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THE EUROPEAN UNION**



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## **PRESS RELEASE**

3032nd Council meeting

### **General Affairs**

Brussels, 13 September 2010

President

**Steven VANACKERE**

Deputy Prime Minister and Minister for Foreign Affairs and  
Institutional Reforms

# **P R E S S**

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## **Main results of the Council**

*The Council prepared the European Council meeting of 16 September.*

*It approved a draft directive on patients' rights in the **cross-border provision of healthcare**, aimed at facilitating access to safe and high-quality healthcare and promoting cooperation between the member states in this field.*

*The Council adopted a regulation on the creation of a **European rail freight network**, composed of freight corridors and designed to provide freight operators with an efficient infrastructure to enable them to offer a high-quality service and to be more competitive on the goods transport market.*

**CONTENTS**<sup>1</sup>

<b>PARTICIPANTS</b> .....	<b>6</b>
---------------------------	----------

**ITEMS DEBATED**

PREPARATION OF THE SEPTEMBER EUROPEAN COUNCIL .....	8
PREPARATION OF THE OCTOBER EUROPEAN COUNCIL .....	9
OTHER BUSINESS .....	10
Common register of lobbyists .....	10
Serbia .....	10

**OTHER ITEMS APPROVED***GENERAL AFFAIRS*

– List of Council configurations .....	11
– Cooperation and verification mechanism for Bulgaria and Romania – <i>Council conclusions</i> .....	11

*COMMON SECURITY AND DEFENCE POLICY*

– EU police mission in Afghanistan .....	11
--	----

*DEVELOPMENT COOPERATION*

– South Africa .....	11
----------------------	----

*JUSTICE AND HOME AFFAIRS*

– Vehicle registration data – Finland .....	12
– Amending budget for SISNET .....	12
– Schengen Information System – Budget decisions for 2009 and 2011 .....	12
– Cooperation between CEPOL and the Turkish national police institute .....	12

<sup>1</sup> Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks. Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>). Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

*TRADE POLICY*

- Anti-dumping measures: polyethylene terephthalate - ironing boards..... 12

*BUDGETS*

- Support for ACP banana exporting countries ..... 13
- EU own resources ..... 13
- European External Action Service ..... 13
- European financial stabilisation mechanism ..... 14

*INTERNAL MARKET*

- Textile labelling ..... 14
- Construction products ..... 14

*TRANSPORT*

- Airworthiness of aircraft ..... 15
- Interoperability of the trans-European rail system ..... 15
- European Global Navigation Satellite System ..... 16
- European rail network for competitive freight\* ..... 16

*HEALTH*

- Patient rights in cross-border healthcare ..... 17
- Action against cancer – *Council conclusions* ..... 17
- Lessons learned from the A/H1N1 pandemic – *Council conclusions* ..... 18

*ENERGY*

- Access to the natural gas transmission network ..... 18
- Eco-design requirements for household dishwashers and washing machines ..... 18
- Ministerial Council of the Energy Community ..... 19

*ENVIRONMENT*

– Volatile organic compounds .....	19
– Marine fuels .....	20
– CO <sub>2</sub> emissions of passenger cars .....	20
– Biocidal products .....	20
– Spatial information .....	21
– Marine environment.....	22

*RESEARCH*

– European Earth observation programme.....	22
---	----

*AUDIOVISUAL POLICY*

– Participation of Switzerland in the "MEDIA 2007" programme .....	22
--	----

*APPOINTMENTS*

– European Economic and Social Committee.....	23
---	----

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**ITEMS DEBATED****PREPARATION OF THE SEPTEMBER EUROPEAN COUNCIL**

The Council examined draft conclusions for the European Council meeting to be held on 16 September.

The September European Council is due to focus on:

- relations with the EU's strategic partners. In the presence of foreign ministers, it will discuss how to give new momentum to the EU's external policies, looking ahead to a number of important events over the coming weeks and months;
- strengthening economic governance. The President of the European Council will report on progress achieved by a task force set up at the request of the European Council in March.

An annotated draft agenda was discussed by the Council at its meeting on 26 July (*doc. [12298/10](#)*). The draft conclusions will be reviewed in the light of the Council's discussion.



**PREPARATION OF THE OCTOBER EUROPEAN COUNCIL**

The Council examined an annotated draft agenda for the European Council meeting to be held on 28 and 29 October (doc. [13101/10](#)).

The October European Council is expected to focus on:

- economic policy. The European Council will receive a final report from a task force on economic governance and will take stock of progress on the regulation of financial services;
- G-20. Establishment of an EU position for the G-20 summit in Seoul on 11/12 November;
- climate change. Preparations for the UN conference to be held in Cancun from 29 November to 10 December;
- relations with the United States. Preparations for the EU-US summit on 20 November.

