



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 13 August 2012**

**13134/12**

**PUBLIC 50**

**NOTE**

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Subject: MONTHLY SUMMARY OF COUNCIL ACTS MAY 2012

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This document consists of the following:

- ANNEX I containing a list of acts adopted by the Council in MAY 2012.<sup>1 2</sup>
- ANNEX II containing further details on the adoption of these acts. PART I provides information on the adoption of legislative acts, such as the date of adoption, the relevant Council session, the number of the document adopted, and where appropriate, applicable voting rules, voting results, explanations of vote and statements published in the minutes of the Council. PART II provides information that the Council has decided to make public on the adoption of other acts.

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<sup>1</sup> With the exception of certain acts of limited scope such as procedural decisions, appointments, decisions of bodies set up by international agreements, specific budgetary decisions, etc.

<sup>2</sup> In the case of legislative acts adopted in the ordinary legislative procedure, there may be a difference between the date of the Council's meeting where the legislative act is adopted and the actual date of the act in question, since legislative acts adopted in the ordinary legislative procedure are only considered to have been adopted after signature by both the President of the Council and the President of the European Parliament and the Secretaries-General of the two Institutions.

This document is also available via the Internet at:

<http://consilium.europa.eu/documents/legislative-transparency/monthly-summaries-of-council-acts>

Documents listed in the summary may be obtained from the public register of Council documents at: <http://consilium.europa.eu/documents/access-to-council-documents-public-register>

It should be noted that only the minutes concerning the definitive adoption of legislative acts are authentic. These are available via the Internet at:

<http://consilium.europa.eu/documents/legislative-transparency/council-minutes>

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**LIST OF ACTS ADOPTED BY THE COUNCIL**

**IN MAY 2012**

**3163rd meeting of the Council of the European Union (Economic and Financial Affairs) held in Brussels on 2 May 2012**

Council Regulation (EU) No 389/2012 of 2 May 2012 on administrative cooperation in the field of excise duties and repealing Regulation (EC) No 2073/2004  
OJ L 121, 8.5.2012, p. 1–15

**Written procedure completed on 3 May 2012**

Council Decision 2012/237/CFSP of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau  
OJ L 119, 4.5.2012, p. 43–46

Council Regulation (EU) No 377/2012 of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau  
OJ L 119, 4.5.2012, p. 1–8

**3164th meeting of the Council of the European Union (Education, Youth, Culture and Sport) held in Brussels on 10 and 11 May 2012**

Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (Text with EEA relevance)  
OJ L 167, 27.6.2012, p. 1–123

Position of the Council at first reading with a view to the adoption of a Decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia  
5682/1/12 ADD 1

Regulation (EU) No 423/2012 of the European Parliament and of the Council of 22 May 2012 amending Council Regulation (EC) No 1083/2006 as regards certain provisions relating to risk-sharing instruments for Member States experiencing or threatened with serious difficulties with respect to their financial stability  
OJ L 133, 23.5.2012, p. 1–6

Regulation (EU) No 465/2012 of the European Parliament and of the Council of 22 May 2012 amending Regulation (EC) No 883/2004 on the coordination of social security systems and Regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004  
OJ L 149, 8.6.2012, p. 4–10

Directive 2012/17/EU of the European Parliament and of the Council of 13 June 2012 amending Council Directive 89/666/EEC and Directives 2005/56/EC and 2009/101/EC of the European Parliament and of the Council as regards the interconnection of central, commercial and companies registers

OJ L 156, 16.6.2012, p. 1–9

Council Decision on the signing, on behalf of the Union, and provisional application, of the Agreement between the European Union and the Government of the Democratic Socialist Republic of Sri Lanka on certain aspects of air services

8174/12

Council Decision on the signature, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Macao Special Administrative Region of the People's Republic of China on certain aspects of air services

8178/12

Establishment of the European Union's common position for the 37<sup>th</sup> meeting of the EEA Council  
9475/12 REV 1 (pl)

