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Transport, Telecommunications and Energy

Luxembourg, 7 and 8 June 2012

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Main results of the Council

Transport:

The Council agreed on a partial general approach on a draft regulation establishing the ***Connecting Europe Facility*** *(CEF), the future funding instrument for the trans-European networks (TEN) in the transport, energy and telecommunications sectors. The draft regulation determines the conditions, methods and procedures for the Union's financial contribution to TEN projects, while the development strategies, priorities and implementation measures for each of the sectors are defined in sector-specific policy guidelines which will be adopted separately*

The Council also agreed on a partial general approach on a draft regulation defining a new financial and governance framework for the ***European satellite navigation*** *systems EGNOS and Galileo for the period 2014 to 2020. The draft regulation sets out the activities to be financed, establishes the responsibilities for the different governance tasks and lays down rules on public procurement.*

Those two general approaches are only partial since they do not cover the financial envelopes and other financial provisions, which depend on the outcome of the ongoing negotiations on the next multi-annual financial framework.

Moreover, transport ministers agreed on a general approach on a draft regulation updating the 2002 directive on ***operating restrictions*** *at EU airports aimed at limiting nuisances from* ***aircraft noise****. The update harmonises, clarifies and strengthens the common rules on how decisions on such restrictions are to be taken.*

Finally, the Council held a debate on the follow-up to the ***Blue Belt*** *pilot project carried out in 2011, aimed at simplifying administrative procedures for sea transport between ports located within the EU by using modern monitoring capabilities.*

Telecommunications

Ministers held a public orientation debate on the proposal on the re-use of ***public sector information*** *and took note of the presidency progress report.*

The Council held a public orientation debate on a draft regulation on guidelines for trans-European ***telecommunications networks*** *and took note of a presidency progress report.*

Without discussion, the Council adopted conclusions on the ***participation of the EU in the Universal Postal Union****.*

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Commission:

Mr Siim KALLAS	Vice-President
Ms Neelie KROES	Vice-President

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The government of the acceding state was represented as follows:

Croatia:

Mr Siniša Hajdaš DONČIĆ	Minister for Maritime Affairs, Transport and Infrastructure

ITEMS DEBATED

HORIZONTAL AND INTERMODAL QUESTIONS

Connecting Europe Facility for financing the trans-European networks

The Council agreed on a partial general approach on a draft regulation establishing the Connecting Europe Facility (CEF), the future funding instrument for the trans-European networks (TEN) in the fields of transport, energy and telecommunications (*11236/12*). The draft regulation determines the conditions, methods and procedures for the Union's financial contribution to TEN projects, while the development strategies, priorities and implementation measures for each of the sectors are defined in sector-specific policy guidelines which will be adopted separately. The Council has already agreed on a general approach on guidelines for the transport sector (TEN-T guidelines: *8047/12*). The energy and telecommunications guidelines, however, are still under discussion.

The main outstanding issue concerns requests by several delegations to extend the possibilities of **financing road projects** by means of grants. While the transport part of the CEF regulation strongly focuses on the funding of railways and inland waterways, it also, under certain conditions, allows the financing of road projects through grants. The compromise proposal initially presented by the presidency (*10564/12*) offered the most possibilities in this respect to member states eligible for support from the cohesion fund, but also to member states without a rail network.

As a result of its discussions, the Council agreed to add member states with an isolated rail network without long-distance rail freight transport to the cases where grants can be given to road projects. In addition, it was decided to provide for co-financing of road works at cross-border sections in all member states at a rate of up to 10 %. All those funding possibilities, however, are subject to the general conditions for grants for TEN-T projects.

Apart from road financing, in order to reach broad agreement on a final compromise, the Council increased the co-financing rate for the development of the Motorways of the Seas from 20 % to 30 % and added the interconnection of maritime ports to the indicators for achieving the objective of enhanced interconnection and interoperability.