The Council will hold a further discussion at its meeting on 25 September, on the basis of draft European Council conclusions.

**OTHER BUSINESS****Common register of lobbyists**

The Council was informed by the Commission of developments as regards a common register of interest representatives (lobbyists) that the Commission and the European Parliament are establishing, and which is expected to become operational as from June 2011.

The Council asked the Permanent Representatives Committee to look into the issue, in the light of the Commission's renewed request for the Council to join the initiative.

**Serbia**

The Council briefly discussed recent developments with regard to Serbia.

**OTHER ITEMS APPROVED****GENERAL AFFAIRS****List of Council configurations**

The Council approved a draft decision to be forwarded to the European Council with a view to amending the list of Council configurations (*doc. [19/10](#)*).

**Cooperation and verification mechanism for Bulgaria and Romania – *Council conclusions***

The Council adopted conclusions set out in *doc. [13105/10](#)*

**COMMON SECURITY AND DEFENCE POLICY****EU police mission in Afghanistan**

The Council adopted a decision approving the signing and conclusion of an agreement with Afghanistan on the status of the EU police mission in Afghanistan (EUPOL Afghanistan) (*doc.10088/1/10*).

**DEVELOPMENT COOPERATION****South Africa**

The Council took note of preparations for the 11th meeting of the EU–South Africa Cooperation Council, to be held in Pretoria on 15 September.

The Cooperation Council is expected to address progress in development cooperation and a mid-term review of the EU-South Africa development cooperation instrument programme. It will also take stock of trade developments and assess progress in an ongoing revision of the EU-South Africa trade, development and cooperation agreement.

**JUSTICE AND HOME AFFAIRS****Vehicle registration data – Finland**

The Council authorized Finland to establish an automated data exchange with other member states concerning vehicle registration data as a means of preventing criminal offences (*doc.* [12127/10](#) + [COR 1](#)).

**Amending budget for SISNET**

The Council adopted an amending budget for the communication system of the Schengen information system telecommunications network (Sisnet), involving the possible reimbursement of up to EUR 1.05 million to Sweden, Germany and the Netherlands for 2007 and 2008.

**Schengen Information System – Budget for 2009**

The Council approved a management report on implementation of the installation and operation budget for 2009 of the central database of the Schengen information system (C.SIS) (*docs.* [12917/10](#) et [12919/10](#)).

**Cooperation between CEPOL and the Turkish national police institute**

The Council approved a draft cooperation agreement between the European Police College (CEPOL) and the Turkish national police institute (*doc.* [9942/10](#)).

**TRADE POLICY****Anti-dumping measures: polyethylene terephthalate - ironing boards**

The Council adopted regulations:

- amending regulations 1292/2007 and 367/2006 as regards the granting of an exemption from the measures imposed under those regulations to one Israeli exporter of polyethylene terephthalate (PET) film originating in India and terminating the registration of imports from that exporter (*doc.* [12853/1/10](#)), and

- re-imposing a definitive anti-dumping duty on imports of ironing boards originating in China, manufactured by Foshan Shunde Yongjian Housewares and Hardware Co. Ltd., Foshan (*doc.* [12837/1/10](#)).

## **BUDGETS**

### **Support for ACP banana exporting countries**

The Council adopted its position on draft amending budget no.3 to the EU's general budget for 2010, approving EUR 56.7 million to help African, Caribbean and Pacific (ACP) banana exporting countries affected by liberalisation measures required by the World Trade Organisation (*docs* [12643/10](#) + [8434/10](#)).

This amount will be secured by redeployments within heading 4 ("the EU as a global player") and from the margin available under that heading. Concerning the possibility of a further EUR 18.3 million for ACP banana supplier countries, the Council asked the Commission to propose as soon as possible additional redeployments within heading 4.

### **EU own resources**

The Council adopted its position on draft amending budget no.5 to the EU's general budget for 2010, approving the revision of the forecast of traditional EU own resources (i.e. customs duties and sugar levies), value added tax (VAT) and gross national income (GNI) bases.

It also accepted the budgeting of corrections in favour of the United Kingdom as well as their financing, and revised financing of gross national income reductions in favour of the Netherlands and Sweden for 2010.

Draft amending budget 5/2010 will bring about a change in the distribution of member states' own resources contributions to the EU budget. It also includes a modification to the establishment plan of the European Anti-Fraud Office (*docs.* [12644/10](#) + [11208/10](#)).