Council Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

9254/12 ADD 1 REV 1

Council Conclusions on the digitisation and online accessibility of cultural material and digital preservation

8832/12 REV 1 (lv) + REV 2 (da) + COR 1 (ro)

Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on combating doping in recreational sport

8838/12 COR 1 + COR 2 (cs) + COR 3 (pl) + COR 4

Council Conclusions on the employability of graduates from education and training

9100/12 + REV 1 (el)

Council Conclusions on fostering the creative and innovative potential of young people

8700/12 + REV 1 (pl) + REV 1 (el)

### **3165th meeting of the Council of the European Union (Agriculture and Fisheries) held in Brussels on 14 and 15 May 2012**

2012/374/EU: Council Decision of 14 May 2012 on the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)  
OJ L 191, 19.7.2012, p. 102–102

2012/373/EU: Council Decision of 14 May 2012 on the conclusion of the Voluntary Partnership Agreement between the European Union and the Republic of Liberia on forest law enforcement, governance and trade in timber products to the European Union  
OJ L 191, 19.7.2012, p. 1–1

**3167th meeting of the Council of the European Union (Economic and Financial Affairs) held in Brussels on 15 May 2012**

Draft amending budget No 2 of the European Union for the financial year 2012 — Council position  
OJ C 141, 17.5.2012, p. 25–25

2012/280/EU: Council Decision of 15 May 2012 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Banque de France  
OJ L 137, 26.5.2012, p. 5–5

Council Conclusions on TARGET 2 - Securities  
9605/1/12 REV 1

Decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund  
7770/12

Commission's Communication on the future of VAT - Council Conclusions  
9586/12 COR 1 REV 1 (el, pt, sv)

Council Conclusions on Green Climate Fund Board nominations  
9856/12

2012 Ageing Report - Revised Council Conclusions on the sustainability of public finances in the light of ageing populations  
9492/2/12 REV 2

Revised Council Conclusions on Climate Finance - Fast Start Finance  
9017/2/12 REV 2

**3168th meeting of the Council of the European Union (General Affairs) held in Brussels on 29 May 2012**

Council Conclusions on Special Report No 2/2012: Financial instruments for SMEs co-financed by the European Regional Development Fund  
10058/12

Preparations for the EU-Russia Summit (St. Petersburg, 3-4 June 2012)  
9828/12

Council Conclusions on Croatia  
9861/12

Council Decision 2012/281/CFSP of 29 May 2012 in the framework of the European Security Strategy in support of the Union proposal for an international Code of Conduct on outer-space activities

OJ L 140, 30.5.2012, p. 68–73

Council Conclusions on the Global Approach to Migration and Mobility  
9417/12

**Written procedure completed on 29 May 2012**

51st session of the OTIF Committee of Experts on the Transport of Dangerous Goods scheduled on 30– 31 May in Bern - Coordination of the EU position  
10367/12

**3169th meeting of the Council of the European Union (Competitiveness) held in Brussels on 30 and 31 May 2012**

Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union (Text with EEA relevance)  
OJ L 172, 30.6.2012, p. 10–35

Regulation (EU) No 529/2012 of the European Parliament and of the Council of 13 June 2012 repealing Council Regulation (EC) No 1342/2007 on administering certain restrictions on imports of certain steel products from the Russian Federation  
OJ L 172, 30.6.2012, p. 1–2

Regulation of the European Parliament and of the Council amending Council Regulation (EC) no 1225/2009 on protection against dumped imports from countries not members of the European Community  
PE-CONS 19/12

Council Conclusions on Digital Single Market and Governance of the Single Market  
9958/12

Council Conclusions on European Innovation Partnerships  
10220/12

**3170th meeting of the Council of the European Union (Foreign Affairs/Trade) held in Brussels on 31 May 2012**

2012/292/EU: Council Decision of 31 May 2012 on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs  
OJ L 147, 7.6.2012, p. 1–1

