internal market: harmonisation is in itself an element of simplification for enterprises and increases the fairness of transactions. This objective should not be affected; on the contrary, it must be pursued and reinforced. There should be no deharmonisation of the internal market. – whether fundamental objectives such as respect for human health, preservation of the environment and respect for social rights are met. – whether the principle of transparency, the principles of European accounting law and, more generally, the objectives of European financial legislation are met.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Statement by Germany Germany supports the reduction of accounting and financial reporting requirements for micro-entities in order to reduce unnecessary administrative burdens. Germany therefore supported the original proposal of the Commission. That proposal provided the Member States with the necessary options for providing exemptions and is consistent with the general efforts to reduce administrative burdens, which have been repeatedly expressed at the European level as well. The current draft position of the Council will achieve considerable reduction of regulatory requirements for micro-entities in the area of accounting. However, Germany would have preferred to set the thresholds as high as in the Commission proposal. This would have given Member States the option to exempt more small companies. Furthermore, the current text no longer includes real possibilities for exemptions from the publication requirement, which would have substantially reduced administrative burdens. Nevertheless Germany agrees with the current package as it does not intend to obstruct the first step to reduce administrative burdens for micro-entities arising from accounting and financial reporting requirements. Germany will continue to advocate for a more ambitious reduction of administrative burdens.			
3150th meeting of the Council of the European Union (GENERAL AFFAIRS), held in Brussels on 28 February 2012 Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 Text with EEA relevance	PE-CONS 76/1/11 REV 1	qualified majority	all member states in favour

**INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS
FEBRUARY 2012**

TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Commission statement on SEPA governance In order for SEPA migration to proceed smoothly and for the wider SEPA project to achieve its full potential, it is vital that all stakeholders and especially users, including consumers, are closely involved and can play a full role. While the establishment of the SEPA Council represents a significant improvement to the governance of the SEPA project, to date SEPA migration has been substantially developed by the supply side and in particular European banks through the aegis of the European Payments Council (EPC). Therefore, during its review of the functioning of the SEPA Council in 2012, the Commission will consider the governance of the whole SEPA project and, in particular, how to take better account of consumer, small and medium-sized enterprises, retailers and other user interests. The Commission will review, inter alia, the composition of the EPC, the interaction between the EPC and an overarching governance structure, such as the EPA Council, and the role of that overarching structure. If the Commission assessment confirms the need for further initiatives to improve SEPA Governance, the Commission will consider making proposals. Commission statement on the review of the Payment Services Directive The Commission fully recognises that in order to ensure broad public support for SEPA, it is essential that a high level of protection for payers is maintained, particularly for direct debit transactions. The Commission notes that today many consumers enjoy an unconditional refund right under their respective national direct debit schemes. It also notes that the only existing pan-European direct debit scheme for consumers provides for an unconditional refund right for authorised payments during a period of eight weeks. That refund right is broader than the minimum required under the Payments Services Directive (Directive 2007/64/EC). Therefore, considering the necessity to ensure a higher level of consumer protection and taking into account the prevailing market situation in the Union and the claim of the European Parliament, expressed throughout the political debate on SEPA, to improve the refund right, the Commission will include a review of the existing direct debit refund rights in the Union within the scope of its report under Article 87 of that Directive. The Commission will present that report no later than 1 November 2012 to the European Parliament, the Council, the European Economic and Social Committee and the European Central Bank. If the Commission report under Article 87 of the Payment Services Directive confirms the need for a revision of that Directive, in particular with regard to the criteria for refund rights, the Commission will consider making proposals.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Commission statement on delegated acts The Commission is of the view that Article 290 TFEU is to be interpreted as meaning that it is autonomous in the preparation and adoption of delegated acts. The standard recital on expert advice contained in the Common Understanding agreed between the three institutions is a reflection of that interpretation. The Commission therefore regrets that recital 30 of this Regulation deviates from the Common Understanding. Declaration by France, the Czech Republic, Austria and Estonia France, the Czech Republic, Austria and Estonia express strong concerns about the elimination of BIC which has been asked by the EP and the Commission as part of the final negotiations. This has been done without proper impact assessment (including a cost-benefit analysis) that should have been carried out in accordance with the interinstitutional agreement between the Commission, the EP and the Council. The elimination of BIC risks slowing down or impeding the migration to SEPA in certain Member States and raises IT security issues (including questions regarding data protection), in particular in connection with the potential set-up of a pan-european BIC register, that have not been assessed adequately. Declaration by Bulgaria, the Czech Republic, Sweden and the United Kingdom The euro plays an important role in the commercial and trading relationships of non-euro Member States, who will also implement the SEPA Regulation for their euro transactions. Bulgaria, the Czech Republic, Sweden and the United Kingdom believe that the SEPA Regulation, and the SEPA project as a whole, must be underpinned by an appropriate and representative governance structure. Accordingly, these Member States call for the representation of a non-euro Member State central bank in the SEPA Council.			
