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3010th Council meeting

General Affairs

Luxembourg, 26 April 2010

President **Mr Miguel Ángel MORATINOS**
Minister for Foreign Affairs and Cooperation of Spain.

P R E S S

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Main results of the Council

*The Council reached a political orientation on a proposal for the establishment of the **European External Action Service**.*

The creation of the EEAS is aimed at enabling greater coherence and efficiency in the EU's external action and increasing its political and economic influence in the world. It will assist the High Representative in fulfilling her mandate.

The ministers held an orientation debate on the "citizens' initiative, one of the most visible innovation of the treaty of Lisbon. The ministers supported widely this initiative aimed at enabling the citizens to participate in bringing forward legislative proposals.

The Council also adopted a number of items without discussion, including:

- *a decision supplementing the Schengen borders code as regards the surveillance of **external maritime borders**;*
- *conclusions on an **exchange programme for law enforcement officers,** inspired by the Erasmus exchange programme;*
- *conclusions concerning measures to **tackle violence against women** and care for its victims within the scope of law enforcement;*
- *draft directives on labelling and information on the energy consumption of **energy-related products** and on the **energy performance of buildings**.*

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[1] Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
Documents for which references are given in the text are available on the Council's Internet site (http://www.consilium.europa.eu).
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PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:	
Mr Steven VANACKERE	Minister for Foreign Affairs
Mr Olivier CHASTEL	State Secretary for Foreign Affairs with responsibility for preparing for the EU Presidency, attached to the Minister for Foreign Affairs
Bulgaria:	
Mr Nickolay MLADENOV	Minister for Foreign Affairs
Czech Republic:	
Mr Juraj CHMIEL	Minister for European Affairs
Denmark:	
Ms Lene ESPERSEN	Minister for Foreign Affairs
Mr Ulrik VESTERGAARD KNUDSEN	State Secretary
Germany:	
Mr Guido WESTERWELLE	Minister for Foreign Affairs
Mr Werner HOYER	Minister of State at the Ministry of Foreign Affairs
Estonia:	
Mr Urmas PAET	Minister for Foreign Affairs
Ireland:	
Mr Dick ROCHE	Minister for Foreign Affairs
Greece:	
Mr Dimitrios DROUTSAS	Alternate Minister for Foreign Affairs
Spain:	
Mr Miguel Ángel MORATINOS CUYAUBÉ	Minister for Foreign Affairs and Cooperation
Mr Diego LÓPEZ GARRIDO	Secretary of State of the European Union
France:	
Mr Bernard KOUCHNER	Minister for Foreign Affairs
Italy:	
Mr Franco FRATTINI	Minister for Foreign Affairs
Cyprus:	
Mr Andreas MAVROYIANNIS	Permanent Representative
Latvia:	
Mr Māris RIEKSTIŅŠ	Minister for Foreign Affairs
Lithuania:	
Mr Audronius AŽUBALIS	Minister for Foreign Affairs
Luxembourg:	
Mr Christian BRAUN	Permanent Representative
Hungary:	
Mr Péter BALÁZS	Minister for Foreign Affairs
Malta:	
Mr Tonio BORG	Deputy Prime Minister and Minister of Foreign Affairs
Netherlands:	
Mr Maxime VERHAGEN	Minister for Foreign Affairs
Austria:	
Mr Michael SPINDELEGGER	Federal Minister for European and International Affairs
Poland:	
Mr Mikolaj DOWGIELEWICZ	Secretary of State for European Affairs
Portugal:	
Mr Luís AMADO	Minister for Foreign Affairs

Mr Pedro LOURTIE	Secretary of State for European Affairs
Romania:	
Mr Teodor BACONSCHI	Minister for Foreign Affairs
Slovenia:	
Mr Samuel ŽBOGAR	Minister for Foreign Affairs
Ms Andreja JERINA	State Secretary at the Government Office for Growth and European Affairs
Slovakia:	
Mr Miroslav LAJČÁK	Minister for Foreign Affairs
Finland:	
Mr Alexander STUBB	Minister for Foreign Affairs
Ms Astrid THORS	Minister for Migration and European Affairs
Sweden:	
Mr Carl BILDT	Minister for Foreign Affairs
Ms Birgitta OHLSSON	Minister for European Union Affairs
United Kingdom:	
Mr Chris BRYANT	Deputy Leader of the House of Commons and Parliamentary Secretary

