



**COUNCIL OF
THE EUROPEAN UNION**



14657/09 (Presse 298)

PROVISIONAL VERSION

PRESS RELEASE

2970th Council meeting

General Affairs and External Relations

General Affairs

Luxembourg, 26 October 2009

President

Ms Cecilia MALMSTRÖM
Minister for EU Affairs of Sweden

* The 2971st meeting on External Relations is the subject of a separate press release (14658/09).

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Main results of the Council

*The Council reached broad agreement on guidelines for the establishment of a **European External Action Service (EEAS)**, to be submitted to the European Council for approval at its October meeting.*

*It also endorsed an **EU strategy for the Baltic Sea region**, which is intended to address common challenges faced by the countries of the region, including environmental and economic challenges. The strategy is due to be adopted by the European Council at its October meeting.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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PARTICIPANTS

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

Belgium:

Mr Yves LETERME
Mr Olivier CHASTEL

Minister for Foreign Affairs
State Secretary for European Affairs

Bulgaria:

Ms Rumiana JELEVA

Minister for Foreign Affairs

Czech Republic:

Mr Jan KOHOUT
Mr Štefan FÜLE

Deputy Prime Minister and Minister for Foreign Affairs
Minister for European Affairs

Denmark:

Mr Per Stig MØLLER

Minister for Foreign Affairs

Germany:

Mr Frank-Walter STEINMEIER
Mr Günter GLOSER

Federal Minister for Foreign Affairs
Minister of State, Ministry of Foreign Affairs

Estonia:

Mr Urmas PAET

Minister for Foreign Affairs

Ireland:

Mr Micheál MARTIN
Mr Dick ROCHE

Minister for Foreign Affairs
Minister of State at the Department of the Taoiseach and
at the Department of Foreign Affairs with special
responsibility for European Affairs

Greece:

Mr Dimitris DROUTSAS

Alternate Minister for Foreign Affairs

Spain:

Mr Miguel Ángel MORATINOS
Mr Diego LÓPEZ GARRIDO

Minister for Foreign Affairs and Cooperation
State Secretary for the European Union

France:

Mr Bernard KOUCHNER
Mr Pierre LELLOUCHE

Minister for Foreign and European Affairs
State Secretary with responsibility for European affairs

Italy:

Mr Franco FRATTINI

Minister for Foreign Affairs

Cyprus:

Mr Marcos KYPRIANOU

Minister for Foreign Affairs

Latvia:

Mr Māris RIEKSTIŅŠ

Minister for Foreign Affairs

Lithuania:

Mr Vygaudas UŠACKAS

Minister for Foreign Affairs

Luxembourg:

Mr Jean ASSELBORN

Deputy Prime Minister, Minister for Foreign Affairs and
Immigration

Hungary:

Mr Péter BALÁZS

Minister for Foreign Affairs

Malta:

Mr Tonio BORG

Deputy Prime Minister and Minister of Foreign Affairs

Netherlands:

Mr Maxime VERHAGEN
Mr Frans TIMMERMANS

Minister for Foreign Affairs
Minister for European Affairs

Austria:

Mr Michael SPINDELEGGER

Federal Minister for European and International Affairs

Poland:

Ms Grazyna BERNATOWICZ

Under Secretary of State, Ministry of Foreign Affairs

Portugal:

Mr Luis AMADO

State Minister and Minister for Foreign Affairs

Romania:

Mr Bogdan MAZURU

State Secretary for European Affairs, Ministry of Foreign Affairs

Slovenia:

Mr Samuel ŽBOGAR

Mr Mitja GASPARI

Minister for Foreign Affairs

Minister without Portfolio, responsible for Growth and European Affairs

Slovakia:

Mr Miroslav LAJČÁK

Minister for Foreign Affairs

Finland:

Mr Alexander STUBB

Ms Astrid THORS

Minister for Foreign Affairs

Minister for Migration and European Affairs

Sweden:

Mr Carl BILDT

Ms Cecilia MALMSTRÖM

Mr Frank BELFRAGE

Minister for Foreign Affairs

Minister for European Affairs

State Secretary at the Ministry of Foreign Affairs

United Kingdom:

Mr David MILIBAND

Mr Chris BRYANT

Secretary of State for Foreign and Commonwealth Affairs

Minister of State for Europe and Parliamentary Under-Secretary of State for Foreign Affairs

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Commission:

Ms Margot WALLSTRÖM

Ms Benita FERRERO-WALDNER

Vice President

Member

.....