### **European External Action Service**

The Council adopted its position on draft amending budget no.6 to the EU's general budget for 2010, approving the creation of a new section X in the budget for the European External Action Service (EEAS) with the appropriate budgetary structure and establishment plan (*docs* [12224/10](#) + [11251/10](#)).

The draft amending budget involves the transfer of posts from other institutions (411 from the European Council and the Council, 1114 from the Commission), as well as the creation of 100 new posts and the recruitment of 60 local agents and 10 contract agents. The net financial impact amounts to EUR 9.52 million. The Council adopted a statement emphasising that the establishment of the EEAS should be guided by the principle of cost efficiency, aiming towards budget neutrality.

### **European financial stabilisation mechanism**

The Council adopted its position on draft amending budget no.7 to the general EU budget for 2010, approving the establishment of the budget structure for the European financial stabilisation mechanism (*docs [12645/10](#) + [12119/10](#)*).

Draft amending budget 7/2010 provides for the creation of a new budget item on the expenditure side and a corresponding new budget article on the revenue side, with a token entry (p.m.) for commitments and payments as well as revenue. For the time being, therefore, no financial provisions are requested. If necessary, the Commission will propose to make the appropriations needed available by means of transfers or amending budgets.

### **INTERNAL MARKET**

#### **Textile labelling**

The Council reached political agreement by qualified majority, on a draft regulation aimed at reviewing the EU system for the standard description of fibres and the labelling of textile products. The Italian delegation voted against (*doc. [12225/10 ADD1](#)*).

The Council's position will be forwarded to the European Parliament for a second reading.

The draft regulation is intended to revise EU rules on the use of textile fibre names, labelling, marking and determination of the fibre composition of textile products.

For details, see press release *doc. [13553/10](#)*

#### **Construction products**

The Council adopted its position at first reading, by qualified majority, on a draft regulation aimed at updating the conditions for the marketing of construction products (*docs [10753/10](#) and [10753/10 ADD1](#)*). The Bulgarian and Polish delegations voted against.

The text will be forwarded to the European Parliament for a second reading.

The proposed regulation is intended to simplify and clarify the legal framework on the marketing of construction products, replacing measures contained in directive 89/106/EEC.

The aim is to clarify the basic concepts and the use of "marking", introducing simplified procedures so as to reduce the costs incurred by companies, and imposing new and stricter designation criteria for bodies involved in the assessment and verification of the constancy of performance of construction products. The text seeks to ensure accurate and reliable information on construction products in relation to their performance.

## **TRANSPORT**

### **Airworthiness of aircraft**

The Council decided not to oppose the adoption by the Commission of a regulation extending a derogation from the regulation on the continuing airworthiness of aircraft so as to allow member states to defer the application of certain provisions affecting small aircraft not involved in commercial transport for a further year, that is, until 28 September 2011 (*doc. 12043/10*).

The derogation, which concerns rules on the certifying staff of maintenance organisations, is intended to provide sufficient time for the evaluation of the impact of any changes.

The Commission regulation is subject to the regulatory procedure with scrutiny, under which 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 regulation, unless the European Parliament objects.

### **Interoperability of the trans-European rail system**

The Council decided not to oppose the adoption by the Commission of three decisions on technical specifications for the interoperability of the trans-European rail system, concerning

- the "energy" subsystem of the conventional rail system (*docs [12263/10](#) + [12263/10 ADD 1](#)*),

- the "infrastructure" subsystem of the conventional rail system (*docs [12264/10](#) + [12264/10 ADD 1](#)*), and
- the "traffic operation and management" subsystem of the conventional and high-speed rail systems (*doc. [12260/10](#)*).

The Commission decisions are subject to the regulatory procedure with scrutiny, under which 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 decisions, unless the European Parliament objects.

### **European Global Navigation Satellite System**

The Council adopted a regulation bringing the management structures set up in 2004 for the EU satellite radio-navigation programmes into line with modifications introduced in 2008 as regards the governance and financing of those programmes (*docs [PE-CONS 24/10](#) + [12694/10 ADD 1](#)*).

The new regulation replaces the 2004 regulation which established a European GNSS Supervisory Authority, now to become the European GNSS Agency. It strengthens the powers of the Commission within the agency, in line with the full management responsibility that the Commission has been given.

Moreover, the regulation lays down rules for security accreditation of GNSS systems, i.e. establishing compliance of a system with security requirements. In particular, it sets up a security accreditation board, as an autonomous body within the agency, to deal with tasks such as the approval of the security accreditation strategy and of satellite launches, and authorisations to operate systems and services or to manufacture certain products.

