



**COUNCIL OF
THE EUROPEAN UNION**



16920/08 (Presse 362)

PRESS RELEASE

2913rd Council meeting

Transport, Telecommunications and Energy

Brussels, 8 and 9 December 2008

President

Jean-Louis BORLOO

Minister for Ecology, Energy, Sustainable Development and
Town and Country Planning of France

Mr Dominique BUSSEREAU

French Minister of State with responsibility for Transport

P R E S S

Main results of the Council

Energy

*The Council was briefed by the Presidency on progress on the overall **climate/energy package**, with particular emphasis on the Directive on renewable sources of energy.*

*The Council agreed on a general approach on the proposal for the recasting of the **eco-design Directive**.*

*The Council held a public policy debate on **energy security**, following the presentation by the Commission of its Communication on the second Strategic Energy Review.*

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Transport

*In the field of aviation, the Council adopted two sets of negotiating directives for the Commission for the purpose of establishing Euro-Mediterranean agreements with **Algeria** and **Tunisia**.*

*The Council adopted conclusions on the package of measures which the Commission proposed on **greening transport**.*

*On shipping, the Council adopted a Resolution on the **EU Long Range Identification and Tracking Data Centre**.*

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The Council also adopted the following without debate:

- *two common positions on the two latest legislative proposals under the **third maritime safety package**, i.e. the proposal for a Directive on compliance with flag State requirements and the proposal for a Directive on the civil liability and financial guarantees of shipowners,*
- *a Decision establishing a multiannual Community programme on **protecting children using the Internet** and other communication technologies,*

- *a Directive on common standards and procedures in Member States for **returning illegally staying third-country nationals**.*

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- 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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PARTICIPANTS

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

Belgium:

Mr Paul MAGNETTE
Mr Etienne SCHOUPPE

Minister for Climate and Energy
State Secretary for Mobility, attached to the Prime Minister

Bulgaria:

Ms Galina TOSHEVA
Ms Krassimira Radkova MARTINOVA

Deputy Minister for the Economy and Energy
Deputy Minister for Transport

Czech Republic:

Mr Martin ŘÍMAN

Minister for Industry and Trade

Denmark:

Mr Lars BARFOED
Mr Thomas EGEBO

Minister for Transport
State Secretary, Ministry of Climate and Energy

Germany:

Mr Michael GLOS
Mr Wolfgang TIEFENSEE

Federal Minister for Economic Affairs and Technology
Federal Minister for Transport, Building and Urban Development

Estonia:

Mr Juhan PARTS

Minister for Economic Affairs and Communications

Ireland:

Mr Eamon RYAN

Minister for Communications, Energy and Natural Resources

Mr Noel AHERN

Minister of State at the Department of Transport
(with special responsibility for Road Safety)

Greece:

Mr Christos FOLIAS

Minister for Development

Spain:

Ms Magdalena ÁLVAREZ ARZA

Minister for Infrastructure and Transport

France:

Mr Jean-Louis BORLOO

Ministre d'État, Minister for Ecology, Energy, Sustainable Development and Town and Country Planning
Minister of State with responsibility for Transport

Mr Dominique BUSSEREAU

Italy:

Mr Claudio SCAJOLA
Mr Altero MATTEOLI

Minister for Economic Development
Minister for Infrastructure and Transport

Cyprus:

Mr Antonis PASCHALIDES
Mr Nicos NICOLAIDES

Minister for Commerce, Industry and Tourism
Minister for Communications and Works

Latvia:

Mr Artūrs BERGHOLCS

Parliamentary State Secretary, Ministry for Economic Affairs

Mr Nils FREIVALDS

State Secretary, Ministry for Transport and Communications

Lithuania:

Mr Vytautas NAVICKAS

Minister for the Economy

Luxembourg:

Mr Georges FRIDEN

Deputy Permanent Representative

Hungary:

Mr Lajos CSEPI

State Secretary for Transport

Malta:

Mr Austin GATT

Minister for Infrastructure, Transport and
Communications

Mr George PULLICINO

Minister for Resources and Rural Affairs

Netherlands:

Mr Camiel EURLINGS

Minister for Transport, Public Works and Water
Management

Ms Maria VAN DER HOEVEN

Minister for Economic Affairs

Austria:

Mr Reinhold MITTERLEHNER

Federal Minister for Economic Affairs and Labour

Poland:

Mr Waldemar PAWLAK

Deputy Prime Minister, Minister for Economic Affairs

Mr Tadeusz JARMUZIEWICZ

State Secretary, Ministry of Infrastructure

Portugal:

Mr Manuel PINHO

Minister for Economic Affairs and Innovation

Mr Mário LINO

Minister for Public Works, Transport and
Communications**Romania:**

Mr Tudor CONSTANTINESCU

State Secretary for Energy Policies,
Ministry of the Economy and Finance**Slovenia:**

Mr Patrick VLAČIČ

Minister for Transport

Slovakia:

M. Eubomír VÁŽNY

Minister for Transport, Post and Telecommunications

Mr Peter ŽIGA

State Secretary at the Ministry of the Economy

Finland:

Ms Anu VEHVILÄINEN

Minister for Transport

Mr Mauri PEKKARINEN

Minister for Economic Affairs

Sweden:

Ms Maud OLOFSSON

Deputy Prime Minister and Minister for Enterprise and
Energy

Ms Åsa TORSTENSSON

Minister for Infrastructure

United Kingdom:

Mr Geoff HOON

Secretary of State for Transport

Lord HUNT of KINGS HEATH

Minister of State for Sustainable Development and Energy
Innovation**Commission:**

Mr Antonio TAJANI

Vice-President

Mr Andris PIEBALGS

Member

ITEMS DEBATED

ENERGY

Energy efficiency

In public deliberation, the Council worked out a general approach on a proposal to recast the eco-design Directive ([16712/08](#)).

The proposal is designed to extend the scope of Framework Directive 2005/32/EC¹ to cover the eco-design of all energy-related products, making it possible to set harmonised eco-design requirements for such products in implementing measures. Such eco-design requirements are binding provisions, intended to ensure that products do not have harmful effects on the environment. Many energy-related products have a significant improvement potential for reducing environmental impacts and achieving energy savings through better design, which also leads to savings for businesses and end users.

In its current version, the eco-design Directive applies only to energy-using products. For such products it enables the setting of binding minimum requirements, corresponding to the performance of the product with the lowest life-cycle cost.

The Commission submitted this proposal to the Council in July 2008 ([12119/08](#)). The European Parliament should adopt its opinion at first reading in April 2009.

In addition, the Commission briefed the Council on the measures approved by the Ecodesign Regulatory Committee, set up by the Framework Directive, on standby or off mode losses, public and office lighting, simple set-top boxes for receiving digital television and low-voltage power supply. This Regulatory Committee today approved measures concerning new energy standards for light bulbs for domestic use which provide for the gradual abolition of incandescent light bulbs. In accordance with the EU's regulatory procedure with scrutiny, all these measures have been or will be submitted to the Council and the European Parliament for approval and will then be adopted by the Commission.

¹ OJ L 191, 22.7.2005, p. 29. Directive amended by Directive 2008/28/EC (OJ L 81, 20.3.2008, p. 48).

Energy security

The Council held a public policy debate on energy security, in connection with the second Strategic Energy Review submitted by the Commission. The President of the European Investment Bank, Mr Philippe Maystadt, also took part in the discussion and gave explanations on the funding planned by the Bank in the following areas: renewable energy, energy efficiency, research into new energy technologies and energy security.

To structure the debate, ministers were asked to give their views on questions prepared by the Presidency ([16345/08](#)) which related in particular to infrastructure, solidarity, dialogue with third countries and energy efficiency.

Following the discussions, the President of the Council stressed the following factors in particular:

- energy efficiency is the first priority and the new package also includes significant progress in that area;
- Europe needs energy which is clean, affordable, available in the event of crisis and sustainable over the long term. The recent lowering of the price of energy must not allow us to forget our vulnerability over the long term and the need to increase our efforts to control demand and security of supply;
- research and development of all low-carbon energies: renewable, wind and solar energy, marine energy and biomass, but also carbon capture and storage;
- each Member State is free to choose whether or not to use nuclear energy, which today accounts for one third of electricity production in Europe. In this respect the Commission proposals, with the Illustrative Nuclear Programme, the proposal for a Directive on nuclear safety and work on waste management, are essential;
- the importance of developing new infrastructures, especially with regard to remote areas and particularly the Baltic States and island States: the North-South connections; the development of the southern corridor to the resources of the Caspian Sea, the Mediterranean electricity and gas ring and liquefied natural gas.