General Secretariat of the Council:

Mr Javier SOLANA

Secretary-General/High Representative for the CFSP

ITEMS DEBATED

PREPARATION OF THE OCTOBER MEETING OF THE EUROPEAN COUNCIL

Draft European Council conclusions

The Council examined draft conclusions prepared by the presidency for the European Council meeting to be held in Brussels on 29 and 30 October.

Issues to be addressed by the European Council, set out in a an annotated draft agenda issued in September ([12942/09](#)), include:

- institutional issues;
- climate change;
- the economic situation;
- macro-regional strategies;
- illegal immigration;
- external relations.

The draft conclusions will be reviewed by the presidency in the light of the Council's discussion.

Treaty of Lisbon implementation including the European External Action Service

The Council reached broad agreement on guidelines for the establishment of a European External Action Service (EEAS), as presented in a report by the presidency, and took note of progress in preparatory work on implementation with a view to entry into force of the Treaty of Lisbon.

The EEAS guidelines will be submitted to the European Council for approval at its October meeting.

STRATEGY FOR THE BALTIC SEA REGION - Council conclusions

The Council adopted the following conclusions and agreed to forward them to the European Council, with a view to its meeting in Brussels on 29 and 30 October.

"THE COUNCIL OF THE EUROPEAN UNION

RECAPITULATING the European Council conclusions of 14 December 2007, welcomes the Commission's Communication concerning the European Union Strategy for the Baltic Sea Region¹, and COMMENDING the Commission on the extensive consultation process conducted in preparing the Communication.

WELCOMING the innovative integrated approach in addressing challenges of common aspiration within the EU through current and possible future macro regional strategies, on a voluntary basis. NOTING that the Commission intends to present in the near future an EU Strategy for the Danube region as the next macro regional strategy as outlined by the European Council on 19 June 2009.

RECOGNISING the potential of territorial strategies, in this particular case at the macro regional level, for contributing to the economic, social and territorial² cohesion of the EU. For achieving EU objectives, amongst others the ones expressed in the Lisbon Agenda and the European economic recovery plan, and for helping to adapt to future challenges facing the EU, *inter alia* climate change.

RECOGNISING, without prejudice to the situation in, and the diversity and needs of, other geographical areas and individual Member States, the serious environmental state and fragility of the Baltic Sea, and NOTING the implementation of the HELCOM Baltic Sea Action Plan in this regard³.

¹ 11308/09 + ADD 1 + ADD 2 + ADD 3 - presented to the European Parliament and the Council on 10 June 2009

² COM (2008) 616 Green Paper: "Territorial Cohesion Turning Territorial Diversity into strength" - 6 October 2008

³ HELCOM Baltic Sea Action Plan, adopted by the Baltic Sea littoral States and the European Community on 15 November 2007 in Krakow, Poland
http://www.helcom.fi/BSAP/MinisterialMeeting/en_GB/Ministerial_Meeting_2007/

RECOGNISING the specific conditions of different Member States, the economic disparities and the insufficiently integrated energy and transport infrastructures in the Baltic Sea region.

EMPHASIZING the need to speed up the integration of infrastructures and markets, as well as to bring people closer together, and CALLING for the effective implementation of the Baltic Energy Market Interconnection Action Plan¹.

AGREEING on the need for an integrated framework to address these issues within the remits of the European Union, especially in making the region environmentally sustainable, more integrated and prosperous economically, more accessible and attractive as well as safe and secure.

REITERATING that the Strategy is financially neutral and relies on a coordinated approach, synergetic effects and, on a more effective use of existing EU instruments and funds, as well as other existing resources and financial instruments.

