



**COUNCIL OF
THE EUROPEAN UNION**



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3125th Council meeting

General Affairs

Brussels, 15 November 2011

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Main results of the Council

*The Council adopted a directive aimed at combating sexual abuse and **exploitation of children** and child pornography, harmonising about 20 criminal offences and setting a high level for penalties.*

*The Council discussed certain aspects of the proposed **multiannual financial framework** for the 2014-2020 period.*

*It reviewed the EU's strategy for the **Baltic Sea region**, approving recommendations for improved implementation. The strategy, launched in 2009, addresses common challenges faced by the countries of the region and sets out to take advantage of unexploited potential by providing a common framework for cooperation.*

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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>).

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.

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ITEMS DEBATED**MULTIANNUAL FINANCIAL FRAMEWORK**

The Council held a policy debate on the EU's multiannual financial framework for the 2014-2020 period, focusing on the following parts of the proposal:

- economic, social and territorial cohesion;
- the "Connecting Europe" facility¹;
- the Common Agriculture Policy and Common Fisheries Policy.

The presidency indicated its intention to include the main outcome of the debate, together with the results of work conducted since July, in a report to be presented to the Council on 5 December.

The negotiation phase is due to start in January with the beginning of the Danish presidency.

¹ The "Connecting Europe" facility is a new instrument proposed by the Commission aimed at accelerating infrastructure development in transport, energy and information and communication technologies across the EU.

EUROPEAN COUNCIL

Preparation of the December meeting

The Council examined an annotated draft agenda for the European Council meeting to be held on 9 December ([15950/11](#)).

The European Council is due to focus on:

- Economic policy:
 - a review of the economic situation in Europe, including the themes developed at its June and October meetings;
 - the member states participating in the Euro Plus Pact will track progress on their commitments;
 - discussion on reflections by the euro area member states on the strengthening of economic governance in the euro area.
- *Energy*, in particular energy efficiency, the internal energy market, energy infrastructure development, external energy policy and nuclear stress tests.
- *Other issues*, in particular EU enlargement.

The Council will hold a further discussion at a meeting on 5 December, on the basis of draft European Council conclusions.

The signature of a treaty on the accession of Croatia to the EU is scheduled in the margins of the European Council.

Follow-up to the October meeting

The Council took stock of the follow-up to the European Council meeting held on 23 October, on the basis of a note from the presidency following on from its February, March, June and October meetings ([16468/11](#)).

STRATEGY FOR THE BALTIC SEA REGION

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION

1. RECALLING the Commission's Communication on the EU Strategy for the Baltic Sea Region (EUSBSR) of 10 June 2009 ENDORSED by the General Affairs and External Relations Council of 28 October 2009 and the European Council of 30 October 2009.
2. RECAPITULATING the European Council conclusions of 30 October 2009 calling on the European Commission (hereinafter: the Commission) to submit to the Council the progress report by June 2011 and RECALLING the Commission's Interim Report on the EUSBSR of December 2010 indicating that: "*The political discussions foreseen under the Polish Presidency of the EU Council in the second half of 2011 will constitute an opportunity for a more fundamental review of the Strategy.*"
3. WELCOMING the Commission's Report on the Implementation of the EUSBSR of 22 June 2011 that constitutes the basis for the present Conclusions.
4. RECALLING extensive debates on EUSBSR implementation as well as the review related consultations conducted within the framework of Polish Presidency of the Council and WELCOMING the commitment of the European Parliament, the Committee of the Regions, representatives of Baltic Sea regions as well as other interested stakeholders.
5. RECOGNISING that an overall assessment of macro-regional strategies is to be undertaken by the Commission in mid-2013¹.
6. STRESSES that the EUSBSR constitutes an integrated framework to address common challenges in the macro-region benefiting from strengthened co-operation between its stakeholders and that it is contributing to economic, social and territorial cohesion of the EU.

¹ General Affairs Council Conclusions on the European Union Strategy for the Danube Region (EUSDR) of 13th April 2011.

7. REITERATES that the Strategy is based on the principle of no new EU funds, no additional EU formal structures and no new EU legislation, while relying on a coordinated approach, synergy effects and more effective use of the EU and other financial instruments and funds.
8. STRESSES that successful implementation of the EUSBSR for the benefit of the macro-region requires involvement of all Baltic Sea States as well as relevant stakeholders at transnational, regional and local levels, following a multi-level governance approach.
9. RECOGNISING the contribution to date of the EUSBSR implementation experience towards achieving common EU goals as well as towards addressing the shared challenges of the macro region, it ACKNOWLEDGES the need to make the Strategy more effective and result oriented for further attaining the Strategy objectives and therefore ENDORSES the following recommendations resulting from the Commission's Report on the Implementation of the EUSBSR as well as from consultations with relevant stakeholders. Based on this, the Council:

Political commitment

- a) CALLS on the Member States concerned to intensify actions to further enhance existing political support for EUSBSR implementation at all levels (EU, national, regional, local), particularly by making the EUSBSR a reference point for all adequate fora.
- b) RECOGNISES the territorial dimension of the EU sectoral policies and therefore the need to include the EUSBSR on the agenda of the Council in its different formations as and when appropriate in order to promote effective involvement of, and closer links to, relevant EU policies in the Strategy implementation.