Regulation (EU) No 261/2012 of the European Parliament and of the Council of 14 March 2012 amending Council Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector	PE-CONS 77/1/11 REV 1	qualified majority	all member states in favour, except: abstention: DK, IE, NL against: LU

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Council declaration The Council declares that the choice made in this Regulation not to use the option provided for in point (b) of the second subparagraph of Article 5(4) of Regulation (EU) No 182/2011 is without prejudice to any future position to be taken on a case-by-case basis as regards other legislative acts, notably in the agricultural field, since the said point (b) allows the legislator to decide, in each basic act that it is called to adopt, whether it is appropriate to provide that draft implementing acts may not be adopted by the Commission where no opinion is delivered by the competent committee. Commission declaration The Commission declares that: 1. as regards Article 126c(6), in order to prevent competition being excluded or in order to avoid seriously damaging SME processors of raw milk in its territory, the relevant competition authority may in an individual case decide either before or after the closing of a negotiation that the negotiation by the producer organisation should either be reopened or not take place at all. 2. it will inform the Member States concerned and seek their view when taking decisions on the incompatibility with Union competition rules as set out in the Regulation (EC) No 1234/2007 of the following activities in the milk and milk products sector: whether certain agreements, decisions and concerted practices of interbranch organisations are incompatible with Union rules [ref. Article 177a]; whether the negotiations by a producer organisation relating to more than one Member State should not take place or be reopened [para 6 of Article 126c]; (c) whether a Member State should repeal the rules laid down by that Member State which regulates the supply of such PDO/PGI cheese produced in the defined geographical area, in case rules are not in compliance with the required conditions or prevent or distort competition in a substantial part of the internal market, or jeopardises free trade or that the objectives of Article 39 of the TFEU are endangered [ref. para 8 of Article 126d]; 3. as regards Article 126d on the supply management of PDO and PGI, the Commission would like to point out, that this is only allowed if there is a large representation of milk producers and cheese producers and under the condition that the rules shall not create discrimination, constitute a barrier for new entrants, or adversely affect small producers. [ref. para 2 and para 4 letter (h) of Article 126d]			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Declaration by Ireland and the Netherlands Neither Ireland nor the Netherlands can support the Proposal for a Regulation of the European Parliament and the Council amending Council Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector, because it does not contain a measure to ensure a soft landing for dairy farmers in all Member States in the run up to the abolition of dairy quota in 2015. It is clear at this point that the ameliorating measures agreed in the context of the CAP Health check are insufficient in some Member States. In the discussion on the dairy package proposal, Ireland and the Netherlands as well as other Member States have continued to emphasise the need to ensure a smooth transition to the new system in all Member States. This could be achieved through a variety of mechanisms, including quota expansion, or a change in the fat correction factors. As the proposed legislative package currently stands it is lacking such a measure and does little or nothing to improve the position of dairy farmers in our countries and for that reason Ireland and the Netherlands are not able to support the proposed regulation. Declaration by Luxembourg Luxembourg takes note of the adoption of the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector. This Regulation reflects certain recommendations made by the High Level Expert Group on Milk, adopted in July 2010. One of the aims of these recommendations was to re-establish an equilibrium between the respective positions of producers and processors in the dairy sector. Luxembourg supported the conclusions of this High Level Group and welcomes their inclusion in this Regulation. Moreover, Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation), amended following the CAP Health Check by Council Regulation (EC) No 72/2009 of 19 January 2009, provides in Article 184(6) that the Commission should present a report before 31 December 2010 and 31 December 2012 to the European Parliament and Council regarding the evolution of the market situation and the consequent conditions for smoothly phasing out the milk quota system, accompanied if necessary by appropriate proposals. The Commission presented the first of these two reports on 8 December 2010. Although the European Commission acknowledges in this report that the current state of the market does not guarantee a soft landing ahead of the abolition of the dairy quota system in all Member States in 2015, it does not make any suggestions for resolving this issue. Luxembourg therefore expresses its disappointment that the Regulation on contractual relations in the milk and milk products sector does not include practical measures which would ensure a soft landing in all Member States.			

