



**COUNCIL OF
THE EUROPEAN UNION**



8176/09 (Presse 73)

PRESS RELEASE

2935th Council meeting

Transport, Telecommunications and Energy

Brussels, 30 and 31 March 2009

President **Mr Petr BENDL**
Minister for Transport of the Czech Republic
Mr Ivan LANGER
Minister for the Interior of the Czech Republic

P R E S S

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8176/09 (Presse 73)

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Main results of the Council

Transport

*The Council held a public policy debate on a draft **Eurovignette** directive and invited its preparatory bodies to continue examination of this proposal.*

*The Council reached, in public deliberation, a general approach on a draft directive amending the current directive on the organisation of the **working time of persons performing mobile road transport activities**.*

*The Council adopted a decision endorsing the **European air traffic management master plan of the SESAR project** and a resolution on some aspects of the future development of this plan.*

Furthermore, the Council adopted conclusions on:

- the Commission communication on an action plan for the deployment of **intelligent transport systems** in Europe;*
- the Commission communication on the strategic goals and recommendations for the **EU's maritime transport policy until 2018**;*
- the **European maritime transport space without barriers**.*

Telecommunications

*The Council adopted conclusions on an **accessible information society**.*

*The Council held an exchange of views on the **impact of the economic downturn on information and communication technologies** and how they can boost EU's economy.*

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- 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 Vincent VAN QUICKENBORNE
Mr Etienne SCHOUPPE

Minister for Enterprise and Simplification
State Secretary for Mobility, attached to the Prime Minister

Bulgaria:

Mr Petar Vassilev MUTAFCHIEV
Mr Plamen VATCHKOV

Minister for Transport
Chairman of the State Agency for ITC

Czech Republic:

Mr Petr BENDL
Mr Ivan LANGER
Ms Lenka PTÁČKOVÁ MELICHAROVÁ

Minister for Transport
Minister for the Interior
Deputy Minister for the Interior with responsibility for European affairs
Deputy Minister for Transport
Deputy Minister for Industry and Trade, European Union Section

Mr Pavel ŠKVÁRA
Mr Martin TLAPA

Denmark:

Mr Lars BARFOED

Minister for Transport

Germany:

Mr Engelbert LÜTKE DALDRUP

State Secretary, Federal Ministry of Transport, Building and Urban Development

Mr Bernd PFAFFENBACH

State Secretary, Federal Ministry of Economic Affairs and Technology

Estonia:

Mr Gert ANTSU

Deputy Permanent Representative

Ireland:

Mr Noel AHERN

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

Greece:

Mr Evripidis STYLIANIDIS
Mr Anastasios PAPALIGOURAS

Minister for Transport and Communications
Minister for Mercantile Marine, the Aegean and Island Policy

Spain:

Ms Magdalena ÁLVAREZ ARZA
Mr Francisco ROS PERÁN

Minister for Infrastructure and Transport
State Secretary for Telecommunications and the Information Society

France:

Mr Dominique BUSSEREAU
Ms Nathalie KOSCIUSKO-MORIZET

Minister of State with responsibility for Transport
Minister of State with responsibility for Forward Planning and the Development of the Digital Economy

Italy:

Mr Altero MATTEOLI

Minister for Infrastructure and Transport

Cyprus:

Mr Nicos NICOLAIDES

Minister for Communications and Works

Latvia:

Mr Kaspars GERHARDS

Minister for Transport

Lithuania:

Mr Eligijus MASIULIS

Minister for Transport

Luxembourg:

Mr Jean-Louis SCHILTZ

Minister for Cooperation and Humanitarian Action,
Minister for Communications, Minister for Defence

Hungary:

Mr Lajos CSEPI

State Secretary, Ministry of Transport,
Telecommunications and Energy**Malta:**

Mr Austin GATT

Minister for Infrastructure, Transport and
Communications**Netherlands:**

Mr Camiel EURLINGS

Minister for Transport, Public Works and Water
Management**Austria:**

Ms BURES, Doris

Federal Minister for Transport, Innovation and
Technology**Poland:**Ms Magdalena GAJ
Mr Maciej JANKOWSKIDeputy Minister for Infrastructure
Deputy State Secretary, Ministry of Infrastructure**Portugal:**

Mr Mário LINO

Minister for Public Works, Transport and
Communications

Mr José MARIANO GAGO

Minister for Science, Technology and Higher Education

Romania:Mr Radu BERCEANU
Mr Marius CONSTANTIN FECIORUMinister for Transport and Infrastructure
State Secretary, Ministry of Communications and
Information Technology**Slovenia:**Mr Patrik VLAČIČ
Mr Jozsef GYÖRKÖSMinister for Transport
State Secretary at the Ministry of Higher Education,
Science and Technology**Slovakia:**

Mr Ľubomír VÁŽNY

Minister for Transport, Post and Telecommunications

Finland:

Ms Anu VEHVILÄINEN

Minister for Transport

Sweden:Ms Åsa TORSTENSSON
Mr Leif ZETTERBERGMinister for Infrastructure
State Secretary to the Minister for Infrastructure**United Kingdom:**Mr Geoff HOON
Lord CARTER of BARNESSecretary of State for Transport
Parliamentary Under Secretary of State for
Communications, Technology and Broadcasting**Commission:**Mr Antonio TAJANI
Ms Viviane REDINGVice President
Member

ITEMS DEBATED

LAND TRANSPORT

Eurovignette

During a 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 ([7546/09](#)).

The Council also held a policy debate, focusing in particular on the congestion issue, and invited the Council's preparatory bodies to continue examining this proposal. The Council's preparatory bodies will address, in particular, the following outstanding issues: scope of the directive, congestion charging including maximum chargeable amounts, action plan, earmarking and peripheral areas.

Diverging opinions regarding congestion charging remain the major obstacle to finding an agreement. Even though the Czech Presidency presented compromise proposals, such as the postponement of the introduction of congestion charges (see [7546/09](#) for details) Member States positions continue to differ. Before a final decision on the draft directive can be taken, further reflection is needed on the best ways and means to address its complexity by also taking into account the current economic and financial situation.

This Commission proposal aims to encourage Member States to implement differentiated road charging to improve the efficiency and environmental performance of road freight transport. It also establishes a framework which will enable Member States to calculate and to vary tolls on the basis of the external costs of road freight transport in terms of air pollution, noise pollution and congestion, by introducing the user pays and polluter pays principles. Such charges will encourage transport operators to use cleaner and more fuel efficient vehicles, choose less congested routes, optimise the loading of their vehicles and make a more efficient use of infrastructures.

The Commission submitted its proposal in July 2008 ([11857/1/08](#)). This proposal was discussed at the last Transport Council, in December under the French Presidency. The European Parliament adopted its first-reading opinion in March 2009 ([7419/09](#)).

Organisation of the working time of persons performing mobile road transport activities

The Council reached, in a public deliberation, a general approach on a proposal for a directive amending directive 2002/15/EC on the organisation of the working time of persons performing mobile road transport activities ([7577/09](#)).

The current directive sets common rules that ensure minimum social protection standards for mobile workers in the road transport sector and are perceived as an important step towards improving the health and safety protection of mobile workers in the sector, enhancing road safety and ensuring fair competition.

When adopting directive 2002/15/EC, the Council and the European Parliament agreed that it would in principle apply to all self-employed drivers from 23 March 2009 and the Commission was requested to present both institutions with a report at the latest two years before that date, followed by a legislative proposal. The Commission accordingly presented its proposal to amend directive 2002/15/EC in October 2008 ([14461/08](#)).