### **European rail network for competitive freight\***

The Council adopted a regulation on the creation of a European rail network of international freight corridors, approving all amendments voted by the European Parliament at second reading. (*docs [PE-CONS 28/10](#) + [12695/10 ADD1 REV4](#)*).



The network is designed to provide operators with an efficient freight transport infrastructure which should enable them to offer a high-quality service and to be more competitive on the goods transport market. The regulation sets out rules for the establishment and the modification of freight corridors, their organisation, governance and implementation as well as for investment planning, and capacity and traffic management.

Member states are to make the initial freight corridors listed in the regulation operational at the latest three or five years after its entry into force. At a later stage, member states not mentioned in the list will participate in the establishment of at least one corridor. Moreover, upon request from a member state, member states must participate in the establishment of a corridor or prolongation of an existing corridor if this is necessary to allow a neighbouring member state to fulfil the obligation to establish at least one corridor. Derogations from those obligations are possible under certain conditions.

Operators requesting infrastructure capacity for freight trains crossing at least one border along the freight corridor will be able to submit their application and receive answers using a "one-stop shop", that is, in a single place and a single operation for each corridor.

## **HEALTH**

### **Patient rights in cross-border healthcare**

The Council adopted its position on a draft directive concerning the application of patients' rights in cross-border healthcare (*docs [11038/10](#) + [11038/10 ADD 1](#) + [12979/10 ADD 1](#)*). The Polish and Slovak delegations voted against, and the Romanian delegation abstained.

The draft directive is aimed at facilitating access to safe and high-quality cross-border healthcare and to promote cooperation on healthcare between member states.

The Council's position will be sent to the European Parliament for a second reading.

For details, see press release *doc. [13535/10](#)*

### **Action against cancer – Council conclusions**

The Council adopted conclusions set out in *doc. [12667/10](#)*

**Lessons learned from the A/H1N1 pandemic – Council conclusions**

The Council adopted conclusions set out in *doc.* [12665/10](#)

**ENERGY****Access to the natural gas transmission network**

The Council decided not to oppose the adoption by the Commission of a decision amending regulation 715/2009 on the conditions for access to the natural gas transmission network (*doc.* [12230/10](#)).

Regulation 715/2009 established guidelines on the technical information necessary for network users to gain effective access to the system, in order to ensure transparency and to provide a minimum guarantee of equal market access conditions in practice.

The draft decision is subject to the regulatory procedure with scrutiny, under which 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 decision, unless the European Parliament objects.

**Eco-design requirements for household dishwashers and washing machines**

The Council decided not to oppose the adoption by the Commission of regulations implementing directive 2009/125/EC, which establishes a framework for the setting of ecodesign requirements for energy-related products, with regard to:

- household dishwashers (*doc.* [12231/10](#)) and
- household washing machines (*doc.* [12233/10](#)).

The draft regulations are subject to the regulatory procedure with scrutiny, under which 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 regulations, unless the European Parliament objects.

## **Ministerial Council of the Energy Community**

The Council adopted a decision establishing the position to be adopted by the EU within the Ministerial Council of the Energy Community, which will take place in Skopje on 24 September .

The agenda for the meeting includes the promotion of energy from renewable sources and implementation of recent legislation regarding the EU's internal market for electricity and gas.

The Energy Community Treaty (2006) is aimed at establishing a fully integrated electricity and gas market among the countries of South Eastern Europe (Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Greece, the former Yugoslav Republic of Macedonia, Romania, Serbia-Montenegro and the Republic of Moldova) as from 1 May 2010.

## **ENVIRONMENT**

### **Volatile organic compounds**

The Council decided not to oppose the adoption by the Commission of a directive updating the permitted testing methods for determining compliance with the limits for the content of volatile organic compounds in paints and varnishes (*doc.* [12286/10](#)).

The draft directive amends annex III to directive 2004/42, which restricts emissions of volatile organic compounds due to the use of organic solvents in certain paints and varnishes and vehicle refinishing products.

The draft directive is subject to the regulatory procedure with scrutiny, under which 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 regulation, unless the European Parliament objects.

## **Marine fuels**

The Council decided not to oppose the adoption by the Commission of a decision establishing criteria for approving emission abatement technology for use in liquefied natural gas carriers (*doc. [12022/10](#)*).

Directive 1999/32 requires such ships to either use low sulphur marine fuel or to employ recognised emission abatement technologies.

The draft decision is subject to the regulatory procedure with scrutiny, under which 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 decision, unless the European Parliament objects.