The ministers' speeches will contribute to preparation of the Council conclusions and the spring 2009 European Council. The delegations' written contributions can be found in the addenda to 16345/08.

The Commission submitted its second Strategic Energy Review in November 2008 ([15944/08](#)). It lists almost twenty-five measures, including legislative proposals concerning oil stocks and energy efficiency. This Review takes the first steps towards the next stage of a European Energy Policy, considering the challenges likely to be faced between 2020 and 2050 and beginning the process of defining an EU response to these longer term challenges. The Commission is proposing a European energy security and solidarity action plan designed to complement the measures already tabled in the climate/energy package in order to ensure that all the EU's three core energy objectives are achieved: sustainable development, competitiveness and, above all, security of supply. There are five strands to it:

- infrastructure needs and the diversification of energy supplies;
- external energy relations;
- oil and gas stocks and crisis response mechanisms;
- energy efficiency;
- the best use of the EU's indigenous energy resources.

International energy relations

The Council took note of the briefings given by the Presidency and the Commission on events and developments in international relations during the French Presidency, or due to take place soon ([16346/08](#)).

These briefings covered, amongst other things, the EU-Russia Permanent Partnership Council, which met in Paris on 8 October, and the Energy Community ministerial conference, to be held in Tirana on 11 December.

Legislative package on climate change and renewable energies

The Council was briefed by the Presidency on progress on the entire climate/energy package¹, with particular emphasis on the Directive on renewable sources of energy.

In view of the interinstitutional negotiations and preparation for the European Council meeting on 11 and 12 December, the Council was determined to resolve the last remaining questions in order rapidly to reach an ambitious, balanced agreement in solidarity on the whole package, so that the EU can retain its leading role in combating climate change internationally.

The Presidency's objective is to reach an agreement with the European Parliament by the end of 2008, in accordance with the mandates of the European Council in March and October 2008, with a view to approval at first reading before the end of the current legislature.

¹ The group of measures comprises the following proposals:

- a Directive amending Directive 2003/87/EC so as to improve and extend the EU's greenhouse gas emission allowance trading system (emission allowance trading system review) ([5862/08](#));
- a Decision on the effort by Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (sharing of effort outside the emission allowance trading system) ([5849/08](#));
- a Directive of the European Parliament and of the Council on the promotion of the use of energy from renewable sources (Renewable Energy Sources Directive) ([5421/08](#));
- a Directive of on the geological storage of carbon dioxide (CO₂ Capture and Storage Directive) ([5835/08](#)).

TRANSPORT

Review of single European sky legislation

In public deliberation, the Council reached agreement on the technical provisions of a proposal for a Regulation amending four existing Regulations¹ laying down the framework of the single European sky in order to improve the performance of the air traffic management system ([16455/08](#)).

Work on the legislative proposal will continue under the Czech Presidency. All Member States welcomed the proposal, given the continued growth in air traffic and delays attributed to problems linked to the fragmentation of the European airspace.

The proposal ([11323/08](#), [11323/08 ADD 2](#)) is part of a set of measures adopted by the Commission in June 2008. Four years on from the single European sky legislation of 2004, the Commission judges it necessary to consolidate and address a number of challenges relating to European air space management, namely:

- sustainable development – the need to attenuate the environmental impact of aviation through, for example, the creation of a rational European route network including shorter routes for intra-Community traffic;
- performance – the performance of the network in terms of the reduction in delays and lower costs for airspace users is to be improved through the introduction of performance targets, acceleration of the introduction of functional airspace blocks and the strengthening of European network functions;
- improvements to governance, especially the strengthening of the independence of national supervisory authorities.

The European Parliament should adopt its opinion at first reading in January 2009.

¹ Regulation (EC) No 549/2004 laying down the framework for the creation of the Single European Sky,
Regulation (EC) No 550/2004 on the provision of air navigation services in the Single European Sky,
Regulation (EC) No 551/2004 on the organisation and use of the airspace in the Single European Sky,
Regulation (EC) No 552/2004 on the interoperability of the European air traffic management network.

Extending the tasks of the European Aviation Safety Agency

In public deliberation, the Council arrived at a partial general approach on a proposal for a Regulation amending Regulation (EC) No 216/2008¹ with a view to improving the safety of aerodromes, air traffic management and air navigation services ([16834/08](#)).