Council Decision on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part  
14759/11 REV 1 (cs)

Establishment of the position of the European Union for the 8th Stabilisation and Association Council meeting (Brussels, 6 June 2012)  
10534/12

Council Conclusions on visa dialogue with Georgia  
10377/12

Council Decision on the submission by the European Union of an amendment to Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)  
9494/12

### **Written procedure completed on 31 May 2012**

Council Decision 2012/285/CFSP of 31 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau and repealing Decision 2012/237/CFSP  
OJ L 142, 1.6.2012, p. 36–46

Council Implementing Regulation (EU) No 458/2012 of 31 May 2012 implementing Article 11(1) of Regulation (EU) No 377/2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau  
OJ L 142, 1.6.2012, p. 11–15

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<b>INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS</b> <b>MAY 2012</b>			
<b>TITLE OF LEGISLATIVE ACT</b>	<b>TEXTS ADOPTED</b>	<b>VOTING RULE</b>	<b>VOTES</b>
<p><b>3163rd meeting of the Council of the European Union (Economic and Financial Affairs) held in Brussels on 2 May 2012</b></p> <p>Council Regulation (EU) No 389/2012 of 2 May 2012 on administrative cooperation in the field of excise duties and repealing Regulation (EC) No 2073/2004</p>	7314/12	Unanimity	All Member States in favour
<p><b>3164th meeting of the Council of the European Union (Education, Youth, Culture and Sport) held in Brussels on 10 and 11 May 2012</b></p> <p>Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (Text with EEA relevance)</p>	PE-CONS 3/2/12 REV 2	Qualified majority	All Member States in favour except: abstention: CZ, AT against: DK
<p>Position of the Council at first reading with a view to the adoption of a Decision of the European Parliament and of the Council providing further macro-financial assistance to Georgia</p>	5682/1/12 REV 1 ADD 1	Qualified majority	All Member States in favour
<p>Regulation (EU) No 423/2012 of the European Parliament and of the Council of 22 May 2012 amending Council Regulation (EC) No 1083/2006 as regards certain provisions relating to risk-sharing instruments for Member States experiencing or threatened with serious difficulties with respect to their financial stability</p>	PE-CONS 15/1/12 REV 1	Qualified majority	All Member States in favour
<p>Regulation (EU) No 465/2012 of the European Parliament and of the Council of 22 May 2012 amending Regulation (EC) No 883/2004 on the coordination of social security systems and Regulation (EC) No 987/2009 laying down the procedure for implementing Regulation (EC) No 883/2004</p>	PE-CONS 15/12	Qualified majority	All Member States in favour except abstention: IE



**INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS  
MAY 2012**

TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
<p>Directive 2012/17/EU of the European Parliament and of the Council of 13 June 2012 amending Council Directive 89/666/EEC and Directives 2005/56/EC and 2009/101/EC of the European Parliament and of the Council as regards the interconnection of central, commercial and companies registers</p> <p><b>Statement by the Council</b> "This Directive and the financing arrangements required for it are without prejudice to the ongoing negotiations for the next multiannual financial framework. Moreover, any financing required for this Directive within the current financial framework should be found wholly from within existing budget appropriations."</p>	PE-CONS 5/12	Qualified majority	All Member States in favour
<p><b>3167th meeting of the Council of the European Union (Economic and Financial Affairs) held in Brussels on 15 May 2012</b></p> <p>Draft amending budget No 2 of the European Union for the financial year 2012 — Council position</p>	9556/12	Qualified majority	All Member States in favour except: abstention: UK
<p><b>3169th meeting of the Council of the European Union (Competitiveness) held in Brussels on 30 and 31 May 2012</b></p> <p>Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union (Text with EEA relevance)</p>	PE-CONS 20/12 COR 1 (de)	Qualified majority	All Member States in favour

**INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS  
MAY 2012**

TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
Regulation (EU) No 529/2012 of the European Parliament and of the Council of 13 June 2012 repealing Council Regulation (EC) No 1342/2007 on administering certain restrictions on imports of certain steel products from the Russian Federation	PE-CONS 17/12	Qualified majority	All Member States in favour
Regulation of the European Parliament and of the Council amending Council Regulation (EC) no 1225/2009 on protection against dumped imports from countries not members of the European Community	PE-CONS 19/12	Qualified majority	All Member States in favour

<b>INFORMATION ON THE ADOPTION OF OTHER ACTS MAY 2012</b>	
<b>OTHER ACTS</b>	<b>Votes/Statements made public</b>
<p><b>Written procedure completed on 3 May 2012</b> Council Decision 2012/237/CFSP of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau 5246/2/11 ADD 1 REV 2</p> <p>Council Regulation (EU) No 377/2012 of 3 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau 5256/11 ADD 1 REV 2</p> <p><b>3164th meeting of the Council of the European Union (Education, Youth, Culture and Sport) held in Brussels on 10 and 11 May 2012</b> Council Decision on the signing, on behalf of the Union, and provisional application, of the Agreement between the European Union and the Government of the Democratic Socialist Republic of Sri Lanka on certain aspects of air services 8174/12</p> <p><b>Joint Statement by the Council and the Commission</b> "Inter alia for pragmatic reasons, it is preferable that the Union alone should conclude the Agreement with the Government of the Democratic Socialist Republic of Sri Lanka on certain aspects of air services. The same considerations would apply in respect of similar agreements as long as they are concluded in accordance with and within the limits of the mandate on the replacement of certain provisions in existing bilateral agreements adopted by the Council Decision of 5 June 2003. This Decision does not constitute a precedent as to the exercise of the respective competencies of the Union and its Member States in respect of agreements other than those referred to above, such as, for example, agreements of the type envisaged by the Council Decision of 5 June 2003 authorising the Commission to open negotiations with the United States in the field of air transport, which shall be concluded as mixed agreements. This Decision does not create any new Union competences as far as external agreements on air services are concerned, nor does it affect the division of competences between the Union and its Member States."</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

OTHER ACTS	Votes/Statements made public
<p>Council Decision on the signature, on behalf of the Union, and provisional application of the Agreement between the European Union and the Government of the Macao Special Administrative Region of the People's Republic of China on certain aspects of air services 8178/12</p> <p><b>Joint Statement by the Council and the Commission</b> "Inter alia for pragmatic reasons, it is preferable that the Union alone should conclude the Agreement with the Republic of the Macao Special Administrative Region of the People's Republic of China on certain aspects of air services. The same considerations would apply in respect of similar agreements as long as they are concluded in accordance with and within the limits of the mandate on the replacement of certain provisions in existing bilateral agreements adopted by the Council Decision of 5 June 2003. This Decision does not constitute a precedent as to the exercise of the respective competencies of the Union and its Member States in respect of agreements other than those referred to above, such as, for example, agreements of the type envisaged by the Council Decision of 5 June 2003 authorising the Commission to open negotiations with the United States in the field of air transport, which shall be concluded as mixed agreements. This Decision does not create any new Union competences as far as external agreements on air services are concerned, nor does it affect the division of competences between the Union and its Member States."</p> <p>Establishment of the European Union's common position for the 37<sup>th</sup> meeting of the EEA Council 9475/12 COR 1 REV 1 (pl)</p> <p>Council Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and Council Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism 9254/12 ADD 1 REV 1</p> <p>Council Conclusions on the digitisation and online accessibility of cultural material and digital preservation 8832/12 REV 1 (lv) + REV 2 (da) + COR 1 (ro)</p> <p>Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on combating doping in recreational sport 8838/12 COR 1 + COR 2 (cs) + COR 3 (pl) + COR 4</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