The text approved by the Council, in line with the principles of the Commission proposal, foresees that self-employed workers are to be excluded from the scope of the directive. However, this should be without prejudice to the right of Member States to include those drivers and apply the provisions of directive 2002/15/EC to them.

In March 2009, the European Parliament's Employment and Social Affairs Committee rejected the Commission's proposal. It will be submitted for vote in a plenary session in May 2009.

INTERMODAL QUESTIONS AND NETWORKS

Action plan for the deployment of intelligent transport systems in Europe - Council conclusions

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION

HAVING REGARD TO:

- Directive 2007/2/EC of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE),
- Directive 2004/52/EC of 29 April 2004 on the interoperability of electronic road toll systems in the Community,
- Regulation No 683/2008 of the European Parliament and the Council of 9 July 2008 on the further implementation of the European satellite navigation programmes (EGNOS and Galileo),
- Council Regulation No 1/2005 of 22 December 2004 on the protection of animals during transport and related operations,
- Commission Communication on "Greening Transport" of 8 July 2008,
- Commission Communication "Keep Europe moving – Sustainable mobility for our continent – Mid-term review of the European Commission's 2001 Transport White Paper" of 22 June 2006,

- Commission Communication "Freight Transport Logistics Action Plan" of 18 October 2007,
- Commission Communication "Towards Europe-wide safer, cleaner and efficient mobility: the first intelligent car report",
- Commission Communication "European Road Safety Action Programme – Halving the number of road accident victims in the European Union by 2010: a shared responsibility",
- Commission Communication 'i2010 – A European Information Society for growth and employment',
- Commission Communications, of 14 September 2005, on "The 2nd eSafety Communication - Bringing eCall to Citizens", and of 23 November 2006 "Bringing eCall back on track - Action Plan (3rd eSafety Communication)",
- Commission Communication on the Intelligent Car Initiative - "Raising Awareness of ICT for smarter, safer and cleaner vehicles" of 15 February 2006,
- Commission Green Paper "Towards a new culture for urban mobility" of 25 September 2007,
- Council Resolution 94/C 309/01, of 24 October 1994, on telematics in the transport sector, the Commission communication, of 4 November 1994, on telematics in the transport sector and Council resolution 95/C 264/01, of 28 September 1995, on the deployment of telematics in the road transport sector,
- Commission Communication, of 20 May 1997, on a Community Strategy and Framework for the deployment of road transport telematics in Europe and proposals for initial actions, and the related Transport Council conclusions of 17 June 1997,

- Commission Recommendation, of 4 July 2001, on the development of a legal and business framework for participation of the private sector in deploying telematics-based Traffic and Travel Information Services in Europe.

WHEREAS:

- mobility is an essential factor in the quality of life of European citizens and the competitiveness of the European Union and its Member States;
- continuous efforts should be devoted to the enhancement of road safety;
- the transport sector has a responsibility to make a significant contribution to combating climate change;
- a more sustainable development of the transport sector would lead to less environmental damage, congestion and accidents;
- ITS should considerably contribute to the achievement of sustainable transport policy objectives at local, national and European levels, taking into account multi-modality aspects;
- ITS should contribute to the development of efficient, safe and environmentally friendly transport services, create market opportunities for European industry and strengthen its competitive base;
- ITS deployment can result in improved mobility in cities, with reduced congestion, CO₂ emissions and energy consumption through inter alia facilitating more sustainable transport alternatives, that are trams, metro, trains, buses, trolleybuses, car pooling, etc.;
- in order to benefit from the full potential of ITS it is required that the systems and applications introduced achieve an appropriate level of compatibility, interoperability and continuity of services ensured to the user at the European level;

- the ongoing work in the relevant international fora should be taken into account;
- the current business model for the deployment of ITS in road transport in Europe, mainly based on private initiatives, has its limitations, therefore a stronger cooperation between private and public sectors is needed;
- an integrated Community approach combining legislative action, standardisation and financial support has been successfully applied for similar ITS initiatives such as ERTMS, VTMS/AIS and RIS;
- investing in the deployment of ITS services should stimulate innovation, may create high quality jobs and can result in social and economic benefits in the short term, which are especially important in the current financial and economic situation;
- the ongoing work on the trans-European Road Network undertaken by the EasyWay project provides a platform for ITS deployment coordination in the EU in relation to road transport;
- the selection and deployment of ITS applications and services shall be based upon an evaluation of needs including where necessary pilot projects and shall respect the principles of subsidiarity, effectiveness, cost-efficiency, geographical continuity, interoperability and degree of maturity;
- the administrative burden-should be kept to minimum.

The COUNCIL:

- (1) WELCOMES the Commission Communication, of 16 December 2008, "Action Plan for the Deployment of Intelligent Transport Systems in Europe" and TAKES NOTE of the accompanying proposal for a Directive laying down the framework for the deployment of ITS in road transport;

- (2) INVITES the Presidency to convene, in the framework of discussions of the ITS Directive proposal, a special working session to discuss and achieve clarity to all the specific actions mentioned in the ITS Action Plan for the Deployment of Intelligent Transport Systems in Europe, issued in December 2008;
- (3) SUPPORTS the overall objectives, and in principle the priorities identified by the Commission for accelerating and coordinating the deployment of ITS in the EU;
- (4) ENCOURAGES the Commission to facilitate a Europe-wide regulatory framework, comprised of specifications for compatibility, interoperability and continuity of ITS services and cross-border effectiveness as appropriate. In accordance with the principle of subsidiarity, decisions on deployment and implementation are matters for the Member States and private sector, as appropriate. During further implementation of ITS the existing ITS infrastructure put in place by particular Member States should be taken into account in terms of technological progress and financial efforts;
- (5) ACKNOWLEDGES the need to further identify already existing and upcoming barriers to the deployment of ITS in the EU and to develop a short, medium and long-term strategy to remove these barriers, with the view to ensure compatibility, interoperability and continuity of ITS services, through, where appropriate, regulation, standardisation, research and development, incentive-based measures and Community financial support within the current financial framework;
- (6) EMPHASISES the need for developing ITS in and across transport modes, which will contribute to the achievement of sustainable transport policy objectives, taking into account multi-modality aspects;

- (7) INVITES the Commission and the Member States to accelerate their work to identify and remove any obstacles to compatibility, interoperability and continuity of ITS systems and services and to define functional specifications in order to initiate and foster European standardisation, and to facilitate trans-European applications with the following objectives:
- optimal use of road, traffic and travel data and information by relevant users
 - modal shift, co-modality and the optimal use of ITS services for intermodal transport
 - continuity of traffic and freight management ITS services on European Transport Corridors and in conurbations
 - enhanced road safety and security
 - effective integration of the vehicle into the transport infrastructure;
- (8) ACKNOWLEDGES the indicative timetable put forward by the Commission in the Action Plan;
- (9) INVITES the Commission to explore the possibilities to bring forward the action related to safety and quality of travel of vulnerable road users and persons with reduced mobility or orientation;
- (10) In this context CONSIDERS that, in particular, the following measures should be pursued as a priority, by a better integration and coordination of ITS between all modes of transport based on cooperation between private and public sectors:
- (10.1) the definition of the necessary requirements:
- (i) to make real-time traffic and travel information accurate and available across borders to ITS users