The general approach relates to the provisions on air traffic management and air navigation services. Work on the legislative proposal, particularly the part concerning aerodromes, will continue under the Czech Presidency.

Regulation (EC) No 216/2008 extended the tasks of the European Aviation Safety Agency (EASA) to air operations, pilots' licences and, within the limits set by the Chicago Convention, the safety of third-country aircraft. They include standardisation inspections and safety oversight, with particular responsibility for ramp inspections.

The proposal seeks to extend the EASA's competences to aerodromes, air traffic management and air navigation services.

To improve safety in and around aerodromes, the proposal for a Regulation extends the existing common rules on civil aviation to aerodromes. It also provides a legal basis for organising the safety of air traffic management, air navigation services and air/ground interoperability under the EASA system.

The Commission submitted its proposal in June 2008 ([11285/08](#)). It forms part of a set of measures adopted with the aim of improving the performance of the European aviation system through increased integration of the European air traffic management network and improvements to the provision of air navigation services. The European Parliament should adopt its opinion at first reading in January 2009.

¹ Regulation (EC) No 216/2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC.

Aviation agreements with Tunisia and Algeria

The Council adopted two Decisions authorising the Commission to open negotiations with Tunisia and Algeria with a view to establishing Euro-Mediterranean agreements on air services with each of the two countries.

The Commission sought the mandate for Tunisia in October 2008 and for Algeria in November 2008. The request is based on the Commission's opinion concerning the need to establish a general policy on aviation vis-à-vis the European Union's neighbouring countries.

The agreements aim to promote the harmonisation of laws and establish cooperation as regards safety, security and environmental standards. They will also seek to bring about the gradual opening-up of markets between the European Union and the two countries.

Eurovignette

In public deliberation, the Council took note of a Presidency progress report on a proposal for a Directive amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures ([16636/08](#)).

Work on the proposal will continue under the Czech Presidency. The Council's preparatory bodies will focus in particular on the legal basis of the proposal, scope, external costs (especially road congestion), earmarking of charges and the methods for calculating external costs.

This Commission proposal aims to encourage Member States to implement differentiated charging to improve the efficiency and environmental performance of road freight transport. It also establishes a framework for the Member States enabling them to calculate and vary tolls on the basis of the costs of traffic-based pollution and of congestion in a way that is compatible with the internal market.

Such charges would encourage transport operators to use cleaner vehicles, choose less congested routes, optimise the loading of their vehicles and make a more rational use of infrastructures.

The proposed Directive allows Member States to incorporate an amount which reflects the cost of air pollution and noise disturbance caused by traffic into tolls levied on heavy goods vehicles. During peak periods, it also allows tolls to be calculated on the basis of the cost of congestion imposed upon other vehicles. The amounts will vary with the distance travelled, location and time of use of roads to better reflect these external costs. The proceeds should be used by Member States, if they so desire, to make transport more sustainable through projects such as research and development on cleaner and more energy-efficient vehicles, mitigating the effect of road transport pollution or providing alternative infrastructure capacity for users.

The Commission submitted its proposal in July 2008 ([11857/1/08](#)). The European Parliament should adopt its opinion at first reading in March 2009.

Cross-border enforcement of penalties

In public deliberation, the Council took note of a progress report from the Presidency concerning a proposal for a Directive facilitating cross-border enforcement in the field of road safety ([16634/08](#)).

The Council invited its preparatory bodies to continue the proceedings with a view to reaching agreement as soon as possible.

Ministers reiterated their agreement on the objective of the Commission proposal and stressed the need for a lasting and effective European instrument. At its meeting in October 2008 the Council held a public policy debate on this proposal. A significant number of Member States expressed doubts as to the appropriateness of the legal basis chosen by the Commission for its proposal.

The proposal should make a contribution to EU road safety policy, which aims to halve the number of road deaths by 2010. The aim of the Commission proposal is to improve road safety within the European Union. To this end, it provides for facilitating the enforcement of penalties on drivers committing an offence in a Member State other than that in which their vehicle is registered. Four road safety offences are covered in the Directive: speeding, driving under the influence of alcohol, failure to wear a seat belt and failure to observe red traffic lights. These are the offences which cause the greatest number of accidents and deaths on the roads.

The proposal would introduce a network for the exchange of electronic data throughout the EU to enable the owner of a vehicle to be identified so that the authorities of a Member State in which an offence has been committed can serve notice on the owner of the vehicle with which the offence was committed.