<b>OTHER ACTS</b>	<b>Votes/Statements made public</b>
<p>Council Conclusions on the employability of graduates from education and training 9100/12 + REV 1 (el)</p> <p>Council Conclusions on fostering the creative and innovative potential of young people 8700/12 + REV 1 (pl) + REV 1 (el)</p> <p><b>3165th meeting of the Council of the European Union (Agriculture and Fisheries) held in Brussels on 14 and 15 May 2012</b></p> <p>2012/374/EU: Council Decision of 14 May 2012 on the conclusion of a Voluntary Partnership Agreement between the European Union and the Central African Republic on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT) 14034/11</p> <p>2012/373/EU: Council Decision of 14 May 2012 on the conclusion of the Voluntary Partnership Agreement between the European Union and the Republic of Liberia on forest law enforcement, governance and trade in timber products to the European Union 11104/11</p> <p><b>3167th meeting of the Council of the European Union (Economic and Financial Affairs) held in Brussels on 15 May 2012</b></p> <p>2012/280/EU: Council Decision of 15 May 2012 amending Decision 1999/70/EC concerning the external auditors of the national central banks, as regards the external auditors of the Banque de France 8616/12</p> <p>Council Conclusions on TARGET 2 - Securities 9605/1/12 REV 1</p> <p>Decision of the European Parliament and of the Council on the mobilisation of the EU Solidarity Fund 7770/12</p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

<b>OTHER ACTS</b>	<b>Votes/Statements made public</b>
<p>Commission's Communication on the future of VAT - Council Conclusions 9586/12 COR 1 REV 1 (el, pt, sv)</p> <p>Council Conclusions on Green Climate Fund Board nominations 9856/12</p> <p>2012 Ageing Report - Revised Council Conclusions on the sustainability of public finances in the light of ageing populations 9492/2/12 REV 2</p> <p>Revised Council Conclusions on Climate Finance - Fast Start Finance 9017/2/12 REV 2</p> <p><b>3168th meeting of the Council of the European Union (General Affairs) held in Brussels on 29 May 2012</b></p> <p>Council Conclusions on Special Report No 2/2012: Financial instruments for SMEs co-financed by the European Regional Development Fund 10058/12</p> <p>Preparations for the EU-Russia Summit (St. Petersburg, 3-4 June 2012) 9828/12</p> <p>Council Conclusions on Croatia 9861/12</p> <p>Council Decision 2012/281/CFSP of 29 May 2012 in the framework of the European Security Strategy in support of the Union proposal for an international Code of Conduct on outer-space activities 9181/12</p> <p>Council Conclusions on the Global Approach to Migration and Mobility 9417/12</p> <p><b>Written procedure completed on 29 May 2012</b></p>	