High Representative	
Ms Catherine ASHTON	High Representative of the Union for Foreign Affairs and Security Policy
Commission:	
Mr. Maroš ŠEFČOVIČ	Vice-President

ITEMS DEBATED

EUROPEAN EXTERNAL ACTION SERVICE

The Council reached a political orientation on a draft decision on the establishment of the European External Action Service, as provided for under the Treaty of Lisbon, on the basis of the proposal presented by High Representative Catherine Ashton on 25 March. The agreement provides a basis for consulting the European Parliament.

The creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon. It aims to enable greater coherence and efficiency in the EU's external action and increase its political and economic influence in the world.

The EEAS will assist the High Representative of the Union for Foreign Affairs and Security Policy in fulfilling her mandate. It will work in cooperation with the diplomatic services of the member states and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of the member states.

The Treaty provides that the Council will act on the proposal after consulting Parliament and obtaining the consent of the Commission.

EUROPE 2020 - STRATEGY FOR JOBS AND GROWTH

The Council took stock of the follow-up to be given to the spring meeting of the European Council as regards the EU's new strategy for jobs and growth.

At its spring meeting (25 and 26 March), the European Council established a general framework for the new strategy, and set out further work to be carried out so as to enable it to adopt the strategy at its next scheduled meeting, on 17 and 18 June.

The EU's existing strategy for jobs and growth, launched in Lisbon in March 2000 and renewed in 2005, was instrumental in setting the agenda for growth-oriented structural reforms in Europe but it fell short however on delivery. In view of the economic crisis that has developed meanwhile, and the challenges posed by ageing populations, increased inequalities and climate change, a new approach is now considered necessary.

The new strategy will be aimed in particular at:

– ensuring sustainable public finances whilst preserving investment and social welfare;

– establishing inclusive and efficient labour markets;

– promoting a sustainable economy;

– further strengthening the EU's internal market;

– fully exploiting the reciprocal benefits of foreign trade and openness.

Work will be taken forward within the various configurations of the Council in the run-up to the June European Council.

EUROPEAN CITIZENS' INITIATIVE

The Council held a orientation debate on a proposal for a regulation aimed at making operational the "citizens' initiative", one of the most visible innovations of the Treaty of Lisbon.

In the light of the debate, it asked the Permanent Representatives Committee to oversee further work on the draft regulation so as to enable a general approach to be defined at the Council's meeting on 14 June.

The Treaty of Lisbon introduces a new dimension of participatory democracy, alongside that of representative democracy on which the EU is founded, with the aim of bringing the EU closer to its citizens and encouraging greater cross-border debate about EU issues.

The "citizens' initiative" will enable citizens to invite the Commission to bring forward legislative proposals on a specific issue if the signatories to such a request number at least one million and come from a significant number of member states. The proposal sets out the procedures and conditions for how the citizens' initiative will function in practice.

The Council's debate focused on the following issues:

– registration of a proposed initiative and admissibility;

– the minimum number of signatories per member state;

– procedures and conditions for the collection of statements of support;

– online collection systems.

OTHER BUSINESS

European airspace

The Council was informed by the presidency of the outcome of a teleconference of transport ministers held on 19 April, and of the situation regarding European airspace following the closure of airspace in mid-April on account of the presence of volcanic ash in the atmosphere.

The closure of airspace throughout Europe was imposed as a precautionary measure in order to guarantee the safety of passengers, despite considerable economic and logistical consequences.

The presidency will convene an extraordinary meeting of the Transport, Telecommunications and Energy Council in order to discuss possible new measures.