Integrated approach, coordination of policies and alignment of funding

- c) INVITES the Commission and the Member States concerned to follow an integrated approach to the EUSBSR by strengthening coordination between policies with a territorial impact and thematically relevant to the EUSBSR at EU and national level¹ and to closer align the Strategy with the Integrated Maritime Policy and the Europe 2020 Strategy, also with facilitation of EUSBSR national coordination committees in order to provide increased effectiveness, more synergy and sustainability of results achieved.

¹ Such as environment, transport, agriculture, fishery, maritime spatial planning, innovation, research and development, information and communication technologies, climate action etc.

- d) INVITES the Commission and the Member States concerned to better align existing sources of funding in the macro-region with the EUSBSR objectives. INDICATES, without prejudice to the results of the negotiations on the next Multiannual Financial Framework, that future alignment of funding should be facilitated in the new 2014-2020 programming period, inter alia by taking account of the EUSBSR when designing programmes, including the transnational, national and regional ones and those with third country involvement, where appropriate and with respect to subsidiarity principle.
- e) INVITES the Commission and the Member States concerned to cooperate on enhancing possibilities to create EUSBSR projects' pipelines and to consider the possibilities for establishing the Implementation Facility framework in cooperation with international financial institutions as a means to support the preparation of key EUSBSR projects based on a thorough needs analysis coordinated by the European Commission.

Governance

- f) INVITES the Commission to strengthen its role in EUSBSR strategic coordination, in facilitation of information flows internally and towards Member States and in safeguarding an added value of the macro-regional concept. ENCOURAGES the Commission to reinforce the role of the EUSBSR High Level Group, meeting on a regular basis, as the main operational forum for key steering debates and INVITES all Member States to actively take part in its sessions.
- g) INVITES the Member States concerned to consider the EUSBSR objectives in specific development strategies at national level as well as to encourage regional and local authorities to reflect EUSBSR activities in their development strategies where territorially adequate.
- h) INVITES the Member States concerned to explore the potential of European Groupings of Territorial Cooperation as a tool for the Strategy implementation at appropriate levels.

Clarification and strengthening roles of key stakeholders

- i) UNDERLINES the need for cooperation between the Commission and the Member States concerned on clarifying the roles and responsibilities of key EUSBSR implementing stakeholders¹ in order to provide transparent guidance on their functions and facilitate their work on strategy implementation as more efficient. At the same time, the Council RECOGNISES the need to strengthen the roles of National Contact Points in national coordination as well as Priority Area Coordinators and Horizontal Action Leaders in thematic and transnational implementation.
- j) UNDERLINES the need to set up a stable and more effective link between the key EUSBSR implementing stakeholders and administrators of funding sources, in order to deepen the dialogue on access to financial solutions and STRESSES that cooperation possibilities with the private sector in this regard should be explored.
- k) ENCOURAGES the key EUSBSR implementing stakeholders, the Commission and the Member States concerned to continuously ensure their own adequate internal capacity in order to undertake their work.

Monitoring system and introducing targets and indicators

- l) INVITES the Commission to report every two years on the EUSBSR progress and results achieved, including reference to the contribution of relevant sectoral policies.
- m) INVITES the Commission to propose by early 2012 a system of realistic and feasible targets and indicators (quantitative and qualitative), worked out in cooperation with Member States concerned, taking into account targets and indicators already set by multilateral cooperation structures in the macro region, i.a. HELCOM (Helsinki Commission) and the need to avoid unnecessary duplication. RECOGNISES that this will strengthen monitoring of the EUSBSR and provide a basis for a comprehensive evaluation system aimed at the Strategy becoming more operational and result oriented. The Council therefore WELCOMES the works of the EUSBSR Task Force on Targets and Indicators.

¹ National Contact Points (NCPs), Priority Area Coordinators (PACs), Horizontal Action Leaders (HALs), Flagship Project Leaders (FPLs).

Improving communication system and visibility

- n) RECOMMENDS that the Commission and Member States concerned jointly develop a "Communication Initiative"¹ improving communication channels between key EUSBSR stakeholders as well as between them and administrators of funding sources, i.a. by considering the establishment of an interactive web based tool for sharing experiences and good practices, resulting in better access to funding information, increased partners' matching and projects' clustering.
- o) ENCOURAGES the Member States concerned and the Commission to increase efficiency of information dissemination and promotion of EUSBSR activities as well as to foster communication channels towards wider public of the macro-region, stimulating involvement of a broad range of actors at various levels.
- p) RECOMMENDS that the Commission continues the good practice of holding the EUSBSR Annual Forum to provide a stable platform for debates on progress, results, challenges and solutions for implementation between a wide range of actors at all possible levels.

