



Brussels, 27 May 2010

BACKGROUND¹
TRANSPORT, TELECOMMUNICATIONS AND ENERGY COUNCIL
(telecommunications and energy items only)

Brussels, Monday 31 May 2010

Telecommunications session

The Telecommunications session will start at 9.30 and it will take place only in the morning. It will be chaired by Miguel Sebastián Gascón, Minister of Industry, Tourism and Commerce.

The Council will devote its work to the main item of its agenda, the Digital Agenda for Europe. First, it will take note of the presentation by the Commission of its Communication "A Digital Agenda for Europe", on which it is due to adopt conclusions.

Then, Ministers will have an exchange of views on the "European Code of rights of users of electronic communications services".

At lunch Ministers will discuss the issue of the seat of the BEREC Office (Body of European Regulators of Electronic Communications).

In the margins of the Council, the Presidency will convene the Conference of the representatives of the governments of the Member States to take the decision on the seat of the BEREC Office (+/- 14.45).

Press conference: *at the end of the meeting (+/- 13.00).*

¹ This note has been issued under the responsibility of the Press Office.

Energy session

The Energy Council will take place in the afternoon, starting at 15.30. The meeting will be chaired by the Secretary of State for Energy, Pedro Luis Marín Uribe.

The Council will take note of a progress report from the Presidency on the regulation concerning measures to safeguard security of gas supply.

In preparation of the European Council of 17 June 2010, ministers will hold an exchange of views concerning the approach to national targets for energy efficiency on the basis of an oral presentation from the Commission.

Ministers will also hold an exchange of views on the forthcoming Energy Strategy for Europe 2011-2020, as a first contribution to the consultation process that was launched by the Commission, prior to its presentation of the new strategy. The Council will also adopt conclusions on this issue.

Furthermore, ministers will hear a presentation by the Presidency and the Commission on recent developments regarding international relations in the field of energy.

Press conference: *at the end of the meeting.*

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<http://video.consilium.europa.eu/>

TELECOMMUNICATIONS SESSION - in the morning

A Digital Agenda for Europe

- ***Presentation by the Commission and adoption of Council conclusions on the Digital Agenda for Europe***

The Council will take note of the presentation by the Commission of its communication "A Digital Agenda for Europe" ([9981/10](#)), on which it will be called on to adopt conclusions.

On 19 May 2010, the Commission issued the above communication which is the first of the seven flagship initiatives under the "Europe 2020 Strategy" for smart, sustainable and inclusive growth ([7110/10](#)). The Digital Agenda for Europe builds upon wide consultations conducted by the Commission and on several contributions by the TTE Council, in particular the detailed Council conclusions of December 2009 on the "Post-i2010 Strategy" ([17107/09](#)) and the Declaration agreed at the informal Ministerial meeting in Granada in April 2010.

The Digital Agenda for Europe identifies the seven most significant obstacles and proposes seven key actions in tackling them: creating a digital Single Market, greater interoperability, boosting internet trust and security, much faster internet access, more investment in research and development, enhancing digital literacy skills and inclusion, and applying information and communications technologies to address challenges facing society like climate change and the ageing population.

The ICT (Information and Communications Technology) sector is of crucial importance to all our countries, as an important economic sector in itself and as a booster of other economic and social activities. The Digital Agenda for Europe therefore comes at the right time and generally proposes the right focus for future actions.

The draft conclusions reflect Council's view on the launch of this flagship initiative and *inter alia* acknowledge the importance of the Digital Agenda in economic, social and cultural contexts by endorsing the main action areas of it.

They endorse *inter alia* the establishment of an ambitious action agenda based upon concrete proposals notably to :

- create a fully functioning digital Single Market to the benefit of European businesses, in particular SMEs, and European consumers,
- take coordinated measures on network and information security in order to increase trust and confidence in cyberspace.