OTHER ITEMS APPROVED

ENLARGEMENT

Pre-accession assistance to Turkey - Court of Auditors - Special report - *Council conclusions*

The Council adopted the conclusions set out in document *7928/10.*

ECONOMIC AND FINANCIAL AFFAIRS

Annual updates of the member states' stability and convergence programmes

The Council adopted opinions, in accordance with the EU's stability and growth pact, on a number of annual updates of the member states' stability and convergence programmes, following their political endorsement by finance ministers at an informal meeting in Madrid on 16 April.

The draft opinions relate to:

– updated stability programmes presented by Belgium, Germany, Ireland, Spain, France, Italy, Luxembourg, Malta, the Netherlands, Austria, Portugal, Slovenia, Slovakia and Finland;

– updated convergence programmes presented by Bulgaria, the Czech Republic, Denmark, Estonia, Latvia, Lithuania, Hungary, Poland, Romania, Sweden and the United Kingdom.

Under the stability and growth pact, member states having the euro as their currency are required to present stability programmes, and those that do not are required to present convergence programmes. The aim is to ensure sound government finances as a means of strengthening the conditions for price stability and for sustainable growth, conducive to employment creation.

The Council's opinions can be found in the following documents: Belgium (*8542/10*), Bulgaria (*8556/10*), the Czech Republic (*8557/10*), Denmark (*8558/10*), Germany (*8543/10*), Ireland (*8544/10*), Spain (*8545/10*), Estonia (*8559/10*), France (*8546/10*), Italy (*8547/10*), Latvia (*8560/10*), Lithuania (*8561/10*), Luxembourg (*8548/10*), Malta (*8549/10*), Hungary (*8562/10*), the Netherlands (*8550/10*), Austria (*8551/10*), Poland (*8563/10*), Portugal (*8552/10*), Romania (*8564/10*), Slovenia (*8553/10*), Slovakia (*8554/10*), Finland (*8555/10*), Sweden (*8565/10*) and the United Kingdom (*8566/10*).

JUSTICE AND HOME AFFAIRS

C.SIS: installation and exploitation budgets

The Council approved the multi-annual table of authorised C.SIS installation expenditure (situation on 31 December 2008) and the C.SIS installation and exploitation budget for 2010.

The contributions by member states and by Iceland, Norway and Switzerland will be calculated according to an established distribution key *(doc.7485/10)*.

Surveillance of external maritime borders - Schengen borders code

The Council adopted a decision laying down additional rules for maritime border operations coordinated by "Frontex", the European agency for the management of operational cooperation at the external borders of the EU, supplementing the Schengen borders code[1] *(docs. 8089/10 and 8096/1/10)*.

The decision lays down additional rules and guidelines with the purpose of improving border surveillance activities carried out by maritime and aerial units, in order to prevent unauthorised border crossings, to counter cross-border criminality and to apprehend or take other measures against persons who have crossed the border illegally.

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[1] Regulation 562/2006 establishing a Community code on the rules governing the movement of persons across borders (Schengen borders code), published in Official Journal L 105 of 13.4.2006.

Schengen evaluation: Bulgaria, Romania, Germany

The Council adopted conclusions on the correct application by Bulgaria and Romania of the Schengen "*acquis*" in respect of data protection.

Evaluations reports conclude that requirements with respect to data protection have been met in both countries and that nothing prevents the adoption by the Council of a decision on the application of the provisions of the *acquis* relating to the Schengen information system and thus the loading of real SIS data, as soon as Bulgaria and Romania are technically ready to this end.

The reports also set out a number of recommendations. The conclusions invite Bulgaria and Romania to inform the Council both of further developments regarding the entry into force of legislative measures and of further follow-up they intend to give to the recommendations contained in the evaluation reports.

Another report covers the correct application by Germany of all aspects of the Schengen *acquis*. It concludes that considerable progress has been made since the first evaluation of Germany in 1999. Many previous recommendations have been fulfilled and the Schengen *acquis* is being applied in a satisfactory manner overall.

West Africa - Cooperation in combating organised crime

The Council approved a report on ways to improve cooperation in combating organised crime, especially drug trafficking, originating in West Africa.

The report explores ways of promoting a framework for improving the coordination of actions carried out by the EU, its members states and other international partners, in order to increase the effectiveness of the fight against organised crime connected with West Africa.