The Commission submitted its proposal in March 2008 ([7984/08](#)). The European Parliament should adopt its opinion at first reading in December 2008.

Greening of transport – Council Conclusions

The Council adopted conclusions on the greening of transport, a strategy for the internalisation of external costs and rail noise abatement measures addressing the existing fleet ([17042/08](#)).

Long range identification and tracking of ships – Council Resolution

The Council adopted a Resolution on a European Union Long Range Identification and Tracking Data Centre (LRIT Data Centre) ([17043/08](#)).

OTHER BUSINESS

European Strategic Energy Technology Plan

The Council took note of the information provided by the Commission concerning the work carried out on the European Strategic Energy Technology Plan (SET-Plan) ([16777/08](#)).

Candidature of the Slovak Republic for the seat of the Agency for the Cooperation of Energy Regulators

The Council took note of the information provided by the Slovak delegation concerning the candidature of the Slovak Republic for the seat of the Agency for the Cooperation of Energy Regulators ([16778/08](#)).

EU-Canada air agreement

The Commission briefed the Council on the progress of negotiations with Canada on an air agreement.

MARPOL Convention

The Council took note of the information provided by the Finnish delegation concerning the monitoring of developments and implications of the entry into force of the revised Annex VI to the MARPOL Convention ([16652/08](#)).

Accident data recorders ("black boxes") in vehicles

The Council took note of the information provided by the Italian delegation concerning possible Community initiatives for the adoption of accident data recorders ("black boxes") in vehicles ([16625/08](#)).

Environment Council dossiers relating to transport

At the request of the German delegation the Presidency briefed delegations on the progress of Environment Council dossiers relating to transport ([16624/08](#)).

EVENTS IN PARALLEL WITH THE COUNCIL MEETING

An agreement with the State of Israel on certain aspects of air services was signed in parallel with the Council meeting.

OTHER ITEMS APPROVED**TRANSPORT****Shipping***

The Council adopted two common positions on the last two legislative proposals in the third maritime safety package, namely the proposal for a Directive on compliance with flag State requirements ([14288/2/08 REV2](#), [14288/2/08 REV2 ADD1](#)) and the proposal for a Directive on the civil liability and financial guarantees of shipowners ([14287/2/08 REV2](#), [14287/2/08 REV2 ADD 1](#), [15862/1/08 REVI ADD 1](#)).

The common positions were adopted following the political agreement reached at the TTE Council on 9 and 10 October 2008 (*see press release [13649/08](#), page 15*).

The Commission submitted its proposals ([6843/08](#), [5907/06](#)) to the Council in February 2006 in the context of the third maritime safety package¹, which consisted of seven legislative proposals intended to enhance the safety of shipping in Europe by improving accident prevention and accident investigation, and by stepping up the checking of the quality of vessels. The Council has already adopted six common positions on the basis of five of those Commission proposals.

¹ The five other proposals in the package were:

- a proposal for a Directive on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (recast) ([5912/06](#));
- a proposal for a Directive amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system ([5171/06](#));
- a proposal for a Directive establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Directives 1999/35/EC and 2002/59/EC ([6436/06](#));
- a proposal for a Directive on port State control ([5632/06](#));
- a proposal for a Regulation on the liability of carriers of passengers by sea and inland waterways in the event of accidents ([6827/06](#)).

– ***Compliance with flag State requirements***

The common position essentially concerns national administrations' audit and quality certification obligations. The text provides that the Member States' administrations shall, at least every seven years, be subject to an audit carried out in accordance with IMO rules, subject to a favourable response from the IMO to a request made within the time limits by a Member State. That obligation at EU level is linked to international developments: when the IMO audit becomes mandatory for all States party to the IMO the Community provision will lapse so that no parallel system exists.

– ***Civil liability of shipowners in respect of maritime claims***

The common position no longer concerns the civil liability of shipowners but only the obligation on shipowners to have insurance against possible maritime claims. The administrative burden on the Member States has been reduced and a revised system of penalties has been introduced.

The Council's agreement on these two draft Directives is a factor that has to be taken into account in the negotiations between the European Parliament and the Council on the six other texts concerning the shipping package.

TELECOMMUNICATIONS

The Safer Internet Programme – Protection of children using the internet

The Council adopted a Decision establishing a multiannual Community programme on protecting children using the Internet and other communication technologies ([3700/08](#)).