- (ii) for the collection of road and traffic data and for their provisioning to ITS service providers, including appropriate measures for event and crisis management
 - (iii) where possible to make accessible existing road and traffic data used for digital maps accurate and available to digital map producers and service providers, and
 - (iv) for the provision where possible of "universal traffic messages" free of charge to users:
 - especially related to situations which endanger road safety (e.g. congestion, accidents),
 - and to their minimum content;
- (10.2) the definition of the minimum/necessary requirements for the continuity of ITS services for freight and passengers along transport corridors and in urban/interurban regions as well as across different transport modes;
- (10.3) the definition of the necessary measures to:
- (i) use innovative technologies in the realisation of ITS applications for freight transport logistics
 - (ii) promote the harmonised introduction of an interoperable EU-wide eCall on the basis of co-operation and appropriate standardisation
 - (iii) develop the European ITS Framework Architecture, addressing specifically ITS-related interoperability, continuity of services and multi-modality aspects, within which Member States and their competent authorities in cooperation with the private sector can develop their own ITS architecture for mobility at national, regional or local level

- (iv) improve the safety of road users with respect to their on-board Human-Machine-Interface and the use of nomadic devices, as well as the security of the in-vehicle equipment
 - (v) provide ITS based reservation and information systems for safe and secure parking places for trucks and commercial vehicles
 - (vi) integrate different ITS applications on an open platform allowing the possibility to equip vehicles with a unique on-board unit
 - (vii) promote deployment of advanced driver assistance systems that bring about the greatest injury reduction and life saving potential
 - (viii) finalise a standard for open interfaces to facilitate communication within the vehicle, between different vehicles and between vehicles and roadside infrastructure
 - (ix) progress further the development, testing and implementation of cooperative (vehicle-vehicle and vehicle-infrastructure) systems;
- (11) INVITES the Commission to address, by the end 2011 at the latest, the security and personal data protection aspects related to the handling of data in ITS applications and services, as well as liability issues pertaining to the use of ITS applications and notably in-vehicle safety systems;
- (12) CALLS UPON the Commission to develop a decision-support toolkit for investment decisions in ITS applications and services and to develop guidelines for public funding of ITS facilities and services;
- (13) In full respect of the principle of subsidiarity and with the aim to avoid dysfunctions, ENCOURAGES the Commission and the Member States to set up a specific ITS collaboration platform with the participation of national/regional/local governments and private sector where appropriate, to prioritise ITS initiatives for sustainable regional and urban mobility;

- (14) REQUESTS the Commission, where necessary, to elaborate and issue a standardisation mandate to European standard organisations (ESOs), to accelerate the definition of standards;
- (15) INVITES the European standard organisations (ESOs) to contribute to the deployment of ITS, and to accelerate their work on the definition of technical standards and specifications for interoperable and compatible ITS at a European level;
- (16) INVITES the Commission to elaborate a transport policy objectives led methodology for the funding of ITS related infrastructure including an analysis of financial impacts in general and for each action, e.g. through an ITS Impact Assessment. This methodology should assist the Member States and the Commission when funding new ITS infrastructure or upgrading existing one;
- (17) INVITES the Commission, in consultation with the Member States and industry, to strengthen the existing framework on the safe human machine interface, covering in particular on board information devices and nomadic devices;
- (18) ENCOURAGES the Commission to foster collaboration at international level on ITS matters and to take appropriate action;
- (19) ENCOURAGES the public and private sector to make use of satellite-based infrastructures (such as Galileo and EGNOS) in a cost-effective manner for the purposes of ITS applications and services that require global, continuous, accurate and guaranteed timing and positioning."

AVIATION

SESAR - Air Traffic Management Master Plan - Council resolution

The Council adopted a decision endorsing the European air traffic management (ATM) master plan of the SESAR project¹ (7119/09). The European ATM master plan provides the roadmap for the development and deployment phases of the SESAR project.

In addition, the Council adopted the following resolution on this endorsement that underlines some aspects of the future development of this plan:

"THE COUNCIL OF THE EUROPEAN UNION,

Recalling:

- (i) the Council statement of 9 June 2006 on the proposal for a Council Regulation on the establishment of a Joint Undertaking to develop the new-generation European air traffic management system (SESAR),
- (ii) Council Regulation (EC) No 219/2007 of 27 February 2007 establishing the SESAR Joint Undertaking (hereinafter "the Joint Undertaking") and the Council Regulation (EC) No 1361/2008 of 16 December 2008, amending Regulation (EC) No 219/2007,

¹ The SESAR project (Single European Sky Air Traffic Management Research) aims by 2020 to give the EU a high-performance air traffic control system, which will enable the safe and environmentally friendly development of air transport. SESAR is the technological and industrial dimension of the Single European Sky. It comprises three phases: the definition phase (2005-2008), which has made it possible to draw up the ATM master plan for establishing the future air traffic management system; the development phase (2008-2013), which will be supervised by the joint undertaking; and the deployment phase (2014-2020).

- (iii) the Council Resolution of 8 June 2007 on the formal establishment of the Joint Undertaking,
- (iv) the Council Resolution of 9 October 2008 on the launch of the development phase of the SESAR project,
- (v) the importance of the SESAR project for ensuring the sustainable growth of European civil aviation,
- (vi) the prospects coming from the SESAR project as regards improvements of environment and emissions reduction,
- (vii) the public and private partnership as an essential element for the successful evolution of the future ATM system for Europe,
- (viii) the significantly increased responsibilities of the private partners with regard to the technical basis for all further measures incurred by the SESAR- project and its definition phase based on the common understanding between Member States and the relevant stakeholders,

Having regard to:

the draft Council Decision endorsing the European Air Traffic Management Master Plan (ATM Master Plan) of the Single European Sky ATM Research (SESAR) project,

1. WELCOMES the Commission Communication "The Air Traffic Management Master Plan (the ATM Master Plan)", issued on 14 November 2008;

2. CONSIDERS the ATM Master Plan as the initial version which should be viewed as an evolving document for the development and deployment phases of the SESAR project and RECALLS that any significant modifications of the ATM Master Plan should follow a formal process in close cooperation with the Member States and all relevant stakeholders and should be submitted to the Single Sky Committee in accordance with Article 5(4) of Council Regulation (EC) No 219/2007 whilst taking into consideration the Functional Airspace Blocks (FABs) and local dimensions;
3. REQUESTS that the Commission ensures that the SESAR Joint Undertaking will submit the first update of the ATM Master Plan to the Administrative Board for adoption before the end of March 2010;
4. STRESSES the need to continue the research and development of new technologies during the development phase and to establish an appropriate methodology (including principles to collect realistic data) for the performance objectives as well as for tracking progress against the ATM Master Plan;
5. CONSIDERS the Risk Management Plan to be developed by the SESAR Joint Undertaking as a critical part of the ATM Master Plan and REQUESTS the Commission to ensure that the Joint Undertaking will refine the current Risk Management Plan, updating the estimates of high level risks and associated mitigation actions with the highest priority;
6. RECALLS that under Article 1(5) of Council Regulation (EC) No 219/2007 the SESAR Joint Undertaking is responsible for the execution of the ATM Master Plan, and STRESSES that the SESAR Joint Undertaking retains overall control on any work delegated to Eurocontrol and over the development phase including adequate financing and funding arrangements;
7. RECALLS that the Commission shall inform the Single Sky Committee on a regular basis about the work of the Joint Undertaking, including risks and mitigation actions;