Integration with multilateral structures and links with the EU Strategy for the Danube Region

- q) INVITES the Member States concerned to look for synergy effects between the EUSBSR and multilateral cooperation structures and networks within the Baltic Sea Region² as well as with international financial institutions through better coordination and effective use of communication channels and fora related to EUSBSR and Baltic Sea Region to provide increased efficiency of intervention within macro region.
- r) ENCOURAGES the Member States concerned and the Commission to strengthen links between the EUSBSR, the EU Strategy for the Danube Region and possible future macro regional strategies by securing exchange of experiences and good practices, leading to increased quality of implementation solutions for those strategies as well as to added value in strengthening European territorial cohesion, including i.a. coherence in implementing the infrastructure and energy projects.

¹ Commission's Report on the Implementation of the EUSBSR of 22 June 2011.

² Such as Northern Dimension, Council of the Baltic Sea States, Nordic Council of Ministers, HELCOM, VASAB (Visions and Strategies around Baltic Sea), Baltic Sea States Sub regional Cooperation.

Cooperation with third countries

- s) WELCOMES cooperation with interested third countries in EUSBSR projects and initiatives of mutual interest and ENCOURAGES the Member States concerned to search for the most relevant instruments and forms of third country involvement in order to tackle challenges in the macro-region effectively. Specifically, the Northern Dimension, the Council of the Baltic Sea States, the Nordic Council of Ministers and HELCOM should serve as cooperation platforms, involving relevant partners, in particular the Russian Federation.
10. CALLS on the Member States concerned and the Commission to incorporate the recommendations listed above into the EUSBSR implementation practice in the course of 2012. CALLS on the European Commission to review the EUSBSR in the light of the above recommendations by early 2012 and to assure the review of the EUSBSR Action Plan shortly thereafter. UNDERLINES that the scope of implementation of these recommendations should be reflected in the overall assessment of macro-regional strategies and evaluation of their added value by the Commission in 2013."

MEETINGS IN THE MARGINS OF THE COUNCIL

– *EEA Council*

A meeting of the European Economic Area (EEA) Council was held in the margins of the Council.

The EEA Council adopted conclusions set out in document [16011/11](#).

OTHER ITEMS APPROVED**JUSTICE AND HOME AFFAIRS****Sexual abuse/exploitation of children and child pornography**

The Council adopted a directive aimed at combating sexual abuse and the exploitation of children as well as child pornography ([PE-CONS 51/11](#)).

The directive harmonises about 20 criminal offences, setting a high level of penalties.

It penalises a number of offences across the EU (including the sexual abuse of children, sexual exploitation of children, child pornography and grooming, i.e. soliciting children for sexual purposes on the internet) and sets lower thresholds for their maximum penalties as compared to a previous framework decision from 2004.

Concerning online child pornography, the text obliges member states to ensure the prompt removal of websites hosted in their territory and to endeavour to obtain their removal if hosted outside their territory. In addition, member states may block access to web pages, but must follow transparent procedures and provide safeguards if they make use of this possibility.

The directive will also strike hard on the sex tourism industry: firstly, by introducing compulsory jurisdiction over nationals who commit crimes abroad, and secondly by establishing preventive measures to such effect. The new rules also include provisions to prevent paedophiles moving abroad and taking advantage of the free movement of workers within the EU.

For details, see press release [16898/11](#).

INTERNAL MARKET**Motor vehicles - Gear shift indicators**

The Council decided not to oppose adoption by the Commission of a regulation implementing regulation 661/2009 as regards gear shift indicators.

Regulation 661/2009 requires the technical details of its provisions (specific procedures, tests and requirements for type-approval) on gear shift indicators to be defined by implementing legislation. Directive 2007/46/EC establishing a framework for the approval of motor vehicles and their trailers (framework directive) should therefore be amended accordingly.

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

Emissions from heavy duty vehicles (Euro VI)

The Council decided not to oppose adoption by the Commission of a regulation amending regulation 582/2011, which implements and amends regulation 595/2009 with respect to emissions from heavy duty vehicles ("Euro VI").

Regulation 595/2009 establishes common technical requirements for the type-approval of motor vehicles and replacement parts with regard to their emissions, and lays down rules for in-service conformity, the durability of pollution control devices, on-board diagnostic (OBD) systems, the measurement of fuel consumption and accessibility of vehicle repair and maintenance information.

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

ENVIRONMENT

Effects on the environment of certain projects

The Council adopted a directive on the assessment of the effects of certain public and private projects on the environment ([PE-CONS 52/11](#)), codifying current directive 85/337 which has been substantially amended several times.

EU environment policy is based on the principles that preventive action should be taken, environmental damage should as a priority be rectified at source, and that the polluter should pay. Member states are therefore required, before granting development consent, to carry out an assessment of the likely effects of certain projects on the environment, as well as on the personal health and well-being of citizens. That assessment should be conducted on the basis of appropriate information supplied by the developer, which may be supplemented by the authorities and by the public likely to be concerned by the project in question.

Convention on the conservation of migratory species

The Council adopted a decision establishing the EU's position with regard to proposals for amending appendices I and II to the UN convention on the conservation of migratory species of wild animals¹ at the tenth meeting of the conference of the parties that will take place in Bergen (Norway) from 20 to 25 November.

See also: [14924/11](#) (Commission proposal)

¹ [OJ L 210, 19.7.1982.](#)