



**COUNCIL OF
THE EUROPEAN UNION**

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16942/08

LIMITE

**PV/CONS 81
TRANS 462
TELECOM 224
ENER 454**

DRAFT MINUTES¹

of: **2913th** meeting of the Council of the European Union (**TRANSPORT, TELECOMMUNICATIONS and ENERGY**), held in Brussels on 8 and 9 December 2008

¹ Information which may be released to the public concerning the final adoption of Council acts is contained in Addendum 1 to these minutes.

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ANNEX 13

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1. **Adoption of the agenda**

16649/08 OJ CONS 71 TRANS 446 TELECOM 219 ENER 435
+ COR 1

The Council adopted the abovementioned agenda.

2. **Approval of the list of "A" items**

16679/08 PTS A 63

The Council approved the list of "A" items as set out in 16679/08.

Information relating to items 3, 10 and 11 is given in Addendum 1 to these minutes.

ENERGY

3. **Energy efficiency**

(a) **Implementation of the Directive of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy using products and amending Council Directive 92/12/EEC and Directives 96/57/EC and 2000/55/EC of the European Parliament and of the Council**

– Progress report

(b) **Proposal for a Directive of the European Parliament and of the Council establishing a framework for the setting of eco design requirements for energy related products – Recast**

– General approach

(Public deliberation pursuant to Article 8(1)(c) of the Council's Rules of Procedure)

16185/08 ENER 409 ENV 872 CODEC 1634

16712/08 ENER 438 ENV 928 CODEC 1720

Having being briefed by the Commission on the implementing measures already, or about to be, adopted in the framework of the ecodesign Directive, the Council adopted a general approach on a recast of that Directive aimed at extending its scope to energy-related products and noted the Commission's intention to make the statement on page 2 of 16185/08 when the act was finally adopted.

4. **Energy security**

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Second Strategic Energy Review – An EU energy security and solidarity action plan

- Presentation and policy debate
(Public deliberation pursuant to Article 8(3)(c) of the Council's Rules of Procedure)
15944/08 ENER 400 ENV 851 RELEX 930 ATO 110 POLGEN 122
16345/08 ENER 421 ENV 890 RELEX 962 ATO 115 POLGEN

Following a presentation of the above Communication by Commissioner Piebalgs, supplemented by information from the President of the EIB, Mr Maystadt, on his institution's intentions concerning energy funding, the Council held a policy debate based on the questions contained in 16345/08.

5. **International relations**

- (a) **EU-Russia Permanent Partnership Council**
- (b) **Energy Community ministerial conference**
- (c) **Other**
 - Presidency and Commission briefing
16346/08 ENER 422 ENV 891 RELEX 963

The Council took note of the briefings on items (a) and (b) above as well as on the Mediterranean Solar Plan and other international events (Baku summit, relations with the countries of the Caucasus and central Asia, and the partnership with Africa).

6. **Climate/energy legislative package**

- (a) **Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading system of the Community (First reading)**
5862/08 ENV 52 ENER 29 IND 11 COMPET 31 MI 34 ECOFIN 34
TRANS 22 AVIATION 25 CODEC 105
- (b) **Proposal for a Decision of the European Parliament and of the Council on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (First reading)**
5849/08 ENV 50 ENER 28 IND 10 COMPET 30 MI 33 ECOFIN 32
TRANS 20 CODEC 104

- (c) **Proposal for a Directive of the European Parliament and of the Council on the geological storage of carbon dioxide and amending Council Directives 85/337/EEC, 96/61/EC, Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC and Regulation (EC) No 1013/2006 (First reading)**

5835/08 ENV 48 ENER 27 IND 9 CODEC 103

- Presidency briefing

- (d) **Proposal for a Directive of the European Parliament and of the Council on the promotion of the use of energy from renewable sources (First reading)**

- Presidency progress report

5421/08 ENER 15 ENV 24 TRANS 15 AGRI 15 CODEC 58

During lunch, the Council held an exchange of views on the whole package and more specifically on point (d) concerning the clause providing for review in 2014.

TRANSPORT

AVIATION

7. **Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system**

- General approach

(Public deliberation pursuant to Article 8(1)(c) of the Council's Rules of Procedure)

11323/08 AVIATION 138 CODEC 906

16455/08 AVIATION 285 CODEC 1685

The Council reached agreement on the various technical aspects of the Commission proposal aimed at improving the performance and sustainability of the European aviation system ("Single European Sky"), annexed to 17115/08.

The Council took note of the Austrian and Maltese delegations' statement on Regulation (EC) No 549/2004, as set out in the annex to these minutes.

8. **Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Council Directive 2006/23/EC**

- Partial general approach
- Presidency progress report
- Policy debate
(Public deliberation pursuant to Article 8(1)(c) of the Council's Rules of Procedure)
11285/08 AVIATION 137 CODEC 900
16834/08 AVIATION 294 CODEC 1744

The Council:

- adopted a partial general approach on the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 216/2008 in the field of aerodromes, air traffic management and air navigation services and repealing Council Directive 2006/23/EC (annex to 17067/08); and
- took note of the progress made in the Council's preparatory bodies on the same proposal, as set out in Annex II to 16834/08.