In addition, to accommodate requests from delegations, some modifications concerning rail or road sections or ports have been introduced into the list of core network corridors set out in the annex to the regulation. Moreover, it will be clarified in a recital that the completion of the core transport network includes not only the creation of new infrastructure, but also the rehabilitation and upgrading of existing infrastructure.

Some delegations also raised issues related to the financial instruments and other financial provisions under the CEF regulation. However, as those issues are not part of the present general approach, they will need to be addressed later on by budgetary experts. One member state abstained for the time being, pending the outcome on the financial part. Another delegation also underlined that it might be necessary to reopen discussion on certain issues once the budgetary decisions are known.

The **budget** to be made available for the trans-European networks under the CEF will depend on the results of the negotiations on the next multiannual framework and is therefore not yet included in this partial general approach. The Commission has proposed EUR 50 billion for the years 2014 to 2020, with EUR 31.7 billion (including EUR 10 billion earmarked in the Cohesion Fund) allocated to the transport sector, EUR 9.1 billion to the energy sector and about the same amount to the telecommunications sector. Moreover, the provisions on financial aid through the use of innovative financial instruments such as project bonds, designed to leverage additional investment from private and public sources, are still being discussed with the European Parliament in the framework of the negotiations on the Union's new Financial Regulation and are therefore also left out of this partial general approach.

The EU will contribute to the financing of projects at different rates depending on the sector and the type of action concerned. The maximum **funding rates** for the transport sector range from between 20 % and 50 % of the eligible costs. In the energy sector, the maximum rates are 50 %, but can be increased to up to 75 % in specific cases. In the telecommunications sector, broadband networks can receive funding rates of up to 50 % and generic services and cross-cutting priorities rates of up to 75 %, while the "Europeana" digital platform for the European cultural heritage can receive funding rates of up to 100 %. All those rates may be increased by up to 10 % for measures that have cross-sector synergies or are particularly helpful in combating climate change.

To be **eligible** for aid from the CEF, the projects must be in line with the requirements set out in the sector-specific guidelines. As regards measures in the transport sector, the CEF regulation further specifies eligibility criteria for support in the form of grants. In addition, its annex contains a list of pre-identified TEN-T core network projects, including traffic management systems and core network corridors that will receive 80 % to 85 % of the CEF transport budget. In the energy sector, all projects related to the priority corridors and areas listed in the annex to the regulation are eligible.

The overall objective of the CEF is to help create high-performing and environmentally-sustainable interconnected networks across Europe, thereby contributing to economic growth and social and territorial cohesion within the Union. To this end, the CEF will support projects that pursue the following sector-specific **objectives**:

– transport: removing bottlenecks and bridging missing links; ensuring sustainable and efficient transport systems in the long term; improving the integration and interconnection of different transport modes and enhancing interoperability.

– energy: improving the integration of the internal energy market and the interoperability of energy networks across borders; enhancing security of energy supply; contributing to sustainable development and protection of the environment.

– telecommunications: building high-speed broadband networks and developing trans-European digital public service infrastructures.

The Commission presented its proposal in October 2011 (*16176/11*). The European Parliament, whose approval is also required for the adoption of the regulation, has not yet determined its position on the proposal.

Financing and governance of the European satellite navigation systems

The Council agreed on a partial general approach on a draft regulation defining a new financial and governance framework for the European satellite navigation systems (EGNOS and Galileo), for the period covered by the multiannual financial framework 2014-2020 (*11105/12*). The regulation will replace the current 2008 basic regulation for the European satellite navigation programmes, adopted in 2008 and covering the years 2007 to 2013.

As a result of ministers' discussions, the presidency compromise proposal (*10189/12*) has been slightly amended as regards the provision on subcontracting under the procurement rules. In order to foster participation of small and medium-sized enterprises, it has been specified that subcontracting should be made by competitive tendering "at the appropriate levels of sub-contracting".

In addition, a statement on security accreditation activities was adopted, inviting the Commission to present a proposal so as to ensure that compliance of the systems with the security requirements is checked in an independent manner.

The Commission pointed out that it had some misgivings about the general approach agreed upon by the Council, in particular as regards the lack of delegation of powers to the Commission for the amendment of certain elements of the regulation.