RECOGNISING, in that respect, the need for coordination between relevant EU policies as well as between EU and national, as well as regional policies having an impact on territorial cohesion, respecting the principle of subsidiarity.

REITERATING the objectives of the Integrated Maritime Policy² and the Marine Strategy Framework Directive (MSFD)³ as the latest achievements in the field of marine protection and maritime policy, and STRESSING the need for close coordination between priorities set in the action plan and policy development, including at EU level, to facilitate achievement of these objectives, *inter alia* by setting up relevant pilot projects.

WELCOMING active cooperation with all interested regional organisations in areas where actions of mutual interest can be identified.

¹ 10703/09: Baltic Energy Market Interconnection Plan - Information from the Commission

² COM (2007) 575 final

³ OJ L 164, 25.6.2008, p. 19

ACKNOWLEDGING the internal EU scope of the Strategy and NOTING that constructive cooperation with interested non-EU countries is most welcome and that such cooperation could contribute to the attainment of the objectives of the Strategy. REITERATING that this cooperation could be pursued, notably but not exclusively, in the context of the Northern Dimension which provides a functioning format for an enhanced cooperation in the region.

1. ENDORSES the EU Strategy for the Baltic Sea Region, as proposed in the Commission's communication, and TAKES NOTE of the annexed Action Plan elaborated by the Commission on the basis of a consultation of Member States and other stakeholders.
2. AGREES that a governance structure for the implementation and follow-up of the Strategy for the Baltic Sea Region is required and therefore invites the Commission:
 - a) to play a leading role in strategic coordination of the key delivery stages of the Strategy, in partnership with the Member States and in accordance with the subsidiarity principle,
 - b) to review the Strategy and update it as appropriate on a regular basis, and seek endorsement from the Council on the amendments made,
 - c) to take the Strategy into account in relevant policy initiatives and programme planning,
 - d) to actively facilitate, on the basis of the usual EU procedures, the implementation of the agreed actions and the coordination of existing EU funds and instruments, and to cooperate closely with relevant financial institutions necessary for the realisation and funding of the Strategy,
 - e) to report on the implementation of the agreed actions and the evaluation of results, and make necessary updates of the Action Plan, as well as inform the Council on a regular basis on the progress made,
 - f) to safeguard an involvement of stakeholders concerned from all levels in the region, for example through an annual forum with the aim to help the Commission in its tasks above,

- g) to set-up a high-level group of officials from EU Member States in order to assist the Commission in the task of facilitating the implementation of the Strategy. The High-level group should be consulted about amendments of the Strategy and the Action Plan,
 - h) to disseminate to all Member States information, best practices and lessons learned, on the basis of experiences of implementing the EU Strategy for the Baltic Sea Region, in view of the forthcoming EU Strategy for the Danube region and possible other future macro regional strategies.
3. CALLS UPON the concerned Member States, the Commission and other parties to identify coordinators with the role of coordinating and supervising the progress of the actions and flagship projects within the 15 priority areas in the Action Plan. The coordinators should report on a regular basis to the high-level group and the Commission, and in cooperation with the Commission seek to identify lead partners for the flagships projects identified within each priority area. The lead partners should on a regular basis report to the coordinators.
4. STRESSES the importance that the implementation of actions and projects starts without delay, and CALLS ON the Commission to report by no later than June 2011 to Council on the progress made and on the results already achieved."

OTHER ITEMS APPROVED

ENLARGEMENT

Croatia - Accession negotiations

The Council adopted EU common positions on a number of negotiating chapters with regard to negotiations with Croatia on its accession to the EU.

The common positions relate to the following negotiating chapters:

- Chapter 2 - Freedom of Movement for Workers
- Chapter 4 - Free movement of Capital
- Chapter 6 - Company law
- Chapter 11 - Agriculture and rural development
- Chapter 12 - Food safety, veterinary and phytosanitary policy
- Chapter 16 - Taxation
- Chapter 18 - Statistics
- Chapter 21 - Trans-European networks
- Chapter 22 - Regional policy and coordination of structural instruments
- Chapter 24 - Justice, freedom and security
- Chapter 29 - Customs Union

GENERAL AFFAIRS

Proceeding in the Council's different configurations

The Council took note of a report from the presidency on proceedings in its different configurations ([14509/09](#)).