9. **Aviation agreements with third countries:**

(a) **Draft Decision of the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the Commission to open negotiations for a Euro-Mediterranean aviation agreement between the European Community and Tunisia**

- Adoption
13994/08 AVIATION 221 TU 2 **RESTREINT UE**
16663/08 AVIATION 290 TU 6 **RESTREINT UE**

- (b) **Draft Decision of the Council and the Representatives of the Governments of the Member States of the European Union, meeting within the Council, authorising the Commission to open negotiations for a Euro-Mediterranean aviation agreement between the European Community and Algeria**

– Adoption

15188/08 AVIATION 253 AL 4

RESTREINT UE

16662/08 AVIATION 289 AL 7

RESTREINT UE

The Council adopted two decisions authorising the Commission to open negotiations with Tunisia and Algeria with a view to establishing Euro-Mediterranean agreements on air services (16663/08 and 16662/08).

LAND TRANSPORT

10. **Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/62/EC on the charging of heavy goods vehicles for the use of certain infrastructures (Eurovignette)**

– Progress report

(Public deliberation pursuant to Article 8(1)(c) of the Council's Rules of Procedure)

11857/1/08 REV 1 TRANS 249 FISC 95 ENV 456 CODEC 973

+ COR 1

+ COR 1 REV 1 (It)

16636/08 TRANS 444 FISC 178 ENV 922 CODEC 1708

The Council took note of the report on work carried out under the French Presidency and asked the competent bodies to continue examining this dossier.

11. **Proposal for a Directive of the European Parliament and of the Council facilitating cross-border enforcement in the field of road safety**

– Progress report

(Public deliberation pursuant to Article 8(1)(c) of the Council's Rules of Procedure)

7984/08 TRANS 100 CODEC 416

16634/08 TRANS 442 CODEC 1707

The Council noted the state of play on the above proposal for a Directive and invited the preparatory bodies to continue discussions with a view to reaching agreement on this item on a different legal basis.

INTERMODAL AND NETWORK ISSUES

12. Greening transport, strategy for the internalisation of external costs and rail noise abatement measures addressing the existing fleet

- Adoption of Council conclusions
 - 11841/08 TRANS 245 FISC 94 MI 253 ENV 454
 - 11842/08 TRANS 246 ENV 453
 - 11851/08 TRANS 248 ENV 455
 - 16635/08 TRANS 443 ENV 921

The Council adopted the conclusions on greening transport set out in the annex to 17043/08.

The Council also took note of Belgium's statement on this item, contained in the annex to these minutes.

MARITIME TRANSPORT

13. Draft Council Resolution on the European Union Long Range Identification and Tracking (LRIT) Data Centre

- Adoption
 - 16582/08 MAR 233 ENV 916 ECOFIN 585

The Council adopted the conclusions annexed to 17043/08.

14. Other business

(a) Work carried out on the SET Plan

- Commission briefing
 - 16777/08 ENER 441 ENV 941 RECH 412

The Council noted the information provided by the Commission and Slovakia respectively.

(b) Candidature of the Slovak Republic for the seat of the Agency for the Cooperation of Energy Regulators

- Information from the Slovak delegation
16778/08 ENER 442

The Council noted the information provided by the Commission and Slovakia respectively.

(c) EU-Canada aviation agreements

- Information from the Commission

The Council took note of information provided by the Commission on the state of negotiations with Canada on a comprehensive agreement on air services.

(d) Revised Annex VI to the MARPOL Convention – monitoring of developments and implications

- Information from the Finnish delegation
16652/08 MAR 234

The Council took due note of the information presented by the Finnish delegation on the above subject.

(e) Information on possible Community initiatives for the adoption of a vehicle accident data recording system ("black box")

- Information from the Italian delegation
16625/08 TRANS 440 ENT 300 IND 213

The Council took due note of the information given by the Italian delegation and the Commission on the vehicle accident data recording system ("black box").

(f) Report on progress with transport-related issues being dealt with by the Environment Council

- Presidency briefing at the request of the German delegation
16624/08 TRANS 439 ENV 920 ENER 433 ENT 299

The Council took due note of the Presidency's briefing on progress on transport-related issues being dealt with by the Environment Council.

STATEMENTS FOR THE COUNCIL MINUTES

Re item 7: Proposal for a Regulation of the European Parliament and of the Council amending Regulations (EC) No 549/2004, (EC) No 550/2004, (EC) No 551/2004 and (EC) No 552/2004 in order to improve the performance and sustainability of the European aviation system

STATEMENT BY AUSTRIA AND MALTA ON REGULATION (EC) No 549/2004

"Austria and Malta take Article 4(3) to mean that no further independent organisation or body of any kind is to be set up, in addition to the existing top national civil aviation authority."

Re item 12: Greening transport, strategy for the internalisation of external costs and rail noise abatement measures addressing the existing fleet

STATEMENT BY BELGIUM

"While Belgium recognises that measures should be taken to reduce the adverse effects of railway noise at source, it nevertheless insists that such measures must not jeopardise the competitiveness of the railway sector."

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