8. REQUESTS the Commission to firstly report in 2010 and thereafter annually to the Council on the progress made with respect to the execution of the ATM Master Plan by the Joint Undertaking. This report should always include an update of the Risk Management Plan, mitigation measures and any substantial budget implications;
9. REITIRATES the invitation to the Commission to present before the end of 2010 precise proposals after due consultation with the Single Sky Committee for the preparation and transition to the SESAR deployment phase emphasising its governance and its adequate and, if appropriate, for some stakeholders, innovative funding mechanisms;
10. REQUESTS the Commission to develop and maintain a regulatory roadmap, in consultation with the SESAR Joint Undertaking, all stakeholders, and in cooperation with the military. This will be based on the Community legal framework (Implementing Rules and Community Specifications) to support the deployment of the SESAR Implementation Packages;
11. REQUESTS that the Commission ensures that the SESAR Joint Undertaking develops a comprehensive Communication Plan for all stakeholders, which is based, where appropriate, on existing consultation arrangements and also takes into account the FABs and local dimensions;
12. REQUESTS the Commission to ensure during the development phase proper involvement of regulatory authorities in the consultation process set up by the SESAR Joint Undertaking;
13. REQUESTS the Commission to focus the Joint Undertaking and relevant stakeholders firmly on the delivery of early benefits from SESAR using validated and standardised technologies, through business cases, Cost-Benefit Analysis and consultative arrangements;

14. REQUESTS the Commission to take all necessary actions to achieve the highest level of interoperability between SESAR and the corresponding US system NEXTGEN as well as other projects in ICAO regions and furthermore to observe and take into account the need for consistency with ICAO global concept developments;
15. For that purpose, INVITES the Commission to submit a Recommendation to the Council in order to authorise the Commission to open negotiations on a Memorandum of Cooperation with the Federal Aviation Administration of the United States of America;
16. STRESSES that the development of the ATM Master Plan should take into account the neighbourhood of non-EU countries as one of the elements of the Single European Sky external dimension in order to support the Commission in progressing with the creation of the Common Aviation Area."

Air transport agreement with Canada

The Council took a positive political position on the draft air transport agreement with Canada and requested preparation of the final text in order to enable adoption of the decision prior to signature of the agreement expected to take place at the EU-Canada Summit in May.

The agreement was negotiated by the Commission under a mandate received from the Council in October 2007 and will replace the existing bilateral agreements concluded with Canada by Member States. It includes a gradual phasing-in of traffic rights, investment opportunities, as well as cooperation on a number of issues including safety, security, social matters, consumer interests, the environment, air traffic management, state aids and competition. This agreement will improve both the connections between respective markets and people-to-people links, and will create new opportunities in the airline sector.

SHIPPING

Rights for passengers travelling by sea and inland waterway

During a public deliberation, the Council took note of the Presidency progress report ([7141/09](#)) on a draft regulation concerning the rights of passengers when travelling by sea and inland waterway. In addition, it held a policy debate focusing on the scope of this proposal on the basis of a Presidency questionnaire.

During the debate, all member states welcomed the Commission proposal and reaffirmed their commitment to strengthen passenger rights.

Regarding the first question which concerned the type of passenger services, a majority of delegations considered that the scope of the proposed regulation should include all types of services with the exception of tourist and sightseeing services.

As for the second question, on territorial application, a majority of delegations considered that the draft regulation should apply to passenger travelling between Community as well as to those travelling between Community and third country ports.

Regarding the third question which focused on type of ship, a majority of delegations stated that the proposal should not apply to ships operated mainly for the carriage of cargo.

The Council invited its preparatory bodies to continue work on this proposal with the aim of reaching an agreement in June.

The proposed regulation forms part of the EU's general policy to ensure equal treatment of passengers, irrespective of the mode of transport they use for travel. Similar legislation has already been adopted in the field of air and rail transport, and has been proposed for bus and coach services.

The draft regulation lays down rules ensuring assistance and information to passengers with disabilities or reduced mobility. Concerning passengers in general it contains provisions on assistance, information and compensation in the event of cancellation or delay of their travel.

The Commission presented its proposal in December 2008 ([11990/08](#)). The European Parliament should adopt its first-reading opinion in April 2009.

EU maritime transport policy until 2018 - Council conclusions

The Council adopted the following conclusions:

"The Council of the European Union

HAVING regard to the essential objectives of the European Sustainable Transport Policy and the overarching objectives in the Integrated Maritime Policy;

RECALLING that over 90% of world trade is carried by sea, that shipping and related maritime transport services represent an important contribution to the European economy, that European Union shipping and related services are essential for European competitiveness, that maritime transport has a direct impact on the quality of life in Europe and that Short Sea Shipping, is an essential part of the multi-modal European transport system and door-to-door logistics;

UNDERLINING that the European Union has an interest in promoting safe, secure and efficient shipping in cleaner oceans and that the European maritime transport administrations and the European shipping industry have achieved significant progress in maritime safety, security and protection of the marine environment;

RECOGNISING that the European maritime sector faces significant challenges in the next 10 years, *inter alia*, the impact of the present economic downturn, difficulties in obtaining seafarers within the Community, the strategic importance of shipping for ensuring the supply of energy, the pressing concerns related to the environment including climate change, unfair competition from third countries and the threats of piracy and terrorism;

RECOGNISING also that the geographical location and particular circumstances of the different maritime areas in Europe, in terms of vessels, traffic, security and safety needs, ice-navigation requirements and prevailing environmental conditions, should be adequately taken into account in the future European maritime policy, because they impose special requirements as regards the characteristics and quality of ships, infrastructure, and the competence of crews;

RECALLING that with the adoption of the 3rd Maritime Safety Package and together with internationally adopted rules, the EU now has one of the world's most comprehensive regulatory frameworks for shipping; RECALLING the role of the European Maritime Safety Agency (EMSA) in assisting the Member States and the Commission to achieve the goals of the EU in that regard;

CONSIDERING that it is necessary to maintain and further develop an attractive and sustainable framework for quality shipping in a context of liberalized international maritime services in order to prevent the relocation overseas of European shipping centers, as well as for combating substandard shipping, and that this is therefore a priority issue;

STRESSING that sufficient and well-trained human resources are essential for the whole maritime cluster and above all for maritime safety; CONSIDERING that the conclusions adopted by the Council in June 2003 and December 2005 on improving the image of Community shipping and attracting young people to the seafaring profession¹ remain therefore fully pertinent;

STRESSING that the international character of shipping requires a level playing field ensuring global application and enforcement in a uniform manner of internationally agreed rules, the constant support of the European Union for the efforts of the international community and, in particular, of the IMO, ILO and UNCITRAL to achieve such a level playing field, and the strong interest of the European Union in promoting open shipping markets and trade, as well as quality shipping values with its main trading and shipping partners;

¹ 10737/03, dated 20 June 2003.

EMPHASISING that knowledge, innovation and advanced modern technology are essential for upgrading the efficiency of the European maritime sector as a whole, for reinforcing the competitiveness of the European maritime transport industries, for improving energy efficiency, and for minimising environmental impact; thus AIMING towards the long-term "zero-vision" for the European maritime transport by reducing to the greatest extent possible waste and emissions;

1. STRESSES that the European Union has a key strategic interest in improving the performance of its maritime transport system in terms of security of supply, competitiveness, employment, environmental performance and contribution to economic growth;
2. RECALLS that the financial crisis and economic slowdown are having a significant impact on European shipping and related industries; that protectionist practices affecting sea-borne trade and unfair competition in shipping markets represent a serious threat to the recovery of the European and world economies and that depressed market conditions can easily give rise to substandard shipping, which entails unacceptable risks of loss of human life at sea and of serious degradation of the marine environment;
3. AGREES that a committed and cooperative effort by all economic actors is required for ensuring that Europe keeps its maritime know-how, with adequate human and technological resources and the right conditions for the long term competitiveness of European shipping in world markets and for the full exploitation of short-sea potential;
4. WELCOMES the Commission's strategic review in cooperation with the maritime transport Administrations and the European shipping industry, and the resulting Communication of the Commission on the strategic goals and recommendations for the EU maritime transport policy until 2018, and CONSIDERS, that the approach presented in the strategic review offers a long term vision for a more competitive and sustainable European maritime industry, reinforced maritime know-how and quality jobs in the maritime sector in Europe, securing efficient and reliable maritime transport within, from and to Europe;