ECONOMIC AND FINANCIAL AFFAIRS

Economic co-operation between Portugal and São Tomé and Príncipe - Council conclusions

The Council adopted the following conclusions:

"The Council takes note of the Commission Recommendation concerning the conclusion of an Agreement on Economic Cooperation between the Republic of Portugal and the Democratic Republic of São Tomé and Príncipe with a view to fostering macroeconomic and financial stability of São Tomé and Príncipe. Since the introduction of the euro, the Community has an exclusive competence for monetary and exchange rate matters in the euro area. In accordance with Article 111 of the Treaty, euro-area Member States may negotiate and conclude international agreements provided that the exclusive competences of the Community are preserved. Draft agreements negotiated by euro-area Member States with third countries presenting elements with a potential relevance for monetary and exchange rate matters should therefore be examined by the Commission with a view to preserving the competences of the Community."

BUDGET

Financing of three new agencies

The Council confirmed an agreement with the European Parliament and the Commission on the financing of three new agencies, namely the European Asylum Support Office (EASO), the European Agency for Cooperation of Energy Regulators (ACER) and the Office of the Body of European Regulators for Electronic Communications (BEREC Office). See below page, 17.

Whereas the financing of ACER and the BEREC Office will be secured within the agreed expenditure ceiling of sub-heading 1a (competitiveness for growth and employment) of the EU's multiannual financial framework for the period 2007-2013, EASO will be financed within the expenditure ceiling of sub-heading 3a (freedom, security and justice).

The respective annual amounts for the three agencies will be decided in the framework of each annual budgetary procedure.

ENVIRONMENT

Eco-management and audit scheme

The Council adopted a regulation revising the EU's eco-management and audit scheme (EMAS) in order to encourage improvements in the environmental performance of organisations participating in the scheme ([3628/09](#)).

The regulation seeks to increase the number of organisations (i.e. private companies or public bodies) participating in the scheme, and to provide them with added value in terms of regulatory control, cost savings and public image if they are able to demonstrate an improvement in their environmental performance.

It pays special attention to the needs of small organisations (SMEs and small public authorities), whose participation will be promoted by facilitating access to information and to existing support funds, and by establishing or promoting technical assistance measures.

The new scheme will for the first time allow the participation of organisations not based in the EU whose activities have an environmental impact, providing a means for them to manage and improve their overall environmental performance. The EMAS scheme, established in 2001, is a voluntary management tool that enables companies and other organisations to evaluate, report and improve their environmental performance.

EU eco-label

The Council adopted a regulation revising the EU's eco-label scheme ([3626/09](#) + [14047/09](#) *ADD1 COR1*), and replacing regulation 1980/2000/EC.

The EU eco-label is designed to help consumers choose "green" products and services and can be awarded to the 10-20% most ecological products in each category.

The revised eco-label regulation covers more items so as to increase its visibility. Only medical and veterinary products are excluded, while a Commission study will examine whether food and feed could be included in the future. Fees and administrative procedures have been reduced for SMEs in order to facilitate their participation in the scheme.

End-of-life vehicles

The Council decided not to oppose a Commission decision to amend annex II to directive 2000/53 on end-of-life vehicles.

The annex lists vehicle materials and components exempted from the prohibition to use lead, mercury, cadmium and hexavalent chromium in materials and components of vehicles put on the market after 1 July 2002.

In accordance with the regulatory procedure with scrutiny, the Council can oppose the Commission's adoption of an act which exceeds the implementing powers of the Commission, is not compatible with the aim or content of the basic instrument or does not respect subsidiarity or proportionality.

Mediterranean Sea - Protection against land-based pollution

The Council adopted a decision supporting the adoption of regional plans on the reduction of BOD₅ in urban waste water, the elimination of aldrin, chlordane, dieldrin, endrin, heptachlor, mirex and toxaphene and the phasing out of DDT under the protocol for the protection of the Mediterranean Sea against land-based pollution.