The partial general approach still needs to be complemented by a provision on the financial envelope. One delegation, which is in principle in favour of the text, abstained for the time being, pending the decision on the budgetary part.

The programmes will be **financed** from the EU budget, with resources needed for the period 2014-2020 estimated at around EUR 7.9 billion at current prices. The exact amount of funding to be made available by the EU is left out of the partial general approach, as it will depend on the outcome of the discussions on the next multiannual financial framework. Additional funding may be provided by member states to cover additional elements in particular cases. Third countries and international organisations may also make additional contributions.

The **activities** to be financed under the regulation concern the completion of the deployment phase of Galileo (that is, the establishment of space and ground-based infrastructures) and the exploitation of the Galileo and EGNOS systems.

The **governance** tasks will be clearly divided between the Commission, the European Space Agency and the European GNSS Agency:

– the Commission will bear the overall responsibility, managing the funds, organising the delegation of tasks, monitoring the implementation of programmes and ensuring their security;

– the European GNSS Agency will be responsible for tasks related to the exploitation phase of the Galileo and EGNOS programmes, including programme management and marketing of services. The implementation of security procedures will also be part of its remit;

– the European Space Agency will be responsible for tasks related in particular to the design and procurement of the system during the deployment phase of the Galileo programme. In addition, it will cooperate with the GNSS Agency in the exploitation of the Galileo and EGNOS programmes, in particular as regards technical support and future technical development.

The draft regulation also contains rules on **public procurement** in the programmes, promoting the widest participation possible throughout the Union and ensuring fair competition conditions. Tenderers will be asked to subcontract a share of the contract.

The proposal was presented by the Commission in December 2011 (*17844/11*). Its adoption requires approval by both the Council and the European Parliament.

EGNOS, the European Geostationary Navigation Overlay Service, enhances the accuracy of the existing civilian GPS services, with a geographical area centred on Europe and a possible future extension to other regions of the world. It is already operational and available for use with both an open service and a safety-of-life service for aviation.

Galileo will be an independent European global satellite-based navigation system, providing five services:

– an open service (OS) free for the user and providing signals for timing and positioning;

– a commercial service (CS) for applications for professional or commercial use requiring higher performance than offered by the open service;

– a public regulated service (PRS) using strong, encrypted signals and restricted to government-authorised users;

– a contribution to the international search and rescue service (S&R) system by detecting emergency signals; and

– a contribution to integrity monitoring services aimed at users of safety-of-life (SoL) applications; the SoL function, which will be provided in cooperation with the American GPS, allows users for whom safety is essential, for instance airlines or maritime companies, to be alerted when certain margins of accuracy are not met.

The first initial services (OS, PRS and S&R) are due to be available by 2014-2015. The system will be fully operational when all satellites are in place. This should be achieved in 2019/2020.

AVIATION

Noise-related operating restrictions at airports

The Council agreed on a general approach on a draft regulation updating the 2002 directive on operating restrictions at EU airports aimed at limiting nuisances from aircraft noise (*10897/12*). The update further harmonises, clarifies and strengthens the common rules on how decisions on such restrictions are to be taken. The rules, which are based on principles agreed by the International Civil Aviation Organisation (ICAO) and known as "Balanced Approach", cover in particular the assessment and management of aircraft noise and are designed to identify the most cost-efficient way of tackling aircraft noise at each individual airport, with operating restrictions only being a last resort option. This piece of legislation, however, does not establish specific noise thresholds, which remain within the competence of national or local authorities. The regulation only applies to larger airports, with more than 50 000 civil aircraft movements per year.

One delegation, however, would have preferred to give the text the legal form of a directive rather than a regulation. Moreover, it still has misgivings about the Commission's right to review decisions on operating restrictions.