Exchange programme for police officers - *Council conclusions*

The Council adopted the conclusions set out in document *8309/1/10* REV 1.

Violence against women - *Council conclusions*

The Council adopted the conclusions set out in document *8310/10*.

Criminal activities in relation to speedboats - *Council conclusions*

The Council adopted the conclusions set out in document *8308/10*.

Enhancement of the security of explosives - *Council conclusions*

The Council adopted the conclusions set out in document *7980/10.*

Radicalisation in the EU - *Council conclusions*

The Council adopted the conclusions set out in document *8570/10* + 8570/10 ADD 1.

Analysis of the terrorist threat - *Council conclusions*

The Council adopted the conclusions set out in document *8571/10*.

Strategy to combat cybercrime - *Council conclusions*

The Council adopted the conclusions set out in document *5957/2/10 REV 2*.

Joint cooperation teams to combat terrorism and cross-border crime - *Council Resolution*

The Council adopted the resolution set out in document *7991/10*.

Prevention of forest fires - *Council Resolution*

The Council adopted the resolution set out in document *7788/10*.

TERRORISM

Management in the event of a terrorist attack

The Council approved a report on preparedness and consequence management in the event of a terrorist attack *(doc. 8568/10)*.

FOREIGN AFFAIRS

Euro-Mediterranean ministerial conference on higher education, research and innovation

The Council agreed on the position to be taken by the EU at the second Euro-Mediterranean ministerial Conference on higher education, research and innovation, which will take place in Brdo, Slovenia, on 25 and 26 April.

The Cairo declaration of 18 June 2007 "Towards a Euro-Mediterranean higher education and research area", constitutes the framework, guiding principles and general/long-term objectives of Euro-Mediterranean cooperation in higher education, research and technological development. A new impulse for the partnership was provided by the Joint declaration of the Paris Summit for the Mediterranean (13 July 2008), which launched the Union for the Mediterranean.

Union for the Mediterranean conference on food security, agriculture and rural development

The Council took note of preparations for a Union for the Mediterranean (UfM) ministerial conference on food security, agriculture and rural development to be held in Cairo, Egypt, on 15 and 16 June.

The conference follows on from a commitment made by foreign ministers at a meeting in Marseille on 3-4 November 2008. It will aim at identifying and promoting projects related to sustainable rural development, the development and promotion of quality products and the coordination of agricultural research on topics such as water stress resistant plant species and water resources management.

GENERAL AFFAIRS

Participation of Croatia in the EU agency for work on fundamental rights

The Council adopted a decision establishing the position to be taken within the EU-Croatia Stabilisation and Association Council on the participation of Croatia as an observer in the European Union agency for work on fundamental rights (doc.*7645/10*).

DEVELOPMENT POLICY

EU assistance - Court of Auditors - Special report - *Council conclusions*

The Council adopted the conclusions set out in document *8048/10.*

AGRICULTURE

Modification of food and feed law - Committee procedure

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

– a directive amending directive 2008/60 on specific purity criteria for sweeteners (doc. *7295/10*);

– a regulation on transitional measures under regulation 767/2009 as regards labelling provisions for feed (doc. *6301/10*).

Under the EU's regulatory procedure with scrutiny, the Council can oppose an act which exceeds the implementing powers of the Commission, is not compatible with the aim or content of the basic legal instrument or does not respect the EU's principles of subsidiarity or proportionality.

The Council having given its consent, the Commission may now adopt the two texts unless the European Parliament objects.

Animal health requirements for non-commercial movements of pets*

The Council adopted a regulation introducing technical adaptations to requirements on the vaccination and identification of pet animals and extending until the end of 2011 transitional measures existing in some member states on non-commercial movements of pet animals (docs. *7/10* + *7985/10 ADD 1* + *7985/10 ADD2*).

This follows an agreement on the text with the European Parliament in first reading.

The current transitional regime, established by regulation 998/2003, authorises Finland, Ireland, Malta, Sweden and the United Kingdom to make the entry of pet animals into their territory subject to compliance with certain additional requirements until 30 June 2010, in order to prevent the risk of introducing rabies, echinococcus and ticks.