5. UNDERLINES that building trust and partnership at international level within the International Maritime Organisation and the World Trade Organisation, as well as through bilateral dialogues and bilateral maritime transport agreements, where appropriate, with trade and shipping partners is essential;
6. RECOGNISES the six strategic areas for action singled out in the Commission's Communication; European shipping and globalisation, human resources, seamanship and maritime know-how, promotion of quality shipping, working together in the international scene, exploiting the full potential of short sea shipping and sea transport services for business and citizens in Europe and research and technological development;
7. INVITES the Commission to further develop on the basis of consultation with all relevant stakeholders, appropriate measures in the strategic areas, in particular on:
 - a) maintaining and, if appropriate, improving a clear and globally competitive EU framework for state aid, tonnage and income taxation;
 - b) monitoring market conditions and promoting fair and effective competition for maritime transport world wide;
 - c) developing positive measures in order to enhance the image of shipping and awareness of the various maritime professions in the maritime transport sector to promote education, training and employment of European seafarers and mixed careers both at sea and in land based occupations in order to provide the necessary human resources for the whole European maritime cluster; improving working conditions and social protection and implementing relevant international law, such as the ILO Maritime Labour Convention;
 - d) working together with Member States and other nations to initiate and promote continuous improvement of safety, security, environmental performance and working conditions through international instruments agreed by IMO and ILO, ensuring effective implementation of internationally agreed rules by all flag, port and coastal States in the world;

- e) creating favourable conditions for making use of the full potential of short-sea shipping and sea transport services for citizens and business in Europe, overseeing in particular the smooth development and implementation of any existing or new international instruments in the field of protection of the environment, avoiding distortions in the logistics chain, as well as other consequences, including those which could result in modal back-shift from short-sea shipping to road;
- f) working together with Member States in order for the European Union to actively contribute to the IMO efforts to maintain and further develop a comprehensive international framework for shipping;
- g) in view of the upcoming challenges, enhancing the work of the European Maritime Safety Agency for providing technical and scientific assistance to Member States and the Commission;
- h) removing unnecessary administrative barriers, enabling the deployment of e-services, ensuring the further development of Motorways of the Sea and further supporting the maritime links and the port connections with the hinterland in the context of the TEN-T programme and the Marco Polo programme;
- i) supporting maritime R&D, in particular the Waterborne platform and improving energy efficiency and environmental performance, capitalising RTD efforts and fostering the use of advanced information and communication technologies for the benefit of the European maritime transport system and of the European maritime industry;
- j) enhancing the competitiveness of the EU maritime cluster in the fields of manufacturing and provision of services, including its relation to the shipbuilding sector, by promoting advanced technology solutions with the aim of ensuring both high employment levels and high standard environmental goals;
- k) exploiting in full AIS, LRIT and satellite based systems (GMES), in the broader context of the upcoming e-maritime services, to the advantage of the European maritime transport policy objectives;

8. INVITES Member States to:

- (a) stimulate the global competitiveness of the maritime transport industries and take specific measures to carry out the actions identified in the Council conclusions of 2003 and 2005 referred to above in order to enhance maritime know-how and improve the attractiveness of maritime careers, for both men and women, at sea and on-shore, while contributing to the improvement of working and living conditions on board through the ratification and implementation of the ILO Maritime Labour Convention;
- (b) ensure the national implementation and enforcement of international and EU safety, security and environmental regulations, and work actively through the IMO to ensure effective implementation of internationally agreed rules by all flag, coastal and port states;
- (c) work actively towards the development of an integrated EU maritime information and traffic surveillance system, building upon the most recent tools available, such as AIS, LRIT, SafeSeaNet and CleanSeaNet, or those that are being developed, such as Galileo and GMES;
- (d) work actively to reduce unnecessary administrative burdens, duplicated cross-border controls, and to harmonise, where appropriate, documents intra-EU and globally;
- (e) actively reiterate their support to the work of the IMO to pursue an adequate agreement in July 2009 demonstrating their willingness and determination to limit and reduce emissions of greenhouse gases from ships with the final aim of approving a global and binding instrument applicable to ships regardless of flag by 2011¹;

¹ See Environment Council Conclusions of 2 March 2009 (7128/09).

- (f) confirm their commitment to do the utmost for ensuring a rapid adoption of a Protocol to the 1996 HNS Convention regulating liability and compensation for damage in connection with the carriage of hazardous and noxious substances by sea, so that an international regulatory framework can be brought into force in the shortest possible time;
 - (g) support the revision process of the STCW Convention on training, certification and watch-keeping for seafarers and ultimately ensure its swift ratification, in order to enforce enhanced competency requirements for crews;
9. URGES all stakeholders to actively contribute to promoting quality shipping and achieving the overarching goals of an efficient and sustainable European maritime transport sector by 2018, *inter alia* by investing in human capital as the key competitive factor for ensuring the leadership of European shipping in world markets;
10. INVITES the Commission and the Member States, at the appropriate time, to present and explain the strategic goals of the EU Maritime Transport Policy until 2018 to the relevant international organisations and in bilateral relations;
11. REQUESTS the Commission to elaborate, together with Member States and all relevant stakeholders, a detailed road map as soon as possible and in any case no later than by the end of 2009, and conduct a mid-term review of the implementation of the European maritime transport policy by the end of 2013."

EU maritime transport space without barriers - Council conclusions

The Council adopted the following conclusions:

"The Council of the European Union

HAVING REGARD TO

- the communications, conclusions, resolutions, action plans and specific measures aimed at promoting Short Sea Shipping adopted by the European Commission, the European Parliament and the Council since 1999;
- the conclusions adopted by the Ministerial Conference on Motorways of the Sea held in Ljubljana on 24 January 2006,
- the 2006 Commission Communication on the mid-term review of the Transport White Paper,
- the Commission Communication on the Integrated Maritime Policy and the Commission Communication on Ports Policy.

RECOGNISING that nearly 40% of Internal Market trade is carried by Short Sea Shipping, which is an essential part of co-modal European transport chains for moving intra-Community cargoes;

ACKNOWLEDGING the progress made in the development of Short Sea Shipping over the years, in particular the work done by the national Short Sea Promotion Centres (SPCs), the European Shortsea Network and the Motorways of the Sea and Short Sea Shipping Focal Points;

CONSIDERING that Short Sea Shipping contributes to the attainment of the goals of the Lisbon Strategy and constitutes an effective way of reducing congestion and the harmful environmental effects of transport and, in a climate context, of reducing carbon dioxide emissions, of increasing and improving the flow of goods within the European transport system and cohesion within the Community, and of enhancing connections for peripheral regions and islands and Member States dependent on maritime transport;

EMPHASISING that the logistics and maritime transport industry has a primary responsibility for the development of Short Sea Shipping, and that the European institutions play a vital role in reducing administrative barriers and creating favourable conditions for the development of Short Sea Shipping;

UNDERLINING that there are still a number of administrative bottlenecks that hinder the development of Short Sea Shipping, in particular those pointed out in the Commission communication;

ACKNOWLEDGING that technical initiatives, in particular surveillance capabilities for goods and ships by coastal, port and customs authorities, including satellites (EGNOS/GALILEO and GMES), and also the upcoming e-maritime and e-Freight systems have an essential role in simplifying administrative procedures ; and considering that the SafeSeaNet network for vessel traffic monitoring, the Automatic Identification Systems (AIS) and Long-Range Identification and Tracking of Ships (LRIT) should be used to their full potential in order, inter alia, to simplify administrative procedures;