The draft regulation introduces two key changes:

– Prior to the application of an operating restriction, the Commission will have the **right to review the process** that the competent authority followed **for introducing the restriction**. If the Commission considers that the process does not comply with the requirements of the regulation, it will send a notification to the authority, which must take due account of the Commission's observations.
  This new review provision is intended to reduce the risk of international disputes in the event that carriers from outside the EU are affected by restrictions.
  The Commission's initial proposal that it be given the right to suspend noise-related operating restrictions proposed by a member state has not been accepted by delegations.

– A stricter noise threshold will be applied for the definition of "**marginally compliant aircraft**", so as to reflect modernisation of fleets and to promote the phasing-out of older, noisier aircraft. "Marginally compliant aircraft" designates a category of aircraft with a noise level that is only slightly lower than the maximum permitted noise levels established by the International Civil Aviation Organisation (ICAO). The margin by which an aircraft's noise level is lower than the maximum permitted levels constitutes the criterion for defining it as only marginally compliant. The new definition gradually extends the margin so as to include aircraft that previously would have been considered fully compliant: while under the current rules the margin is 5 EPNdB (effective perceived noise in decibels) or less, it will be extended to less than 8 EPNdB as a first step, and to less than 10 EPNdB four years later. Operating restrictions affecting marginally compliant aircraft will give an incentive to airlines using such aircraft to replace them with less noisy aircraft since they could otherwise no longer fly to the airport concerned.

In addition, the new text requires that the authorities responsible for deciding on operating restrictions must be independent of the parties directly affected by the measure. It also places stronger emphasis on the need to take account of possible knock-on effects on the whole European aviation network when considering noise-related operating restrictions at an individual airport.

The regulation aims to balance citizens' interests in being protected from aircraft noise, on the one hand, and air transport needs, on the other. The update of the 2002 directive, which was the first step in harmonising the introduction of noise-related operating restrictions in the EU, is considered necessary notably with a view to taking into account the growing capacity problems in air transport and to ensuring the cost-effectiveness of noise reduction measures.

The proposal, presented by the Commission in December 2011 *(18010/11)*, is part of an "airport package" also including proposals on ground handling services and slot allocation and addressing two key challenges: capacity at airports and the quality of airport services. The European Parliament, whose approval is also required for the adoption of the regulation, has not yet determined its position on the proposal.

SHIPPING

Enforcing the Maritime Labour Convention

The Council took note of the state of play on two proposals for directives laying down the responsibilities of flag states, on the one hand, and port states, on the other, as regards the **enforcement of the Maritime Labour Convention** adopted in 2006 by the International Labour Organisation (ILO).

The Council's preparatory bodies have only recently started discussion of the Commission proposals (*8241/12* and *8239/12*). The progress report drawn up by the presidency (*9863/12*) shows that member states generally welcomed the proposals, although concerns were expressed regarding the absence of impact assessments, the need to avoid additional administrative burden and the need to stick more closely to the wording of the Maritime Labour Convention. The report also sets out a number of specific issues raised by member states concerning each of the proposals.

Some delegations took the floor to highlight certain issues mentioned in the progress report. With regard to the flag state proposal, there is a request for a possible exemption from regular inspections for smaller ships. In respect of the port state proposal, there was felt to be a need for clarification as regards the situation of member states that have not ratified the Maritime Labour Convention, and the introduction of a clause intended to prevent any reduction in the level of workers' social protection as a result of the application of the directive. Another issue of concern is the possibility of subjecting ships under the flag of a state that has not ratified a set of conventions to further inspections at any time, in addition to the regular inspections.

Ministers instructed the Council's preparatory bodies to continue examination of the proposals.

The draft **flag state** directive aims to ensure that member states discharge their obligations as flag states to monitor compliance of ships flying their flag with the rules laid down in directive 2009/13, which has incorporated a large part of the Maritime Labour Convention into EU law. The new directive is needed, as the 2009 directive, which implements an agreement between the Union's social partners regarding that Convention, does not cover enforcement.

The proposed directive requires flag states to establish inspection mechanisms to ensure compliance monitoring, stipulates that the personnel responsible for that monitoring must have the necessary professional competencies and independence, and provides for a complaints procedure. It thereby takes up parts of the Maritime Labour Convention's enforcement provisions.