- *Exchange of views on the "European Code of rights of users of electronic communications services"*

The Council will hold a **policy debate** on a "*European Code of rights of users of electronic communications services*".

The discussion will be steered by following questions:

- What are the best practices found in Member States for the establishing and implementation of this type of Codes at Member State level? What impact have these Codes had on consumer trust and the take-up of digital services?
- What other measures might be needed to make sure the Code is effective and future proof, e.g. further legislative measures, monitoring activities, feedback possibilities?

This action is considered important to provide EU citizens' with simple and easily accessible information on their rights established in the Regulatory framework for electronic communications and services and other relevant EU legislation. By being better informed, citizens can better exercise their rights and benefit from the procedures provided by Member States for redress and dispute resolution.

The "Code of Digital Rights of e-Communications and online services" is recommended to include a summary of the rights of users and consumers and how such rights protect them. Specifically, it should address among others the aspects of contracts and change of service provider, transparency of information, and quality of service.

ANY OTHER BUSINESS

- a) Universal Service - Outcome of the public consultation
 - *Information from the Commission*

The Commission will inform the Council on the first results of the consultation. Current EU rules on universal service obligations guarantee that Europeans have access to public telephone networks and to services like basic internet access. The consultation aimed to see if these rules and definitions on universal service need to be updated for the digital age, and in particular if they should be extended to cover broadband access.

- b) Progress Report on the Single European Electronic Communications Market 2009 (15th Report)
 - *Presentation by the Commission*

The Commission will present its annual progress report on the single European Electronic Communications Market.

- c) Europe's Digital Competitiveness Report
- *Presentation by the Commission*

The Commission will present the annual benchmarking report analysing the development of ICT throughout the EU so as to monitor and benchmark the implementation of the i2010 strategy at both national and EU level over its lifetime.

- d) Ministerial meeting EU-Latin America and Caribbean Countries: "Digital Content for a Digital Society" (14-16 March 2010, La Granja de San Ildefonso, Segovia)
- *Information from the Presidency*

The Forum took stock of the public policies implemented in the last few years and debated the needs and priorities of future digital agendas adapted to the specificities of each region.

ENERGY SESSION - in the afternoon

Regulation concerning measures to safeguard security of gas supply

In public deliberation, the Presidency will inform the Council of progress achieved on this proposal for a regulation ([9817/10](#)). The proposal was presented by the Commission in July 2009 ([11892/09](#)), in response to the call of the European Council and the European Parliament for an accelerated revision of the existing directive to take into account the new developments in the Union's internal gas market. Negotiations with the EP are already underway and the Spanish presidency expects to reach a first-reading agreement during this six-month period .

The aim of the regulation is to establish measures for safeguarding the security of gas supply by ensuring the proper and continuous functioning of the internal gas market and by providing a clear definition and allocation of responsibilities, as well as an efficient coordination of response at the level of the member states and the Union regarding both preventive action and the response to specific disruptions of supply.

Natural gas is an essential component in the energy supply of the Union, constituting one quarter of primary energy supply and contributing mainly to power generation, heating, feedstock for industry and fuel for transportation. Gas consumption in Europe has increased rapidly during the last ten years while domestic production has decreased. Thus, the growing reliance on imported energy is a significant additional risk for the Union's security of energy supply.

A major disruption of gas supply to the Union can affect all member states as well as contracting parties to the Energy Community Treaty ², leading to significant economic damage, and having also a severe social impact, in particular on vulnerable groups of customers.

Thus the regulation encourages solidarity among member states and between member states and operators which have to cooperate and comply with the internal market rules and their contractual obligations also in emergency situations, as far as technically and safely possible. Competent authorities are also required to consult each other when drawing up Preventive Action and Emergency Plans at national and, if appropriate, regional level. Regional cooperation is another form of solidarity which is provided for in the regulation.