The purpose of this programme is to promote safer use of the Internet and other communication technologies, to train users, in particular children, parents, guardians, teachers and educators in these matters and to combat illegal content and harmful conduct online.

To achieve that objective, it will focus on practical help for final users. The programme involves the following four lines of action:

- ensuring public awareness;
- fighting against illegal content and harmful conduct online;

- promoting a safer online environment;
- establishing a knowledge base.

It also specifies the activities to be carried out under these action lines.

The programme covers a period of five years from 1 January 2009 and for that time it will have a budget of EUR 55 million.

ENERGY

Assistance to third countries in the field of nuclear safety and security – Council conclusions

The Council adopted conclusions on this subject ([14270/2/08 REV 2](#)).

Ministerial Council of the Energy Community

The Council adopted a Decision establishing the European Community's position with a view to the meeting of the Ministerial Council of the Energy Community to be held in Tirana (Albania) on 11 December 2008.

JUSTICE AND HOME AFFAIRS

The return of illegally staying third-country nationals

The Council adopted¹ a Directive on common standards and procedures in Member States for returning illegally staying third-country nationals, the Return Directive ([3653/08](#), [16166/08 ADD1 REVI](#)).

The Directive establishes a common set of rules applicable to third-country nationals staying illegally within the territory of any Member State. The Directive will ensure a more harmonised and more effective approach as regards return procedures while respecting the rights of illegally staying third-country nationals.

The Directive arises out of the need for common rules governing return following the creation of a Europe without internal borders but with a common immigration policy.

The Directive will not affect the procedural and material guarantees afforded to asylum seekers, which are regulated by a different Directive.

¹ The Belgian delegation abstained.

There are special provisions in the Directive for vulnerable persons, including in particular unaccompanied minors.

Decisions under the Directive should be taken on a base by case basis, taking into account objective criteria.

FISHERIES

Republic of Guinea

The Council adopted a decision authorising the Commission to open and conduct negotiations to conclude a fisheries partnership agreement with the Republic of Guinea.

Guide prices for the 2009 fishing year

The Council adopted a Regulation fixing for the 2009 fishing year the guide prices and Community producer prices for certain fishery products pursuant to Regulation (EC) No 104/2000 ([15381/08](#)).

Regulation (EC) No 104/2000 stipulates that prices be based on the average of prices recorded for a significant proportion of Community output on wholesale markets or in ports during the three fishing years immediately preceding 2009. They must take into account trends in production and demand, thus being an appropriate tool for the determination of price levels for intervention on the market for fishery products, while stabilising the markets and avoiding the formation of surpluses in the Community.

COMPANY LAW

Amendment of certain international accounting standards

The Council decided not to oppose the adoption by the Commission of a Regulation on certain international accounting standards.

By the new legislative act, the EU will adopt the amendments that the International Accounting Standards Board (IASB) made in May 2008 to International Financial Reporting Standard (IFRS) 1 and to International Accounting Standard (IAS) 27. The amendment of IFRS 1 allows a first-time adopter in its separate financial statements to use as the deemed cost of an investment in a subsidiary, jointly controlled entity or associate either the fair value at the entity's date of transition to IFRSs or the previous GAAP carrying amount of the investment at that date. The definition of the "cost method" is deleted from IAS 27 and accordingly an investor is required to recognise as income in its separate financial statements all dividends received from a subsidiary, jointly controlled entity or associate, even if the dividend is paid out of pre-acquisition reserves.

Improvements to certain International Financial Reporting Standards

The Council decided not to oppose the adoption by the Commission of a Regulation concerning certain International Financial Reporting Standards (IFRSs).

By the new legislative act, the EU will adopt the improvements that the International Accounting Standards Board (IASB) made in May 2008 to the IFRSs. These improvements include 35 amendments to the current international accounting standards. One group of the amendments concern presentation, accounting and measurement and the other group is terminological or editorial in nature.

Improvements to certain international accounting standards

The Council decided not to oppose the adoption by the Commission of a Regulation concerning certain international accounting standards.

By the new legislative act, the EU will adopt the amendments that the International Accounting Standards Board (IASB) made on 14 February 2008 to the international accounting standards IAS 32 and IAS 1. The amendments require certain instruments issued by companies that are currently classified as liabilities, despite having characteristics similar to ordinary shares, to be classified as equity.