The new directive will complement not only directive 2009/13, but also the existing directive on flag state responsibilities (directive 2009/21), which has incorporated the International Maritime Organisation's (IMO) flag state audit scheme into EU law and introduced the quality certification of national maritime authorities, but does not cover the social aspects dealt with by the ILO convention.

In addition to the draft directive on flag state responsibilities for enforcement of the maritime social rules, it is also proposed to amend directive 2009/16 on **port state** control. Whilst enforcement of international maritime standards is primarily the task of flag states, port state control is a kind of "security net", ensuring that port states intervene where flag states fail to comply with this task. Such a port state control system, based on inspections and applying common criteria and harmonised procedures, was introduced within the Union by directive 2009/16, with the aim of eliminating sub-standard ships and ensuring compliance with international and Union maritime legislation. That directive already makes reference to ILO social standards, but needs to be updated to align it with the requirements of the Maritime Labour Convention regarding port state responsibilities.

The update concerns in particular the inclusion of new documents to be checked, namely the "maritime labour certificate" and the "declaration of maritime labour compliance", the extension of inspections to cover other requirements of the Maritime Labour Convention, the handling of complaints, and the inclusion of a serious or repeated breach of the Maritime Labour Convention as a reason justifying the detention of a ship. Moreover, new rules on delegated and implementing powers conferred to the Commission will be introduced to take account of the new procedures established by the Lisbon Treaty, which entered into force after the adoption of the 2009 directive.

The ILO's **Maritime Labour Convention** aims to guarantee decent working and living conditions on board ships and to limit social dumping, thus securing fair competition for shipowners who respect seafarers' rights. The Convention covers matters such as the minimum requirements for seafarers to work on board a ship; conditions of employment; accommodation, recreational facilities, food and catering; health protection, medical care, welfare and social security protection; as well as compliance and enforcement.

Blue Belt pilot project

The Council held a public debate on the Blue Belt pilot project carried out in 2011 and aimed at promoting sea transport between ports located within the EU ("short sea shipping"). The aim of the Blue Belt concept is to create a maritime transport space without barriers for intra-EU trade by simplifying and speeding up administrative procedures through the use of modern technical monitoring capabilities.

The pilot project, which was implemented by the European Maritime Safety Agency (EMSA), used the EU maritime information exchange system SafeSeaNet for the transmission of data on vessel traffic to customs authorities. The project evaluation showed that the Blue Belt approach allows reliable monitoring of ship movements and could be used to simplify procedures (the full pilot project evaluation report is available on EMSA's website: *http://www.emsa.europa.eu*; for a summary see *10418/12*).

The purpose of the debate, which was based on a discussion note drawn up by the presidency (*9791/12*), was to provide guidance on possible follow-up measures. Ministers generally were in favour of continued implementation and further development of the Blue Belt concept.

The integration of Blue Belt services into a permanent legal framework was also widely supported, although several delegations underscored the need to thoroughly evaluate costs and benefits before undertaking legislative work. Many delegations stressed that duplication of work must be avoided and that cost-effectiveness needs to be ensured. The importance of more flexible customs procedures and the need to review the EU customs legislation accordingly was also highlighted. Some member states asked for a clearer focus on the ultimate objective to create a real internal market for maritime transport.

In order to improve coordination between the different authorities concerned, several member states stressed that awareness for the Blue Belt concept should be raised through appropriate information. Here again, the crucial role of customs authorities was underlined. Some delegations pointed to the "single window" services, which enable once-only transmission of required information and reports to a central contact point, as a means to enhance coordination and harmonisation. Moreover, most delegations are in favour of extending those "single window" services beyond communication between ships, ship operators and national authorities, so as to include all interested parties in the maritime transport sector, provided that protection of sensitive data is ensured. Some delegations, however, cautioned against an overly hasty extension before having gained sufficient experience with the current single window rules, which are due to apply from mid-2015 only.