In the event of failure of the largest single gas infrastructure or gas supply source, member states will have to ensure that:

- the remaining infrastructure has the capacity to deliver the necessary volume of gas to satisfy total demand in the affected area, during a period of exceptionally high gas demand (the so-called N-1 rule);
- protected customers are supplied with gas in the event of extreme temperatures during a seven-day peak period or any period of at least thirty days under average winter conditions, among others.

It is therefore essential that the investments in indigenous production and infrastructures, such as interconnections, equipment allowing physical bidirectional flows on pipelines, storage capacities, etc. are made in time by natural gas undertakings. They - as well as customers - should rely on market mechanisms - *inter alia*, production and import flexibility, fuel switch, increased use of renewable energy sources - for as long as possible when coping with disruptions. In the context of the necessary diversification of sources of supply and routes, relations with third countries assume particular relevance .

National energy efficiency targets

In preparation of the European Council of 17 June 2010, ministers will hold an exchange of views concerning the approach to setting targets for energy efficiency, on the basis of information from the Commission and of a note from the Presidency ([9767/10](#) + [COR 1](#)).

In March 2010, the European Council agreed on the following "headline targets" for energy policy, in response to the Commission's communication "Europe 2020: a strategy for smart, sustainable and inclusive growth" ([7110/10](#)), which will be endorsed by the European Council in June:

- reducing greenhouse gas emissions by 20% compared to 1990 levels;
- increasing the share of renewables in final energy consumption to 20%;
- moving towards a 20% increase in energy efficiency.

² A treaty aimed at establishing a fully integrated electricity and gas market among the countries of South Eastern Europe (Albania, Bosnia- Herzegovina, Bulgaria, Croatia, Greece, FYROM, Romania, Serbia- Montenegro).

The targets for greenhouse gas emissions and renewables were fixed in the "climate/energy package" adopted last year. As regards energy efficiency, this objective, which constitutes a shared objective guiding the action of the member states and of the Union, will have to be complemented in due course by an indicative national target (or targets) reflecting the individual needs and specific situations of the member states. Account will be taken of the ongoing and/or already planned national measures in the framework of the EU legislative acts already in force (*inter alia*, on buildings, labelling, eco-design, on energy end-use efficiency and energy services (*Directive 2006/32/EC*)³ .

The Commission has been invited by the European Council to monitor the consistency of national targets with the European headline target using a common approach and has already initiated bilateral dialogues with Member States. During these contacts, it became apparent that technical clarifications on methodological issues linked to the definition of the targets or on how to compare them with the EU target were required. The Presidency has therefore organised a series of technical meetings and will report on them in doc. [9767/10](#) + [COR](#) 1. The Commission will make an oral presentation on the outcome of the bilateral dialogues, and report to the June European Council.

Energy Strategy for Europe 2011-2020

Ministers will hold an exchange of views on the forthcoming Energy Strategy for Europe 2011-2020, as a first contribution to the consultation process that was launched by the Commission, prior to its presentation of the new strategy. The new Energy Strategy for Europe 2011-2020 is expected to be endorsed by the European Council in March 2011.

In the framework of the new "Europe 2020 strategy for jobs and growth" and by way of preparation for the future Energy Action Plan, the Council will also adopt conclusions on principles underlying the future EU energy strategy and on certain procedural steps leading up to its endorsement ([9744/10](#)).

See also:

- Council conclusions on Energy Security ([5215/09](#));
- Council conclusions on the Second Strategic Energy Review ([5964/09](#));
- Green Paper: A European Strategy for Sustainable, Competitive and Secure Energy ([7070/06](#)).

³ OJ L 114 of 27.4.2006, p. 64

International relations in the field of energy

Ministers will be informed by the Presidency and the Commission of recent developments regarding international relations in the field of energy.