Veterinary conditions for imports of live animals and fresh meat

The Council adopted a decision repealing decision 79/542 on the veterinary conditions for imports into the EU of certain live animals and fresh meat (doc.*8/10*), given that all the provisions of that decision are included up in Commission regulation 206/2010.

This follows an agreement on the text with the European Parliament at first reading.

COMPANY LAW

International accounting standards - Committee procedure

The Council decided not to oppose the adoption by the Commission of a regulation amending regulation 1126/2008 on the adoption of certain international accounting standards, in accordance with regulation 1606/2002, as regards International Financial Reporting Standard (IFRS) 1 and IFRS 7.

The amendment is intended to bring the EU regulation into line with recent changes to the IFRS in order to provide for an optional relief to entities that apply IFRS for the first time.

Under the EU's regulatory procedure with scrutiny, the Council can oppose an act that exceeds the implementing powers of the Commission, is not compatible with the aim or content of the basic instrument or does not respect the EU's principles of subsidiarity or proportionality.

The Council having given its consent, the Commission may now adopt the amending regulation unless the European Parliament objects.

SOCIAL AFFAIRS

Working conditions on board fishing vessels

The Council requested the consent of the European Parliament (as regards aspects within the exclusive competence of the EU) on a draft decision authorising member states to ratify the "work in fishing" convention of the International Labour Organisation (ILO) (doc.*16923/09*).

The "work in fishing" convention ("convention 188"), which was adopted in June 2007 at an international labour conference in Geneva, is aimed at improving the working conditions of fishermen on board fishing vessels. It establishes, in particular, minimum international standards for the fishing sector, such as the conditions of service, the right of repatriation, rules on accommodation and food, occupational health and safety, medical care and social security.

Housing interventions for marginalised people

The Council adopted a regulation allowing the extension of financial support from the European Regional Development Fund (ERDF) for housing interventions for very poor and marginalised communities, including many Roma communities (docs. *6/10* + *7964/10 ADD 1*).

The German delegation voted against adoption of the regulation, and the Hungarian delegation abstained.

For more details, see press release *9000/10.*

CUSTOMS UNION

EU-Japan - Mutual recognition of authorised economic operators programmes

The Council adopted a decision on the position to be taken by the EU, within the joint customs cooperation committee established by the EU-Japan agreement on cooperation and mutual administrative assistance in customs matters, on mutual recognition of authorised economic operators programmes in the EU and in Japan.

EDUCATION

European Social Fund - Court of Auditors - Special report - *Council conclusions*

The Council adopted the conclusions set out in document *7838/10*.

FISHERIES

Micronesia - Renewal of agreement

The Council authorised the Commission to open negotiations for the renewal of a protocol to the EU's fisheries partnership agreement with the Federated States of Micronesia.

ENERGY

International Renewable Energy Agency

The Council requested the consent of the European Parliament to the conclusion by the EU of the statute of the International Renewable Energy Agency (IRENA) and on the exercise of its rights and obligations (doc.*5467/10*).

The agency aims to promote the widespread and increased adoption and use of all forms of renewable energy, taking into account national and domestic priorities.

The Council's decision on the signing of the IRENA statute was adopted in October 2009 *(doc. 13687/09)* and signature by the European Community took place on 23 November 2009 in Berlin. The statute will enter into force upon deposit of the 25th instrument of ratification by members of the agency. Membership is open to those states that are members of the United Nations and to regional intergovernmental economic integration organisations.

STATISTICS

Access to confidential data for scientific purposes - Committee procedure

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

– a regulation aimed at enlarging access to confidential data for scientific purposes from surveys and statistical data sources. The new measures are intended, by amending regulation 831/2002, to satisfy growing demand from the scientific community for access to confidential data from the European health interview survey, Community statistics on the information society, the household budget survey and statistical returns in respect of the carriage of goods by road;

– a decision enlarging the list of bodies cited in decision 2004/452/EC whose researchers may access confidential data for scientific purposes.