The presidency summarised the member states' views in a synthesis paper (*11204/12*).

The Blue Belt concept and the launch of a pilot project were endorsed by the Council in December 2010 (conclusions in *16266/10*). The Commission included the Blue Belt initiative in its White Paper on a road map to a single European transport area (*8333/11*).

TELECOMMUNICATIONS

Public sector information

The Council took note of a presidency progress report (*10403/12*) on the work conducted to date and ministers held a public orientation debate on this file.

The Commission presented its proposal to revise directive 2003/98/EC on re-use of public sector information (PSI) in December 2011 (*18555/11*). It forms part of the Digital Agenda for Europe and the Europe 2020 strategy for smart, sustainable and inclusive growth.

Ministers focused their interventions in particular on the following two questions prepared by the presidency: how the single market and the growth agenda could best be stimulated by the PSI directive and how the amended directive could encourage a balanced approach to ensuring lower costs for businesses accessing re-usable data while at the same time accommodating the need for public authorities to cover their expenses (*see 9959/12*).

Public sector information is the single largest source of information in Europe. It is produced and collected by public bodies, and includes digital maps, meteorological, legal, traffic, financial, economic and other data. Most of this raw data could be re-used or integrated into new products and services that we use on a daily basis, such as car navigation systems, weather forecasts, financial and insurance services.

The aim of this proposal is to eliminate persistent and emerging differences between member states in the exploitation of public sector information which hamper realisation of the full economic potential of this resource. In addition, it aims to facilitate the creation of Union-wide products and services based on PSI and to ensure the effective cross-border use of PSI for value-added products and services.

The Commission's amending proposal contains three new main elements in particular: extension of the scope to cover cultural institutions as well, the obligation to allow the re-use of existing accessible documents held by public sector bodies and the charging rules for re-use.

The proposal has been examined in several meetings of the Working Party on Telecommunications and the Information Society. Delegations generally welcomed the proposal and supported its aims. Discussions focused on the extension of the scope and on the limits and rules for charging above marginal costs. Further work on this file will continue under the Cyprus Presidency. The European Parliament's ITRE committee's vote is scheduled for September 2012.

Trans-European telecommunications networks

The Council held a public orientation debate on a draft regulation on guidelines for trans-European telecommunications networks and took note of a presidency progress report (*10451/12*).

Ministers focused their discussions in particular on the criteria to be used for selection of broadband deployment projects and on the types of European cross-border digital services infrastructures that could be supported (*see 9963/12*).

The Commission presented its proposal in October 2011 (*16006/11*). The regulation will establish guidelines covering the objectives and priorities envisaged for broadband networks and digital public service infrastructures. The guidelines will identify projects of common interest in this respect.

In the field of broadband networks, projects of common interest should support the rollout of high-speed or very high-speed broadband networks. This will contribute to reaching, by 2020, the Digital Agenda for Europe targets of universal coverage at 30 Mbps; or having at least 50% of households subscribing to speeds above 100 Mbps. A balanced portfolio of 30 and 100 Mbps projects is envisaged across the EU.

Projects of common interest in the field of digital service infrastructures could include trans-European high-speed backbone connections for public administrations, cross-border delivery of eGovernment services based on interoperable identification and authentication enabling access to public sector information, multilingual resources, online safety and security and smart energy services.

The Working Party on Telecommunications and Information Society has examined this proposal at several meetings. The following issues, in particular, will require further consideration by delegations: member state involvement, particularly in relation to the preparatory steps of project selection and the modification of the description of projects of common interest, role and status of the proposed expert group, the contents of the annex to the proposed Connecting Europe Facility (CEF) regulation and relations between the CEF regulation and other financial instruments, such as structural and cohesion funds.

The EU funding related to this regulation is to be negotiated in the context of the CEF financing instrument, linked to the next multiannual financial framework (2014-2020). The proposal for the regulation establishing the Connecting Europe Facility was discussed in greater depth by transport ministers on the first day of the TTE Council (see above, page 9). The Commission presented this proposal in June 2011 (*16176/11*) with the aim of promoting the completion of priority energy, transport and digital infrastructures with a single fund of EUR 40 billion, of which EUR 9.2 billion are allocated to broadband networks and digital service infrastructures.