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

OTHER ACTS	Votes/Statements made public
<p>51st session of the OTIF Committee of Experts on the Transport of Dangerous Goods scheduled on 30– 31 May in Bern - Coordination of the EU position 10367/12</p> <p><b>Statement by Italy on the position of the EU for the meeting of the RID Committee of Experts on 30-31 May 2012</b></p> <p>"While respecting the views expressed by the Member States at the recent meeting of the Committee on the Transport of Dangerous Goods on 22 May 2012, Italy wishes to state that following the Viareggio incident the Italian National Investigation Body (NIB) issued a specific recommendation for the introduction of such devices on wagons carrying dangerous goods, indicating that PRIORITY should be given to the mandatory adoption of the devices, from the oldest to the most recent wagons, as well as on brand-new ones.</p> <p>This was done for two reasons, which were also set out by the Italian National Investigation Body at recent international meetings:</p> <p>(1) the effects of the Viareggio incident would very probably have been much smaller if the incipient anomaly in the running of the train had been revealed by devices whereby, by means of automatic braking, there is an immediate reduction in the kinetic energy of the wagon and the train;</p> <p>(2) these devices and an installation plan can be adopted in a fairly short space of time at negligible cost (EUR 1 000 to 2 000 per railway wagon) in relation to the commercial value of railway wagons.</p> <p>Italy would also point out that the requirement to adopt DDDs on wagons would not cause market distortion as supposed by the European Railway Agency (whose report was taken as a basis by the European Commission for reaching its position against DDDs); NON-adoption would create distortion with orders for supply and maintenance being concentrated on operators offering a level of safety that is only just within the limits of good practice. Accordingly, pending implementation of the system of compulsory maintenance of basic security components – the subject of the recommendations of the Italian NIB regarding the Viareggio incident – within a new legislative framework, the adoption of DDDs would be an easily and cheaply adopted solution.</p> <p>Adoption on a voluntary basis could run the risk of self-selection by producers of wagons and of owners of wagons who might prefer to make use of low-cost maintenance workshops and, for purely commercial cost-reduction reasons, to eliminate potentially valuable safety measures.</p> <p>Noting the outcome of the meeting of the Council Working Party on 24 May on the subject of DDDs, Italy REITERATES its unchanged position in favour of compulsory adoption of DDDs on all railway wagons transporting dangerous goods, with particular urgency in the case of older wagons; and hopes that in future the Commission will be able to adopt a binding approach."</p>	<p>All Member States in favour except: Abstention: CY, PT, PL</p>

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

OTHER ACTS	Votes/Statements made public
<p><b>3169th meeting of the Council of the European Union (Competitiveness) held in Brussels on 30 and 31 May 2012</b></p> <p>Council Conclusions on Digital Single Market and Governance of the Single Market 9958/12</p> <p>Council Conclusions on European Innovation Partnerships 10220/12</p> <p><b>3170th meeting of the Council of the European Union (Foreign Affairs/Trade) held in Brussels on 31 May 2012</b></p> <p>2012/292/EU: Council Decision of 31 May 2012 on the signing, on behalf of the Union, of the Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs 8739/12</p> <p>Council Decision on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part 14759/11 REV 1 (cs)</p> <p><b>Statement by the Council</b></p> <p>"Should the implementation of the agreement by the European Union necessitate a recourse to measures pursuant to Part III, Title V, of the Treaty on the Functioning of the European Union, the provisions of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, will be fully respected."</p>	



**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

**OTHER ACTS**

**Votes/Statements made public**

**Statement by the United Kingdom**

"Where provisions falling within the scope of Protocol No.21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice are included in a Union agreement they only bind the United Kingdom as part of the Union where it has notified its wish to participate in the relevant Council Decision to sign and conclude the agreement, in accordance with Protocol No.21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice. In the absence of a notification, such provisions bind the United Kingdom in its national capacity where the relevant agreement is a mixed agreement and the United Kingdom and the Union are parties to the agreement within their respective spheres of competence."

**Statement by the United Kingdom, Latvia, Romania and Germany**

"The United Kingdom, Latvia, Romania and Germany note that, to the extent that this Council Decision provides for provisional application of areas of competence shared between the EU and its Member States, this does not preclude the Member States from acting in those areas of competence outside the scope of this agreement, subject to the duty of sincere cooperation."

**Statement by Hungary**

"Hungary notes that, should it be necessary to amend its domestic legislation for the provisional application by the European Union of those parts of the Trade Agreement (between the EU and its Member States and Peru and Colombia) covered by shared competence, such amendments shall be made, because of the nature of its legal order, in conjunction with the national ratification process, which Hungary will initiate as expediently as possible. Should any problem arise as regards any amendments considered necessary Hungary shall consult with the European Commission with a view to ensure the good faith provisional application of the Agreement."

**Statement by the European Commission**

"The Commission takes note of the statement by Hungary and recalls its position that all the matters covered by the Trade Agreement with Peru and Colombia, and hence by the Council's decision on provisional application, fall within the Union's exclusive competence (Article 207 of the TFEU and Articles 91 and 100 of the TFEU in conjunction with Article 3.2 of the TFEU). Accordingly, the Commission does not envisage that it could become necessary to initiate proceedings under Article 258 TFEU in respect of a failure to implement that decision in an area of shared competence."