The Community is a contracting party to the convention for the protection of the marine environment and the coastal region of the Mediterranean and its protocol for the protection against pollution from land-based sources and activities.

Convention on biological diversity - Access to genetic resources

The Council adopted a decision authorising the Commission to participate in negotiations on an international regime on access to genetic resources in the framework of the convention on biological diversity (CBD).

The CBD is the main international framework for measures to conserve biological diversity and for the fair and equitable sharing of benefits arising from the use of genetic resources. It provides a general framework for access to genetic resources. In 2002 at the world summit on sustainable development, it was agreed to launch negotiations on an international regime on access and benefit-sharing in the framework of the CBD.

TRANSPORT

Aircraft certification - Train driving licences - Road transport equipment - Passenger ships

The Council decided not to oppose adoption by the Commission of draft regulations aimed at:

- amending regulation 1702/2003 on the airworthiness and environmental certification of aircraft and related products, parts and appliances as well as for certification of design and production organisations ([13661/09](#));
- improving Community models and application forms for train driving licences, under directive 2007/59/EC ([13785/09](#));
- adapting to technical progress regulation 3821/85 on recording equipment in road transport ([12741/09](#));
- adapting certain non-essential elements of directive 2009/45/EC on safety rules and standards for passenger ships, in order to take account of changes made at international level, for instance within the International Maritime Organisation ([14039/09](#)).

EU- China maritime transport agreement - EU enlargement

The Council adopted a decision approving the conclusion of a protocol to the EU-China agreement on maritime transport in order to take account of the accession of Bulgaria and Romania to the EU in January 2007 ([8127/1/09](#)).

SOCIAL POLICY

Protection of workers from chemical risks

The Council decided not to oppose a Commission decision to establish a further list of indicative occupational exposure limit values (IOELVs) for the protection of workers from chemical risks.

IOELVs are health-based, non-binding values, derived from the most recent scientific data available and taking into account the availability of measurement techniques. They represent threshold levels of exposure below which, in general, no detrimental effects are expected for any given substance after short-term or daily exposure over a working lifetime.

TELECOMMUNICATIONS

Body of European Electronic Regulators for Communications

The Council adopted a regulation establishing the Body of European Regulators for Electronic Communications (BEREC), a new independent authority working in cooperation with national regulatory authorities and the Commission.

BEREC will provide expertise and establish confidence by virtue of its independence, the quality of its advice and information and the transparency of its procedures and methods of operation. It will also serve as a body for reflection, debate and advice for the European Parliament, the Council and the Commission in the area of electronic communications ([3675/09](#)).

Citizens' rights in telecoms

The Council adopted a directive amending legislation in force on universal service ePrivacy and consumer protection.

The directive adapts the regulatory framework by strengthening and improving consumer protection and user rights in the electronic communications sector, facilitating access to and use of e-communications for disabled users and enhancing the protection of individuals' privacy and personal data ([3674/09](#)).

FISHERIES

Tariff quotas for the period 2010 to 2012

The Council adopted a regulation opening and providing for the management of Community tariff quotas for imports of certain fishery products for the period 2010 to 2012 ([14004/09](#)).

The regulation continues a similar regime to that established by regulation 824/2007 for the period 2007 to 2009, which expires on 31 December 2009, in order to guarantee the appropriate supply conditions for the EU's processing industry for the period 2010 to 2012.

North-East Atlantic Fisheries Convention

The Council adopted a decision establishing the Community's position within the North-West Atlantic Fisheries Commission (NEAFC) ([13542/09](#)).

The next annual meeting of NEAFC will be held in London from 9 to 13 November.

AGRICULTURE

Statistics on plant protection products

The Council decided not to approve all of the European Parliament's amendments at second reading on a draft act dealing with statistics on plant protection products. It consequently decided to convene the conciliation committee in accordance with the Parliament-Council codecision procedure. ([14079/09](#)).