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS FEBRUARY 2012			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Luxembourg asks the Commission to continue to analyse possible ways of adapting the current legislation in order to resolve this difficult situation for all the milk producers concerned, and to make appropriate and timely proposals. Consequently, Luxembourg cannot support the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1234/2007 as regards contractual relations in the milk and milk products sector, and must regrettably vote against this proposal.			

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
3144th meeting of the Council of the European Union (<u>EDUCATION</u>, YOUTH, CULTURE AND SPORT), held in Brussels on 10 February 2012 Council Decision on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Republic of Turkey on certain aspects of air services 18231/11, 18268/11 + COR 1 (hu) + COR 2 (fi) + COR 3 (cs) + COR 4 (ro) +COR 5 + COR 6 (fi) + REV 2 (sk) 2012/85/EU: Council Implementing Decision of 10 February 2012 authorising Spain and France to introduce a special measure derogating from Article 5 of Directive 2006/112/EC on the common system of value added tax 5268/12 + REV 1 (cs) 3145th meeting of the Council of the European Union (TRANSPORT, TELECOMMUNICATIONS and <u>ENERGY</u>), held in Brussels on 14 February 2012 2012/143/EU: Council Decision of 14 February 2012 on the position of the European Union in relation to the draft Regulation of the United Nations Economic Commission for Europe on pedestrian safety and to the draft Regulation of the United Nations Economic Commission for Europe on Light Emitting Diode (LED) light sources 13895/11 + COR 1 (lt) + COR 2 (da)	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
2012/142/EU: Council Decision of 14 February 2012 on the accession of the European Union to Regulation No 29 of the United Nations Economic Commission for Europe on uniform provisions concerning the approval of vehicles with regard to the protection of the occupants of the cab of a commercial vehicle Text with EEA relevance 13894/11 + COR 1 (da) 2012/113/EU: Council Decision of 14 February 2012 on the conclusion of an Agreement between the European Union and the Government of the Republic of Indonesia on certain aspects of air services 13238/11 Joint Statement by the Council and the Commission Inter alia for pragmatic reasons, it is preferable that the Union alone should conclude the Agreement with the Government of the Republic of Indonesia on certain aspects of air services. The same considerations would apply in respect of similar agreements as long as they are concluded in accordance with and within the limits of the mandate on the replacement of certain provisions in existing bilateral agreements adopted by the Council Decision of 5 June 2003. This Decision does not constitute a precedent as to the exercise of the respective competencies of the Union and its Member States in respect of agreements other than those referred to above, such as, for example, agreements of the type envisaged by the Council Decision of 5 June 2003 authorising the Commission to open negotiations with the United States in the field of air transport, which shall be concluded as mixed agreements. This Decision does not create any new Union competences as far as external agreements on air services are concerned, nor does it affect the division of competences between the Union and its Member States. 2012/164/EU: Council Decision of 14 February 2012 on the conclusion of the Agreement between the European Union and Georgia on protection of geographical indications of agricultural products and foodstuffs 9737/11	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
2012/114/EU: Council Decision of 14 February 2012 on the position to be taken by the European Union within the General Council of the World Trade Organization on the request for a WTO waiver on additional autonomous trade preferences granted by the European Union to Pakistan 5912/12 3146th meeting of the Council of the European Union (<u>EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRES</u>), held in Brussels on 17 February 2012 Council Decision 2012/98/CFSP of 17 February 2012 amending Decision 2010/232/CFSP renewing restrictive measures against Burma/Myanmar 6284/12 Council Decision 2012/97/CFSP of 17 February 2012 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe 6261/12 2012/96/EU: Council Decision of 17 February 2012 adapting and extending the period of application of the appropriate measures first established by Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement 6146/12 + COR 1 (es) + COR 2 (pl) Council Decision on the position to be taken by the European Union in the EU-PLO Joint Committee established under the Euro-Mediterranean Interim Association Agreement on trade and co-operation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza strip, of the other part, on the implementation of Article 66 of that Agreement 5998/12	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