**Statement by Austria**

"With regard to the provisional application by the European Union of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, the Republic of Austria declares that it may implement those parts of the Agreement involving competences of the Member States only after all necessary internal procedures for entry into force of the Agreement have been completed. The Republic of Austria will initiate as expediently as possible its internal procedures and will, if any problem arises, consult with the European Commission."

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

**OTHER ACTS**

**Votes/Statements made public**

**Statement by the European Commission**

"The Commission takes note of the statement of the Republic of Austria and recalls its position that all the matters covered by the Trade Agreement with Peru and Colombia, and hence by the Council's decision on provisional application, fall within the Union's exclusive competence (Article 207 of the TFEU and Articles 91 and 100 of the TFEU in conjunction with Article 3.2 of the TFEU). Accordingly, the Commission does not envisage that it could become necessary to initiate proceedings under Article 258 TFEU in respect of a failure to implement that decision in an area of shared competence."

**Statement by Portugal**

"On the basis of the respect of the competences allocated between the European Union and its Member States, as defined by the Treaties, the Decision of the Council that authorises the provisional application of the Trade Agreement EU/Colombia and Peru shall not affect the autonomy of decision of Portugal on the issues of its national competence, whose decision to be bound by the Agreement depends on the conclusion of the internal ratification procedures, in accordance with the Constitutional principles and rules."

**Statement by Sweden**

"Sweden notes that, in accordance with its constitutional rules, it will be necessary to amend its domestic legislation for the provisional application by the European Union of Articles 189 and 290 of the EU-Colombia-Peru Free Trade Agreement. Sweden also notes that it will initiate the necessary amendments as expediently as possible."

**Statement by Finland**

"With regard to the provisional application by the European Union of the Trade Agreement between the EU and its Member States and Colombia and Peru, Finland declares that it can implement those parts of the Agreement involving competences of the Member States only after all necessary internal procedures for entry into force of the Agreement have been completed."

**Statement by the European Commission**

"The Commission considers that Article 201 of the Trade Agreement between the European Union and its Member States of the one part and Colombia and Peru of the other part dealing with the Protection of Biodiversity and Traditional Knowledge does not require EU Member States to adopt additional implementing legislative measures."

**Statement by the European Commission**

"The Commission reaffirms its position that all the matters covered by the Trade Agreement with Peru and Colombia fall within the Union's exclusive competence (Article 207 of the TFEU and Articles 91 and 100 of the TFEU in conjunction with Article 3.2 of the TFEU). The Commission therefore regrets the unanimous decision of the Council to amend the Commission proposal, which provided for the signature of the agreement by the Union only, in order to have it signed as a mixed agreement by the Union and the Member States."

**INFORMATION ON THE ADOPTION OF OTHER ACTS  
MAY 2012**

<b>OTHER ACTS</b>	<b>Votes/Statements made public</b>
<p>Establishment of the position of the European Union for the 8th Stabilisation and Association Council meeting (Brussels, 6 June 2012) 10534/12</p> <p>Council Conclusions on visa dialogue with Georgia 10377/12</p> <p>Council Decision on the submission by the European Union of an amendment to Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) 9494/12</p> <p><b>Statement by the Commission</b> The Commission welcomes the adoption of the Council decision but regrets that the Council has departed from the Commission proposal on the legal basis.</p> <p><b>Written procedure completed on 31 May 2012</b></p> <p>Council Decision 2012/285/CFSP of 31 May 2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau and repealing Decision 2012/237/CFSP 10285/12 ADD 1 REV 1</p> <p>Council Implementing Regulation (EU) No 458/2012 of 31 May 2012 implementing Article 11(1) of Regulation (EU) No 377/2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau 10287/12 ADD 1 REV 1</p>	