The European Parliament's ITRE committee's vote is scheduled for November 2012.

OTHER BUSINESS

Transport

Emissions trading in the aviation sector

The Commission pointed out that there was continuing opposition from non-EU countries to application of the EU's greenhouse gas emissions trading scheme (ETS) to their airlines. The Commission underlined the need for the EU to stay united, while being ready to adapt its scheme if a global solution can be found. The forthcoming meeting of the Council of the International Civil Aviation Organisation (ICAO) due to take place in Montreal (Canada) in the second half of June will discuss possible options which could lead to some progress.

A number of member states voiced their concerns over retaliatory measures that could affect EU companies or airlines. The need was stressed to respond to such measures in a coordinated manner and to continue to seek a global agreement through the ICAO.

European Electronic Toll Service

The Council was updated by the Commission on the implementation of a European Electronic Toll Service (EETS) the aim of which is to ensure the interoperability of all electronic road toll systems throughout the EU, so that no more than one single on-board unit is required in a given vehicle (*10473/12*). While some progress has been made, it appears that work is not sufficiently advanced for the deadline of October 2012 for EU-wide coverage of heavy goods vehicles to be met. Work therefore needs to be accelerated, for example by giving necessary guidance, developing an affordable test procedure, sharing information and using the trans-European transport network framework for support to EETS implementation.

Seminar on piracy

The Commission informed the Council of the results of a seminar on piracy and armed robbery organised by the Commission in cooperation with the Danish presidency in Brussels on 28 and 29 March (*10619/12*). The seminar, with participants from EU institutions and international organisations as well as from the maritime industry and private security companies, addressed issues such as the impact of piracy on seafarers' work and lives, the economic impact, the use of private armed security personnel on board ships, the EU's military involvement in the Gulf of Aden, and the promotion of development in Somalia. The Commission highlighted that measures need to be taken not only at sea, but also on land, so as to address root causes such as the lack of rule of law and lacking capacities.

Work programme of the incoming presidency

The Cyprus delegation presented the incoming presidency's work programme in the transport sector.

Generally, work will be continued on the legislative proposals on which general approaches have already been achieved, that is, the railway recast package, the proposals on ground handling and noise-related restrictions at airports, the TEN-T guidelines, the CEF regulation and the regulation on Galileo and EGNOS.

In addition, as far as land transport is concerned, the tachograph proposal and road safety, especially with regard to young drivers, will be major issues. In the field of aviation, the slots proposal, which is the third part of the airport package, will be on the agenda, as well as the issue of the functional airspace blocks within the Single European Sky initiative. As regards intermodal issues, digital technologies in the transport sector will be the topic of an informal ministerial meeting.

In the field of maritime transport, the presidency will try to reach agreement on the two proposals on the responsibilities of flag and port states for the enforcement of the Maritime Labour Convention. It also intends to discuss multi-annual financing for the European Maritime Safety Agency (EMSA) and a proposal to be presented by the Commission in the autumn on combating pollution of the seas. Moreover, transport ministers will be asked to make a contribution to the debate on the EU's integrated maritime policy.

Telecommunications

Roaming file

The presidency briefed the Council on the roaming regulation *(10567/12)*. The political agreement with the European Parliament was reached on 28 March, the European Parliament adopted the regulation on 10 May and the Council on 30 May (see press release *10362/12*). The regulation will be published in the EU Official Journal of 30 June and will enter into force on 1 July 2012.

Trust and confidence in electronic transactions in the internal market

The Commission presented to ministers a new draft regulation to enable cross-border and secure electronic transactions in the EU, adopted on 4 June 2012.