* EU-US Energy Council

The EU-US Energy Council, established at the EU-US Summit on 3 November 2009, met for the first time on 4 November 2009. Since then, work has focused on the establishment of its three Working Groups and their priorities. All working groups have already held their first meeting and the main items on discussion are the following:

- global energy security and global market: Southern Corridor/Trans-Caspian and global energy markets, among others;
- energy policies: biofuel sustainability, nuclear safety, energy efficiency, carbon capture and storage (CCS) and smart grids/electric vehicles;
- energy technology, R& D: such as, solar power, biofuels, smart grids, energy efficient buildings.

* EU-OPEC

The seventh meeting of the EU-OPEC Energy Dialogue is scheduled for the 28 June 2010, in Brussels. Recent energy policies, oil market developments and long-term energy developments will be discussed and several presentations are planned .

* 12th International Energy Forum (IEF), Cancún (Mexico)

This meeting took place on 29-31 March 2010, and was hosted by Mexico, with Germany and Kuwait co-hosting. Sixty three countries were represented at ministerial level, and a ministerial declaration was approved. (www.ief.org/)

The main result of the meeting is that a High-Level Steering Group was established and given the task of drafting the IEF Charter. The Forum also identified areas for cooperation with the International Energy Agency (IEA) and OPEC. The IEF Charter is expected to be approved by Ministers convening in Riyadh (Saudi Arabia) before March 2011. The 13th IEF will take place in Kuwait in 2012.

* Euromed - Union for the Mediterranean

The sixth Euro-Mediterranean Ministerial meeting on energy and renewable energy will take place on 2 and 3 June in Cairo, co-chaired by Egypt, France and Spain. The main items on the agenda are the Mediterranean Solar Plan, the Euro-Med Energy Strategy and Energy Cooperation, and the sustainable development of the energy sector. A ministerial declaration and a Strategy Paper on the Mediterranean Solar Plan are expected to be approved during the meeting.

* Others

- *Russia/Ukraine*

The relations between these two countries have significantly improved after the recent elections in Ukraine and the subsequent agreement on a lower price for Russian gas in return for a 25-year extension of Russia's lease of its naval base in the Black Sea port of Sevastopol.

Furthermore, Ukraine continues to take part in the work of the Energy Security Platform of the Eastern Partnership⁴, which held its third meeting on 20 May, addressing security of supply and energy efficiency in buildings.

- *Energy Community*⁵

The seventh meeting of the Ministerial Council of the Energy Community took place on 18 December 2009 in Zagreb. The Ministerial Council took note of the progress achieved in the implementation of the Community *acquis* within the Energy Community countries, in particular with respect to security of supply, and *inter alia* adopted a number of decisions, including on the accession of the Republic of Moldova and of Ukraine to the Energy Community Treaty and on the implementation of three Community directives on energy efficiency in the Energy Community.

In the meantime, Moldova has become a full member as of 1 May 2010 while Ukraine's full accession is linked to the adoption of a law on the gas sector. The next ministerial Council is scheduled for 24 September 2010 in Skopje, under the presidency of the Former Yugoslav Republic of Macedonia.

ANY OTHER BUSINESS

- a) Report from the Commission to the Council and the European Parliament on the implementation of the European Energy Programme for Recovery ([9141/10](#))
- Presentation by the Commission
- b) Report from the Commission on the implementation of Trans-European energy network in the period 2007-2009 ([9354/10](#))
- Presentation by the Commission
- c) Signature of a Memorandum of Understanding between the Republic of Turkey and the Hellenic Republic on cooperation in the field of energy
- Information from the Greek delegation
- d) Baltic Energy Market interconnection plan ([9745/10](#))
- Information from the Commission (requested by the Lithuanian delegation)
- e) Work programme of the incoming Presidency
Information from the Belgian delegation

⁴ Eastern dimension of the European Neighbourhood Policy (EU-27 + Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine).

⁵ A treaty aimed at establishing a fully integrated electricity and gas market among the countries of South Eastern Europe (Albania, Bosnia- Herzegovina, Bulgaria, Croatia, Greece, FYROM, Romania, Serbia- Montenegro).