1. RECOGNISES the need to continue promoting Short Sea Shipping and ensuring the further development of Motorways of the Sea in order to reduce the overall environmental effects of transport and to provide an efficient, more competitive, seamless and cost-effective transport system for the European economy; and CONSIDERS that the present economic downturn renders more important the initiatives for the promotion of Short Sea Shipping;

2. WELCOMES the Commission's "Communication and Action Plan with a view to establishing a European maritime transport space without barriers"; and SUPPORTS the objective of extending the internal market to sea transport between ports located in the EU, by simplifying, and speeding up through, inter alia, the use of IT, administrative procedures in intra-EU maritime transport, aiming to make it more attractive, more efficient and more competitive;
3. STRESSES the importance of the better regulation strategy and the need for the Commission to coordinate its activities in the different domains in order to eliminate unnecessary bureaucracy and not offset the benefits of the European maritime transport space without barriers by the introduction of new administrative burdens;
4. UNDERLINES the urgent need to give priority to the amendment of the regulation laying down the implementing provisions of the Community customs code announced in the Communication in order to reduce the barriers for intra-Community maritime transport solutions and to call on Member States to develop systems for simplified national administrative procedures;
5. WELCOMES the Commission's proposal for a Directive aiming at rationalising vessel-related and goods-related reporting and forms required by maritime transport directives and replacing Directive 2002/6/EC on reporting formalities for vessels arriving in and/or departing from ports; UNDERTAKES to give it proper priority within the legislative work programme to further rationalise administrative procedures for vessels arriving at and departing from EU ports by making compatible IMO/FAL requirements and community regulations;
6. INVITES the Commission to study the possibility of simplified administrative procedures for vessels sailing mainly between EU ports and having a call in a third country or a free zone, while maintaining high anti-fraud and anti-counterfeit standards;
7. RECOMMENDS the continuation of the exchange of views between the Commission, Member States and the industry concerned to find the most practical way to favour competition within and between ports to promote Short Sea Shipping;

8. INVITES the Commission to present, as soon as possible, guidelines to clarify the application of Community legislation requesting veterinary, zootechnical and phytosanitary documentary checks, as well as checks in other possible domains, in order to speed up port operations, consistent with customs legislation;
9. INVITES the Commission to carry out, in cooperation with Member States and stakeholders, the necessary preparatory tasks and studies for the presentation in 2010 of further medium term measures;
10. EMPHASISES the need for further action to reduce the administrative barriers for maritime transport, in particular for Short Sea Shipping, on the basis of existing systems and best practices; and to rationalise rules on carriage of dangerous goods for Short Sea Shipping without reducing the current safety level;
11. STRESSES the need to facilitate transport by sea by reaching a level of fully IT-based communications, including to enhance electronic data transmission, on the basis of existing or established systems, through the development of e-Maritime systems and single electronic window solutions, providing, where appropriate, Community funding support within the ceilings of the present and upcoming Multiannual Financial Framework;
12. UNDERLINES the need to take initiatives, together with third countries, at the appropriate international bodies to reduce administrative barriers for international maritime transport, with the aim to levelling the playing field for maritime transport;
13. SUPPORTS the Commission in improving the management and development of the central SafeSeaNet system at policy level, considering the possibility of processing port information through SafeSeaNet; AGREES that the Commission and Member States should organise a rational distribution of information regarding ships and goods through interoperable SafeSeaNet and e-Customs systems;

14. AGREES that Member States should – as far as possible – coordinate inspections in ports and study the possibility of establishing separation areas for intra-EU goods, improve use of electronic manifests, and, where appropriate, the use of Pilot Exemption Certificates, and to further facilitate administrative communication by reducing language barriers;
15. STRESSES the imperative need for all these actions aiming at facilitating the Short Sea Shipping to be implemented without reducing protection at EU external borders or affecting the environment, safety, security or customs and tax revenue and without inducing adverse effects on other goods, shipping and port operations;
16. INVITES the Commission to present, as soon as possible, the future vision for the implementation and correlation between modern information based initiatives, such as e-Freight, e-maritime, SafeSeaNet and e-Customs;
17. INVITES the Commission to monitor the progress made in the establishment of the European maritime transport space without barriers, and to present remedial action if needed, at the latest in the regular report on Short Sea Shipping scheduled for 2012."

TELECOMMUNICATIONS

Accessible Information Society - Council conclusions

The Council adopted the following conclusions:

"The Council of the European Union,

1. WELCOMES

- a) The Commission Communication of 1 December 2008 entitled "Towards an accessible information Society"¹.
- b) The results of the e-inclusion Ministerial conference and exhibition held in Vienna from 30 November to 2 December 2008 and the conclusions from this event.

2. RECALLS

- a) The Ministerial Declaration "ICT for an Inclusive Society", adopted on 11 June 2006 at the conference on e-inclusion held in Riga.
- b) The Council resolutions of 2002 on "e-Accessibility for people with disabilities" and on "Accessibility of public web sites - access for people with disabilities", the Council resolution of 2003 on "eAccessibility - improving the access of people with disabilities to the knowledge based society", the Council conclusions of 2005 on "e-accessibility", the Council Conclusion of 2007 on "Ageing well in the Information Society", and the Council resolution of 2008 on "the situation of persons with disabilities in the European Union".

¹ COM(2008) 804

- c) The European initiative on Ambient Assisted Living (AAL) under Article 169 of the EU Treaty.
- d) The Commission Communication of 8 November 2007 entitled "European i2010 initiative on e-Inclusion; To be part of the information society"¹ and the Commission Communication of 2 July 2008 entitled "Renewed social agenda: Opportunities, access and solidarity in 21st century Europe"².
- e) The United Nations Convention on the rights of persons with disabilities, notably its provisions on access to technologies and information.

3. ACKNOWLEDGES THAT

- a) Information and Communication Technologies (ICT) are crucial in today's society and economy and they can greatly improve personal autonomy and quality of life, particularly for people with disabilities or elderly. E-accessibility is a necessary prerequisite for a widespread use of ICT, and its cost can be greatly reduced through "design for all" approaches and better interoperability between services and devices.
- b) Better e-accessibility entails major social and economic gains for several groups of people and for public and commercial service providers. For example, people with disabilities and elderly, people living in remote areas and people who are disadvantaged for economic or educational reasons can be more active as workers or consumers. Public and commercial service providers can reach a larger customer base.
- c) Initiatives carried forward by certain governments brought improvements in e-accessibility. In recent years authorities at all levels and many stakeholders increasingly committed in improving e-accessibility. Nevertheless, e-accessibility remains overall poor in Europe.

¹ COM(2007) 694

² COM(2008) 412

- d) Many people in Europe still make little or no use of ICT partially due to poor accessibility. Several goals of the Riga Ministerial Declaration are still to be met. Therefore, further efforts by all those concerned are required to prevent fragmentation from divergent approaches. These efforts should include coordinated European action.

4. UNDERLINES THAT

- a) Everyone should have the possibility of accessing services provided by public administrations. This includes users with disabilities and elderly users as well as all those who have particular difficulties in becoming part of the digital society. The possibility of accessing services provided by public administrations should exist regardless of the software, communication channel, or technological device used.
- b) Public authorities have a particular responsibility in promoting social cohesion, and thus e-accessibility, using various instruments at their disposal, such as legislation, standardisation and certification as well as public procurement.
- c) The ministerial representatives of many European countries committed in the Riga Declaration to deliver significant progress by 2010.
- d) The adoption of the second version of the Web Content Accessibility Guidelines (WCAG 2.0) by the World Wide Web Consortium (W3C) provides the necessary technical specifications.
- e) The contribution of European standardisation organisations with their work on accessibility requirements for public procurement of products and services in the ICT domain remains important¹.