## **CO<sub>2</sub> emissions of passenger cars**

The Council decided not to oppose the adoption by the Commission of a draft regulation laying down the information which small-volume and niche manufacturers of new passenger cars must provide to demonstrate that they qualify for a derogation (*doc. 12277/10*).

Regulation 443/2009 sets the average CO<sub>2</sub> emissions for new passenger cars at 130g CO<sub>2</sub>/km, but states that manufacturers responsible for fewer than 10 000 new passenger cars per year may apply for a derogation, which includes a specific emissions target consistent with their reduction potential.

The draft regulation is subject to the regulatory procedure with scrutiny, under which 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 regulation, unless the European Parliament objects.

## **Biocidal products**

The Council decided not to oppose the adoption by the Commission of directives including spinosad and metofluthrin in the list of active substances that are authorised for use in biocidal products (*docs [12256/10](#) and [12260/10](#)*).

Likewise, it did not oppose a draft Commission directive extending the authorisation for carbon dioxide as an active substance to products used for the control of arthropods, i.e. insects, arachnids and crustaceans (*doc. [12271/10](#)*), and a draft Commission decision refusing to include several substances, inter alia formaldehyde, benzoic acid and sodium benzoate, in the lists of permitted active substances (*doc. [12252/10](#)*). From 1 November 2011, the latter substances may no longer be used in certain types of biocides.

The draft directives are subject to the regulatory procedure with scrutiny, under which 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 directives, unless the European Parliament objects.

### **Spatial information**

The Council decided not to oppose the adoption by the Commission of a regulation amending regulation 2009/976 regarding EU infrastructure for spatial information so as to assist policy-making on activities that may have an impact on the environment.

The amendments concern common technical specifications and minimum performance criteria for download services and transformation services (*doc. [12235/10](#)*).

In addition, the Council did not oppose a draft Commission regulation setting out requirements for technical arrangements for the interoperability and, where practicable, harmonisation of spatial data sets and spatial data services within infrastructure for spatial information in the EU (*doc. [12242/10](#)*).

The draft regulation is subject to the regulatory procedure with scrutiny, under which 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 regulation, unless the European Parliament objects.

## **Marine environment**

The Council approved on behalf of the EU a protocol on integrated coastal zone management in the Mediterranean under the Barcelona convention for the protection of the marine environment and the coastal region of the Mediterranean (*doc.* [9132/1/10](#)).

## **RESEARCH**

### **European Earth observation programme**

The Council adopted a regulation on the European Earth observation programme (GMES) and its initial operations (2011-2013), following an agreement reached with the European Parliament at first reading (*docs* [22/10](#) and [12692/1/10 ADD1](#)).

The regulation will contribute to the establishment of GMES as an operational programme, and will provide additional funds for its initial operations allowing a gradual build-up of capabilities until 2013, as well as putting into place the necessary structures for the governance of the programme.

It includes an additional EUR 107 million in the initial operational phase of GMES, as proposed by the Commission in May 2009 (*doc.* [10285/09](#)).

GMES is an EU-led initiative to develop Europe's own operational Earth observation capacity in order to collect information about the planet's physical, chemical and biological systems and, more generally, to monitor the natural environment. It draws on both space-based (i.e. satellite) and non-space-based facilities, including airborne, seaborne and ground-based ("*in situ*") installations. Data collected via satellites and *in situ* infrastructure are processed to provide information services allowing better management of the environment and enhancing security for citizens.

See also: <http://www.gmes.info/>

## **AUDIOVISUAL POLICY**

### **Participation of Switzerland in the "MEDIA 2007" programme**

The Council adopted a decision on the position to be taken by the EU within the joint committee established by the EU-Switzerland agreement in the audiovisual field, with a view to updating the terms and conditions of the participation of Switzerland in the EU's "MEDIA 2007" programme.

The decision is aimed at adapting the agreement following the entry into force in December 2007 of directive 89/552/EEC, as last amended by directive 2007/65/EC, in order to update the references to that directive accordingly.

**APPOINTMENTS****European Economic and Social Committee**

The Council appointed the members of the European Economic and Social Committee for the period from 21 September 2010 to 20 September 2015 (*doc. [12059/10](#)*). The full list can be found in *doc. [12058/10 REV 2](#)*.

Under Article 302 of the Treaty on the Functioning of the European Union (TFEU), the Council must adopt the list of members based on proposals made by each member state, after consulting the Commission.

The EESC has currently 344 members, who have been appointed for a term of four years. The current mandate (2006-2010) ends in 20 September 2010. Following the entry into force of the TFEU, the mandate for the current appointments will be five years.

For further information, see <http://www.eesc.europa.eu>

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