Council Conclusions on The Annual Growth Survey and the Joint Employment Report in the context of the European Semester Priorities for action in the areas of employment and social policies: political guidance in 2012 6601/12 3147th meeting of the Council of the European Union "COMPETITIVENESS" (Internal market, Industry, Research and Space), held in Brussels on 20 and 21 february 2012 Council Conclusions on a future smart regulation agenda with a strong end-user focus 6341/12 + COR 1 (de) 3148th meeting of the Council of the European Union (ECONOMIC and FINANCIAL AFFAIRS) Council Conclusions: Climate finance - follow-up to the Durban Conference 6810/12 Council Conclusions: Economic aspects of the roadmap to a resource-efficient Europe 6811/12 Council Recommendations on Discharge to be given to the bodies set up by the European Union in respect of the implementation of the budget for the financial year 2010 6083/12 ADD 1	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
Council Recommendations on Discharge to be given to the executive agencies in respect of the implementation of the budget for the financial year 2010 6084/12 ADD 1 Council Recommendations on Discharge to be given to the joint undertakings in respect of the implementation of the budget for the financial year 2010 6086/12 ADD 1 Council Conclusions 2012 European Semester: macroeconomic and fiscal guidance 6353/1/12 REV 1 Conclusions of Member States participating in the Euro Plus Pact on EuroPlus Pact – the way forward 6404/1/12 REV 1 Council Recommendation Discharge to be given to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2010 6081/1/12 REV 1, 6081/12 ADD 1	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
Council Conclusions on the Court of Auditors' special reports on Discharge to be given to the Commission in respect of the implementation of the general budget of the European Union for the financial year 2010 6081/12 ADD 2 Council Conclusions on the budget guidelines for 2013 6260/12 2012/127/EU: Council Recommendation of 21 February 2012 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 2010 5458/12 2012/128/EU: Council Recommendation of 21 February 2012 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 2010 5459/12 2012/129/EU: Council Recommendation of 21 February 2012 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (10th EDF) for the financial year 2010 5460/12	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
3149th meeting of the Council of the European Union (FOREIGN AFFAIRS), held in Brussels on 27 February 2012 Council Conclusions on Counter Piracy Operation EUNAVFOR ATALANTA 6695/12 Council Conclusions on "EU priorities at the UN Human Rights Council" 6825/12 Council Conclusions on Yemen 6776/12 Council Conclusions on Syria 6938/12 Council Conclusions on Egypt 6935/12 Council Conclusions on the South Caucasus 6934/12	

INFORMATION ON THE ADOPTION OF OTHER ACTS FEBRUARY 2012	
OTHER ACTS	Votes/Statements made public
3150th meeting of the Council of the European Union (GENERAL AFFAIRS), held in Brussels on 28 February 2012 Council Conclusions on Cooperation and Verification Mechanism for Bulgaria and Romania 6648/12 2012/145/EU: Council Decision of 28 February 2012 on the conclusion of the Protocol agreed between the European Union and the Republic of Guinea-Bissau setting out fishing opportunities and the financial contribution provided for in the Fisheries Partnership Agreement between the two parties currently in force 15178/11 Unilateral declaration of the Netherlands The Netherlands will abstain from voting on the decision with regard to the one year prolongation of the Protocol between the EU and Guinea Bissau. The local population of Guinea Bissau highly depends on small scale fisheries for their food security. The important role of small scale fisheries in the local food supply should be safeguarded. The Netherlands values that the existing capacity levels in the Protocol and the composition and activities of the EU fleet do not interfere with the small scale local fisheries sector and will therefore not vote against this one year prolongation. However, we feel that the Government of Guinea Bissau should be aware that industrial fishing by non-EU vessels on the continental shelf of Guinea Bissau could interfere with the interest of the small scale fisheries sector. The Netherlands considers it important to signal to the Guinea Bissau authorities that there should be no access of industrial vessels to the continental shelf of Guinea Bissau and will therefore abstain. Council Conclusions on European Council (1-2 March 2012) 5368/12 + REV 1 (de)	