¹ Through Commission standardisation mandate 376 to CEN, CENELEC and ETSI.

5. WELCOMES THE INTENTION OF THE COMMISSION TO

- a) Continue the activities on e-accessibility in the framework of the i2010 High-Level Group.
- b) Stimulate dialogue with and between stakeholders at European level, coordinating efforts as appropriate.
- c) Continue monitoring and assessing through various reports the status and evolution of e-accessibility in Europe.
- d) Improve the accessibility of Commission websites.

6. INVITES THE COMMISSION TO

- a) Uphold e-inclusion in general, and e-accessibility in particular, as a main concern in order to encourage the Council to maintain this priority in EU information society policy following up on the i2010 initiative, and in the next European disability action plan.
- b) Continue providing financial support for e-accessibility through relevant EU programmes, such as the framework programme for research, the structural and social funds, and the Competitiveness and Innovation ICT policy support programme (CIP-ICT PSP).
- c) Support efforts on guidance and exchange of good practice at European level for improving web accessibility, including technical guidance for implementing modern web accessibility specifications and practical accompanying measures.
- d) Report to the Council on progress made in context of the objectives of the Riga declaration.

7. INVITES THE MEMBER STATES TO

- a) Support multi-channel delivery of public services and free access to public information.
- b) Contribute to the affordability of ICT products and services to final users, utilising relevant public funding schemes.
- c) Apply accessibility criteria in their public procurement of ICT goods and services, including web accessibility requirements in public tenders for creating or redesigning websites financed from public funds.
- d) Join or consider increasing their support of the Ambient Assisted Living European research programme.
- e) Implement the provisions of the Convention of the United Nations on persons with disabilities, including the provisions on access to technology and information.
- f) Make full use of provisions in current Community legislation which address ICT and disability either directly or indirectly.
- g) Adopt, and better implement measures, to promote e-accessibility, and particularly to implement the WCAG 2.0 guidelines. A common approach could be expressed through a Recommendation from the Commission in order to avoid a fragmented European market. Moreover, as WCAG 1.0 is becoming outdated a recommendation from the Commission could avoid that some Member states still apply different certification standards than recommended by the W3C (World Wide Web Consortium (W3C)).
- h) Promote cooperation and dialogue between national and regional authorities as well as other stakeholders to implement the above actions.

- i) Enlarge the scope of application and to promote not only e-accessibility but to include also other services of the future. First of all, accessibility of digital television, electronic communications (including the accessibility of the single European emergency number), mobile TV and other m-services. Secondly, self-service terminals and electronic banking systems.

8. INVITES ALL STAKEHOLDERS TO

- a) Cooperate with the Commission in supporting stakeholders' dialogue and progress monitoring.
- b) Optimise their websites and web services in compliance with accessibility requirements.
- c) Improve the availability, interoperability, affordability and awareness of accessible ICT solutions, following as close as possible a 'design for all' approach, and focusing on widespread technologies such as the internet, fixed and mobile telephones, television, and self-service terminals, as well as on ICT-enabled domestic and work-office equipment.
- d) Provide information, training and support to relevant ICT developers, implementers and deciders in the public, private and non-profit sector.

Improve the employment and working conditions of people with disabilities and elderly, providing ICT products and services adapted to their capacities and working patterns.

- e) Improve the accessibility and usability of ICT-supported education material and methods, thus ameliorating the learning chances of persons less familiar with ICT as well as persons with disabilities.

- f) Promote the accessibility and usability of online services, public and commercial, particularly relevant to social participation, such as social care and healthcare, social assistance, emergency services, education, transport, and banking.
- g) Engage in concrete action related to access to digital television and access to bank terminals which were identified as priorities by the population in the framework of the public consultation that took place in the European Union in 2008.
- h) Support European standardisation efforts by encouraging European Standardisation Organisations to quickly deliver on mandate 376 on accessible procurement of ICT."

Impact of the economic downturn on information and communication technologies

The Council held an exchange of views on the impact of the economic downturn on information and communication technologies and how they can boost EU's economy. The Presidency decided to put this item on the agenda in the context of the current economic crisis and the European recovery plan¹ in order to allow ministers to hold a policy debate in this context from a specific ICT point of view.

In order to structure the debate, the Presidency drafted guiding questions and provided some background information that can be found in [7749/09](#).

All member states agreed that to make the best out of the current situation, it is necessary to look for longer term solutions by developing future technology lead markets including also satellite solutions for remote rural areas and intensifying research and innovation efforts in ICT. This means reinforced and smarter investment at all levels: public and private, infrastructures, research and innovation as well as investments in the people and their skills.

In this context, the Council also recalled the March European Council agreement (*see Council conclusions [7880/09](#)*) reached on the Community part of the European Economic Recovery Plan in support to projects in the field of broadband internet among others and reaffirmed to do the utmost to get this plan on the road as soon as possible and before the parliamentary recess in the run-up to the European elections in June.

In order to create new jobs and support economic growth, the Commission proposed in the framework of the European Economic Recovery Plan a 5 billion € package to be directed at defined goals such as energy and broadband. The aim of this initiative in the area of broadband Internet is not only to support the development of broadband infrastructure especially in rural areas, but also to improve the already existing one.

¹ The European Economic Recovery Plan, presented in November 2008, is the Commission's response to the current economic situation ([16097/08](#)).

OTHER BUSINESS

Marco Polo II

The Presidency briefed the Council on the state of play of the current discussions with the European Parliament on the Commission proposal ([17294/08](#)) on the second Marco Polo programme, which are aimed at reaching a first reading agreement.

Galileo

The Council took note of the Commission's report on the state of play of Galileo (in particular actions taken to implement regulation (EC) No 683/2008 on the further implementation of the European satellite navigation programmes) and of the Commission's ideas and vision of future developments and the implementation of the programmes.

Monitoring and review of the TEN-T

The Council took note of the information provided by the Commission on the process of monitoring and review of the TEN-T, Wider Europe and national operational programmes for transport ([8057/09](#)).

Single Sky Package

The Presidency briefed the Council on the first reading agreement reached with the European Parliament on the Single Sky Package (draft regulation amending regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system *and* draft regulation amending regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services).

Airport slots

The Commission presented the main lines of a proposal to amend Regulation (EEC) N° 95/93 on common rules for the allocation of slots at Community airports ([\(7500/09\)](#)).

CERG Aviation Safety Programme in 2009

The Council took note of the information provided by the Romanian delegation on the CERG Safety Programme in 2009 ([7613/09](#)+ 7613/09 *CORI*).

Informal Council of Transport Ministers

The Presidency briefed the Council on the upcoming informal meeting of Transport Ministers that will take place in Litoměřice, on 29 April 2009 ([8177/09](#)). The meeting will focus on issues of the deployment of intelligent transport systems, which the Czech presidency considers important, in particular in the context of the current economic crisis.

Maritime piracy

The Council took note of concerns expressed by the Greek delegation, supported by other delegations, concerning acts of maritime piracy in particular in the Horn of Africa and the Gulf of Aden.

Interoperability solutions for European public administrations

The Council took note of information provided by the Presidency on the state of play of a proposal on interoperability solutions for European public administrations ([13644/08](#)).

European 112 Day

The Presidency briefed the Council on the newly established European 112 Day.

Mobilising ICT to facilitate the transition to an energy-efficient economy

The Commission presented to the Council its communication on "mobilising information and communication technologies to facilitate the transition to an energy-efficient, low-carbon economy" ([7566/09](#)).

Review of the EU regulatory framework for electronic communications networks and services

The Presidency briefed the Council on the ongoing negotiations on this package of legislative proposals.