Under the regulatory procedure with scrutiny, the Council can oppose an act that exceeds the implementing powers of the Commission, is not compatible with the aim or content of the basic instrument or does not respect the EU's principles of subsidiarity or proportionality.

The Council having given its consent, the Commission may now adopt the new measures unless the European Parliament objects.

TRANSPARENCY

Annual report on public access to documents

The Council adopted a report on implementation in 2009 of regulation 1049/2001 on public access to documents (doc. *8486/10*).

The 2009 annual report indicates, *inter alia*, that

– More than 69 % of Council documents produced in 2009, i.e. 122 160 of the 176 073 new documents listed in the Council's register, were made directly accessible to the public via the register.

– As of 31 December 2009, the Council's register referred to 1 371 608 documents (all language versions taken together), of which 1 039 973 (75,8 % of those registered) were public documents, i.e. either available in downloadable format or on request.

– In 2009, 554 952 different users logged on to the Council's public document register (against 482 842 in 2008). The total number of visits in 2009 was 1 176 017, while consultations (in terms of the number of screens viewed) totalled 10 011 440.

– The Council received 2 666 requests for access from the public (up by 19,1% compared to 2008) concerning a total of 8 443 documents, and gave access (total and partial access taken together) to 6 452 (76,4 %) of the requested documents.

The report highlights the key developments in the eighth year of implementation of the regulation. It also reviews complaints submitted to the European Ombudsman, as well as rulings given by Community courts under regulation 1049/2001 in cases concerning access to Council documents. In addition, it presents the regulatory, administrative and practical adaptations made by the Council to comply with the regulation.

In conclusion, the report asserts that, as far as the Council is concerned, the aims set by the EU treaties and by regulation 1049/2001 were achieved in 2009.

Public access to documents

The Council adopted:

– the reply to the confirmatory application made by Ms Ayse Saadet ARIKAN (No 07/c/01/10) (*doc. 7432/10*);

– the reply to confirmatory application No 08/c/01/10 (*doc. 7921/10*);

– the reply to confirmatory application No 09/c/01/10) (*doc. 7924/10*);

– the reply to the confirmatory application made by Mr Orion Devriendt (No 10/c/01/10), the Finnish and the Swedish delegation voting against (*doc. 8069/10*); and

– the reply to confirmatory application No 12/c/02/10 (*doc. 8257/10*).

APPOINTMENTS

Appointment of new members of the Court of Auditors

The Council adopted a decision appointing the following nine new members of the Court of Auditors for the period from 7 May 2010 to 6 May 2016: Mr Jan KINŠT, Ms Kersti KALJULAID, Mr Igors LUDBORŽS, Ms Rasa BUDBERGYTĖ, Mr Szabolcs FAZAKAS, Mr Louis GALEA, Mr Augustyn KUBIK, Mr Milan Martin CVIKL and Mr Ladislav BALKO (doc.*7348/10*).

In a written procedure completed on 31 March, the Council adopted a decision appointing Mr Eoin O'SHEA, for the period from 1 March 2006 to 29 February 2012, as successor to Ms Máire GEOGHEGAN-QUINN (doc.*7301/10*).

Committee of the Regions - Economic and Social Committee

The Council appointed Mr Dimitris KALOGEROPOULOS (Greece) *(doc. 7445/10),* Mr Jan BRONŚ (Poland) *(doc. 7421/10)* and Mr Markus WALLNER (Austria) *(doc. 8110/10)* as members of the Committee of the Regions for the remainder of the current term of office, which runs until 25 January 2015.

It also appointed Mr Alfred GAJDOSIK (Austria) *(doc. 6152/10)* as member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2010.

DECISIONS TAKEN BY WRITTEN PROCEDURE

Energy efficiency: labelling of products, energy performance of buildings

On 14 April, the Council adopted its position at first reading on draft directives concerning:

– labelling and information on the energy consumption of energy-related products (*see press release 8651/10*); and

– the energy performance of buildings (*see press release 8649/10)*.

The two proposals are part of an energy-efficiency legislative package aimed at contributing to the EU's target of reducing energy consumption by 20% and obtaining a 20% share of energy from renewable sources by 2020.