The regulation lays down rules for electronic identification and electronic trust services for electronic transactions with a view to ensuring the proper functioning of the internal market. In addition, it establishes a legal framework for electronic signatures, electronic seals, electronic time stamps, electronic documents, electronic delivery services and website authentication. It will contribute to building trust and confidence in the on-line market for goods and services and therefore to the completion of the internal market and growth.

For more information see:
http://ec.europa.eu/information_society/policy/esignature/eu_legislation/regulation/index_en.htm

The incoming presidency's work programme

The Cyprus delegation briefed the Council on its work programme *(10730/12)*. Its work will focus in particular on the following legislative proposals: regulation on the guidelines on trans-European telecommunications networks, the regulation concerning the European Network and Information Security Agency and the directive on the re-use of public sector information. The informal meeting on telecommunications and transport will take place in Nicosia on 16-17 July 2012. The TTE (Telecommunications) Council will take place on 21 December 2012.

OTHER ITEMS APPROVED

TRANSPORT

Airworthiness and environmental certification of aircraft - recast of implementing rules

The Council decided not to oppose the adoption by the Commission of a recast of the implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations (*8632/12*).

The recast incorporates into one single text the amendments made over time to the 2003 Commission regulation containing those rules. In addition, the new draft regulation updates the certification requirements and procedures in order to maintain a high uniform level of aviation safety. The changes concern in particular demonstration of compliance, light aircraft and repairs to auxiliary power units.

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

Aviation agreement with the Republic of Moldova *

The Council decided on the signing and provisional application of an agreement that will gradually establish a "Common Aviation Area" with the Republic of Moldova, superseding or complementing the existing bilateral agreements between individual EU member states and Moldova (decision on signing: *8181/12*; agreement: *8185/12*; statements: *10453/12* + *ADD 1* + *ADD 2* + *ADD 3*).

The aim of the agreement is to gradually open markets in terms of routes and capacity, to establish a level playing field without discrimination for air carriers from the EU and the Republic of Moldova, to arrange for regulatory cooperation and to gradually align Moldova's aviation legislation with EU legislation on issues such as safety, security, air traffic management, social aspects and the environment.

NUCLEAR SAFETY

Euratom/South Africa cooperation agreement

The Council adopted a decision approving the conclusion, by the Commission, of the agreement between the European Atomic Energy Community and the government of South Africa for co-operation in the peaceful uses of nuclear energy (*9729/12* + *COR 1*).

The objective of this agreement is to encourage and to facilitate cooperation in the peaceful uses of nuclear energy with a view to strengthening the overall cooperative relationship between Euratom and South Africa, in accordance with the needs and priorities of their respective nuclear programmes.

It aims to foster the scientific cooperation between the Community and South Africa, in particular to facilitate the participation of South African research entities in research projects carried out in the framework of the relevant Euratom research programmes and to ensure a reciprocal participation of research entities of the Euratom and its member states in South African projects in similar areas of research.

POSTAL SERVICES

EU participation in the Universal Postal Union

The Council adopted conclusions on the participation of the EU in the Universal Postal Union (UPU) (*9341/12*). In the conclusions, the Council in particular endorses the resolution in the annex, requesting the 25th UPU Congress to grant the EU a formal observer status to the UPU and its bodies. The congress will take place from 24 September to 15 October 2012 in Doha, Qatar.

The UPU is a specialised agency of the United Nations, the aim of which is to secure the organisation and improvement of postal services in the international context and to promote the development of international collaboration in the area of postal services.

ENVIRONMENT

Trade in species of wild fauna and flora

The Council decided not to oppose the adoption of the Commission regulation amending regulation 865/2006 laying down detailed rules for the implementation of Council regulation 338/97 as regards certain provisions relating to the trade in species of wild fauna and flora *(9214/12)*

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

FOOD LAW

Foods for vulnerable persons - general approach

The Council agreed a general approach[1] on a new EU regulation on foods considered essential for certain vulnerable persons such as babies and young children, pending the adoption of a first-reading position by the European Parliament (*10086/12*).

For details see press release *10381/12*.

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[1] A general approach is a political agreement of the Council pending the first-reading position of the European Parliament.