Fourth World Telecommunication Policy Forum

The Council took note of information provided by the Portuguese delegation on the fourth World Telecommunication Policy Forum of the International Telecommunication Union, that will take place in Lisbon from 22 to 24 April 2009 ([8048/09](#)).

Ministerial Conference on the Critical Information Infrastructure Protection

The Estonian delegation briefed the Council on the Ministerial Conference on the Critical Information Infrastructure Protection, which will take place in Tallinn, on 27 and 28 April 2009.

Critical Information Infrastructure Protection

The Commission presented to the Council its Communication on Critical Information Infrastructure Protection.

EVENTS IN THE MARGINS OF THE COUNCIL

The signing of an protocol on the extension of the China-EU Maritime Transport Agreement to Bulgaria and Romania took place in the margins of the Council on 31 March.

OTHER ITEMS APPROVED

TRANSPORT

Promotion of clean and energy-efficient vehicles

The Council adopted a directive on the promotion of clean and energy-efficient road transport vehicles ([3711/08](#)). The Council and the European Parliament reached an agreement on this legislative act at first reading.

The directive aims to promote the market for clean and energy efficient vehicles and to improve the transport sector's contribution to fulfilling the EU's environment, climate and energy policies. The directive requires authorities and certain operators to take lifetime energy and environmental impacts, including energy consumption, CO₂ emission and other pollutant emissions, into account when purchasing a vehicle.

Compared to the Commission's original proposal, the new directive redefines the scope and introduces the requirement that authorities and operators take energy and environment impacts into account when purchasing a vehicle, while allowing the application of different options for meeting this requirement.

Member states will have 18 months from the entry into force of the directive to transpose its provisions.

Agreement with Canada on civil aviation safety

The Council adopted a decision approving the signing of an agreement between the European Community and Canada on civil aviation safety.

The agreement is the result of negotiations led by the Commission on the basis of a mandate granted by the Council in March 2004. It aims to enhance cooperation and increase efficiency in matters relating to civil aviation safety and to promote civil aviation safety and environmental quality and compatibility.

Agreements with the Republic of Korea, Viet Nam and Mongolia on air services

The Council adopted decisions approving the signing and provisional application of agreements with the Republic of Korea and the Socialist Republic of Viet Nam and approving the signing of an agreement with the Government of Mongolia.

These agreements are the result of negotiations conducted under a mandate according to which the Commission can negotiate with any third country with a view to bringing Member States' existing bilateral aviation agreements with that country into line with Community law.

Agreement with West African Economic and Monetary Union on air services

The Council adopted a decision approving the signing and provisional application of an agreement between the EU and the West African Economic and Monetary Union on certain aspects of air services.

This agreement is the result of negotiations conducted under a mandate whereby the Commission can negotiate with any third country with a view to bringing Member States' existing bilateral aviation agreements with that country into line with Community law.

Roadworthiness tests for motor vehicles

The Council adopted¹ a directive on roadworthiness tests for motor vehicles and their trailers, which recast directive 96/96/EC currently in force ([3699/08](#)).

The current directive harmonises the rules on roadworthiness tests, prevents distortion of competition between road hauliers and ensures that vehicles are properly checked and maintained.

The directive codifies and adapts the legislation in force to the new comitology procedure with scrutiny² applying to measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the codecision procedure. The Council also decided to incorporate in the draft directive a judgment of the Court of Justice on the establishment of so-called secondary or derived legal basis. All the modifications are of a technical nature and aim at making Community law more readable.

ECONOMIC AND FINANCIAL AFFAIRS

External auditor of the national central bank of Germany

The Council adopted a decision approving the appointment of Ernst & Young AG Wirtschaftsprüfungsgesellschaft Steuerberatungsgesellschaft as the external auditor of the Deutsche Bundesbank for the financial years 2009 to 2014 ([6813/09](#)).

¹ The German delegation abstained.

² The regulatory procedure with scrutiny was introduced by Decision 2006/512/EC, which amended Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission.

BUDGET**Adjustments in the financing of the EU budget**

The Council established draft amending budget No 3 to the general budget for 2009, taking into account the retroactive effect of the recently adopted Own Resources Decision 2007/436 from 1 January 2007 onwards ([7331/09](#)). Subject to the approval of the European Parliament, the amending budget will change the distribution between Member States of their own resources contributions in the financial years 2007, 2008 and 2009. The adjustments in the financing of the EU budget are the result of a new uniform rate of call of the VAT-based own resource, the gross reduction in the annual GNI-based contributions for the Netherlands and Sweden, the revised calculation of the correction mechanism in favour of the United Kingdom and the impact of the new call rate of the VAT-based own resource on the GNI-based own resource contributions.

COMPETITIVENESS**Dangerous substances and preparations - Regulatory procedure with scrutiny**

The Council decided not to oppose adoption by the Commission of a decision amending Council Directive 76/769/EEC as regards restrictions on the marketing and use of organostannic compounds for the purpose of adapting its Annex I to technical progress.

Since organostannic compounds have been found to pose a risk to human health more severe restrictions need to be imposed on their marketing and use.

In accordance with the EU's regulatory procedure with scrutiny, the Council can oppose the adoption of legal acts by the Commission. Consequently, unless the European Parliament objects, the Commission can adopt the decision.

RESEARCH

EU/Russia science and technology cooperation agreement

The Council adopted a decision approving the renewal of the EU/Russia cooperation agreement on science and technology for an additional period of five years ([6691/09](#))

EU/US science and technology cooperation agreement

The Council adopted a decision approving the extension of the EU/United States of America cooperation agreement on science and technology for a further period of five years ([6695/09](#)).

The content of the bilateral agreement will also be amended in order to include research in the area of security and space to the list of sectors for cooperative activities, in line with the EU's seventh research framework programme for 2007-2013.

INTERNAL MARKET

Approval system for motor vehicles

The Council agreed on a common approach with a view to adopting a decision enabling the accession of the European Community to the United Nations Economic Commission for Europe (UN/ECE) Regulation No 61 on uniform provisions for the approval of commercial vehicles with regard to their external projections forward of the cab's rear panel.

The standard requirements of UN/ECE Regulation No 61 are intended to remove technical barriers to the trade in motor vehicles and ensure a high level of safety and protection for use of such vehicles. This Regulation would be incorporated into EU legislation on the approval system for motor vehicles.

AGRICULTURE

Food for particular nutritional uses

The Council adopted a directive on food for particular nutritional uses, codifying Directive 89/398/EEC and bringing it into line with the new comitology rules, following a first reading agreement with the European Parliament ([3697/08](#)). Compared to the original Commission proposal, the Council and the Parliament extended the measures that must be adopted in accordance with the regulatory procedure with scrutiny. These include authorising for a two-year period, the placing on the market of foodstuffs which do not comply with the rules as to composition. It also includes certain derogations from the provisions regarding labelling.

ENVIRONMENT

Contained use of genetically modified micro-organisms

The Council adopted a directive on the contained use of genetically modified micro-organisms, following a first reading agreement with the European Parliament ([3714/08](#)). The new directive aims to codify Directive 90/219/EEC and bring that directive into line with the new comitology rules.

DECISION TAKEN BY WRITTEN PROCEDURE

EU-South Korea free trade agreement

The approved on 23 March an amendment to the negotiating directives for a free trade agreement with South Korea.

APPOINTMENTS

Committee of the Regions

The Council adopted a decision appointing as an alternate member for the remainder of the current term of office, which runs until 25 January 2010:

- Mr Javier VELASCO MANCEBO, Director de la Oficina de Representación del Principado de Asturias.
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